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PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, FIRST SESSION

Vol. 145 WASHINGTON, WEDNESDAY, APRIL 14, 1999 *No. 51*

House of Representatives

The House met at 10:00 a.m. and was called to order by the Speaker pro tempore (Mr. HEFLEY).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
April 14, 1999.

I hereby appoint the Honorable JOEL HEFLEY to act as Speaker pro tempore on this day.

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

PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

Your word tells us, O gracious God, that we need not walk alone through the trials or shadows of life, and it reminds us that Your spirit gives us strength no matter how great the danger or how deep the sorrow. At this time when people suffer or face peril because of conflict and strife, we earnestly pray that all violence cease and a measure of justice be sustained. May people of goodwill realize the blessings of accord, and may peace dwell not only in our hearts but among the nations of the world. Let justice roll down as waters and righteousness like an everflowing stream. This is our earnest prayer. Amen.

THE JOURNAL

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

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

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

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

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 343, nays 53, answered ''present'' 1, not voting 36, as follows:

[Roll No. 83]

YEAS—343

Ackerman
Allen
Andrews
Archer
Armey
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boucher
Boyd
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Castle
Chabot
Chambliss
Clayton
Clement
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Coyne
Cramer
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dingell
Doggett
Dooley
Doolittle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Emerson
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fletcher
Foley
Forbes
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (WI)
Greenwood
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hunter
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaFalce
Lampson
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCollum
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
Meehan
Meek (FL)
Meeks (NY)
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Ortiz
Ose
Owens
Packard
Paul
Payne
Pease
Pelosi
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Regula
Reyes
Reynolds
Riley
Rivers
Roemer
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schakowsky
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence

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

Printed on recycled paper.

Spratt	Thurman	Watt (NC)
Stabenow	Tiahrt	Watts (OK)
Stark	Tierney	Waxman
Stearns	Toomey	Weldon (FL)
Stenholm	Towns	Weldon (PA)
Stump	Traficant	Wexler
Sununu	Turner	Weygand
Talent	Udall (CO)	Whitfield
Tanner	Udall (NM)	Wicker
Tauscher	Upton	Wilson
Taylor (NC)	Vento	Wolf
Terry	Walden	Woolsey
Thomas	Walsh	Wu
Thornberry	Wamp	Wynn
Thune	Watkins	Young (FL)

NAYS—53

Aderholt	Gutknecht	Pastor
Bonior	Hilliard	Peterson (MN)
Borski	Hulshof	Pickett
Brady (PA)	Hutchinson	Ramstad
Brown (CA)	Johnson, E. B.	Rogan
Chenoweth	Klink	Sabo
Clay	Kucinich	Schaffer
Clyburn	Larson	Serrano
Costello	Lee	Strickland
DeFazio	Lewis (GA)	Stupak
Engel	LoBiondo	Sweeney
English	McDermott	Tancredo
Filner	McNulty	Taylor (MS)
Ford	Menendez	Thompson (CA)
Gephardt	Moran (KS)	Thompson (MS)
Gibbons	Oberstar	Visclosky
Green (TX)	Pallone	Weller
Gutierrez	Pascrell	

ANSWERED ''PRESENT''—1

Carson

NOT VOTING—36

Abercrombie	Hastings (FL)	Porter
Bateman	Hinchey	Rangel
Becerra	Kleczka	Rodriguez
Conyers	LaHood	Rohrabacher
Cox	Lantos	Scarborough
Crane	McCarthy (NY)	Sherwood
Davis (IL)	McCrery	Tauzin
Dicks	Metcalf	Velazquez
Dixon	Myrick	Waters
Doyle	Neal	Weiner
Dunn	Olver	Wise
Fattah	Oxley	Young (AK)

□ 1021

So the Journal was approved.

The result of the vote was announced as above recorded.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore (Mr. HEFLEY). Will the gentleman from New York (Mr. REYNOLDS) come forward and lead the House in the Pledge of Allegiance.

Mr. REYNOLDS led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 148. An act to require the Secretary of the Interior to establish a program to provide assistance in the conservation of neotropical migratory birds.

S. 380. An act to reauthorize the Congressional Award Act.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain 15 one-minutes on each side.

REPEAL THE INCOME TAX

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, it is that time of year again: Tax season. Let us be honest, our current tax system is economically destructive, impossibly complex, overly intrusive, unprincipled, dishonest, unfair and inefficient. This madness must stop. That is why I will reintroduce the tax freedom bill today that will repeal the 16th Amendment to the Constitution and deny the Congress the ability to lay and collect taxes on income, except when the Congress declares war.

We must replace the current tax system based on a vision of America that places the individual, not the government, at the center of society. My bill to replace the 16th Amendment brings us one step closer to replacing the current system and restoring freedom to the American taxpayer. It is way past time to enact a tax system that embraces freedom for all Americans.

CAMPAIGN FINANCE REFORM

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

Mr. GEPHARDT. Mr. Speaker, I want to thank my colleagues in the Blue Dog Caucus, especially the gentleman from Texas (Mr. STENHOLM) and the gentleman from Texas (Mr. TURNER), for their leadership in helping to bring campaign finance reform to the forefront of the agenda in this session.

I also want to thank the freshman Democrats who have been so helpful with this effort, and I want to thank the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN), who have been the leaders of making this legislation come together.

This is a bipartisan issue which demands bipartisan action. Both Democrats and Republicans support the Shays-Meehan reform bill to help restore sanity to our system of political campaigns. It is a first step but we need to start somewhere, and that place is here and that place is now and that time is now.

Unfortunately, the Republican leadership of the House for the past 2 years has been dedicated to stifling these bipartisan efforts to clean up political campaigns. First it was death by amendment. Now it is death by delay. Well, it is now or never. In baseball, wait until next year is the perpetual excuse for coming in last. Wait until August is another excuse for why the House will not pass campaign finance reform again this year.

If we want to clean up the political campaign system, now is the time and here is the chance. I urge every Member, both Democrat and Republican, to sign this discharge petition. It is a fair petition. It is a fair rule. Let us get campaign reform done now, not later.

NO CONFIDENCE IN THE ABILITY OF LIBERALS TO WAGE WAR

(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, I have no confidence in the ability of liberals to wage war. That is the truth that most of us believe and cannot deny. From the nonsensical way that Johnson and McNamara fought the Vietnam War, to Carter's humiliation in Iran, to our latest misadventure in Kosovo, the truth is there for all to see.

The liberal mentality simply is not equipped to deal with the harsh realities of war. They do not understand the first thing about using military force, about protecting America's national interest or about what is required to defeat a determined enemy. Vietnam, Iran hostages and now Bill Clinton's war in Kosovo. The liberals voted against using military force in the Persian Gulf when U.S. interests were clearly at stake, but where U.S. interests are not at stake, such as Haiti or Kosovo, then they are for military force.

This is liberalism in the full glory of its contradictions and wrongheadedness. I only can pray that the soldiers, sailors and aviators who must put their lives on the line do not suffer for the naivete and the incompetence of the armchair liberals in this administration.

DEMOCRATS WANT MEANINGFUL CAMPAIGN FINANCE REFORM

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

Mr. DOGGETT. Mr. Speaker, today Democrats are lining up for reform. We have had enough. We have had enough Republican leadership excuses. We have had enough delay. We want meaningful campaign finance reform.

We are here lined up to sign a discharge petition to discharge all of the proposals, by both Republicans and Democrats, for a full and fair debate on the floor of this House.

□ 1030

Last year the Republicans delayed as long as they could until this discharge petition was approved. They finally had to bring the bill to the floor, and then they tried to filibuster it to death with amendments.

When that filibuster failed, every single member of the Republican leadership, including the gentleman from Illinois (Speaker HASTERT) voted no

against bipartisan reform sponsored by Republicans and Democrats, and backed by most every good government organization in this country.

With that background, it is very troubling to hear now the gentleman from Illinois (Speaker HASTERT) announce in the first month of his speakership that he would put this vital issue on the back burner. We need an end to obstructionism and some real bipartisan reform.

LET US HAVE TRUE BIPARTISANSHIP AND TRUE REFORM

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

Mr. HAYWORTH. Mr. Speaker, it should come as no surprise that my colleagues on the left want to posture in the name of reform. After all, they, and to tell the truth, all the American people, have been embarrassed by an administration that took campaign donations from the People's Republic of China. That is despicable. So we would ask in a bipartisan fashion that they join with us to get to the bottom of Chinese influence on our government and on our political system, and that is the real step to reform.

In addition, Mr. Speaker, I would ask my friends on the left to give the working men and women of America who happen to belong to unions the right to devote their union dues directly to collective bargaining, instead of going into the campaign coffers of liberal interest groups. That is another real step for reform.

Let us have true bipartisanship and true reform, quit the preening and posturing, and stand up for America.

TIME FOR MEANINGFUL AND TIMELY DEBATE ON CAMPAIGN FINANCE REFORM

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

Mr. DAVIS of Florida. Mr. Speaker, during the last Congress the Republican leadership attempted to block the passage of meaningful campaign finance reform. But the freshman class of 1996, Democrats and Republicans, worked together on a bipartisan basis with the Shays-Meehan bill to force the issue. We ultimately succeeded in bringing an open debate on this issue to the Floor of the House.

We thought we had demonstrated the importance to the American people of taking up campaign finance reform, but once again the Republican leadership does not fully appreciate the magnitude of this issue.

I am proud to be an original cosponsor of the Shays-Meehan bill. We must ban soft money and find a way to regulate sham issue ads. Soft money contributions are exploding. The amount of money contributed to both political parties has grown at an enormous and unacceptable rate. In 1992 soft money accounted for $86 million. By 1996 it had increased to $260 million. In 1998, a nonpresidential election year, it increased to $193 million, twice the increase the previous year.

We need to address this cancer. We need to sign the discharge petition, and have meaningful and timely debate on campaign finance reform.

KEY DIFFERENCES BETWEEN THE PRESIDENT'S BUDGET AND THE REPUBLICAN BUDGET

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

Mr. SCHAFFER. Mr. Speaker, which dog is the tail wagging today? This chart shows one of the key differences between the President's budget and the Republican budget. The Republican budget pays down the debt by $1.8 trillion over 10 years. The President's budget pays down the debt by much less.

Let us take a look at that again: $1.8 trillion in debt reduction under the Republican plan, higher debt levels under the President's plan. Our budget does a much better job of paying off the debt. The President's budget leaves us in debt for longer periods of time. The Republican budget also provides middle class tax relief from future surpluses, and our budget puts away 100 percent of the retirement surplus for social security and Medicare. We put that money in a safe deposit box so that Washington spenders will put an end to their 40-year practice of raiding social security to pay for new government programs. It is a great budget and a budget to be proud of.

THE IMF PROPOSAL TO GIVE RUSSIA MORE MONEY

(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, a new report says Uncle Sam gives billions of dollars to Russia every year, and the money disappears into an offshore bank account. Guess what, much of the money is now reported stolen. If that is not enough to bust your balsam, check this out. The International Monetary Fund announced today they want to give Russia more money.

Mr. Speaker, I submit, the IMF has brains in their assets. I yield back all our wasted taxpayer dollars that are going to Russian fat cats partying with our dollars and not even supporting us in Kosovo. Members should think about that.

HCFA HOME HEALTH CARE ASSESSMENT UNDERMINES PRIVACY OF AMERICANS

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

Mr. CHABOT. Mr. Speaker, now the big government bureaucrats in the Clinton administration have decided they do care about the privacy rights of the American people after all. Just 14 days before 9,000 home health care providers are to begin submitting the personal medical information of millions of Americans to the Federal Government, we learn in the Washington Post that the Health Care Financing Administration has decided to review the program's privacy implications, something which should have been considered long before this misguided regulation ever saw the light of day.

Is this newfound concern for privacy going to prevent the administration from prying into the lives of innocent Americans and creating a Federal database of their medical information? Sadly, the answer to that question, Mr. Speaker, is no. The administration is simply delaying the ultimate submission of the data to the Federal Government.

The home health care providers are still expected to conduct the 19-page assessment of each page, including private questions concerning the patient's sense of failure or socially inappropriate behavior. Let us put an end to this outrageous conduct.

CONGRESS MUST ACT NOW TO PASS CAMPAIGN FINANCE REFORM AND BAN SOFT MONEY

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

Mr. ALLEN. Mr. Speaker, Congress must act now to pass campaign finance reform and ban soft money. We must act now in a nonelection year, before the strategic calculations of the election year money chase contaminate the debate on campaign finance reform. We must act now before unregulated, unaccountable soft money contributions drown out the people's voices in the 2000 election.

If we thought the presidential election year of 1996 was awash in soft money, 2000 promises to be a deluge. We must act now to give the Senate sufficient time to act. Campaign finance reform is too important to be held hostage to the anti-reform faction's policy of delay, delay, delay.

I urge Members to sign the discharge petition so we can pass the Shays-Meehan reform bill. If we combine last year's votes on the Shays-Meehan and Hutchinson-Allen bills, 352 Members voted to ban soft money. That is 81 percent of the House.

I urge my colleagues to sign the discharge petition, pass Shays-Meehan, and ban soft money.

THE SIGNIFICANCE OF THE APRIL 15 TAX DEADLINE

(Mr. BALLENGER asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. BALLENGER. Mr. Speaker, it is that time of the year again, April 14th, the night before April 15th, the tax deadline. It is a bittersweet day for a politician. On the one hand, we are forced to confront the painful truth about how much the Federal Government takes from its productive citizens in the way of taxes. On the other hand, it is a tragic reality. It serves as an useful reminder to Republicans for what they stand for as a party.

To Republicans, taxes are a freedom issue. We believe that people should be entitled to the fruits of their labor. Slavery was a great evil because slaves were not entitled to the fruits of their labor. That was wrong.

The question for Republicans is one ultimately of choice: Who decides how to spend the money that Americans earn, those Americans or the government? We believe that people should have more power and more control over their lives, and the government should have less. That is the significance of April 15 to me.

THE SHAYS-MEEHAN CAMPAIGN FINANCE REFORM BILL IS AN IMPORTANT STEP FORWARD

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

Mr. SANDERS. Mr. Speaker, I rise today in strong support of the Shays-Meehan campaign finance reform bill, and urge the Speaker to allow this important piece of legislation to get onto the floor for debate and a vote.

Shays-Meehan, which will stop large corporations and wealthy individuals from pouring hundreds of millions of dollars in soft money into both political parties, will not solve the crisis of campaign financing that we face today, but is an important step forward.

Mr. Speaker, one of the great tragedies of our time is that the American people are in large numbers giving up on the political process. In the last election, only 36 percent of the people voted, and tens of millions no longer believe that this Congress represents their interests. Rather, they believe, not without justification, that big money interests, through campaign contributions and lobbying efforts, develop the agenda here and call the tunes.

Mr. Speaker, let us tell the middle class and the working families of this country, the folks who do not contribute hundreds of millions, that we are listening to them. Let us pass campaign finance reform.

RECOGNIZING LIEUTENANT COLONEL MANUEL FERNANDEZ, JR., UPON HIS RETIREMENT FROM THE UNITED STATES AIR FORCE

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

Mr. GIBBONS. Mr. Speaker, today I rise to recognize Lieutenant Colonel Manuel Fernandez, Jr., upon his retirement from the United States Air Force after 22 years of distinguished service to our great Nation. An American hero, a decorated military aviator, Lieutenant Colonel Fernandez has served with distinction, including service as a squadron commander at several locations worldwide.

Most recently he served with honor and great distinction to the United States Congress as the deputy chief of the House Liaison Office. In this position Manny, who is known to his friend as Manny, excelled at providing information and service to Members of the House of Representatives. His intelligence, his charm, keen wit, and a can-do attitude made Manny Fernandez a pleasure to work with.

Because of Manny's credibility and good will, the Air Force and the Department of Defense will long reap the benefits of his tenure here on Capitol Hill.

On behalf of my colleagues, I wish Lieutenant Colonel Manny Fernandez and his wife, Susan, the very best as he enters retirement.

CAMPAIGN FINANCE REFORM

(Mrs. NAPOLITANO asked and was given permission to address the House for 1 minute.)

Mrs. NAPOLITANO. Mr. Speaker, I am pleased to join my colleagues today to support the campaign finance reform and the filing of this discharge petition. I am proud that my signature will be among the 218 needed to bring H.R. 417, the bipartisan campaign finance reform measure offered by the gentleman from Massachusetts (Mr. MEEHAN) and the gentleman from Connecticut (Mr. SHAYS), and other measures as well, to the floor for a vote.

For me as a new Member of this House, this is a truly defining issue. The money chase must end so we, as servants of the people, can spend our time doing the people's business. I believe that it is what our constituents want from us. It is certainly what I would prefer to do.

Nine out of 10 Americans support campaign reform. Let them know we are listening to them. Now is the time to move forward. No more delays, no more bickering, no more excuses, just let us vote.

LET US SUPPORT NEEDED RESEARCH ON RETINAL DEGENERATIVE DISEASES

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

Ms. ROS-LEHTINEN. Mr. Speaker, there is a saying, nothing is so strong as gentleness, and nothing is so gentle as real strength.

I can think of no better person who personifies those words as does my constituent and friend, Betti Lidsky. Yesterday, before the House Subcommittee on Labor, Health, and Human Services, Betti testified about her experiences as the mother of three children, Ilana, Daria, and Isaac, who are stricken with retinal degenerative diseases.

Betti and Carlos, her husband, came to deliver a message that is not only close to their hearts, but close to the hearts of the millions of family members across America who have a loved one who suffers from this disease, for which there is no treatment nor cure.

Let us help give the Lidsky family and indeed those families across America who are impacted by this disease hope by supporting, promoting, and funding research through the National Eye Institute and the Foundation Fighting Blindness. Working together, there is a cure in sight.

URGING MEMBERS TO SIGN THE DISCHARGE PETITION TO ALLOW DEBATE ON CAMPAIGN FINANCE REFORM

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

Mr. DINGELL. Mr. Speaker, there is a line forming down here in the well. Its purpose is to provide a discharge petition which will put on the Floor a fair proposal which will make it possible for this House to vote and to work its will on a piece of legislation to reform one of the great scandals in this country. I am talking about excessive expenditures in campaigns.

It will for the first time in years make a meaningful reform in terms of how money is spent and how much money is spent. It is something which will attack a problem that has been corroding the confidence of the American people in their government.

I urge all of my colleagues on both sides to join together in signing this discharge petition, putting on the Floor of the House a piece of legislation which will enable the people to return their confidence to their government, because we will be eliminating one of the great abuses, excessive expenditures of money on public elections, something which is corrupting the public business of this Nation.

I commend the framers of the discharge petition, I join in signing it, and I urge all of my colleagues to do likewise.

□ 1045

BUDGET RESOLUTION

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

Mr. EWING. Mr. Speaker, I come here to speak about the budget, but I cannot help but respond a little bit on campaign finance reform.

The issue should be how do we make those in office live by the rules that are already on the books. I question whether more laws, more rules will make people any more honest.

But we are here at a proud time, to think that we are going to pass the budget resolution on time today. I ask my colleagues on that side of the aisle, do not throw up roadblocks. Come along. Let us do the budget resolution as the law requires by the 15th.

It has got some great things in it. It strengthens Social Security. It keeps the caps so that we keep our commitment to balance the budget. It provides money to help make Medicare more secure. Education will benefit under this budget resolution. I only see one dark cloud.

Vote yes on the budget resolution. It is a good agreement.

ELEMENTARY AND SECONDARY EDUCATION ACT

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

Ms. SANCHEZ. Mr. Speaker, I am sure my colleagues realize this is an important week for Federal education policy.

Today we on the House Committee on Education and the Workforce will be holding our first hearing on Title I, the section of the Elementary and Secondary Education Act that is designed to get Federal resources to the poorest of our Nation's children.

I will also be meeting with our Superintendent of Public Instruction of California, Delaine Eastin, today. She and I have worked together on several education issues, including the concern for Title I and other programs.

Title I is a very important program. In particular, it affects my district, and I would like to tell my colleagues how. First of all, Title I is for the poorest children in the Nation. Fifty percent of the students in the school must qualify for the free and reduced lunch in order to be a Title I school.

In our school district, in Garden Grove Unified, for example, 57 of the 64 schools qualify for Title I funds. In Anaheim City School District, over 50 percent of the schools qualify.

This is an issue that is of great concern, and I hope that my colleagues will work to ensure that Title I is there.

DIFFERENCES OF OPINION ON THE BUDGET

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

Mrs. KELLY. Mr. Speaker, Republicans have proposed to do something that should have been done a long time ago. The Republican budget plan puts 100 percent of the retirement surplus into a safe deposit box to be used exclusively for Social Security and Medicare.

The retirement surplus, that is, the surplus from FICA taxes taken out of our paychecks, is the only reason that the budget is not in surplus. If we did not count the money in the Social Security Trust Fund, the Federal budget would still be in deficit to the tune of about $20 billion.

Social Security and Medicare have really divided the parties this year. Talk about Medicare. Republicans propose a lockbox and a willingness to debate the Breaux Commission's finding on Medicare reform.

Democrats ask for continued raids on the Social Security Trust Fund, more IOUs, and a veto of the Breaux Commission out of hand, no system reforms of Medicare.

They would rather scare seniors once again instead of trying to solve the problems. Our seniors, Mr. Speaker, deserve better.

GENOCIDE AND ETHNIC CLEANSING WILL NOT PREVAIL IN KOSOVO

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

Mr. ENGEL. Mr. Speaker, today, along with the gentleman from South Carolina (Mr. SANFORD), I am introducing a bill which will provide $25 million to arm and train the KLA, the Kosovo Liberation Army. It is similar to a bill put forward by Senators MCCONNELL and LIEBERMAN in the Senate.

If we do not want to have the NATO troops on the ground, and let me say I think troops should be an option here, because we must win the war and show Milosevic that genocide and ethnic cleansing will not prevail.

But the only alternative to NATO troops or perhaps to supplement NATO troops on the ground right now is the KLA. In my opinion, we ought to be air dropping anti-tank weaponry to them. In the long run, we need to build them up as a viable force to fight the Serbs and to drive the Serbs out of Kosovo. Ethnic cleansing cannot prevail.

Milosevic is the problem. He is not the solution. We should not be negotiating with him. He is going to try to widen this war. We have to win this war. We must do it now.

In the long range, independence for Kosovo is the only solution. No partition of Kosovo. I was one of the Democrats that supported President Bush in the Persian Gulf War. We need to have great support right now for the President. I regret the remarks of the gentleman from Pennsylvania (Mr. PITTS). We need to rally around the President, not divide ourselves.

SOCIAL SECURITY

(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, there is a big difference between the President's proposal to reform Social Security and the Congressional Republicans' proposal to reform Social Security.

Under our proposal, 100 percent of the retirement surplus will be put away to strengthen Social Security and Medicare and pay down the debt. The President uses part of this surplus for Social Security, part for Medicare, and part to pay for new Washington spending. But do not take my word for it. I urge Americans to verify for themselves the facts at issue and compare the two proposals.

The President's plan includes so many Washington accounting tricks that even Houdini would have been impressed. But accounting tricks do not make an insolvent program solvent.

The President's proposal double counts Social Security to the tune of $2.4 trillion, hardly a recipe for saving Social Security from bankruptcy. I urge my colleagues to join us on a bipartisan basis, to protect Social Security and Medicare.

PRAISE FOR LOCAL HEROES IN ATLANTA

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

Mr. LEWIS of Georgia. Mr. Speaker, I rise today to praise courageous fire fighters in the City of Atlanta.

On Monday afternoon, members of the Atlanta City Fire Department fought a raging fire through the historic Fulton Bag and Cotton Mill in southeast Atlanta. Mr. Ivers Sims was trapped on a crane 220 feet in the air. As I watched this human drama unfold from my office, my heart stopped.

Demonstrating extraordinary courage and skill, fire fighter Matt Moseley lifted Mr. Sims from his dangerous perch like angels from the heavens. They saved his life. This brilliant rescue has made the City of Atlanta, the State of Georgia, and our Nation proud.

The fire fighters and Mr. Sims have my profound respect for their raw courage and extraordinary calm and determination under the most dangerous of circumstances.

Mr. Speaker, let me take this opportunity to praise fire fighters throughout the Nation who put their lives on the line every day to protect and serve our communities.

HONORING CAPTAIN ROBBIE BISHOP

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

Mr. BARR of Georgia. Mr. Speaker, I rise today to honor a true American

hero. As mind-altering drugs rip through America's homes and neighborhoods, leaving ruined lives in their wake, a group of brave men and women have stepped forward to fight this scourge. These men and women are our law enforcement professionals.

Captain Robbie Bishop of the Villa Rica Police Department was one such man. Every day he risked his life to keep drugs out of our schools and neighborhoods. He was willing to pay the ultimate price for his battle, as he did so on January 20 of this year when he was shot to death in his patrol car by a suspected drug trafficker who fled to Canada and has just been returned to America.

While nothing can ease the pain Captain Bishop's family, his department, and community feel at losing him, we can take some comfort in the knowledge that his sacrifice saved the lives of so many others.

During the past 7 years alone, Robbie Bishop directly assisted in the seizure of over 10,000 pounds of narcotics and more than $8 million from drug traffickers. These are drugs and resources that would have threatened and taken other lives if brave men and women like Captain Bishop had not stood in the way.

I commend the dedication and sacrifice of Captain Robbie Bishop of the Villa Rica Police Department, and I hope that his life and legacy will serve as an incentive for all of us to continue the war against mind-altering drugs.

CAMPAIGN FINANCE REFORM

(Mrs. CAPPS asked and was given permission to address the House for 1 minute.)

Mrs. CAPPS. Mr. Speaker, it is time to get serious about reforming our broken campaign finance system, and it truly is broken.

Soft money from the wealthiest corporations and from the wealthiest individuals is flooding into Federal elections at an alarming rate. Last year's special election in my district saw an explosion of sham issue ads which are clearly designed to sway voters with no regard for our election laws.

Our democratic system is being undermined by these abuses. We need to act now before the American people lose all faith in the political process.

Today I joined my colleagues in signing the discharge petition to bring the Shays-Meehan campaign finance reform bill to the floor for a fair and open debate. The American people have spoken. The time for reform is now.

SUPPORT THE BUDGET RESOLUTION

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

Mr. HILL of Montana. Mr. Speaker, Republicans who honored their campaign promise by trying to lower taxes have been subject to constant attacks that any tax cuts would be a raid on Social Security. How is it that tax cuts can be a raid on Social Security, but billions of dollars of new spending are not?

The truth is that Democrats had 40 years to do something about Social Security, and they did not put one dime aside to save it from Social Security, not one dime, Mr. Speaker.

Republicans on the other hand have proposed to put aside $1.4 trillion of the budget surplus to save Social Security. The choice is $1.4 trillion or zero. Which side, America, do you trust on this issue?

Those who were in power for 40 years did nothing, who put aside nothing, are attacking the Republicans. We have to admire their audacity, Mr. Speaker, but you have to be ashamed of their demagoguery.

The same party that raided Social Security for 40 years is now attacking Republicans for stepping up to the plate and putting aside over a trillion dollars to shore up a system that is so important and will soon be bankrupt.

I ask my colleagues to reject the demagoguery. Be responsible and support this budget.

CAMPAIGN FINANCE REFORM DISCHARGE PETITION

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

Mr. CLEMENT. Mr. Speaker, I rise today in strong support of substantive campaign finance reform. This Congress has talked a lot about it, but we have not done anything about it. It is a shame that it is going to take a discharge petition to even bring it before the floor. I encourage everyone to sign this discharge petition.

If we are serious about passing real campaign finance reform legislation this year, not later, everyone knows what we need to do. We need to ban soft money. We need to limit the wealthy from being able to buy elections rather than earning elections. We need to crack down on the issue of issue ads as campaign ads, and we need to improve disclosure and enforcement of the Federal Election Commission.

We just need to have the courage to do what must be done. Sign the discharge petition. Let us pass real campaign finance reform legislation this year. Let us base it in the future on the richness of message, not the richness of pocketbook. We have got to do this for the sake of the people and for the American people moving into the 21st century.

WHAT SURPLUS?

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

Mr. TANCREDO. Mr. Speaker, when I got back to my district, I asked people about what they think should be done with the budget surplus. On more than one occasion, I am asked in return, ''what surplus?''

There are a lot of people out there who are on to the games we play in this town. They ask, how could there be a budget surplus if the national debt went up last year and will go up again this year? What kind of surplus is that?

In fact, they are right. The Federal budget is only in surplus if we count the temporary surplus in the Social Security Trust Fund. The ironic thing is that the government would never let a business keep its books that way. But that is the way it does with our seniors' retirement money. It uses it to mask the true size of the deficit.

Republicans want to put an end to that. Many Democrats are not very happy about that prospect. Ending this practice would make it a lot harder to create new spending programs and expand the size of government. It sounds like another good reason why we should do it, does it not?

CAMPAIGN FINANCE REFORM

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

Mr. LEVIN. Mr. Speaker, last year, the Republican leadership tried to thwart action on campaign finance reform. This year they are trying it once again. Why? Because they know it will pass the House on a bipartisan vote, because they fear public pressure will grow in the Senate.

The Republican leadership is saying again our private campaign money is our primary concern; the public interest be damned. Soft money is hardening the arteries of our democracy. So-called issue ads are snuffing out discourse on public issues.

Truly, it is time to act. That is why I am now going over to sign the discharge petition, and so many of my colleagues have already done so.

EXCITEMENT FOR THE BUDGET RESOLUTION

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

Mr. SMITH of Michigan. Mr. Speaker, very quickly, it is exciting, the budget resolution. It came back from the Senate with a couple changes: some increased money for child care, some lockbox language that helps assure that we do what we say we are going to do, a reserve fund that could be used for prescription drugs, a new criteria for emergency spending.

This is a historic budget. For the first time in 40 years, we are not going to spend the Social Security surplus money, not going to even spend any of it for tax cuts in the next year.

□ 1100

The challenge is what do we do with the war in Serbia? Is that going to

come out of the Social Security Trust Fund?

Mr. Speaker, a historic budget. It should be supported from both sides.

SIGN DISCHARGE PETITION TO DEBATE CAMPAIGN FINANCE REFORM

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

Mr. CROWLEY. Mr. Speaker, 9 out of 10 Americans, 9 out of 10 Americans support campaign finance reform. Today, I rise in support of meaningful campaign finance reform which our political system needs and our constituents demand.

I salute the Blue Dogs for once again filing a discharge petition to try to overcome the resistance of the Republican leadership and force a reform bill onto the House floor.

The simple fact is the cost of running for Federal office today is so great that candidates are forced to devote way too much of their time fund-raising rather than dealing with issues of importance to their constituents.

Mr. Speaker, last year 196 Members signed a discharge petition that led to bringing the Shays-Meehan bipartisan campaign finance bill to the House floor. Without that petition process, the House Republican leadership would never have let that debate occur.

Today, I urge all Members, from both sides, to join me in signing this petition so that a real debate can finally take place on this floor.

CONFERENCE REPORT ON HOUSE CONCURRENT RESOLUTION 68, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2000

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 137 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 137

Resolved, That upon adoption of this resolution it shall be in order to consider a conference report to accompany the concurrent resolution (H. Con. Res. 68) establishing the congressional budget for the United States Government for fiscal year 2000 and setting forth appropriate budgetary levels for each of the fiscal years 2001 through 2009. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read. The conference report shall be debatable for one hour equally divided and controlled by chairman and ranking minority member of the Committee on the Budget.

The SPEAKER pro tempore (Mr. GIBBONS). The gentleman from Georgia (Mr. LINDER) is recognized for 1 hour.

Mr. LINDER. 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 the purposes of debate only.

Mr. Speaker, House Resolution 137 is a conventional rule providing for consideration of the conference report for H. Con. Res. 68, the budget resolution for fiscal year 2000.

H. Res. 137 waives all points of order against the conference report to accompany H. Con. Res. 68 and against its consideration. The rule provides that the conference report is considered as read. The rule further provides for 1 hour of general debate on the conference report, equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget.

Mr. Speaker, the deadline for passing the budget is this week, and I am pleased the House will pass the budget resolution on time. In fact, when the budget resolution is adopted by the House and Senate by Thursday, it will be only the second time in 25 years that the U.S. Congress has met the statutory deadline. As we promised, this Congress has quietly been a workhorse, going about its legislative work in a businesslike manner that we planned at the beginning of the new year.

I am not only pleased we have completed this budget resolution in a timely manner, but I am delighted this budget reaffirms our support for less government and more freedom for the American people. Like the first debate on the budget, I expect today's debate will also center upon the differences between the parties and the role of the Federal Government, and I welcome that debate.

Mr. Speaker, the conference report is very similar to the budget passed by the House in March. Our budget saves Social Security by ensuring that 100 percent of the money from payroll taxes destined for the Social Security Trust Fund remains in the trust fund. That is $1.8 trillion over the next decade for retirement security. Our budget strengthens Social Security and ensures that big spenders can no longer raid the fund to pay for their big government spending programs.

Mr. Speaker, after saving Social Security and Medicare, the real question is what do we do with the remainder of the surplus. The Congress says give it back. When previous Congresses could not figure out how to run the government, they turned to the American people for more taxes. Now that we have a surplus, the big spenders do not want to give the people a refund. They want to spend it on new, wasteful, bureaucratic programs.

A few months ago, we received a preview of this debate when the President stated, ''We could give it all back to you and hope you spend it right.'' But the President then preceded to explain that he really should not give back the surplus because Federal Government bureaucrats could make wiser choices with the American people's paychecks than they could.

That is the ideological choice we will deal with today. Our budget is designed to provide more freedom and power to the American people. The President's budget was designed to keep the taxpayers' money controlled in this town.

We simply believe that individuals make much better choices about their lives than bureaucrats do. The President's budget suggests that the government can make wiser choices with the paychecks of the American workers. Today in America, Federal tax revenues comprise a record percentage of gross domestic product. The President responded to the growing tax burden by saying, ''Fifteen years from now, if the Congress wants to give more tax relief, let them do it.''

I have talked to many of my constituents and most of them were not enthusiastic about waiting until the year 2014 to get a tax refund. Therefore, this budget reaffirms our belief that the people know best how to spend their own money and, therefore, we provide the American people with serious tax relief now.

It should be noted that despite the President's rhetoric, his budget would have cut Medicare $11.9 billion over 5 years. The Republican budget rejects the President's Medicare cuts. Even the President's own Comptroller General, David Walker, has criticized the Clinton Medicare proposal for essentially doing nothing to alter the imbalance between the program's receipts and benefits payments.

The President's cut in Medicare and his fiscal shell games would have endangered the quality of our seniors' health care. Conversely, our budget locks away all of the Social Security Trust Fund surpluses for the Nation's elderly to save, strengthen and preserve Social Security and Medicare.

This budget continues our determined effort to provide more security, more freedom and less government to the American people. The House budget is a common sense plan to provide security for the American people by preserving every penny of the Social Security surplus, return overtaxed paychecks to those who earned it, pay down the national debt, rebuild the national defense, and improve our public schools.

Mr. Speaker, for too long this Nation put too much trust in government rules and decision-making. Ronald Reagan argued that we should trust the people because, ''Whenever they are allowed to create and build, whenever they are given a personal stake in deciding economic policies and benefiting from their success, then societies become more dynamic, prosperous, progressive, and free.'' This budget resolution is written in such a way to provide that freedom to the American families and communities by returning power, money and control back to them.

Mr. Speaker, I urge my colleagues to support the rule so that we may complete consideration of this historic budget resolution.

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

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman from Georgia (Mr. LINDER) for yielding me the customary time, and 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, the budget resolution was presented to the Committee on Rules past the stroke of midnight last night and can only be fully considered by my colleagues who have a graduate degree from the Evelyn Woods School of Speed Reading.

It makes some pretty important decisions, which one would think would keep my friends from acting like a teenager who broke curfew by sneaking into the House through the basement door. But here it is, so I rise to speak on the rule and to encourage opposition to this budget resolution offered by my friends on the other side of the aisle.

Thanks to many tough choices and some very difficult votes, some of them bipartisan but too often only from this side of the aisle, we are no longer running budget deficits and are in a position to secure the future for seniors, children and working Americans across our economy.

The budget surpluses which are now projected give us new opportunities to make more, smarter, and tougher fiscal decisions. But this budget resolution resolves to do less with more.

The conference report does nothing to make sure Social Security will be solvent for the next generation. It will not extend the solvency of Social Security by even a single day. In fact, to borrow a phrase, instead of making sure that Social Security is solvent, this budget resolution makes sure it goes broke on schedule.

The motion to instruct conferees to deal with Social Security first was ignored and the reconciliation instructions put tax cuts at the head of the line.

The budget resolution fails to protect Medicare from insolvency, even though Medicare is in danger of running short of funds in less than 10 years. This resolution calls for Medicare reforms but makes no recommendations and commits no resources for the solvency of Medicare.

This budget resolution is unrealistic in calling for new spending without saying how those bills will be paid or what programs will be cut to make room for the new spending. Its authors want us to believe that there is more for education, but, in fact, discretionary spending for education, training, employment and social services is cut by $200 million below the 1999 level. In fact, it would require deep cuts in employment and training and Head Start and the higher education programs such as Pell Grants and Work Study.

It claims to put more in health but it cuts funding for discretionary health programs by $402 million in fiscal year 2000. It claims to provide more for veterans, but in fact cuts discretionary funding for veterans by $2.3 billion over 10 years as compared to the 1999 level. And it provides less budget authority for defense over 10 years than the President has requested.

Mr. Speaker, we have finally freed ourselves from the budget deficits of the 1980s and the 1990s that threatened to strangle our economy. We are in a position to address long-term challenges to Social Security and to Medicare. But the budget resolution before us today squanders this opportunity and ignores our responsibilities.

This budget resolution proposes tax cuts which will exhaust the on-budget surplus. After 5 years, these tax cuts begin to exceed the projected on-budget surpluses, and then they will cause the greatest harm in the years between 2010 and 2014.

Before we even count the first non-Social Security surplus, this budget resolution proposes to spend it. I fear that my friends have already forgotten the lessons taught by the bad habits of the 1980s and the big debts of the 1990s.

We should strike while the surplus iron is hot and make good on our promises that we would save Social Security and Medicare, which are more than words and represent more than entries on a balance sheet to the people who depend on them for the quality of their life.

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

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

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

Mr. DREIER. Mr. Speaker, I thank my friend for yielding me this time, and I compliment him on his management and filing of this rule, which took place just a few hours ago, in fact, in the middle of the night, so that we can move ahead with this very important measure.

We are making history here. I strongly support both the rule and this conference report. For the first time ever we are locking away Social Security money in a safe deposit box which will finally end Washington's pattern of raiding the Social Security fund. It is very important for us to recognize that that is something that is being done in this package with this budget that the other side is not doing.

Compare this to President Clinton's budget, which actually spends $341 billion of the Social Security surplus over the next decade.

Our budget that we are going to be voting on here devotes $100 billion more than the President's budget to save, strengthen and preserve both Social Security and Medicare, while the President's budget actually cuts $11.9 billion in Medicare.

We maintain the spending discipline that brought us the balanced budget back in 1997, while, unfortunately, the President's budget exceeds the caps by $30 billion.

After locking away funds for Social Security and Medicare, we return the rest of the surplus to working Americans in tax relief. The President's budget raises taxes by $172 billion. In fact, the President has said that Congress should not even consider providing any kind of tax relief to working families for a decade and a half, 15 years.

Our budget pays down $450 billion more in public debt than the administration's budget does.

□ 1115

Mr. Speaker, by practicing fiscal responsibility we guarantee that the priorities of the American people are protected, good schools, relief from overtaxation, a solid Social Security system, and something that is of great importance today, and that is a strong, rebuilt national defense capability.

The difference in the parties' visions reminds me of the old adage ''the more things change, the more they stay the same.'' The bottom line is that, like the American people, Republicans are paying attention to the bottom line. We have chosen to stay within budget spending limits. And unfortunately, on the other hand, the President wants to return to the policies of tax and spend.

I think it is a very clear picture that is here, and I hope that my colleagues will join in strong support of not only this rule but of this very important conference report so that, as we for the second time since the 1974 Budget Act has been put into place, so that we can in fact get our work done, which has been a priority of this 106th Congress.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from Washington (Mr. MCDERMOTT).

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

Mr. MCDERMOTT. Mr. Speaker, I urge my colleagues to vote against the rule and vote against this resolution.

A little history needs to be reviewed here. During the Reagan years, we drove the budget deficit to $5 trillion. Now we have a little surplus, and those same neo-Reaganites who were saying that Mr. Reagan was so wonderful in creating that deficit do not want to pay it off. Now, they say they have a lockbox.

Let me talk about that particular issue. They say they are going to save Social Security and they are going to save Medicare by putting the money in a lockbox, and that sounds like a good thing. We think of a big, strong box and very tough that we could not get the money out of it.

What they have done in this resolution that had exactly 3 hours of consideration before the House committee, and we on the Committee on the Budget never saw it, we had a meeting last

night and the chairman from the other body said all this does is deliver sacks of money to the appropriators to split up. But we will hear people say, oh, there is a lockbox. We put all this money in there to save Social Security.

What the lockbox has is a great big trapdoor that says exactly this: If the Republicans pass a Pinochet-like privatization of Social Security, then they have reformed Social Security and they can then use the money in the lockbox for whatever they want; namely, a tax cut. The money does not have to go into the Social Security plan. It says, if they reform it, they can use the money for something else.

The same way is true for Medicare. If they reform it; that is, give every senior citizen a voucher, take away their guaranteed benefits in Medicare, if they pass that reform out of here, then they can use the money for the tax cut. So this lockbox is about as phony a proposal as I have seen in 30 years.

I know this year the Republicans are committed to passing this resolution, because last year they did not do anything. They did not even have a conference committee meeting. So this year they said, by God, we are getting something out of here by the 15th of April even if we do not have a single thing.

What they passed out was blank pieces of paper and sent to us, this is the budget. This is how we are going to spend $1.8 trillion of their money. We will not give them one single specific. We will promise them that we are going to increase the National Institutes of Health budget. We will promise them we are going to increase this. We will promise them that. But no specifics, no public hearings, no opportunity for anybody to come before the Committee on the Budget and say what this budget did or did not do or promises. They simply wrote it in a back room yesterday.

I mean, I have never been to anything quite as ridiculous as this conference committee that I was at yesterday, where we sat looking at nothing and saying they are going to pass it in the middle of the night, which is what they did.

Vote ''no.''

Mr. LINDER. Mr. Speaker, I will put the gentleman from Washington (Mr. MCDERMOTT) down as ''undecided,'' and I reserve the balance of my time.

The SPEAKER pro tempore (Mr. GIBBONS). The Chair will announce that the gentleman from Georgia (Mr. LINDER) has 22½ minutes remaining, and the gentlewoman from New York (Ms. SLAUGHTER) has 23 minutes remaining.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentlewoman from North Carolina (Mrs. CLAYTON).

Mrs. CLAYTON. Mr. Speaker, I thank the gentleman for yielding the time.

Mr. Speaker, last year the Republicans failed to pass a budget resolution for the first time since modern day budgets have been enacted. But that legacy should not be reversed by now stuffing a conference agreement down the throats of the American people. That legacy should not be reversed by hurting those who need our help.

The conference agreement before us fails to protect Social Security. It does not extend the Social Security Trust Fund by one day. The conference agreement does nothing to protect Medicare. The agreement contains large tax breaks that could cost close to $2 trillion over 15 years and would primarily benefit the wealthiest Americans. And, under the agreement, non-defense discretionary spending declines drastically.

Mr. Speaker, we should not repeat the failures of the last Congress. We should pass a budget resolution for fiscal year 2000 but we should pass one that has been carefully studied and deliberated as well as considered by both sides of the House.

The agreement before us has been hastily put together. I doubt that any Member, Republican or Democrat, knows what is in it. The agreement before us hurts ordinary American citizens.

I urge my colleagues to vote against this patched together, last minute desperate attempt to put something on the floor, hastily put together with no consideration of due process or the American people. I urge my colleagues to vote against it.

Mr. LINDER. Mr. Speaker, I yield such time as he may consume to the gentleman from Staten Island, New York (Mr. FOSSELLA).

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

Mr. FOSSELLA. Mr. Speaker, I thank the gentleman from Georgia for yielding.

I think what this day really reflects is what the American people expect and deserve, and that is straight talk from the folks here in Washington. I think what the people back home in Staten Island and Brooklyn appreciate is when we are honest with them. For too many years, the people in Washington have not been honest with the people I represent, and that is true across the country.

Now, to me, the most important things in their minds these days are the state of Social Security and Medicare, among others, education, tax cuts. When we talk about Social Security and Medicare, look what the Republican Congress has delivered: Straight talk and fiscal responsibility, locking away the entire Social Security surplus for the Nation's elderly, almost $1.8 trillion over 10 years to save, to strengthen, and to preserve Social Security and Medicare, money that should go for these essential programs and not on what others around here would like to do, spend on their favorite wasteful Government programs or, in other words, a little slush fund.

The other thing we talk about and I think is right for the country, right for economic growth, is needed tax relief. Go back home wherever we are across this country and talk straight with the people we represent. Ask them if they do not think they are paying enough in taxes. Ask them if they think they are paying too much in taxes.

Tomorrow is tax day. There are a lot of people right now scrambling to fill out their tax forms. A lot of them have to write a check and pay Uncle Sam. They are working hard every single day, and at the end of the year they are writing a check to Uncle Sam.

If we believe fundamentally in the notions of freedom and liberty and creating opportunity for the American people to spend and to save and to produce and to create and to innovate, then we should give more of their money back. And that is what this budget resolution seeks to do.

Aside from that, we are maintaining the fiscal caps as this Congress voted just a couple of years ago to do; and that is to maintain fiscal responsibility, discipline. Every responsible family in this country has to do this every week, put aside some money for the education, put aside money for the car, pay the mortgage, and establishing priorities. That is what this resolution does as well, establishes priorities, Social Security, Medicare, education, veterans' benefits, tax cuts, and so many others, but at the same time saying, in Congress we are not going to have a party at the taxpayers' expense.

Send the money back home where it belongs. Protect our Nation's elderly. Invest in our children. Invest in our future and do the right thing. I urge a ''yes'' vote on this resolution.

The SPEAKER pro tempore. For purposes of clarification, does the gentleman from Texas (Mr. FROST) ask to control the time of the gentlewoman from New York (Ms. SLAUGHTER)?

Mr. FROST. That is correct, Mr. Speaker.

The SPEAKER pro tempore. Without objection, the gentleman from Texas (Mr. FROST) will control the time.

There was no objection.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentlewoman from Oregon (Ms. HOOLEY).

Ms. HOOLEY of Oregon. Mr. Speaker, I rise in opposition of the rule today, and really for two reasons; and there are probably tons of other reasons, but two reasons.

First of all, this was done in the middle of the night, this conference report. Nobody has had a chance to really look at this, and to vote on an issue of this importance without having a chance to know what is in it I think is a wrong way to do this. If we want to meet our deadline, we can still meet that deadline tomorrow, but we have today to look at this.

I called this earlier a bait-and-switch budget because that is what I think it is. For example, the other reason that my colleagues should oppose this rule is there are claims that Social Security and Medicare are saved, and yet

this is riddled with provisions that we could drive a Mack truck through. There are all kinds of sunset provisions. There are exceptions to these protections. It does not do anything to add one day to the life of Social Security or Medicare. Not one single day does it extend that solvency.

I think we have to stop these railroaded through tactics. Let us have time to look at it, make sure we know what it says. And then if we are going to be serious about saving Social Security and Medicare, let us make sure we do that and we add days to the solvency.

Please oppose this rule, give us a chance to look at it. I do not think we could continue to irresponsibly move legislation through the House of Representatives in this manner.

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

Mr. FROST. Mr. Speaker, I ask the time remaining on each side?

The SPEAKER pro tempore. The gentleman from Georgia (Mr. LINDER) has 19½ minutes remaining. The gentleman from Texas (Mr. FROST) also has 19½ minutes remaining.

Mr. FROST. Mr. Speaker, I yield such time as he may consume to the gentleman from South Carolina (Mr. SPRATT), the ranking member of the Committee on the Budget.

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

Mr. SPRATT. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, this is not just a railroad. This is a high-speed train. This is one of those bullet trains. In France they call it the TGV.

Yesterday, at 6 o'clock, we had our first conference meeting, if we want to call it that. It was really a photo-op session, cameo session. We were handed a document with two columns, Democratic position, Republican position, points and places where these two resolutions differ.

There was no third column, the resolution by the conferees, just the House position and the Senate position. There was no debate, no discussion, no motions, no amendments, nothing. They handed us this document. Not even the conference report itself. Not even the latest draft of it. Though I am sure everyone knows the procedure here. It was in the word processor. Not even the latest rough draft of the conference report, even though only a few issues remained in contention between the Senate Republicans and the House Republicans at that point.

At 1:30 last night, I stayed here until about 10:30 or 11:00, at 1:30 the House Committee on Rules reported this resolution under the cloak of darkness. When I came to the floor this morning for this debate and asked for a copy of the conference report, it was not to be had. Our staff have been able to get a copy, and they are working on it right now trying to get a bullet analysis of it so that we can hand it out to our Members.

We are talking about $1.8 trillion. We are talking about the document that frames our priorities this year and, to some extent, for the next 5 or 10 years.

Now, yesterday at our conference report and today on the House floor we will hear the Republican Members congratulate themselves because for the first time in a long time the budget resolution is being adopted on time, April 15; last year we did not have one at all; this year we are doing it right, we are doing it on time. But I beg to disagree.

This looks like we are making the trains run on time but, in truth, down the track a train wreck awaits us.

□ 1130

This budget resolution is totally unrealistic. It is not a document for the budget for FY 2000. It is a political statement.

Let me give my colleagues a classic example of sort of just stiff-arming not just the Democratic side of the House but the whole House. Just a day ago, we had the appointment of the conferees, the impaneling of the conference, and we offered a motion to instruct the conferees, that they get their priorities straight, that we do first Social Security, next Medicare and then tax cuts, in that sequence, because that is the right sequence of priorities. First save Social Security, then shore up Medicare, then with what is left before we drain the budget dry of resources, then we can do tax cuts. Three hundred eighty Members voted for it. The chairman of this committee, the House Budget Committee, came over here on the floor and said he would accept the amendment.

What happened the next day? The next day we changed the date for the reconciliation bill to include the tax cuts to be July 12. The only reason it is July 12 is, we all know, this budget resolution is a placeholder. We are simply waiting and hoping the CBO will have a July surprise for us, a plus-up in revenues so we can come out here and redo what we have tried to do here. I do not think this budget leads us anywhere. This is not an occasion to celebrate the budget process, unfortunately, even though it marks on this occasion its 25th anniversary. This is just a tread water maneuver. It would take us backward on our efforts to balance the budget if we passed it. This rule and this budget both should be voted down.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in opposition to this rule, which determines how we will debate the conference report on H. Con. Res. 68, the Budget Resolution for FY 2000.

This rule, which was reported very late last night, is an overly restrictive closed rule that allows only one hour of debate on this report. It is preposterous to give each side here, fighting for the budget of the United States, only one-half hour to debate. This is perhaps the most important debate that we will have this year.

Having said that, I am urging my colleagues to reject this conference report, and to come back to the table and work together, in a bipartisan manner, to pass a budget that works for America—a budget that is responsible to our constituents, and our posterity.

We should be passing a budget that protects the Social Security and Medicare Trust funds by putting money back into those accounts. It should be a budget that will maintain our current Social Security and Medicare benefits, and extend their lives until decades from now, so that all Americans will be able to take advantage of them. This is especially true for women, because due to their longer life expectancy, they must rely on Social Security and Medicare longer than must most men.

The conference report that we approve this morning should contain the proper resources to modernize, and some would say revitalize, our public schools. This report does just the opposite; in fact, it reduces our domestic spending on programs that protect the interest of our children. This budget jeopardizes the well being of successful programs by taking 425 million dollars from WIC, and 501 million dollars from Head Start. Nevertheless, in this budget most of that money—800 million dollars of it—goes instead to tax cuts for the wealthy.

We should send this conference report back, until it contains within it a budget that will protect America's families. It should be a budget that fully funds the Summer Youth Employment Program, which is cut in this report by over 90 million dollars. It could be a budget that saves the Community Development Block Grant Program the indignity of a 50 million-dollar cut.

We want to approve a budget report that will address the needs of our veterans. We could have and should have passed the Spratt amendment, which would have added an additional nine billion dollars for veterans programs. We should be voting to pass a budget that fully funds LIHEAP, which provides for necessary heating and cooling for low-income families in times of extreme weather. LIHEAP literally saved lives in my district last summer, and I intend to do what I can to ensure that it is fully funded every year that I serve in Congress.

I had hoped that during conference, that we would have seen drastic improvements in this resolution, improvements that could have been done in a bipartisan and responsible manner. I had hoped that my colleagues across the aisle could be more persuaded by the dedication of Congressmen SPRATT and MCDERMOTT. I desperately wanted to take home to my district a budget that respected our children, our families, our veterans, and our elderly—and I still hope to do so. And yet we stand here today, with this report to show for it, and with only one half hour of debate to make our case for the American people. It is a shame.

Therefore, I urge my colleagues to vote against this rule, and to require, at the very least, extended time to debate this conference report. With that extended time, I hope that we can work towards a fiscally responsible budget for the American people.

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

Mr. LINDER. Mr. Speaker, I urge a ''yes'' vote on the rule and the budget.

Mr. Speaker, I have no further requests for time, I yield back the

balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. NETHERCUTT). The question is on the resolution.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 221, nays 205, not voting 7, as follows:

[Roll No. 84]

YEAS—221

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
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Forbes
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
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
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Upton
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—205

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Goode
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Larson
Lee
Levin
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)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
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 (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NOT VOTING—7

Davis (IL)
Dunn
Hastings (FL)
LaHood
Lantos
Pickett
Scarborough

☐ 1152

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

Mr. DAVIS of Virginia changed his vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. KASICH. Mr. Speaker, pursuant to House Resolution 137, I call up the conference report on the concurrent resolution (H. Con. Res. 68) establishing the congressional budget for the United States Government for fiscal year 2000 and setting forth appropriate budgetary levels for each of the fiscal years 2001 through 2009.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. NETHERCUTT). Pursuant to House Resolution 137, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of Tuesday, April 13, 1999, at page H1936.)

The SPEAKER pro tempore. The gentleman from Ohio (Mr. KASICH) will be recognized for 30 minutes and the gentleman from South Carolina (Mr. SPRATT) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Ohio (Mr. KASICH).

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

Mr. Speaker, today we offer the first budget of the next century and a new agenda, beginning of a new agenda, for the new millennium. We are going to offer a conference report here today; we have offered it. We are going to vote on a conference report here today that represents a work product that we have not seen before on this House floor in my lifetime. It has been our experience to operate in a period where we were rolling up the red ink, adding to the national debt, but more important, continuing to suck power and money and influence from everyday Americans and taking that power, money and influence and vesting it in the central government here in Washington.

Mr. Speaker, we are on the verge of being able to pass into law a tremendous transfer of money, power and influence from this city back into the hands of everyday Americans so that we can run America from the bottom up, from our families and communities to the top, and included in this proposal is the notion that we would take every single penny from the payroll taxes that this Federal Government collects from the American people and to lock up $1.8 trillion, all the money that is collected by the Federal Government out of payroll taxes, and to put it in a safe place, into a locked box where we can ultimately use that money as part of a transition program to transform the retirement programs for our senior citizens and at the same time to also guarantee that baby boomers and their children will also have access to the same security that our parents have. In fact, the $1.8 trillion that we lock up gives us a leverage to be used to transform both Social Security and Medicare so that three generations of Americans can be protected.

☐ 1200

We know ultimately that in order to protect and save the programs of Social Security and Medicare for the baby boomers and their children, it will mean, in my judgment it will mean, that we will all have greater

control as individuals in terms of being able to invest some of our payroll taxes in the American economy that will allow us, just like Federal employees, to earn a higher rate of return on our money than we are currently getting, which will allow the baby boomers to earn enough money to have something when they retire and at the same time ultimately greater additional choice in health care for our senior citizens based on the model of Federal employees.

Frankly, the $1.8 trillion will be reserved, it will not be spent, until that great day comes when we can reach agreement between the legislative and executive branches of the government so that, in fact, we can transform these programs. Before that great day comes, that $1.8 trillion will be used to pay down some of the national debt, something that many Americans want to see happen.

In fact, last year we paid down about $50 billion of the national publicly held debt. This year we would anticipate somewhere in the neighborhood of $125 billion of the publicly held debt being reduced; holding those dollars either to pay down debt or to be used to transform these retirement programs for three generations of Americans.

At the same time, we anticipate additional surpluses to the tune of over $800 billion. We intend to take about $780 billion of that surplus and rather than using that money to create more Federal programs we intend to use that money to return that overcharge to the American taxpayers. So over the course of the next 10 years, we can enact the largest tax cut in modern American history.

We think that is positive for one simple reason. When government has less and people have more, people are empowered. When people have more and government has less, that is really the quotient, the formula, that our Founding Fathers created when they established this great country; the power should flow from the people to the government and that the people ultimately have the right to have the power vested in them.

To be able to transfer $780 billion in revenues from the Federal Government back to the people is, frankly, all about restoring power to the people so that we can run this great country of ours from the bottom up.

At the same time, Mr. Speaker, we also intend to maintain the budget agreement, the bipartisan budget agreement, that was concluded in 1997 and to maintain the discipline of that agreement, which has contributed to this strong economy.

So we have not just a twofer here today but a threefer: One, maintain the fiscal responsibility that we created in 1997; secondly, reserve the surpluses from the payroll taxes in this country to be used ultimately to transform Social Security and Medicare for three generations of Americans, in the meantime use it to pay down some of the national public debt; finally, to restore a great amount of power to the American people in the neighborhood of $780 billion.

I think it is a great package. I think it is something we all ought to embrace, whether we are Republicans or Democrats, and we ought to march into the next century, into the next millennium, with our heads held high and with an optimism that tells us that we can meet some of the great challenges that the baby boomers are going to experience in their retirement years and, in fact, we can guarantee not only security for our parents but that the baby boomers and their children will have the same opportunity at the American dream.

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

Mr. SPRATT. Mr. Speaker, I yield myself 3½ minutes.

Mr. Speaker, this year we mark the 25th anniversary of the congressional budget process and there is a lot to be proud of here because the budget process has helped us get to where we are, to the best fiscal position we have been in in 25 to 50 years, but this is not a very auspicious way to market because the budget before us is not realistic. It has been hastily prepared, hastily presented.

We have been able to cobble together what it meant in the last couple of hours when we received a copy of it this morning, but let me say what it means. First of all, take discretionary spending because we will be dealing with that shortly as the appropriations come. It has been capped for the last 10 years. We have to adjust a cap of $6.5 billion reduction this year and then over the next 10 years, between now and 2009, this budget would lower discretionary spending by $16 billion.

Last year we spent $299 billion. In 2009, if we follow the pattern of this budget, we will spend $284 billion, a $16 billion reduction. Once we take the total of inflation off that amount of money, that means we will have one-third less to spend for discretionary programs.

While this budget is not very specific, it uses big numbers and very few details, there are some harsh realities in it. Veterans, for example, we have the swell in the World War II population pressing greater demands than ever on the Veterans Administration. They plus it up next year and reduce it in every year thereafter.

We create a crop insurance program, badly needed, only to unfund it 5 years from now because the money is not there. It has to make way for a tax cut.

The Republicans touted the fact that they were going to plus up NIH because we are on the cusp of major breakthroughs in biomedical research. What do they do with the health function, function 550, in this budget? They slice it by $25 billion over the next 10 years. NIH takes up 52 percent of that function. Anybody who thinks that NIH is going to be plussed up if we pass this budget really does need medical help.

Science and space research, $9 billion reduction, below a hard freeze. I am not talking about current services; $9 billion below a hard freeze. Law enforcement, when we are making gains in crime, cut $14.5 billion below a hard freeze.

The harsh message comes as to Social Security. Two days ago, 480 Members of this body said let us do Social Security first, then Medicare, then we will take up tax cuts.

We are not opposed to tax cuts. They are in our budget, but we said there is a proper priority, a proper sequence here. Let us do tax cuts after we have saved Social Security. Let us not drain the budget of resources that we might need for these two critical programs.

What do they do? In this resolution, they take the date on which the tax cut bill is to come to the floor of the House, which originally was no later than September the 30th, and move it up. They do not even follow the sequence, the priorities, that we set by an overwhelming vote just 2 days ago on the House floor.

This is not a good budget. This is another riverboat gamble with the budget and that is no way to celebrate the 25th anniversary of the budget process.

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

The SPEAKER pro tempore (Mr. NETHERCUTT). Without objection, the gentleman from Connecticut (Mr. SHAYS) will now control the time of the majority.

There was no objection.

Mr. SPRATT. Mr. Speaker, I yield 3 minutes to the gentleman from Washington (Mr. MCDERMOTT).

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

Mr. MCDERMOTT. Mr. Speaker, this budget resolution is what I would call a magician's budget. It has a lockbox in it. We always think of a lockbox, when one sees a magician he puts the box on the table and then the pretty lady climbs inside and then he saws her in half and somehow nothing ever happens to the lady, and you say to yourself those magicians, they are amazing. Know why? Because it has a false bottom in it; it has a trick in the bottom.

This budget, I challenge anybody to find a copy of this thing. One can go out there in the Speaker's hall and there are not even printed copies of this thing. So 425 Members are going to vote on this thing and they have never even looked at it, believing there is a lockbox.

Now that lockbox works for one year, and the language in it says that we can open the lockbox if there has been any legislation passed that enhances retirement security. If that has happened, then we can take the money out of the box and give it away for tax breaks.

Now, what does ''enhances retirement security'' mean? Well, the only bills that I have heard discussed around here come out of Chile. That is, give everybody a little book and let

them have their own Social Security. Wipe out Social Security and give everybody their own account.

Now, if we call that saving Social Security, well, I guess it fits the definition of enhances retirement security. Everybody will have their little book and they can be out there in the Dow and if the Dow is at 10000 when they retire, great; if it is at 4000, well, that is just the breaks.

My colleagues are writing in here the capacity to pass any legislation that the budget chairman describes as enhancing retirement security. If that happens, we open the bottom of the box, all the money comes out and here comes the tax break. Exactly the same language is used with Medicare, anything that strengthens the Medicare program.

Now, there is another fraud in here. People are going to talk as though there is a tax break. All the people are out there finishing out their reports for their tax today. In 2000, there is no tax reduction in this budget. All the tax reduction explodes beginning in 2001 and going out to 2015. It is an absolute fraud to tell people there is a tax break for next year, but if one listens they would think it was there. It is all going to come from this phony lockbox.

There is another part of this, and that is that we are going to increase the National Institutes of Health. My colleague from South Carolina (Mr. SPRATT) already alluded to that. That is also phony. One cannot make those numbers add up.

I urge my colleagues to vote no.

Mr. SHAYS. Mr. Speaker, I yield myself 15 seconds to respond to my colleague.

Mr. Speaker, we set aside $1.8 trillion to save and preserve Social Security. We do not spend it and we do not provide a tax cut with it. We preserve it for Social Security. If anything happens, it literally pays down debt.

I would also point out that copies were made for both the majority and minority last night and we reproduced copies for our side. I hope they did the same for theirs.

Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. CHAMBLISS).

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

Mr. CHAMBLISS. Mr. Speaker, today the House will consider the conference report to the fiscal year 2000 budget resolution. I would first like to acknowledge the hard work by my colleagues on the House Committee on the Budget and their Senate counterparts in not only meeting the April 15 budget deadline but in crafting a budget that will boldly carry America into the 21st century.

This budget, the first for the new millennium, safeguards Social Security, addresses priorities such as education, defense and agriculture, and, yes, does provide historic tax relief.

I am proud to see this conference report meet the challenges of the 21st century head on by adhering to several bedrock principles, as it, first of all, locks away every single penny of the Social Security surplus to provide for the retirement security of the Nation's seniors, and I emphasize that. Every single penny of the Social Security surplus is locked away to provide for the security of our seniors.

Secondly, we maintain the spending discipline from the 1997 Balanced Budget Act.

Thirdly, we ensure sizable payments are made to reduce the national debt, a very critical issue.

Fourth, we make national defense a top priority by providing additional resources to properly train, equip and retain our men and women in uniform.

Next, we offer security for rural Americans by providing the financial resources to make real crop insurance reform possible.

Finally, we enact historic tax relief to return the surplus to its rightful owners, the American taxpayer.

Mr. Speaker, the conference report on the budget is consistent with the common sense principles of encouraging our communities and individuals to grow from the bottom up, not from Washington down. This is a budget all Americans can be proud of and I strongly urge the adoption by my colleagues.

I would like to close by saying to my friend, the gentleman from South Carolina (Mr. SPRATT), I commend him and have enjoyed working with him through this process. He has been a strong advocate for his position. When we have disagreed, he has been a gentleman but he has been right there working, and his staff also, in a very professional manner.

To my colleague, the gentleman from Ohio (Mr. KASICH), our leader who has led us through this process, he has provided the energy, the innovative ideas and the wherewithal to carry us through in this balanced budget and I commend him.

□ 1215

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

Mr. Speaker, I thank the gentleman for his compliments. When he said I have been right there, I thought he was about to say I have been right.

Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. RANGEL).

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

Mr. RANGEL. Mr. Speaker, a great American once said that extremism in defense of liberty is no vice, and that moderation in pursuit of justice is no virtue.

Our budget chairman said something a little similar in saying that he was trying to ignore the inflammatory language of being irresponsible. He said that an irresponsible tax cut, there is no such thing as an irresponsible tax cut.

I think that separates the parties, but I really think that we have enough differences in our approaches to legislation that should not allow older people and young people as well to believe that we are concerned more about tax cuts than we are about the security of the social security fund and the security of Medicare.

I know there are some who believe that we as Democrats raise this thing every election year to frighten the older people, but would it not be great if we could avoid a train wreck by making certain that instead of talking about a lockbox that has a secret escape hatch, that we just commit ourselves that we are going to do the right thing by social security, do the right thing by Medicare, and not talk about locking a box, but talking about then doing the right thing by a tax cut?

We have begged, we have asked, we want to work with the other side on the question of a tax bill. We have passed the resolution to say delay the tax bill and give us a chance to work in a bipartisan way to have a piece of legislation on social security and Medicare that we can go back home as Republicans, Democrats, and Members of Congress, and say we are proud of what we have done.

Instead of that, they come right back and accelerate the date of the tax cut. They make that the priority, and then they say that we are trying to make it an issue. I think there is a difference between a tax cut and a lockbox with an escape hatch.

Mr. SHAYS. Mr. Speaker, I yield 1½ minutes to the gentleman from Michigan (Mr. SMITH).

Mr. SMITH of Michigan. Mr. Speaker, I thank the gentleman for yielding time to me.

Let me just point out this chart, because I would like to drive this home as best we can. What we are suggesting in this budget is that we set 100 percent of the social security surplus aside, and lockboxes are hard, and we are hoping it does not have any false bottom, but we set it aside.

Compare that with what the President is suggesting, to set only 62 percent aside. The President and the gentleman from South Carolina (Mr. SPRATT) and his group have suggested that we add another giant IOU to the social security trust fund.

I think that is good to give that kind of commitment, but let me suggest what it really does. It says, we are demanding a future tax increase sometime after there is less money coming in from social security than is required to pay out benefits, around 2012, 2013, or if somehow we come up with the money on what we owe the trust fund, the $700 plus billion, it means we have a tax increase in 2032 when no longer is there any surplus or anything else left. So adding this giant IOU in effect mandates that we have a tax increase.

On the topic of tax increases, the President says, let us have $100 billion of tax increases. I think we have to be

very careful. Both sides have to guard against spending this surplus money.

I would quit there, only to suggest to the Democrats that we have come a long way. It is an historic budget. For the first time in 40 years we are not spending the social security surplus for other government programs.

Mr. SPRATT. Mr. Speaker, I yield 90 seconds to the gentleman from Texas (Mr. BENTSEN).

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

Mr. BENTSEN. Mr. Speaker, let me say to my dear friends on the other side that this is, in my opinion, not a serious budget, this is a placeholder budget. In their haste to try and get something done by April 15, having failed miserably last year, they have thrown together this budget. About the only serious thing is the language from the other body chastising the South Koreans on beef and pork sales that is in this budget.

The fact is, and with respect to the gentleman from Michigan (Mr. SMITH), I offered an amendment in the committee that would have extended the 1997 caps going forward, would have used all the on-budget and off-budget surplus to pay down the national debt, just like they quote Mr. Greenspan in here as saying it is a good thing to do. The committee rejected that. All the Republicans rejected that.

The other problem with this is this is a budget that is betting on the come, because they know they cannot write the appropriations bills with the numbers in here. On page 22 they state that the CBO will report an update to them in July. Normally they do it in August, but we are going to pummel the CBO to report an update, so then we can go back, bust the caps, and try and use some of the on-budget surplus, and instead of paying down debt, to use it for a tax cut.

Finally, in my opinion what is wrong with this budget is it is going to lead to more deficits and more debts in the future, because you have a $1.7 trillion tax cut over 15 years based upon 15-year pro forma projections which may or may not come true. If they do not come true, we will have already locked in the tax cuts, and we will end up with more deficit spending and adding to the national debt, not reducing it. That is worse for social security.

Finally, the only thing they save is what is owed to social security. They have unrealistic cuts that they know are not going to be made. This is a sham budget. Again, when their side is ready to get serious, we are ready to work with them.

Mr. SHAYS. Mr. Speaker, I yield 1½ minutes to my colleague, the gentleman from Montana (Mr. RICK HILL).

Mr. HILL of Montana. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, it is instructive, I think, to compare this budget to the President's budget. After all, Congress is going to be negotiating at the conclusion of this process with the President. Budgets are about more than numbers, they are about priorities.

This budget sets aside, as everyone has said, 100 percent of social security for social security. The President proposes to spend $341 billion of social security on other programs.

This budget proposes to maintain the discipline, the discipline that got us a balanced budget in the first place. The President's budget proposes to walk away from that by breaking the spending caps.

This budget lives up to our commitment to veterans health care. The President's budget flatlined veterans health care between $1.5 billion and $2 billion below what is necessary to live up to our commitment to veterans. Remember, Mr. Speaker, the men and women who are fighting in Kosovo today are going to be our veterans tomorrow. It is our obligation to stand up for them.

The President in his State of the Union said he wanted to help rule America by reforming crop insurance. Then he put nothing in his budget to do it. This Republican budget sets aside an additional $1.5 billion to reform crop insurance and help rural America.

The Republican budget proposes to reduce the taxes on the American people. It is their money. The President proposes another $172 billion tax increase.

Lastly, the Republicans reject the President's proposal to cut Medicare further. The President proposed to cut Medicare an additional $11.9 billion. The President's budget is the wrong priorities. The Republican budget is the right priorities. I hope our colleagues will vote for it.

Mr. SPRATT. Mr. Speaker, I yield 1½ minutes to the gentlewoman from North Carolina (Mrs. CLAYTON).

Mrs. CLAYTON. Mr. Speaker, this resolution before us not only is a sham, but the gentleman is right, it is the wrong priorities.

The wrong priorities means we do not put safeguards for social security, safeguards for Medicare, and certainly the wrong priority is that we give a huge tax cut before we even attempt to safeguard or reform social security and Medicare. To do that, they must cut discretionary funds, those funds that make for the common quality of life in our communities.

Veterans they cut by $2.3 million, agriculture they cut. Yes, they have the crop insurance, but what do they do immediately after, they cut the whole program, including that, by $4.9 billion. The environment is cut by $10 million. Health and research is cut by $25.3 million.

The priority is what? To give the tax cut first, to make sure that the wealthiest of Americans are taken care of first. Surely we want a tax cut, but it should be reasonable. Surely we want a reasonable budget.

This is not a reasonable budget, this is a sham. It does not protect children, it does not protect agriculture, and it certainly does not protect our seniors in terms of their retirement or their health care.

Mr. SHAYS. Mr. Speaker, I yield 2 minutes to my colleague, the gentleman from Michigan (Mr. PETE HOEKSTRA).

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

Mr. Speaker, I think that this is a very good budget proposal. What this budget enables us to do is to build on the success that we have created over the last number of years.

What does this budget do? Number one, it locks away the entire social security trust fund surpluses. That is almost $1.8 trillion over the next 10 years to save, strengthen, and preserve social security, and as necessary, to do the same things for Medicare. It locks away the entire social security trust fund. This budget saves social security receipts in excess of benefit payments so that we can strengthen and save both social security and Medicare.

Secondly, it forces us to maintain the spending discipline of the 1997 Balanced Budget Act by holding to the discretionary spending caps that we agreed to with the President in 1997. It pays down about $1.8 trillion in debt that is held by the public.

In regard to what the President's budget does, this budget pays down over $450 billion more than what the President pays down in public debt. It ensures that we properly fund our need for defense by spending $290 billion in fiscal year 2000.

In addition, we provide for $66 billion for education, training, employment, and social services. This is $3 billion more than what was in the House resolution, so we continue our commitment to education.

What we are going to do in the area of education is reform the program so not only do we spend more money on education, but we ensure that more money is spent at the local level under local control, where decisions are made by parents, local teachers, and local administrators to make sure that we get maximum flexibility and impact for those dollars.

This is a good budget. I encourage my colleagues to support it.

Mr. SPRATT. Mr. Speaker, I yield 1 minute to the gentleman from Tennessee (Mr. FORD).

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

Mr. Speaker, to the gentleman from South Carolina (Mr. SPRATT) and to the leaders on both sides, John Maynard Keynes, that noted economist, once said that the difficulty lies not in generating new ideas, but escaping from the old ones. We cannot seem to get away from, in this Congress, wanting to do all things for all people.

All the language and all the rhetoric that has been used today, all of it sounds great, $800 billion in tax cuts over 10 years, $1.7 trillion over 15 years,

a lockbox for social security funding. The only problem, Mr. Speaker, is that it does not all add up. We want to do all of these wonderful and great things, but the party that touted fiscal responsibility for so many years has now assumed the role that they accuse liberal Democrats of assuming for the last 15 to 20 years.

I know they have good people on their side that can add, subtract, multiply, and divide. It is only my hope and certainly that of my colleagues on this side that those folks who cannot add and subtract come to the forefront, add this budget up, realize that it does not add up, and do what is right.

Let us save social security and Medicare first and then bring about those tax cuts. If we win the lottery, we should not spend all our money at the casinos, we should take care of the debts and obligations first, and then take care of the things we want to do. We ought to do the same thing in this Congress. The people expect no less.

Mr. SHAYS. Mr. Speaker, I yield 1½ minutes to my colleague, the gentleman from Wisconsin (Mr. RYAN).

Mr. RYAN of Wisconsin. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I listen to the inflammatory rhetoric we are hearing on the House Floor today, and I think that we are looking at two different budgets. It is very important to note that when you are budgeting, what you are doing is outlining priorities. What was our first priority in putting this budget together?

When I travel around the First District of Wisconsin, talking to our Nation's seniors who are currently on social security, talking to workers who are about to go on social security, talking to the baby boom generation who are about to enjoy social security within the next 15 years, they want to know that it is going to be there, that the rug will not be pulled out from underneath them. That is our historic commitment that we are pledging in this budget.

Our first, preeminent decision is this: We are going to stop the raid on social security.

□ 1230

For the first time in over 30 years, we are not going to take a dime out of Social Security taxes to spend on other government programs. That is our driving reform in this budget, which drives other reforms.

If my colleagues take a look at this chart beside me, they will notice that our budget sets aside 100 percent of the Social Security surplus. All the money coming from Social Security taxes will be dedicated towards Social Security.

However, the President is only setting aside 62 percent of the Social Security surplus for Social Security. The other 38 percent is going to other spending.

We want a lockbox provision that will work. We want a lockbox provision that will set aside all Social Security surpluses now and into the future. The problem is the President does not want this legislation because he is raiding Social Security by $341 billion over the next 10 years. If he is truly interested in saving Social Security, he will say ''no'' to future raids on Social Security.

Mr. SPRATT. Mr. Speaker, I yield myself 30 seconds.

Let me say there was an alternative budget on the floor, the House Democrats' budget. We would have put up $502.5 billion more for nondefense and defense discretionary programs, $165 billion in targeted tax cuts, high surpluses, and therefore lower debt than the Republicans in every year. In fact, we would have had $151 billion more in national debt reduction than they have.

There was an alternative, and 100 percent of our Social Security money went back to Social Security. So they keep raising a red herring, a straw man. There was an alternative that was rejected, and it was a better bill.

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

Ms. DELAURO. Mr. Speaker, this budget represents a serious failure for American families. It fails to extend the solvency of the Medicare Trust Fund by even one day. It fails to strengthen Social Security so it will be there for the next generation.

There is in fact less money for education in this budget. Over the next 3 years, that education budget falls below the 1999 level. So let us be truthful about education. It fails to do anything to expand child care for our Nation's poorest families.

Right now, of the 10 million children and working families with incomes below 200 percent of the poverty line, only 10 percent of eligible families have access to child care programs. The average family spends about 7 percent of its income on child care. But child care consumes about one-quarter of the income of low-income working families who pay for their care. These are the families who can afford it the least.

The waiting lists are growing. In my own State of Connecticut, we have tremendous waiting lists. People are unable to get the assistance that they need in order to afford child care.

The Senate budget resolution attempted to close that trap. They provided $10 billion for Child Care Development Block Grant. But the Republican leadership stripped that provision from the resolution.

Mr. Speaker, America's working families cannot wait for some other time to deal with child care. They need the help now. Parents who are trying to get to work, to build a better life for their families, particularly those who are attempting to move off of the welfare rolls, they find the lack of affordable child care is often an insurmountable barrier.

No parent can concentrate on their job if they are worried about who is taking care of their child. We owe it to working people, people who want to work, to make sure that they have a safe and affordable place so that their children can have care.

Putting this off to deal with it at another time is unacceptable. American families and American children deserve better. Let us defeat this conference report.

Mr. SHAYS. Mr. Speaker, may I inquire about the time remaining on each side.

The SPEAKER pro tempore (Mr. NETHERCUTT). The gentleman from Connecticut (Mr. SHAYS) has 14¼ minutes remaining. The gentleman from South Carolina (Mr. SPRATT) has 15 minutes remaining.

Mr. SHAYS. Mr. Speaker, I yield 1½ minutes to the gentleman from New Hampshire (Mr. SUNUNU).

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

Mr. SUNUNU. Mr. Speaker, the budget resolution is about priorities. It is a broad blueprint of our spending priorities for the next year and the next 5 years. In fact, this particular resolution sets the tone for the next century. It will be the first budget blueprint for the next millennium.

Our priorities are clear. First and foremost, we set aside all of the Social Security surplus for Social Security, the first time in our country's history that we will do that, making good on the commitment to take Social Security off budget.

Second, we keep to the spending commitments of the 1997 Balanced Budget Act, a bipartisan agreement, to control the size and scope of the Federal Government, keeping to our commitments not just to our constituents, but to the entire country.

Finally, we state that, for those surpluses above the Social Security surplus, we ought to give that money back to American workers that are working harder, longer, earning more, being more productive. That is the biggest reason we have such a high level of revenues right now. The product of that hard work ought to go back to working Americans.

Those are the right priorities for this country: strengthening Social Security, keeping to our spending commitments, and lowering taxes.

The President's budget, instead, would spend 38 percent of the Social Security surplus. It breaks the budget caps. It raises taxes $100 billion. That is the wrong direction, as made so clear when we voted on this floor on the President's budget. He received only 2 votes for his spending priorities.

These are the right priorities. It sets aside more for Social Security, pays down more debt, and does more to strengthen this country's economy.

Mr. SPRATT. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Speaker, we all understand in Washington that sometimes you are the beaver and sometimes you are the cherry tree. Even so,

it is outrageous that the Republican majority has chosen to treat Medicare as a cherry tree, to be cut down while the Republican beaver gets fatter on tax cuts.

Mr. Speaker, there is no other issue other than the war in Kosovo of greater public policy concern than extending the solvency of Social Security and addressing our senior health crisis while preserving Medicare.

This budget flinches in the face of those challenges. Instead, it takes resources that we desperately need to devote to those problems and commits them instead to an exploding tax cut that threatens the return of a structural deficit.

It is an insult to the seniors of this country that the Republicans are talking about tax cuts while at the same time they are not setting aside one penny to extend the solvency of the Medicare Trust Fund or the solvency of Social Security.

There is a health care hurricane on the horizon in our country, Mr. Speaker. The highest growing part of our population is over 85. The Republicans do nothing about the Medicare crisis about to hit. Vote ''no'' on the Republican budget.

Mr. SHAYS. Mr. Speaker, I yield myself 15 seconds to point out that the President cut $11.5 billion from Medicare. He cut it. I would also point out to my colleague that we reserve $1.8 trillion for Social Security. We do not spend it, and we do not provide it in tax cuts. It is reserved for Social Security.

Mr. Speaker, I yield 15 seconds to the gentleman from Wisconsin (Mr. RYAN).

Mr. RYAN of Wisconsin. Mr. Speaker, I think it is very important to note that, when we are looking at this, this inflammatory language on Medicare, we are actually keeping the Medicare Trust Fund growing. The President proposed a budget that actually cut Medicare. We are dedicating $1.8 trillion, all from taxes dedicated to Medicare and Social Security, for Medicare and Social Security.

Mr. SPRATT. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Oregon (Ms. HOOLEY).

Ms. HOOLEY of Oregon. Mr. Speaker, when one offers with one hand and takes away with the other hand, that is called bait and switch. If one were an advertiser in the public sector, one would be fined for what is going on in Congress today.

This Congress is trying to tell the American public that all is well with the veterans. Yet, the Republican budget cuts veterans over 10 years by $2.3 billion. They are trying to tell us that crop insurance is okay at a time when farmers are out there in deep trouble. They are saying it is okay, we are going to take care of you. Yet, there are cuts of $4.9 billion. Health care, medical research, oh, yeah, we are increasing the budget. But guess what, it is being cut by $25 billion. Bait and switch.

Worst of all to me, this Congress is telling Americans that because we add money to one part of the education budget, that we are increasing the education budget. The problem is they are taking it away from another part of the budget. Again, bait and switch.

We are hearing the argument that Social Security and Medicare are first in the budget, Mr. Speaker. Bait and switch. Tax cuts are first here, nothing else.

I support a tax cut that we can afford. But first we must extend the life of Social Security and Medicare. This budget has loopholes the size of the Capitol dome. To protect Social Security, we should make sure that we extend the life of Social Security. Do not deceive the American people with bait and switch sound bites when my colleagues do not have the information to back it up.

Mr. SHAYS. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. GARY MILLER), one of many from California, and a very fine Member.

Mr. GARY MILLER of California. Mr. Speaker, I rise today in support of the conference report on the budget. When we compare this to where we started with the President's budget, we have come leagues from where we started.

I have listened to some of the rhetoric, and obviously many have been beamed up who really look at the facts and figures. We do protect Social Security. The President wanted to spend Social Security money on his programs. We provide for Medicare in this budget. The President did nothing for Medicare. In fact, he stifled reforms.

We provide for tax relief. The President wanted to raise taxes. We are keeping the budget caps. The President wants to break budget caps to spend more money.

In the past year, all we have heard is the rhetoric from the other side of the aisle about saving Social Security, yet they have done nothing to do that. Where is the rhetoric now? Where is the reform? Or was it just politics as partisans present it.

This side of the aisle and the budget we have before us saves 100 percent of Social Security money, $137 billion this year alone aside for Social Security over 10 years. It sets aside $1.8 trillion. The President's budget saves 62 percent, spent $58 billion this year alone, and over 10 years only set $1.3 trillion aside.

Medicare has been provided for in this budget. My colleagues talk about chopping the cherry tree down. The President chopped down $11.9 billion over 5 years out of Medicare.

We cut through this process $778 billion in taxes on the American people over 10 years. The President wanted to raise taxes by $172 billion over 10 years.

This is what the Congressional Research Service has to say about the Senate and House budget resolution before us. I will quote them, ''The committee report calls for maintaining the discretionary spending caps, cutting taxes, increasing spending for defense and education.'' I will quote again, ''increasing spending for defense and education, and restricting the uses of Social Security surpluses.''

We have come a long way from where we started, and I wish this could be a bipartisan support. I encourage an ''aye'' vote. 038

Mr. SPRATT. Mr. Speaker, I yield myself 30 seconds.

On defense, I would remind the gentleman that their budget over 10 years is $198 billion below the President's budget. We came to the House floor and said, my colleagues did not provide for the military pay increase. Despite the fact they were on notice, this budget does not provide for the selected pay grade increase of 5.5 percent. This budget does not provide for the repeal of redux. It zaps it.

They were put on notice. They still ignored it. They also did not give anything for the veterans except for 1 year.

Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. FILNER) because he is a member of the Committee on Veterans' Affairs.

Mr. FILNER. Mr. Speaker, this conference agreement on the Republican resolution is a slap in the face to our Nation's veterans, those who have given us our country's freedom. It slashes health care funding every year after the year 2000.

We do have a 1-year increase of $1.6 billion, but that is it, only 50 percent of what the veterans' organizations in this country said was absolutely minimal, for what was necessary for the veterans' health care system. They recommended a $3 billion increase for every year. My colleagues gave them $1.6 billion for the first year and then started cutting them every year after that. Over 10 years, the conference agreement cuts veterans funding by $2.3 billion below a 1999 level.

We will see hospitals in danger of closing. We will see veterans with hepatitis C not receive treatment. We will see long-term care decreased. Research will be severely underfunded. Buildings will deteriorate. The chairman of our committee, a Republican chairman, said that if we have a straight line budget, we will compromise access to quality of care. Vote ''no'' on the slap in the face of the Veterans Administration.

□ 1245

Mr. SHAYS. Mr. Speaker, I yield 30 seconds to the gentleman from Georgia (Mr. CHAMBLISS).

Mr. CHAMBLISS. Mr. Speaker, I would call to the gentleman's attention the fact that the President's budget called for an increase in veterans' benefits of $26 million. In the House-passed budget we provided for $1.1 billion of increase for veterans' health care benefits alone. The conference report increased that amount by an additional $700 billion directly applied to veterans' health care benefits.

Mr. SPRATT. Mr. Speaker, I yield myself 30 seconds.

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

Mr. SPRATT. I yield to the gentleman from California.

Mr. FILNER. Mr. Speaker, the gentleman is talking about the President's budget. That was a suggestion that is long past. This is the Republicans' budget now. Stop talking about the President's budget. The Republican budget has underfunded over 10 years veterans' health care by almost $2.5 billion.

The Republicans increase it the first year, I will give them that, but they have put it on a freeze for the next decade. They are harming the health of our Nation's veterans.

Mr. SPRATT. Mr. Speaker, reclaiming my time, I might also say that the veterans are funded on average at $19.4 million, which is $100 million over and above this year for the next 5 years. The Republicans fund the increase for 1 year but it falls off after that.

Mr. Speaker, I yield 1½ minutes to the gentleman from Minnesota (Mr. MINGE).

Mr. MINGE. Mr. Speaker, I would like to just quickly address two points in connection with the budget that is under consideration this morning.

The first is agriculture. I am very concerned. We have had hearings, we have had a great deal of criticism of the Clinton administration for reducing the Farm Service Agency personnel in the field offices, 750 people cut. This is really unacceptable, but I am very concerned that the Republican budget has yet a further cut in discretionary appropriations for the Department of Agriculture. It will be very difficult to not only restore these 750 people with this type of a cut but I fear it will lead to even greater cuts which, on a bipartisan basis, we recognize is really unacceptable.

So I rise to urge the Republicans to change the budget, to allow for at least constant funding for agriculture so we do not face further unacceptable cuts in the Farm Service Agency.

Finally, I would like to just briefly call attention to the fact that the expected surplus on the on-budget is not going to be used to pay down on the debt. None of it. I feel it is absolutely imperative that in these good times we agree on a bipartisan basis that at least half of the on-budget surplus be devoted to reducing the Nation's debt. We owe this to our children. When we have good times, it is time to fix the roof. When it is raining, it will be much more difficult to reduce the debt.

Mr. SHAYS. Mr. Speaker, I yield 30 seconds to the gentleman from Georgia (Mr. CHAMBLISS).

Mr. CHAMBLISS. Mr. Speaker, I remind the gentleman that, as he well knows, in our budget resolution that we are going to vote on today there is no reduction in employees in the Farm Service Agency.

We are not going to micromanage what the Agriculture Department does in their budget. The House Committee on Agriculture, of which the gentleman is a member, along with myself, and he and I work very closely on these very issues, is going to make that decision on how we manage the budget that is handed to us with the Department of Agriculture.

Mr. SPRATT. Mr. Speaker, I yield 30 seconds to the gentleman from Minnesota (Mr. MINGE) for a response.

Mr. MINGE. Mr. Speaker, I know that all of us have worked with the USDA, and we know that it has scores of programs. And we have heard from our constituents that they want increases in all of these programs.

I do not understand how we can both maintain the staffing level at the Farm Service Agency and still honor the request that we have for all of the other programs. I fear by making an across-the-board cut at USDA, that the Farm Service Agency, just like everything else, will be the victim of this cut. And I do not see how we can expect the administration to do any better by FSA with this type of limitation.

Mr. SHAYS. Mr. Speaker, I yield 30 seconds to the gentleman from Georgia (Mr. CHAMBLISS).

Mr. CHAMBLISS. Mr. Speaker, I want to address one other issue with respect to agriculture, because this is critical.

The President talked a lot, when he came here in this very House in his State of the Union address, about crop insurance reform, something that is so desperately needed by our farmers. Yet in his budget he provided zero dollars for crop insurance reform.

In our budget that we are going to vote on today we are providing $6 billion for crop insurance reform, in addition to what we currently have, to be used over the next 5 years to truly come up with a meaningful, sustainable crop insurance reform program that is going to be of benefit to every single farmer all across this great country.

Mr. SHAYS. Mr. Speaker, may I inquire how much time each side has.

The SPEAKER pro tempore (Mr. NETHERCUTT). The gentleman from Connecticut (Mr. SHAYS) has 8¾ minutes remaining, and the gentleman from South Carolina (Mr. SPRATT) has 8½ minutes remaining.

Mr. SPRATT. Mr. Speaker, I yield 30 seconds to the gentleman from Minnesota (Mr. MINGE).

Mr. MINGE. Mr. Speaker, returning to the crop insurance subject, I certainly am pleased that the Republican budget does allow $6 billion for the first 5 years of the budget cycle, but I would point out that it is a 10-year budget and there is nothing for crop insurance in the second 5 years that we have been able to identify. And if we contrast this with the budgets that were proposed by the Democrats and by the Blue Dogs there was, indeed, more adequate and consistent funding for crop insurance.

I feel that if we have a 10-year budget here we have to judge it not just on the basis of the first 5 years, but the commitment to crop insurance for the second 5 years. If there is not money there for crop insurance for the second 5 years, we are in a very bad position.

Mr. SPRATT. Mr. Speaker, I yield 1½ minutes to the gentleman from Tennessee (Mr. CLEMENT).

Mr. CLEMENT. Mr. Speaker, I thank the gentleman for yielding me this time, and I am going to focus my attention on the veterans.

We are going to have a major increase in the defense budget this year but not for the veterans. Why? Those are the ones who have served us so well and ably over the years and yet we are going to cut them.

The Republican budget ignores the recommendations of the Committee on Veterans' Affairs, it ignores the pleas by nearly every veterans' group and it ignores the recommendations of the United States Senate. I might share with my colleagues that it has a $2.3 billion below the 1999 freeze level over a 10-year period.

After a one-time increase, our veterans will be back to facing hospital closures, cutting of medical services, reductions in employees, and new initiatives without new funding to pay for them. Veterans are only growing older and sicker each year. They cannot survive on a flat-lined budget that has been proposed, and they certainly cannot survive on a budget that actually cuts their funding.

This situation is outrageous. Our veterans have served this country in the noblest of manners. It is now our obligation and duty to take care of them. It is simply unconscionable to deny our veterans the funding that they so desperately need now and in the years to come.

I tell my colleagues where our veterans are going to get hurt: screening for hepatitis C, rising pharmaceutical costs, and we could go on and on. This is not fair. This is not right. Vote ''no''.

Mr. SHAYS. Mr. Speaker, I yield myself 15 seconds to respond to what was just said.

I would just point out that in the budget next year, the budget that we actually spend, we add $1.1 billion more than the President, and then when we added what the Senate did, we added another $700 million.

Mr. SPRATT. Mr. Speaker, I yield myself 30 seconds, and I ask the gentleman from Connecticut why does the Republican budget, in Function 950, not provide for the pay table reform, the 5.5 percent increase for our senior NCOs and selected junior officers? And why does it not provide for a reform of REDUC, so that those service members who have served 20 years will get 50 percent of their base pay in retirement as opposed to 40 percent?

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

Mr. SPRATT. I yield to the gentleman from Connecticut.

Mr. SHAYS. Mr. Speaker, I would be happy to explain to my colleague, but

we are going to have a disagreement because we think we have provided the money in 950, the gentleman does not, and time will tell.

Mr. SPRATT. Mr. Speaker, I yield myself such time as I may consume to respond that the numbers do not bear the gentleman's statement out.

And I would just like to go down the list again, looking at this budget, of the things that are literally cut. We are not talking about reductions in current services, we are not talking about reducing the rate of increase. Over 10 years, we have just heard the veterans' function, Function 700 in this budget, is cut by $2.3 billion. That is below a hard freeze, below 1999 levels, even though, as we have been told, the World War II veterans are reaching the peak demand for services on the Veterans Administration.

Agriculture, Function 350, over 10 years is cut by $4.9 billion. In that second 5-year period of time, to sustain the crop insurance program, we will need $9.4 billion. We put together a budget that provided that $9.4 billion, still provided for tax cuts, still provided for more debt reduction, and sustained the crop insurance program for the full 10-year period.

Health, research and public health, two vitally important programs, Function 550 of the budget, they are cut by a whopping $25.3 billion below a hard freeze, below 1999 levels in this budget.

The same goes on for other programs. If we take all State, local and regional government programs, which is Function 450, there is a cut of 46.4 percent.

But there is another cut in this budget, a huge cut. In fact, this budget sets a record, Mr. Speaker. Many of these cuts that are destined to happen because of this budget are not identified. They are just aggregate cuts in the authorized amount of spending.

In order to avoid specific criticism, there is an account called allowances, Function 920 of the budget. In that account, over 10 years, this budget contains $81.4 billion. In other words, that is $81.4 billion in cuts they have not even identified to any of the 20 functions in the budget. $81.4 billion is a record high for an addition to a budget. That means we have not done the work. Somebody else is going to have to do it.

But there is bad news in store for all of these other programs which are already cut below a hard freeze, below 1999 levels. Veterans, agriculture, environment and natural resources, health research, biomedical research, all of these portions of the budget are still subject to a whopping $81.4 billion reduction which has not yet been identified or allocated over the next 10 years, Mr. Speaker.

There is a different way to do it. The Republicans, whenever they want to criticize the budget, bring up the President's budget. They do not acknowledge that we had an alternative budget here on the floor. We had a Democratic alternative. We took all of the Social Security money and recommitted it to Social Security with a lock box that was built into law, not some point of order.

We are stretching everybody's credulity by calling a lock box a simple point of order, which the Committee on Rules can mow right over, and does every day of the week.

Even though we fully provided for Social Security, and the actuaries said we had extended its life until past 2050, we also provided $502.5 billion more for defense and nondefense discretionary programs than the Republicans provided. We targeted tax cuts, gross tax cuts of $165 billion, over the next 10 years. We generated higher surpluses and, therefore, we paid off more debt than the Republicans. Not over 10 years, but every year over 10 years; every year over the next 10 years, totaling $151 billion more in debt reduction.

We had that alternative. We could have at least put our alternative on the table in a conference and said, where can we meet in the middle, because we have got here a better product, we think. We did not have that kind of conference.

□ 1300

We did not have that kind of comparison and compromise, and what we have got here is a budget that is deficient in the process by which it has been developed and deficient in substance, as well.

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

Mr. SHAYS. Mr. Speaker, I yield 2½ minutes to the gentleman from Wisconsin (Mr. RYAN).

Mr. RYAN of Wisconsin. Mr. Speaker, I think what we are seeing here today is two visions, two visions for our country that we are presenting to the American people, the President's vision as he articulated in the well of the House of Representatives during the State of the Union address and the vision we have embodied in this budget here before us, and I would like to recap what that vision is.

First, we lock away the entire Social Security Trust Fund to save, strengthen and preserve Social Security as necessary and Medicare, as well. The other side's budget adds more IOUs in the Trust Fund and that is their answer to Social Security solvency.

We could save Social Security to the year 3000 if we just wanted to add more IOUs in the Trust Fund, and that is essentially what they are doing. We need real reform, not IOUs.

Second, we set aside more money than the President does for Social Security and Medicare by $100 billion. We create a safety deposit box to make sure that future raids on Social Security do not occur. We pay down more debt with our budget than the President does. By $450 billion, we start paying down our national debt. We maintain the spending discipline of the 1997 budget agreement. We provide additional resources to properly train, equip, and retain the men and women in our uniform, and we enact the historic tax relief for working Americans.

What we achieve is this: We stop the raid on Social Security. All Social Security dollars go to Social Security. We pay down our national debt. The President increases it. And if after we accomplish that they still overpay their income tax, we let them have their money back.

What this is coming down to is a difference in philosophy. The President embodied the philosophy as he put in his budget very well in Buffalo, New York, 2 months ago when talking about the these surpluses, where he said we could give this money back to them but we would not be sure that they would spend it right.

Well, Mr. Speaker, therein lies the difference. How they spend their money is the right way to spend their money as long as they spend their money. But what we have to achieve and the historic reforms we are achieving in this budget is for the first time in a generation we are going to stop Congress and the President from raiding Social Security, we are going to start to pay off our bills by paying down our debt. And then after that, if they still overpay their taxes, they ought to have their money back.

Mr. SPRATT. Mr. Speaker, I yield myself the balance of the time.

Vote for this budget and we will vote to reverse the priorities we set on this floor just 2 days ago. We said that we should save Social Security first, we should shore up Medicare for some years to come, we should do this first before we address tax cuts. We did not rule out tax cuts. We said these things came first.

Two days ago, 380 Members of the House voted for that. Today if we vote for this resolution we vote to reverse it. We will vote to put those programs at risk because the tax cuts that are proposed in this resolution will drain the budget dry of anything that can be used to fix Social Security and fix Medicare.

Even worse, if these surpluses that we see now, which are no more than economist constructs, do not obtain, if they do not materialize, then we will be spending Social Security payroll taxes because there will not be enough income taxes to fund the budget we have got right here.

So this is a reversal. This is a retreat. This goes down the path that we took years ago and have tried to reverse and correct for the last 10 years. It would be a sham and a shame if we passed a budget of this kind. And, in fact, we will not. We will pass it, of course, but this budget is not going to be the operative document that determines the budget for this year, fortunately, because it is simply not a workable instrument of policy.

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

Mr. SHAYS. Mr. Speaker, to close this debate, I yield such time as he

may consume to the gentleman from Ohio (Mr. KASICH), the chairman of the committee, who in 1989 started saying we need to get our country's financial house in order and end these deficits, and that is what he has done.

The SPEAKER pro tempore (Mr. NETHERCUTT). The gentleman from Ohio (Mr. KASICH) is recognized for 6 minutes.

Mr. KASICH. Mr. Speaker, I just want to say that it is one of my staff people just kind of whispered at me that this is the last budget of the century and this represents the blueprint for what we want to do as we head into the next century and a whole new millennium.

We have struggled here on Capitol Hill for some short period of time in how to deal with the issue of the surplus. And somebody yesterday argued that, well, it is amazing that when we had deficits it seemed as though we could get along better than when we had surpluses, there seems to be more debate and discussion and argument. And somebody said, well, that is not surprising because whenever somebody passes away and there are debts, nobody shows up to try to figure out how to deal with those; but when there is a lot of extra money to be passed on, everybody shows up and starts to fight for it. And I think it is really true.

But we should not look at surplus politics as anything other than the greatest news, because instead of having to keep working to dig ourselves out of a hole, we now have the opportunity to be able to use all of that hard work and the benefits that came with it, which is an expanding economy and big surpluses, to be able to really outline a path for where we need to go in the early stages of the next century.

First and foremost, we know that in the next century we do not want to pursue policies that allow government to get bigger and to have more power. I think that is the greatest bottom line statement that we make as we leave this century, and it is clearly a reflection of what everyday people across this country are saying. Because I think what people are saying in America today is they would like to have more power and more control over the future and they do not want to consistently be frustrated by those in a faraway place who seem to be able to write the rules and the regulations that frustrate them every day.

I think what Americans are saying is, let me have the bat in my hand, let me get up to the plate, let me begin to solve some of the problems that I have that I am going to face during the course of my lifetime.

So the one clear guiding star in this process is not to expand the power of people who live in a faraway place but, rather, to struggle to take power from those folks and put it back into the hands of everyday people.

I am a little mystified at the criticism of that product. I guess it is just the nature sometimes of partisan politics. We did come together in 1997 and come up with a budget agreement and I would salute my colleague from South Carolina (Mr. SPRATT) for his work in reaching a bipartisan agreement. But what we are doing here now is something that we have all laid out as a goal and a target for ourselves.

Number one, that we would stop raiding the payroll taxes of this country, that we would stop spending the money that we collect to be used for our retirement programs to be spent on the operation of Government. And, in fact, this budget does that. It locks up $1.8 trillion in payroll taxes over the next 10 years and makes that money available for a revamped, for a transformed retirement system, both for Social Security and Medicare. And it will essentially mean that every American is going to have a little bit more control in terms of planning for their retirement rather than turning that control over to people who live in a place where they do not even know what area code it is that we live in or what time zone we live in.

We are going to set the stage for significant transfer of power from people who do not understand us, do not know us, who are strangers, who are the least concerned about our retirement, into our own hands so we can plan for our own families who are the most concerned about our retirement years and, at the same time, we are also going to transfer this huge overpayment that the taxpayers have made to the Federal Government.

Income tax day is tomorrow. Whenever people look at paying their income taxes, there are two, three things I think drive them crazy. One is they cannot figure out how to pay their tax. The system is too complicated. They have got to spend money to hire somebody to figure it out. We know that this system clearly needs to be made more simple and will be when we have a president that is committed to it.

But secondly, people are not only confused and angry about the current tax system, but then they are paying too much of what they earn to the Government. We have families now who are being hit by the alternative minimum tax, couples out there working trying to get ahead educating their children. They get hit by the alternative minimum tax.

Some Americans at all levels of government are paying half of what they earn to the Government. It should not be that way, 50 percent of what they earn to government. Because on top of all of that, none of us have the confidence that the Government is treating our money as preciously as we treat our own. They are convinced, and they are right, that the Government at the State level, the local government, and Federal Government are full of duplication, it is full of waste.

And we really do not treat people's money like it is our own. Frankly, human nature does not allow us to do it. Does it? But when we take the combination of a confusing tax system, too high taxes, and taxes we pay going for things that are wasteful, people are very uptight about that.

We are giving them an opportunity to get the biggest tax cut back while maintaining the fiscal discipline we laid in place in 1997, save Social Security, return power to people through a huge tax cut, and maintain fiscal discipline. It is a recipe for success in the next century.

Support the resolution.

Mr. DAVIS of Florida. Mr. Speaker, I rise in opposition to H. Con. Res. 68, the Conference Report on the Fiscal Year 2000 Budget Resolution. This resolution should be defeated because of the policies it sets forth and the procedure under which it was brought to the floor today.

Last year, for the first time since Congressional budget procedures were established in 1974, this body failed to adopt a conference report on the budget resolution. This year, the conference report was completed almost before the conferees were even appointed and the first opportunity the minority had to read the conference report was 12:30 this morning.

The budget resolution is a blueprint for our national priorities. It defines what we as a Congress believe is important and establishes the basis for the rest of our work this session. Questions of how much we are willing to spend to educate our children, to fight crime, to protect our environment, to reduce the massive national debt—these are the hard questions we should be deciding and we owe it to our constituents to have an open and rigorous debate on these issues. Instead, today we are poised to rubber-stamp a conference agreement that no one has had adequate opportunity to study and whose broad objectives set us on a dangerous path of fiscal irresponsibility.

Today, our Nation's economy is the envy of the world. We have historically low unemployment and inflation coupled with sustained moderate economic growth. The stock market is at record levels and even our economic experts are at a lost to explain how this expansion has continued for eight years with no signs of weakness. The question we face today is whether we will take advantage of this unprecedented growth to pay off past obligations and prepare for the future or simply squander this opportunity by putting tax cuts first, ahead of paying down the debt and ensuring the solvency of Social Security and Medicare.

My view, echoed in testimony by Federal Reserve Chairman Alan Greenspan, is that we should dedicate the lion's share of the budget surpluses to reducing the publicly held debt. This is the surest way to continue the cycle of economic growth and continuing surpluses. Furthermore, as we pay down the debt, interest rates will continue to decline. Consider what a two percent reduction in interest rates would mean for the average homeowner in my home town: By reducing the 30-year fixed rate mortgage from 8% to 6% on a $115,000 house in Hillsborough County, Florida, a homeowner's monthly mortgage would drop from $844 to $689. This translates into savings of $155 each month or $1,860 each year. That is more substantial and more fiscally responsible than the tax cuts proposed by this conference report. Unfortunately, the Democratic Alternative which would have locked in

greater debt reduction than this plan was rejected in Committee and on the House floor.

Mr. Speaker, the question today is not simply whether we are for or against tax cuts. The question is what priority we should place on cutting taxes compared with paying down the debt and preserving Social Security and Medicare. Personally, I support targeted tax cuts; however, I believe we must maintain fiscal discipline and prepare for the coming demographic changes of the baby boomers' retirement. Once we have address these critical issues, then we should consider tax cuts, or even more importantly, overall tax reform. Instead, today, this House is poised to squander a golden opportunity and embrace a plan which puts its greatest emphasis on tax cuts. This is not the legacy we should leave for future generations and I therefore urge my colleagues to reject this conference report.

Mr. PACKARD. Mr. Speaker, I rise today in support of H. Con. Res. 68, the FY 2000 Budget Conference Report.

For the first time in over a generation this country is operating with a budget surplus. The fact is, this surplus is nothing more than an overpayment to the government by the American taxpayers. I am convinced that government can do more for Americans than raise their taxes and feed the federal bureaucracy. The FY 2000 budget will offer $15 billion for tax relief in the year 2000 and over $800 billion over the next 10 years. Families can spend their money better than Washington can. This money belongs to the American people and we should give it back to them.

Mr. Speaker, our budget goes well beyond extending tax relief to American families. In fact it protects and strengthens Social Security for the next century. While the President talks about saving Social Security, the truth is his budget actually spends 42% of the Social Security Surplus. The Republican budget will lock up every penny of the Social Security Surplus over the next ten years, that's $1.8 trillion worth of retirement security for Americans. We have all paid into the Social Security trust fund with the promise that it will be there for us when we retire. Today, we have an historic opportunity to keep that promise and protect Social Security.

This FY 2000 Budget also increases spending for our military by over $288 billion. Our men and women in uniform put their lives on the line to protect our freedoms. We must provide them with the tools and training necessary to remain the greatest fighting force in the world.

Mr. Speaker, the American public has waited long enough for relief from big government spending. Let's pass this historic budget for the new millennium and keep our promises to the citizens of this country.

Mr. FOSSELLA. Mr. Speaker, the Budget Resolution is an opportunity for our nation to finally put the Social Security surplus in a lock box solely for seniors on Social Security and Medicare. The budget resolution also reflects our commitment to education, a strong national defense and much-needed tax relief.

Congress promised to balance the budget, reduce the size of government, and reduce the federal debt. This budget resolution, H. Con. Res. 68, sticks to that promise by restraining government spending and paying down the debt.

Every penny in the Social Security trust fund, 100% of it, is being set aside for retiring Americans. The President's budget, on the other hand only sets aside 62% of the surplus for seniors. Only by committing 100% of the surplus can we truly strengthen Social Security for future generations.

The budget will also give our children's schools the resources to ensure them a better education and bright future. We increase spending to improve public schools.

It will also provide billions to strengthen our national defense, equipping and training our troops for combat while honoring our veterans' sacrifices with a boost in health care funding.

Finally, this budget gives the record-setting money coming into Washington back to those who earned it—the taxpayers. For the first time in decades, we have surpluses as far as the eye can see. Every hard-working American created the current surplus and the budget gives it back to them over the next ten years.

Mr. FILNER. Mr. Speaker, I rise today in opposition to the Budget Resolution for FY 2000. There are many reasons why we should oppose this Resolution, and one of the major reasons is what it does to our nation's veterans. The budget figures for veterans are completely unacceptable especially in the area of health care.

Under the Budget Resolution, the Republicans who have been criticizing for weeks the President's budget, have done no better—the VA health care system is drastically underfunded and in danger of actual collapse. This is a drastic problem which demands serious, substantial solutions.

What I think is worst about the Budget Resolution, as it affects veterans, is the disingenuous manner in which it is crafted. In FY2000, the budget outlay increases for the discretionary budget where VA health care is funded, from $19.2 to $20.9 billion—a seemingly significant increase. But if you look beyond 2000, it immediately drops to $19.1 billion, then to $19 billion, then to $18.9 billion. How can we maintain health care for our increasingly older veteran population with shrinking numbers?

We need more funds, not less, to reverse the trend of decimating psychiatric, substance abuse and other mental health problems. We need to increase long-term care to increase the options for our growing population of elderly veterans. We need to eliminate the practice of discharging veterans who are Alzheimer's patients. New health care initiatives for veterans suffering from Hepatitis C-related illnesses have been proposed, with no new dollars to pay for them. We will be unable to absorb the additional Persian Gulf War veterans who will be eligible for health care under a new law.

I have carefully studied the Independent Budget for Fiscal Year 2000, a comprehensive policy document created by veterans for veterans and endorsed by over 50 veterans' service organizations. In this budget, I sense an urgency and frustration that I've not heard before. America's veterans are telling us that they have done more than their fair share—and now they expect us to be their advocates. They are reminding us that America is safe and free only because of the generations of men and women who willingly endured the hardships and sacrifices required to preserve our liberty.

For many, many years, America's veterans have been good soldiers. They have done their duty and been conscientious, responsible citizens. Every time the Veteran's Affairs Committee was handed a reconciliation target, it met that target. Billions of veterans' dollars have been handed over in order to balance the budget and eliminate the deficit. Time and time again, America's veterans answered their nation's call. The country needed their support, and America's veterans gave all that they could give.

Well, the budget deficit has been eliminated. That battle has been won. I believe that this year, it is time for America's veterans to come first. We, as a nation, owe them that.

It is the duty of Congress to pass a responsible budget and to do so, we must lift the VA budget cap in order to provide a budget that is worthy of our veterans.

The United States and the freedom our country represents around the world have persisted and flourished because of the sacrifices of our veterans. We must remember the men and women who made those sacrifices as we vote on the budget for veterans.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in opposition to the validation of this conference report, which includes in it the details of the Budget Resolution passed just a few weeks ago by the Republicans.

At that time I spoke vigorously against the Budget Resolution because I felt it short-changed the American people. Also at that time, I spoke in favor of the Democratic Budget, offered by Ranking Member SPRATT because it was a responsible budget done right. Thereafter, when this resolution once again came before us as it was sent to conference, I supported Ranking Member SPRATT's motion to instruct the conferees to hold off on their submission of the report until we had passed legislation addressing the concerns of our party, and of most Americans—in this case, preserving and extending the life of Social Security and Medicare. I go over this litany of details not to open old wounds, but rather to demonstrate and testify to the American people that the Republicans have had multiple opportunities to save Social Security and Medicare—and each time they turned away.

As I vote to strike down this report, I do so only with the well-being of our constituents in mind. I know that we should be approving a budget that protects the Social Security and Medicare Trust Funds by putting money back into those accounts. It should be a budget that will maintain our current Social Security and Medicare benefits, and extend their lives until decades from now, so that Americans will be able to take advantage of them. This is especially true for women, because due to their longer life expectancy, they must rely on Social Security and Medicare longer than most men.

I know that we should be appropriating the proper resources to modernize, and some would say revitalize, our public schools. This budget does the opposite; in fact, it reduces our domestic spending on programs that protect the interest of our children. This budget jeopardizes the well being of successful programs by taking 425 million dollars from WIC, and 501 million dollars from Head Start. Nevertheless, in this budget most of that money—800 million dollars of it—goes instead to tax cuts for the wealthy.

I know that what we should be doing at this time is authorizing a budget that will protect America's families. It should be a budget that

fully funds the Summer Youth Employment Program, which is cut by over 90 million dollars. It could be a budget that saves the Community Development Block Grant Program the indignity of a 50-million-dollar cut.

This budget could be more, it could address the needs of our veterans. We could have and should have passed the Spratt Amendment, which would have added an additional nine billion dollars for veterans programs. We should be voting to pass a budget that fully funds LIHEAP, which provides for necessary heating and cooling for low-income families in times of extreme weather. LIHEAP literally saved lives in my district last summer, and I intend to do what I can to ensure that it is fully funded every year that I serve in Congress.

I had hoped that during Conference, that we would have seen drastic improvements in this resolution. Improvements that could have been done in a bipartisan and responsible manner. I had hoped that my colleagues across the aisle could be more persuaded by the dedication of Congressmen SPRATT and MCDERMOTT. I desperately wanted to take home to my district a budget that respected our children, our families, our veterans, and our elderly—and I still hope to do so.

Therefore, I urge my colleagues to vote against this conference report, and instead work with us to forge a new budget that will grow America into the 21st century.

Mr. STUMP. Mr. Speaker, I rise in strong support of the conference report and to express my appreciation for all the consideration given to veterans' health care funding by the conferees.

The conference report provides the entire amount recommended by the majority of the VA Committee for veterans health care—a $1.7 billion increase over the amount recommended by the President in his budget.

This funding level is supported by many veterans organizations and military associations, including: The American Legion, The Jewish War Veterans, Gold Star Wives, Non Commissioned Officers Association, and The Retired Officers Association.

Some Members advocated even higher funding levels.

But in an arena that is traditionally as partisan as the Budget Committee, it was the realistic recommendations of the VA Committee that ultimately became the standard for both Democratic and Republican budget proposals in the House.

I know that there is already some criticism of the conference report because the outyear spending levels for veterans don't match the levels for next year.

But I want to assure my colleagues that there is little doubt that we will provide even higher funding levels next year.

I also want to assure VA health care administrators that they can count on us to provide the necessary funding to sustain the health care services which an increasing number of veterans are seeking from the VA.

The chairman of the House Budget Committee, the gentleman from Ohio, Mr. KASICH, has given me his word that we'll take a fresh look at the funding needs next year.

Now it is time for Members to realize how difficult it will be for the Appropriations Committee to achieve this spending level for VA health care.

I hope we can all work together to protect this budget for veterans from competing spending interests favored by the Clinton-Gore Administration.

If VA continues to provide health care effectively and with greater efficiency, I have no doubt that the funding level contained in this resolution for fiscal year 2000 will be continued.

Again, I thank the chairman of the Budget Committee, the Senate Chairman, Senator DOMENICI, and all the Members of the Budget Committee who have worked so hard to address veterans' needs this year.

Mr. EVANS. Mr. Speaker, I rise in strong opposition to the conference agreement on House Concurrent Resolution 68, the budget resolution for next fiscal year. This conference agreement, like the budget passed earlier by this house, fails to provide adequate resources needed to maintain and improve programs established by this Congress to serve our nation's veterans, their dependents and survivors.

Many of my colleagues on the other side of the aisle pronounced the administration's proposed budget next year for veterans to be underfunded by at least $2 billion and possibly more. The chairman of our committee, the gentleman from Arizona, who strongly opposes unwarranted spending, recommended an increase of $1.9 billion over the Administration's proposed funding level. The Chairman's recommendation is a clear and unmistakable signal of the funding crisis in veterans' programs and benefits.

While this conference agreement appears at first glance to begin to address the funding crisis in veterans' programs and benefits, this budget resolution is really nothing more than a wolf in sheep's clothing. Unbelievable to our nation's veterans, this budget resolution cuts discretionary spending, which primarily provides veterans' health care, by $1.4 billion dollars in fiscal year 2001 compared to next fiscal year. Veterans across America will wonder what is put in the water in Washington. This budget resolution is a blueprint for destroying veterans' benefits and programs. This budget resolution must be rejected.

The SPEAKER pro tempore. All time for debate has expired.

Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 220, nays 208, not voting 6, as follows:

[Roll No. 85]

YEAS—220

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
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Forbes
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
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 (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thornberry
Thune
Tiahrt
Toomey
Upton
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—208

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E.B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Larson
Lee
Levin
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	Price (NC)	Strickland
Miller, George	Quinn	Stupak
Minge	Rahall	Tanner
Mink	Rangel	Tauscher
Moakley	Reyes	Taylor (MS)
Mollohan	Rivers	Thompson (CA)
Moore	Rodriguez	Thompson (MS)
Moran (VA)	Roemer	Thurman
Morella	Rothman	Tierney
Murtha	Roybal-Allard	Towns
Nadler	Rush	Traficant
Napolitano	Sabo	Turner
Neal	Sanchez	Udall (CO)
Oberstar	Sanders	Udall (NM)
Obey	Sandlin	Velazquez
Olver	Sawyer	Vento
Ortiz	Schakowsky	Visclosky
Owens	Scott	Waters
Pallone	Serrano	Watt (NC)
Pascrell	Sherman	Waxman
Pastor	Sisisky	Weiner
Paul	Skelton	Wexler
Payne	Slaughter	Weygand
Pelosi	Smith (WA)	Wise
Peterson (MN)	Snyder	Woolsey
Phelps	Spratt	Wu
Pickett	Stabenow	Wynn
Pomeroy	Stark	
	Stenholm	

NOT VOTING—6

Davis (IL)	LaHood	Shows
Hastings (FL)	Lantos	Thomas

□ 1332

Mrs. NAPOLITANO, Mr. WYNN and Mr. COYNE changed their vote from ''yea'' to ''nay.''

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. THOMAS. Mr. Speaker, on rollcall No. 85, I was inadvertently detained. Had I been present, I would have voted "yes."

Stated against:

Mr. SHOWS. Mr. Speaker, during rollcall vote No. 85 on the conference report on H. Con. Res. 68, I was unavoidably detained. Had I been present, I would have voted ''no.''

PERSONAL EXPLANATION

Mr. LAHOOD. Mr. Speaker, I was unavoidably detained for rollcall votes 84 and 85. Had I been present, I would have voted "yes" on rollcall vote 84, H. Res. 137, and "yes" on rollcall 85, H. Con. Res. 68.

GENERAL LEAVE

Mr. SHAYS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the conference report on H. Con. Res. 68 just agreed to.

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

There was no objection.

LOCAL CENSUS QUALITY CHECK ACT

Mr. SESSIONS. Mr. Speaker, by the direction of the Committee on Rules, I call up House Resolution 138 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 138

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 472) to amend title 13, United States Code, to require the use of postcensus local review as part of each decennial census. The bill shall be considered as read for amendment. The amendment printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on Government Reform; (2) a further amendment printed in the Congressional Record and numbered 1 pursuant to clause 8 of rule XVIII, if offered by Representative Maloney of New York or her designee, which shall be considered as read and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Texas (Mr. SESSIONS) is recognized for 1 hour.

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

Mr. Speaker, H. Res. 138 is a fair structured rule providing 1 hour of debate in the House divided equally between the chairman and ranking minority member of the Committee on Government Reform.

Mr. Speaker, upon adoption of the resolution, the amendment printed in the Committee on Rules report is considered adopted.

The rule also provides for the consideration of amendment numbered 1 printed in the CONGRESSIONAL RECORD if offered by the gentlewoman from New York (Mrs. MALONEY), or her designee, which shall be debatable for 1 hour equally divided and controlled between the proponent and the opponent.

Finally, the rule provides for one motion to recommit with or without instructions.

Mr. Speaker, H.R. 472, the, Local Census Quality Check Act, builds on Republican efforts and fulfills our constitutional duties by carrying out a quality census that counts every single person. Post census local review was used effectively in 1990 to add 124,000 households to the nationwide count. By using the knowledge, list management and mapping skills of local authorities, post census local review improved the accuracy of the 1990 census. This improvement will increase exponentially with the 2000 census as advancements in information technology will allow local authorities to provide better information which includes adding people to the census at the exact location where they live.

Specifically, Mr. Speaker, this bill provides for a post census local review which will allow local governments to review household counts, boundary maps and other data that the Secretary of Commerce considers appropriate in order to identify discrepancies in housing unit counts before they release the final count of the census. Additionally, the Secretary of Commerce would submit the appropriate block level maps and list of housing units to local governments for their review. The local authorities would then be given 45 days to review the census data and submit any challenges to that data. The Secretary would then investigate, correct any miscounts and notify local governments of any action or correction that was taken.

This is a commonsense piece of legislation that works. The results are not debatable. In 1990, post census review made for more accurate census counts.

Local groups across the political spectrum, including the National League of Cities, the National Association of Towns and Townships and the National Association of Developmental Organizations have endorsed this legislation because it works. It is a part of a process to count every single person in our country.

Mr. Speaker, I urge my colleagues to support this rule and the underlying legislation.

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

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

Mr. Speaker, appearances can be deceiving. At first blush H.R. 472, the Local Census Quality Check Act, appears to be a bill that will ensure a more accurate census count by enhancing local government participation in the 2000 census. But, Mr. Speaker, H.R. 472 is really a Trojan horse because it will, in fact, do nothing to enhance or ensure a more accurate count of Americans next year.

Let me tell our colleagues what it will do, Mr. Speaker. H.R. 472 will impose an operational field plan on the Census Bureau that will actually, according to the Director of the Census, decrease accuracy levels in the count. H.R. 472 will extend an already lengthy process by requiring a post census local review program very similar to the one conducted after the 1990 census. H.R. 472 would extend the period of the head count by nine weeks, which would effectively prevent the Census Bureau from scientifically determining how many people had been missed in the head count. If H.R. 472 were to be enacted, it would ensure that the Census Bureau would not have enough time to correct errors in the census to ensure that each and every American has been counted.

Mr. Speaker, such an outcome is totally unacceptable. H.R. 472 is unacceptable to Democrats because its real purpose is to prevent the Census Bureau from using the modern statistical methods that experts agree are the only way of conducting a census that

does not miss millions of Americans, particularly children, minorities and the urban and rural poor.

This is not a new fight, Mr. Speaker, but it is one that sets out quite clearly the differences between the Republican majority in Congress and the Democratic party. It is our unified and solid position that every single American counts and every single American should be counted.

It is as simple as that, Mr. Speaker. Yet my Republican colleagues have erected roadblocks, gone to court and drafted legislative impediments all designed to keep the Census Bureau from conducting the most accurate and complete census as possible.

The Republican National Committee and other Republican leaders fear that counting every American will damage their hold on political power, but let me close by offering my friends on the other side of the aisle some advice:

In the face of opposition from the experts, from a unified Democratic party and from local governments and civil rights groups around the country poorly disguised attempts to influence the outcome of the census do not reflect well on the Republican party. As I have said many times, ensuring that all Americans are counted in the census is not and should not be a partisan issue. I sincerely hope that my Republican colleagues will put away their partisan fears and join us in working to ensure that the 2000 Census counts every single American.

Mr. Speaker, I obviously oppose the bill, but I also oppose this rule. The Republican majority has seen fit to only make in order the amendment to be offered by the subcommittee ranking member, the gentlewoman from New York (Mrs. MALONEY), and then to only allow 1 hour of debate on this serious and substantive alternative to the Republican bill.

□ 1345

Given the magnitude of the issue, Mr. Speaker, this is a wholly inadequate rule. Therefore, it is my intention to oppose the previous question in order that the House might have the opportunity to consider an open rule with 2 hours of general debate. The time restrictions imposed by this rule do not give Members enough time to thoroughly debate this most important issue.

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

Mr. SESSIONS. Mr. Speaker, I yield 7 minutes to the gentleman from Florida (Mr. MILLER), who is the chairman of the Subcommittee on Census.

Mr. MILLER of Florida. Mr. Speaker, I thank the gentleman from Texas (Mr. SESSIONS) for yielding me the time and I thank the Committee on Rules for bringing forth this rule which allows us to have a full debate on post-census local review and allows for the amendment by the ranking member.

Mr. Speaker, I am in support of the rule. I will be supporting the bill and opposing the amendment.

In less than 12 months we will be conducting the 2000 decennial census. We all share a common goal, everybody in this room and everybody in America should, that we want the most accurate census possible. It has to be a legal census and it should not be a political census.

The census is so fundamental to our Democratic system I call it the DNA of our democracy, because most elected officials in America are dependent upon the census. It affects the number of congressional seats each State receives. It affects the size and shape of our districts. It affects State representatives and State senators, their districts. It affects school boards, county commissions, city council members.

Essentially, most elected officials are going to be impacted by this because this is how we make sure there is equal and fair distribution of the political process in this country.

Unfortunately, the political process has been brought to bear on this census and that is too bad that the President has chosen to introduce politics into the census because we do not need a political census.

Since Thomas Jefferson conducted the first census, we have gone out and counted everybody. It is hard work and we as Republicans have been putting forth the ideas but also the money and resources to make sure we do get the best possible census.

The President has proposed originally a census where only 90 percent of the population is counted and uses sampling or polling techniques to come up with the balance. That was a very political process. The Census Bureau wasted a billion dollars and 6 or 7 years planning for this. We told the Census Bureau, we told the President, this is illegal and yet they continued in effect to spend this money, waste this money and prepare for an illegal census.

Finally, the Supreme Court ruled in January of this year that it was illegal. Six Federal judges had already ruled last year it was illegal, and now the Census Bureau is behind because they have been so concentrating on this 90 percent plan that unfortunately they are not as prepared as they should be today.

We all need to work toward getting that best, most accurate census possible. So now they have come up with a new plan, even though all the details have not been forthcoming yet, and the new plan is a two-number census. We will have one number that is approved by the Supreme Court and that will be a full enumeration as required by our Constitution, and then the President wants to adjust all those numbers, I mean all those numbers. There are census block numbers for all five or six million census blocks in this country. The President wants to adjust that and have an adjusted census.

So we will have the Supreme Court-approved census and we will have the Clinton-approved census. Wow. What a public policy disaster we are heading for with a two-number census.

The Census Bureau was right in arguing against it for the past several years. Now they flip-flopped and think the two-number census is a good idea. It is unfortunate because they want to use the second adjusted set of numbers for redistricting.

Well, I say today that it is going to be declared illegal again. It is going to go back to the courts, and the courts will say we are going to have to use the same number for apportionment that we use for redistricting. We cannot use two numbers for redistricting and apportionment. It will not work.

So now what do we do? We need to do the best job we can on a full enumeration. That is what is required by the Supreme Court. So we have proposed some ideas on how to improve on getting the most accurate and legal census possible.

The Census Bureau has come up with some good ideas on this census and I have to commend the Census Bureau for the innovations and ideas they have put forth for the 2000 census. They are doing things. For example, the address list was a major problem in 1990 and they are making a major effort getting the addresses as correct as possible. That is a good program.

We are going to go to paid advertising. I think that is important rather than relying just on the donated advertising by television. There will be census in the schools trying to get young people involved because young people are some of the ones that are most undercounted. There are a lot of ideas that are good. We have come up with some ideas too, and today we are going to debate one and that is post-census local review.

Now this is not a new idea. This was used in 1990 and it is simply to give local communities one last chance to look at the numbers before they become official because once they become official they are stuck with them for 10 years. It is hard for me to understand why someone would object to this. Again, it is not a new idea. It was used in 1990 and added about 125,000 people. Secretary Daley says that is not very many people. I say if it is a small community, every thousand people makes a difference. One hundred twenty-five thousand may not be a big deal in New York City or another city, but it is important that we allow communities to add people if they were mistakenly missed.

That is all this is about, giving one last chance to add people if they were missed and not included.

To assume that the Census Bureau does not make any mistakes is that trust-me attitude; trust me, I am from the Federal Government and I never make mistakes.

Well, there are mistakes made; not intentional mistakes. There are computer errors, and so all we want to do is give that opportunity. This is widely supported by elected officials. The National League of Cities is supporting it. The National Association of Towns and

Townships are supporting it. Planning organizations are supporting it, and we have heard from dozens and dozens of local officials that say we need this program because it gives us that one last chance to make sure there are no mistakes. That is all it is.

It improves accuracy and it improves trust in our census, and trust is something we need on this census because it has been politicized too much.

Mr. FROST. Mr. Speaker, I yield 6 minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Speaker, I thank the gentleman from Texas (Mr. FROST) for yielding me the time.

Mr. Speaker, I am deeply disturbed that the Committee on Rules did not issue an open rule on H.R. 472. Many of my colleagues have asked to speak on this bill and the limited time allowed by the committee will not allow for a full and open hearing on this bill.

As the majority has reported, there is not much business scheduled for the House this week. So far this week we have put in less than a day's work. The only reason to limit debate on this bill is to silence the opposition.

Mr. Speaker, this bill has not been carefully considered by either the Subcommittee on Census or the Committee on Government Reform. The only hearing on this legislation was held in conjunction with the markup on the bill. The administration was not invited to that hearing and I was out of the country as part of an official U.S. delegation to the International Conference on Population and Development.

An open rule would give all Members a better chance to evaluate the bill. Just yesterday, I met with the League of Cities and they still did not understand the full implications of H.R. 472. For example, they were not aware that the bill adds over 9 weeks to the census process.

I will offer an amendment to H.R. 472. I am committed to a fair and accurate census. As everyone should know, the errors in the 1990 census, according to a GAO report, misallocated billions of dollars to localities. If H.R. 472 passes and degrades the overall accuracy of the census 2000, as it will, then we will have an injustice as well as bad public policy for the next decade.

H.R. 472 calls for a post-census local review. The question is not whether or not we should have local review, of course we should, but whether we should do it in a way that improves overall accuracy.

What H.R. 472 does is make taking the census, the task of taking it, more difficult. It delays the time for correcting the census for persons missed and persons counted twice.

H.R. 472 requires the Census Bureau to repeat work that has already been done. Following the bipartisan direction from Congress, written in the Address List Correction Act of 1994, the Census Bureau has developed a program to work with local governments to make sure they agree on the number of addresses within the Government's jurisdiction. If they cannot come to an agreement, there is an appeals process through the Office of Management and Budget.

So far, this program has covered 86 percent of the addresses in the United States. What H.R. 472 does is require that this work be done again. Those who are not familiar with the census believe that this post-census check will catch errors made in the census. In fact, it will not.

There is no reason for a second check on something that has not changed unless there is an ulterior motive.

There are two areas of concern raised by local governments that could legitimately be addressed by this bill. One is new construction and boundary checks. Between the time the census address list is finalized and census day, there will be some boundary changes and some new houses under construction will be finished.

My amendment calls on the Census Bureau to develop a program to address these legitimate concerns. It further calls for any new program to be coordinated with all the other activities that must go on for the census to be successful.

H.R. 472, as written, does not give the Census Bureau the latitude it needs to address these issues. In 1995, long before the 2000 census became a do or die issue for the Republican Party, the National Academy of Sciences issued a report called Modernizing the U.S. Census. This report was written in response to a bipartisan request from Congress.

The central conclusion of this report was, and I quote, ''It is fruitless to continue trying to count every last person with traditional census methods of physical enumeration. Simply providing additional funds to enable the Census Bureau to carry out the 2000 census using traditional methods, as it has in previous censuses, will not lead to improved coverage or data quality.''

The facts that led to that conclusion have not changed. H.R. 472 is seriously flawed and will ultimately make the census less accurate and make it impossible for the Census Bureau to meet the statutory deadlines of delivering apportionment counts on December 31, 2000, and final population counts on April 1, 2001.

I urge my colleagues to vote against this rule and the underlying bill.

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

Mr. BLUNT. Mr. Speaker, I rise in support of the rule and of the legislation. This really is largely about whether we are going to have a one-number census or a two-number census and all of the things that surround that. How many Members of this body would want us to have a two-number election result and then decide after the election what would have happened if somebody's speculation of what was going on on election day somehow could have been fulfilled?

□ 1400

How would we want to serve if we had not just the number that was certified as the actual count of the election, but if we had the number that was certified as somebody's idea of what might have happened if the election had been done in some scientific laboratory?

This is about counting people. This bill is about counting people in a way that involves local governments. It is about counting people in a way that involves the Census Bureau with local governments, because so much of what happens at the local level for a decade is determined by their numbers; not just how they are represented in this body, but how they are represented on their county council, how they are represented in their city council, how they are represented in the State legislature.

Missing a block, forgetting a thousand people or even a hundred people, can be a significant factor in all of those determinations. In the past, the Census Bureau has seen this as one of the important principles of coming up with an accurate number that stands the test of time, that local governments rely on for the better part of that decade.

I think this bill has been carefully considered. It is also the way the Census has been conducted. In fact, in 1990 the Census Bureau said that what is most important about this review is that local officials have an opportunity to review the maps and counts while the Census is still in progress. Possible errors identified and reported at this stage, according to the Census Bureau, are relatively easy to check and correct if necessary. Once this stage is passed, once the Census is finalized, once local governments have somehow not had this opportunity, it is awfully hard to come back and solve those problems.

The substitute today, the amendment today, would leave this up to the Secretary of Commerce, who has already said in writing that he is not supportive of this legislation, and it is questionable without his support, a post-Census review.

Of course we want to have a local review. Of course we want a Census that is the best possible. Of course we want to correct this process before it is finalized, not after it is finalized. That is what this bill does. It is what it does, creating the best cooperation between local officials and the Census Bureau. I support the legislation.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. BECERRA).

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

Mr. Speaker, I rise to ask Members of this House to oppose this rule and oppose H.R. 472. To me it boils down to a

very simple question, do all Americans count. If we believe they count, then listen to some of the statistics from our last Census in 1990. More than 4 million people in this country were not counted. In my State of California, almost 1 million people did not get included in the 1990 Census.

In terms of dollars, that cost my State somewhere close to $2.3 billion over these last 10 years. My city of Los Angeles, the second largest undercount of any State in the Nation to have occurred was in Los Angeles. Some 140,000 people in my city of Los Angeles did not get counted.

That cost the city of Los Angeles and its residents about $120 million over the last 10 years: $120 million of police officers, teachers, firefighters that were not put on the ground because we had an inaccurate Census for the entire Nation.

Mr. Speaker, the director of the Census Bureau, Mr. Ken Prewitt, has said that H.R. 472 will have ''consequences for an orderly, timely, and accurate Census in 2000 that are just short of disastrous.'' He is saying that because we are tinkering with it in ways we do not need to.

If we are all concerned about having every American count, then let them be counted using the best, most modern, and expert methods available. If we believe all Americans count, then vote against the rule and vote against H.R. 472, because we do not need to go through the mistakes of 1990. We have the technical abilities, we have the modern technology to get the most accurate count possible. That would require that we oppose H.R. 472.

I urge all Members to vote against this rule and against H.R. 472.

Mr. SESSIONS. Mr. Speaker, I yield 5 minutes to the gentlewoman from Ohio (Ms. PRYCE), one of my colleagues on the Committee on Rules.

Ms. PRYCE of Ohio. Mr. Speaker, I thank the gentleman from Texas. I rise in support of this rule and the Local Census Quality Check Act. Simply, this legislation is designed to improve the accuracy of the Census by giving our local officials, who know their communities best, a chance to review census data before it is finalized.

Local review is not a new idea. It was used in 1990 with the support of Republicans and Democrats, and it succeeded in adding thousands of overlooked households to the Census Bureau's original count.

Local review is especially useful in fast-growing neighborhoods and communities, or ones that are being rebuilt after fires or natural disasters, where it is very possible that the Census Bureau will miss some new homes. In fact, this was the experience in 1990. And who better than the people living in the community to recognize oversights and errors in Census numbers?

I have to say that I find the objections to this bill very curious. My friends on the other side of the aisle claim they need statistical sampling to make a guess about how many households may exist which the Census might miss. They support this method of estimation in the name of improved accuracy.

Yet, they reject a program that allows local officials to look at Census data and point to actual existing households with addresses where real people with names and faces live which do not appear on the Census Bureau's list. How can my colleagues argue that a system of adding invisible statistical households is preferable to adding real homes and people to the Census count?

Mr. Speaker, I will place in the RECORD a letter that I received from the Ohio Township Association, representing more than 1,300 townships, in support of H.R. 472.

The material referred to is as follows:

OHIO TOWNSHIP ASSOCIATION,
Columbus, OH, April 12, 1999.

Hon. DEBORAH PRYCE,
U.S. Congress,
Washington, DC.

DEAR REPRESENTATIVE PRYCE: On behalf of the Ohio Township Association, I am writing to express our support of H.R. 472. This legislation, as written, would provide a 45 day period of review to local governments of the Census 200 figures.

Without this legislation, local governments would have no opportunity to review the Bureau of Census' count of their communities before the census data is finalized. Local governments must have a voice in the census process to ensure they are not undercounted. Local governments, especially townships, rely on the census to determine their eligibility for state and federal funding. Local leaders and planners use the census figures to choose the best location for building roads, hospitals, schools, libraries, playgrounds, day-care and senior citizen centers. Businesses use census numbers to determine the location of new housing, shopping centers, offices and factories. Most importantly, in the case of an emergency, census figures aid emergency and safety personnel's rescue efforts by telling them how many people live in a certain area. In light of last week's tornado and storms in Cincinnati, Ohio, this especially true.

Again, on behalf of the 1309 townships in Ohio, I urge you to support HR 472 without amendment. If you have any questions or if I may be of assistance to you and your staff, please do not hesitate to contact me.

Very truly yours,

MICHAEL H. COCHRAN,
Executive Director.

Mr. Speaker, some of my Democratic colleagues regret the fact that the local review process would be time-consuming and delay the Census Bureau's work. I would suggest to my colleagues that they look to the Census Bureau itself if they are concerned about delays. We are less than 12 months away from Census day, and the Bureau has failed to provide Congress with its estimated budget or its plan for conducting a legal count.

Mr. Speaker, any Member who is genuinely concerned about the accuracy of our Census should support this legislation. The Local Census Quality Check Act gives us one more tool to ensure that every American is counted, as the Constitution envisions. I urge a yes vote on both the rule and the underlying legislation.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Rhode Island (Mr. KENNEDY).

(Mr. KENNEDY of Rhode Island asked and was given permission to revise and extend his remarks.)

Mr. KENNEDY of Rhode Island. Mr. Speaker, I find it very curious that my colleagues on the other side of the aisle would make the argument that this is not political, that they say they do not want politics in this. Hello, everybody. This is the most political issue we will probably face in the next 2 years of this session, okay? This goes to who is going to control this House for the next 10 to 20 years.

So I do not want to hear my colleagues disingenuously represent this bill as simply about counting, because that is hogwash. The fact of the matter is the census is about who has got the money and who has got the power.

It should be very curious to the Republicans that the Congressional Black Caucus, that the Congressional Hispanic Caucus, that the Congressional Asian Pacific Caucus, all three of them, every minority caucus in this Congress, are against their sampling proposal and their Census proposal. Why? Because they say that in the effort to get accuracy, they want to delay the Census process. Well, delay equals death for accurate counting.

Mr. Speaker, this is about the heart of government. It is about the distribution of money and power. There is nothing more fundamental to this debate for the next 2 years than this Census. Bridges, roads, education, law enforcement, health care, all of that will be decided by how many people exist in each State and in each city across this country.

If we undercount people, and I have to say, traditionally, there is a reason why the Hispanic Caucus, there is a reason why the Black Caucus, and the minorities are against this, because minority people of color historically get undercounted.

If my colleagues would yield for a question, I would like to ask them to answer why they are delaying this process.

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

In response to my colleague, I would like for it also to be noted on the record that the Republican Black Caucus is 100 percent for this bill that we are supporting on the Floor.

Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. DAVIS).

Mr. DAVIS of Virginia. Mr. Speaker, I thank the gentleman for yielding time to me.

When we mention the caucuses, the Hispanic Caucus, the Black Caucus, he is talking about Democratic members of those caucuses.

Mr. KENNEDY of Rhode Island. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Virginia. I yield to the gentleman from Rhode Island.

Mr. KENNEDY of Rhode Island. Mr. Speaker, I would ask the gentleman,

how many Members are members of the Republican Black Caucus?

Mr. DAVIS of Virginia. We have one.

Mr. KENNEDY of Rhode Island. How many do we have?

Mr. DAVIS of Virginia. They are all Democrats.

I thank the gentleman very much. My friend has made the point, he has tried to place color where politics is. He is the one who has said this is all about politics, not us.

What we are trying to do is assure a fair count for groups that have traditionally been undercounted. That is why this legislation moves from six languages that are included in the Census surveys to 33 languages, including braille, so that we can get at these hard-to-count populations that have traditionally been undercounted. If they can read the forms, if they can read them in their own language, they are much more likely to answer them.

Although it is only 1.3 percent of the population that are included in these additional languages, these are groups who have been traditionally undercounted that we are trying to get at. The 33 languages come from the Census department's own advisory committee, in terms of what these languages are. That is why we are increasing the advertising.

Mr. KENNEDY of Rhode Island. Mr. Speaker, if the gentleman will yield further, I am not arguing about the gentleman's efforts to make sure we count everyone accurately. My argument is with the delay. With their delay, they are effectively delaying the numbers being reported, which in essence means we cannot get an accurate count.

Mr. DAVIS of Virginia. Not at all.

Mr. Speaker, reclaiming my time, I think what is important to note here is we are allowing local governments to come in who feel they have been undercounted, to come in with a post-Census sampling and start adding their input into that process. So if they are being undercounted in their cities, if they are going to be punished if it comes to Federal aid or punished in redistricting, they will have an opportunity at that point to have their say before the final count goes forward.

That is fair to these localities, many of them that are traditionally undercounted. That is why we put more money for the advertising budget increases, that is why this legislation puts more enumerators in hard-to-count areas, that is why we have extended the census in the schools, and we have moved it up from 20 percent, which is what the administration offered, to 100 percent of the classrooms in America. Many times you reach the parents with the best count going through the classrooms and the kids in the schools.

That is why this legislation asks that AmeriCorps volunteers be empowered to help in hard-to-count areas, so we can get to a solid count. That is why the governments and the NGOs are going to be given additional grants to assist in hard-to-count populations, and that is why this legislation allows Federal retirees, welfare recipients, not to be punished if we empower them and help them to get the most accurate count in history.

All of these are very, very important. It is ironic that people who claim they are being undercounted would oppose these measures.

On January 25 the Supreme Court ruled that sampling could not be used in the 2000 Census for purposes of reapportionment of the House of Representatives. But let me read what the Congressional Research Service report says.

It says, ''A closer examination of the other parts of the court's opinion indicates that it did not interpret those other purposes as necessarily including at least interstate redistricting.'' That is why my friends on the other side of the aisle oppose this. They lost this at the Supreme Court level, and now they want to go for it with an illegal funding mechanism for the census.

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

I would point out to the previous speaker what happened at the Supreme Court level. There have been several misstatements on the other side. I assume those misstatements were not intentional.

What the Supreme Court did was to decide that a statistical adjustment could not be used for apportionment among the States. The Supreme Court specifically said that adjusted figures should be used for redistricting within States and for the allocation of Federal funds.

I have read the Supreme Court decision. The Supreme Court only spoke to the apportionment among the States, and that was a matter of construction of statutory law. They did not decide that on a constitutional basis.

Mr. Speaker, I yield 1½ minutes to the gentlewoman from California (Ms. ROYBAL-ALLARD).

Ms. ROYBAL-ALLARD. Mr. Speaker, a fair and accurate census is in the best interests of our Nation. I therefore rise in opposition to the rule and to H.R. 472. H.R. 472 is nothing more than an unnecessary delaying tactic to prevent the Census Bureau from using modern statistical methods, methods that the National Academy of Sciences and the National Academy of Statisticians have said are necessary to obtain an accurate count of the American people.

We must not let H.R. 472 repeat the mistakes of the past. The stakes are simply too high. In California, for example, as a result of the 1990 undercount, 835,000 Californians essentially became invisible. Half of those missed were Latinos, and tragically, over 40 percent were children.

□ 1415

Due to this undercount, the hard-working people of California lost $2.2 billion in Federal funds for transportation, schools, housing, health services, and valuable programs over the past 10 years.

Mr. Speaker, counting every American is an issue of social justice. My Republican colleagues must put the interest of the country first and stop trying to micromanage the census. Let the experts at the Census Bureau do their job to ensure an accurate 2000 census. I ask my colleagues to defeat the rule and H.R. 472.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LATOURETTE). The Chair would remind Members on both sides of the aisle who wish to engage in a dialogue with the Member under recognition that they must first gain the yielding of the Member under recognition before engaging in the dialogue.

Mr. SESSIONS. Mr. Speaker, may I inquire about the time remaining.

The SPEAKER pro tempore. The gentleman from Texas (Mr. SESSIONS) has 10½ minutes remaining.

Mr. SESSIONS. Mr. Speaker, I yield 30 seconds to the gentleman from Virginia (Mr. DAVIS) to respond.

Mr. DAVIS of Virginia. Mr. Speaker, let me just say to the gentleman from Texas (Mr. FROST), I would hope that he would put in the RECORD the specific language he claims that would mandate that the intrastate redistricting is mandated to use these other numbers he talks about.

Looking at the nonpartisan Congressional Research Service, CRS–5, and I will ask unanimous consent that this report be put into the CONGRESSIONAL RECORD, they note that for the purpose of intrastate redistricting, ''the Court's opinion indicates it did not interpret those other purposes as necessarily including, at least, intrastate redistricting. It refers to these other purposes, noting that the census serves as the 'linchpin of the federal statistical system by collecting data on the characteristic of individuals, households, and housing units'.''

The document referred to is as follows:

RAMIFICATIONS AND REACTIONS

SAMPLING IN INTRASTATE REDISTRICTING

Almost immediately after the Supreme Court issued its decision, the opponents of sampling were claiming victory, but at the same time, the supporters of sampling were downplaying the impact of the decision, by emphasizing the narrowness of the holding. The Court held that the census statute prohibited the use of sampling for the apportionment of the House of Representatives, but declined to reach the constitutional question. The Court had even stated that section 195 required the use of sampling for purposes other than apportionment. Slip opinion at 23. The proponents of sampling viewed this as supporting the position that sampling techniques were not only permissible, but were required, in the taking of the census for the purposes of intrastate redistricting and federal funding allocations.[4] However, a closer examination of other parts of the Court's opinion indicates that it did not interpret those other purposes as necessarily including, at least, intrastate redistricting. It refers to these other purposes,

Footnotes at end of document.

noting that the census serves as the ''linchpin of the federal statistical system by collecting data on the characteristics of individuals, households, and housing units throughout the country [cities omitted].'' Slip opinion at 24.

As discussed above, Justice O'Connor based her standing analysis, at least in part, on the ''expected effects of the use of sampling in the 2000 census on intrastate redistricting.'' Slip opinion at 14. Her discussion of these expected effects appears to indicate that the Court assumed that the federal decennial census figures for apportionment would be the figures used by the States for congressional redistricting and, in many cases, for state legislative redistricting. The Court seems to think that the references to the federal decennial census data in state legislative redistricting statutes and state constitutional provisions are references to the data for apportionment of the House of Representatives. Otherwise, the threatened injury to the plaintiffs would not be redressed by the Court's decision. Certainly, the position of sampling proponents, if officially adopted and carried out, would mean that the threatened injury to voters in state and local elections had not been eliminated by the Court's decision. The issue of redressability and the possibility of a two-number census was raised during oral argument.[5] However, the analysis in this part of the Court's decision deals with standing and not with the merits, therefore, technically, the position of sampling proponents, that sampling in intrastate redistricting is required, is not inconsistent with the Court's holdings on the merits, but is arguably inconsistent with the apparent assumptions and larger scheme underlying the holdings.

FOOTNOTES

[4] Since the required taking of a traditional headcount for apportionment of the House of Representatives would make the non-response follow-up sampling moot, presumably any contemplated sampling for intrastate redistricting and funding allocation data would be similar in concept to the ICM for the undercount or the Post Enumeration Survey conducted after the 1990 Census.

[5] Oral Argument Transcript, found at 1998 WL 827383 on Westlaw (oral argument of Michael A. Carvin on behalf of the appellees in No. 98–564).

The SPEAKER pro tempore. The gentleman from Texas (Mr. FROST) has 13½ minutes remaining.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. WOOLSEY).

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

Ms. WOOLSEY. Mr. Speaker, I rise in opposition to this rule. I do that because I support achieving the most accurate census count, and H.R. 472, as written, will delay and destroy our chance to achieve the most accurate census count possible.

Mr. Speaker, an accurate census does matter. It affects our communities, our families, and our children. In fact, inaccurate figures cost the State of California $2.2 billion in Federal aid during the 1990s.

It cost my district $29 million in Federal aid by missing over 10,000 people in the 6th Congressional District of California. Ten thousand people were not counted. I happen to believe that every one of those 10,000, and 100 percent of the people nationwide, deserve to be counted and included in our census.

An inaccurate count costs all of our communities literally millions of dollars for Federal highways, for child care, for foster care, for education, for aid to women and infants and children.

We cannot make the same mistakes with the 2000 census that we made with the 1990 census. Our democratic system demands fair representation for all constituents and all constituent groups. This can only be achieved through the most accurate census possible.

Fear is what really is stopping the opponents of an accurate census, fear that an accurate census will affect the political makeup of the House of Representatives. We should not play politics by blocking an accurate census. Vote ''yes'' on the Maloney substitute, ''no'' on the rule, and ''no'' on H.R. 472.

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

Mr. DREIER. Mr. Speaker, I thank my friend for yielding me this time, and I congratulate him on his superb management of this rule.

I rise in strong support of the rule. We have a very simple and basic goal here. It is to subscribe to those two words in the U.S. Constitution, ''actual enumeration.'' In so doing, we want to make sure that every single American is counted.

I thought we had started to win this war on the issue of local control. We in a bipartisan way passed the Education Flexibility Act. What did it say? It said decisions would be made at the local level. What is it that H.R. 472 says? Basically the same thing it did back when the 1990 census was conducted. It said that there should be post-census local review. There should be some kind of local input for this process. Frankly, I believe that it is the most responsible thing to do. It is by far and away the most balanced thing.

I think organizations have recognized that. We have heard that we have got the National League of Cities, the National Association of Towns and Townships, the National Association of Developmental Organizations, I mean, they are supportive of this measure because it is fair and it is the right thing to do.

I know that some of my friends on the other side of the aisle have raised questions about this rule. I will tell my colleagues, I am looking at the gentlewoman from New York (Mrs. MALONEY), who reminded me yesterday that I had said to her last month when we had this hearing in the Committee on Rules that we wanted to make her amendment in order. In fact, that is exactly what we have done.

On March 18, I announced right here that we were in fact going to have preprinting. We have made with this rule every single amendment that has been submitted to the Committee on Rules over the last month in order. That basically consists of an amendment from our side by the gentleman from Florida (Mr. MILLER) and the amendment by the gentlewoman from New York (Mrs. MALONEY). We had an interesting hearing on this issue upstairs. So we have in fact done exactly what it is that they requested.

We will have, if there is a recommittal motion, a grand total of 3 hours and 10 minutes of debate, including this debate which is taking place right here. So I think that we have moved ahead with this, with what is a very, very balanced, fair rule on this question. At the same time, we have given more than an adequate amount of time for debate and again have made every Democratic amendment in order that they requested.

So I urge my colleagues to, in light of that, support this rule.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I wish I could believe in the sincerity of my colleagues on the other side of the aisle on this issue because, in fact, census should be a collaborative and bipartisan issue and response.

But when they cite H.R. 472, the same process that was used in 1990, let me tell my colleagues why I have a problem. That is because Texas lost $1.87 billion in Federal funds, likely to lose $2.8 billion in Federal funds with the same use of H.R. 472 now.

In 1990, it was estimated that 28,000 children in my district were missed, almost 5 percent of all African Americans and Hispanics were not counted in 1990. So for me it is a life and death matter in terms of ensuring that all of the people are counted but that the resources go back to the State.

The Census Bureau Director Kenneth Prewitt says that the H.R. 472 proposal that we are now discussing will disrupt the census and put it at risk.

This rule does not allow us to discuss fully at length how to resolve this problem. The National Academy of Sciences said we should have a Martin statistical method.

I am dealing with some of the largest cities in Texas who are opposed to H.R. 472, the City of Houston, the City of San Antonio, the City of Austin, the City of Laredo.

Local officials do not understand what we are doing to them. What we are doing to them is we are forcing them to have to take the time with meager resources and one's tax dollars to take in a long period of time to count numbers after we have counted it.

I do not believe those organizations who are supporting H.R. 472 know the financial burden that they are putting on local government. I served in local government. I served as a member of the city council. I can tell my colleagues right now, I would much rather provide for health services and sanitation services and environmental services than to sit around putting staff on

counting people that the Federal government can do.

Martin statistical sampling is what we need. We also need to follow H.R. 472, as amended by the amendment of the gentlewoman from New York (Mrs. MALONEY). It needs to be changed because what we have here is a burdening of local officials and a bad census and the denial of the count of the United States people, people in the United States.

I come today to oppose the modified closed rule for H.R. 471, the Local Census Quality Check Act of 1999. This modified closed rule impedes the amendment process that could improve this legislation.

The Census is one of the most significant civil rights issues, especially as we approach the 21st Century. For the year 2000 the Census must be accurate to ensure equal representation of all Americans.

This bill in its present form would not improve the accuracy of the census count. Instead it would repeat the method used in 1990 that increased the involvement of local governments by allowing them to review census housing units numbers.

The process used in the Census missed 8.4 million people, 4.4 million people were counted twice and 13 million people were counted in the wrong place.

Because of the undercount in 1990, Texas lost almost $1.87 billion in federal funds. A recent article in The Houston Chronicle estimated that Texas could lose $2.8 billion if a similar undercount takes place.

Children, people of color, and the rural and urban poor were most likely to have been missed. In my district in Houston, close to 500,000 people were missed.

It is estimated that 28,554 children in my district were missed. Almost 5 percent of all African-Americans and Hispanics were not counted in 1990, and these groups constitute almost half of the population of the city!

Although H.R. 472 purports to increase the involvement of local government in the census, it really acts to slow down and delay an accurate count. This bill repeats the ineffective program that was used in 1990, and it would delay the census by an additional nine weeks.

The Census Bureau plan already provides for review as the count occurs instead of after the fact. This is more efficient and it is a better use of resources.

The modified closed rule does not allow us to offer amendments that would actually make improvements in the counting methods.

Census undercounts translate into communities losing out on federal and state funding for schools, crime prevention, health care and transportation.

I urge my colleagues vote against this modified closed rule to support an open rule so that we may prevent an unnecessary delay in the census. The method advocated in this bill did not prevent an undercount in 1990, and we must not make the same mistake for the year 2000.

Mr. SESSIONS. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. SHIMKUS).

Mr. SHIMKUS. Mr. Speaker, I rise in support of the rule. I want to talk about some other communities, Litchfield, Illinois; Salem, Illinois; and Carlyle, Illinois, small rural America who support H.R. 472 and the Local Census Quality Check Act.

I would like to share with the House some feedback I received from these communities and my constituents about the 2000 census. I am finding that the localities in my district are supporting our efforts to provide them about post-census review mechanism.

In fact, the Mayor of Litchfield, William Cornman, wrote me on March 24, 1999, and stated, ''We feel that in order to have an accurate Census, we must reinstate the post-Census Local Review program. If a mistake is made with the oversight of subdivisions and newly annexed areas, the Census count is not accurate.''

He continues, ''We feel that we cannot properly evaluate the Bureau's Partnership Program as it relates to our community. Thus far, all that they have provided us is a bulging packet of information and very little direction.''

I believe Mayor Cornman has made two critical points: one, that the local authorities cannot challenge and review the final census numbers, even if they are incorrect, and, two, the current Local Update of Census Addresses, the LUCA program, which my colleagues on the other side of the aisle praise, and the Census Bureau claims is working efficiently, appears in the eyes of my constituents as just a bulging packet of information and very little direction. Clearly, this is not a sign that we are on the road to an accurate census.

The City of Salem in my district felt so strongly about this issue that they passed a resolution which states, among other things, the following: ''Whereas, one of the most vital parts of the American Counts Today is reinstatement of the Post-Census Local Review Program, that provides a procedure for local public officials to review and challenge the Census Bureau determinations before counting is final; and Whereas, a Post-Census Local Review is based upon the premise that local officials know their own communities better than statisticians and pollsters in Washington, D.C.''

I think the City of Salem hits the nail on the head with this resolution. They say exactly what Republicans in Congress have been saying about the census and Federal Government in general; local officials know how to run programs the best, not bureaucracies in Washington.

Additionally, the City of Salem points out that post-census local review provides a procedure for local officials to challenge Census Bureau findings before they are final. I do not see the harm in allowing the Census Bureau's conclusions from being challenged. I suspect the challenge is what the Census Bureau fears. It would be an easier job for the Census Bureau if nobody was able to question their conclusions. The foundations of democracy rely on the voice of the people. It seems to me, Mr. Speaker, that the Census Bureau is muzzling our localities.

Finally, Mr. Speaker, I would like to bring up the correspondence which I have received from the City of Carlyle. Mayor Schmidt wrote me in support of the post-census review and included a memorandum from one of his staff Ms. Jean Parson which discusses this issue in detail.

Mr. Speaker, I include for the RECORD letters from the mayor of Carlyle, and from the cities of Salem and Litchfield.

CITY OF CARLYLE,
Carlyle, IL, March 29, 1999.

Congressman JOHN SHIMKUS,
Springfield, IL.

DEAR CONGRESSMAN SHIMKUS: I have shared your letter concerning the post-census review process with my office manager. She has been the most active member of my staff in regard to the Census 2000 project. As you will note in her enclosed memo, she feels very strongly that the post-review process remain in place. I feel her concerns are legitimate and encourage you to pursue this matter further.

Please phone 618–594–2468 if you have any questions, or would like to discuss this matter further with either Ms. Parson or myself.

Sincerely,

DON W. SCHMITZ,
Mayor.

Enclosure.

MARCH 17, 1999.

MAYOR: I agree with Representative Shimkus on the importance of the post-census local review program. This is something I have been concerned about all along.

In the old program, they conducted the census and then we had the opportunity to review the count and challenge anything that didn't look quite correct to us. Under this program, as I understand it, our only input is in the formulation of the address list. I have spent many, many hours reviewing their list. I spent time with the post master comparing our lists, and then made corrections to the census list. The entire process was extremely confusing and I have had my doubts if my changes will even be made. I also am sure that I didn't pick up every problem in the list. It is just too complicated and time consuming.

They have given us time schedules as far as different reports and mailings are concerned and I don't believe they have been completely accurate. I am still waiting for a report where we can be sure all ''special places'' are included in their count. These include the nursing home, group homes, the jail, etc. I don't believe I have seen this report.

I guess I'm getting old, but the old way seemed to work. If we have no opportunity to review the final count, there is basically no one watching to see that the census takers actually do their job and that the information submitted is processed correctly.

I strongly feel that he should continue his efforts and get this process changed. it is a very critical part of our financial future to have the ability to challenge their counts. We are basically stuck with these counts for ten years. It could mean thousands and thousands of dollars to us if the counts are incorrect.

The other thing that should be noted is that there appears to be little involvement from most communities. We have been participating with our best efforts, but I don't believe that is the case with most communities. Communities were not well represented at the meetings I attended, and I have spoken to many community leaders who were not even aware of the changes. I'm sure this is because of mailings not reaching

the appropriate people. Anyway, this process could be very damaging to those communities who did not participate in the address review process. It is possible that they will have changes in administration and interest could increase between now and census time, and it will be too late for them to have any input.

Let me know when you want to call him, and I will be happy to help.

JEAN PARSON.

CITY OF LITCHFIELD,
Litchfield, IL, March 24, 1999.

Hon. JOHN M. SHIMKUS,
House of Representatives,
Springfield, IL.

DEAR REPRESENTATIVE SHIMKUS: The City of Litchfield is very much interested in the 2000 decennial Census that is fast approaching. We realize that not only does the Census count benefit the City of Litchfield with local planning of schools, transportation and business but also the State of Illinois for Congressional representation.

We feel that in order to have an accurate census count, we must reinstate the post-Census Local Review program. If a mistake is made with the oversight of subdivisions and newly annexed areas, the Census count is not accurate.

We feel that we cannot properly evaluate the Bureau's Partnership Program as it relates to our community. Thus far all that they have provided us with is a bulging packet of information and very little direction. We sought out the availability of workshops after discussing our lack of knowledge about the process with neighboring communities.

The City of Litchfield thanks you for your participation with ACT in making sure that this historical event proceed as it always did and not be changed. If we can be of any other assistance, please call me at 217–324–5253.

Sincerely,

WILLIAM CORNMAN,
Mayor.

THE CITY OF SALEM, ILLINOIS

RESOLUTION NO. 99–8

Whereas, the 2000 decennial Census is the method upon which state and federal authorities rely when apportioning funding and representation among local communities throughout the United States; and

Whereas, the Bureau of the Census is charged by Congress with developing procedures to efficiently and effectively take this national population count each decade; and

Whereas, the Honorable Congressman John M. Shimkus, 20th District, Illinois, has notified City of Salem Officials that the Bureau of the Census intends to make certain rule changes in its census program that among other things, eliminates the Local Review Process; and

Whereas, Congress has decided that it is now time to act in order to assure that the 2000 Census will be a successful count, and will consequently be considering a package of bills to improve the accuracy of the 2000 Census collectively known as ACT—America Counts Today, said bills being intended to improve the accuracy of the 2000 Census; and

Whereas, one of the most vital parts of ACT, is reinstatement of the Post-Census Local Review program, that provides a procedure for local public officials to review and challenge Census Bureau determinations before counting is final; and

Whereas, the Post-Census Local Review is based upon the premise that local officials know their own communities better than statisticians and pollsters in Washington, DC, and;

Now, therefore be it resolved by the Mayor and City Council of the City of Salem, Illinois that it supports and endorses the efforts of Congressman John M. Shimkus and his colleagues in the United States Congress in enacting into law the package of bills collectively known as ACT—America Counts Today, and be it further resolved that this Resolution be filed with the appropriate congressional offices so that this Council's official stance will be made a part of the official record relating to the 2000 decennial Census.

In witness whereof, I have hereunto set my hand and caused the seal of the City of Salem, Illinois, to be affixed this 5th day of April, 1999.

BY: LEONARD E. FERGUSON,
Mayor.
ATTEST: JANE MARSHALL,
City Clerk.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Ms. VELÁZQUEZ).

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

Ms. VELÁZQUEZ. Mr. Speaker, I rise today in strong opposition to the rule and H.R. 472. This is a bill that hurts the communities. It pretends to help. It represents another attempt by the majority party to railroad the census and keep minority populations in this country hidden and powerless.

The 1990 census missed 5 percent of Hispanics, 4.4 percent of blacks, 2.3 of Asians, and 4.5 of American Indians. To any American who understands the meaning of democracy and fairness, these facts represent an injustice, an injustice that should be made right.

But Republicans know that giving voice to the voiceless will spell trouble for them. So their response is to create the illusion of fairness while carrying out a program of injustice.

It is not only Democrats in Congress who feel this way. Local officials are already worried that this bill will make the problem of undercounting worse. Republicans, who frequently talk about smaller government, want to micromanage the census. They want to force the Census Bureau to jump through bureaucratic hoops. This will not serve the people, and this will not ensure fairness. This plan will make the census a logistical nightmare and cause even greater undercounting among minorities.

Mr. Speaker, this is a bad bill that is motivated by Republican fear. They know that the 1990 undercount was unfair, and they are frightened that an accurate count will give voice to those who might speak against them. Perhaps they are right. But this is America, and all voices should be heard.

□ 1430

Mr. SESSIONS. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana (Mr. SOUDER), who sits on the Subcommittee on the Census of the Committee on Government Reform.

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

Mr. SOUDER. Mr. Speaker, first off, this is not a question of an accurate count, it is a question of an accurate count versus a possibly inaccurate guess or, more likely, a probable inaccurate guess.

We hear all this talk about wanting to count people. The difference here is we would like to count people; the other side would like to estimate. They would like to guess where the people are, guess which city they are, take samples here and there from past experience and guess.

The Constitution says we have to count. And that is really what this debate is about. Are we going to count real people, make every effort, spend whatever is necessary to count real people, or are we going to have imaginary people?

There is not a lot of confidence right now in this country that either side would not attempt to cheat if they could do the estimating, because estimating depends on our assumptions. If it is not a real count, and we keep hearing there was an undercount last time, well, where they really counted, and they fixed the undercount, they can fix it. But if we are guessing what the undercount is, we will not really know because we are estimating.

Mr. Speaker, I have a business degree and a Master's degree, and I know my friend, the gentleman from Ohio (Mr. SAWYER), is a big supporter of estimating and the mathematical science of estimating, as is the gentleman from Florida (Mr. MILLER), the chairman of the Subcommittee on the Census, but the fact is it is still a guess and it is not accurate at the local level.

I want to illustrate one point that the gentleman from Illinois (Mr. SHIMKUS) was also making. Councilwoman Rebecca Revine, in Fort Wayne, has signed on a letter of Republican mayors and local officials supporting this bill because they are worried that without post-census local review they will not be counted accurately. Here is why:

In Fort Wayne, Indiana, my hometown, the census liaison sent this fax to his superiors in Washington:

''As of today, Groundhog Day 1999, despite being promised the address list in November 1998, over a dozen calls to the Bureau, the involvement of the Chicago Bureau supervisor, finger pointing by the Bureau among Chicago, Jeffersonville and Suitland, Maryland, and the involvement of our U.S. congressional office, me, we still do not have a printed address list and instructions for completing the process.

''The maps already provided are seriously out of date. No annexation and boundary study for 1999, combined with Fort Wayne's aggressive annexation policy, will mean the geography used by the Bureau will be inaccurate and incomplete.

''No local review of information provided or aggregate results from the Bureau prior to release will mean no external check of accuracy or 'completeness'.''

Is it any wonder that Fort Wayne, Indiana, is worried and why they want to have post-census review? What mayor,

what city council, what county council in America would not want to look to see if the maps were accurate, to see if the information the government based it on is accurate?

That is all this bill does. We will debate sampling plenty, but this bill says the people in Fort Wayne ought to be able to see the maps, the assumptions, and whether they got the boundaries right. How can anyone be against that? No mayor that does not want to do it has to do it, no county council that does not want to do it has to do it, no city council that does not want to do it has to do it. Why in the world would anybody be against giving Fort Wayne or other cities the right to look at the results?

Mr. FROST. Mr. Speaker, I ask the time remaining on our side.

The SPEAKER pro tempore (Mr. LATOURETTE). The gentleman from Texas (Mr. FROST) has 7½ minutes remaining, and the gentleman from Texas (Mr. SESSIONS) has 1½ minutes remaining.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. MILLENDER-MCDONALD).

Ms. MILLENDER-McDONALD. Mr. Speaker, I would like to thank the gentleman from Texas (Mr. FROST) for yielding me this time.

I come before my colleagues today as the Vice Chair of the Women's Caucus to speak out against H.R. 472 and to oppose this rule, which is no more than another roadblock by the majority to prevent a fair and accurate census count in the year 2000. Having talked with women leaders across this country about the need for an accurate count, I know just how critical an inclusive census will be for women and their children in 2000.

In 1990, half of the 4 million people that were missed were children, our most vulnerable constituency. The majority of those children that were undercounted and missed were minorities. In fact, 7 percent of black children were missed, 5 percent of Hispanic children were missed, and more than 6 percent of Native American children were missed.

In my district alone, Mr. Speaker, more than 30,000 people were not counted.

As a former mayor, I certainly understand the critical need for local involvement in the census, but there is a right way and a wrong way to do it. H.R. 472 is the wrong way. Local involvement cannot be conducted at the expense of accuracy. H.R. 472, a wolf in sheep's clothing, actually jeopardizes the count under the auspices of accuracy.

Local involvement must come before the census, when the Bureau is compiling address lists, as my colleague the gentlewoman from New York (Mrs. MALONEY) has suggested. Her amendment wisely focuses on the few situations where post-census local review would be useful, such as an account for boundary changes and new construction.

Post-census local review, as defined by the bill offered by the gentleman from Florida (Mr. MILLER), however, would waste critical time and money in the census count. In fact, the plan offered by the gentleman from Florida may prevent the census numbers from being compiled and completed on time.

We simply cannot, Mr. Speaker, jeopardize a fair and accurate count. It is too important to America's families and children.

Mr. Speaker, not only do I stand here today to oppose this bill on behalf of the 37th Congressional District of California, but I also oppose this bill on behalf of the women of America who know full well how important the need for a truly fair and accurate count is.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Speaker, here we go again. Sometimes we believe that we have reached a point where people can put politics aside and just do the right thing. But we find ourselves confronted with a bill here today that would simply complicate the count and mess up the census. We find ourselves with a bill being proposed, H.R. 472, that would force a delay in the census of an additional 9 weeks, a disruption which will undermine an accurate count.

The 1990 census was the first in this Nation's history to be less accurate than the preceding census. In my own State of California we lost $2.2 billion in funding because of an inaccurate census in 1990. In 1990 about 4.5 million people were counted twice and 8.5 million were never counted. The undercount, of course, fell hardest on the poor, children and minorities. Monies allocated for schools, school lunches, Head Start, senior citizens, all never reached the communities where people were not counted.

A recent GAO study concluded that had an accurate counting method been employed in the 1990 census, the State of California could have received $2.2 billion in Federal funds. We have missed out on the sampling, but we can do a better count if we are allowed to just get about the business of doing it and not put on an extra layer of work by local municipalities who do not have the resources and who do not want to do it.

Take the politics out of it. Let us all be the Americans that we say we are. Let us count the people, let us show that we respect our citizens enough to simply do the right thing and make sure we do the best job that we can do.

I am out recruiting, holding town hall meetings, getting people signed up, getting welfare recipients to work so that they can be out there doing this count. Do not mess it up. Let us do what we can to count all of the people.

Mr. FROST. Mr. Speaker, I yield 1½ minutes to the gentleman from New Jersey (Mr. ROTHMAN).

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

Mr. ROTHMAN. Mr. Speaker, the 2000 Census, like all the ones preceding it, will have an impact on the lives of real people.

Federal money is dispersed amongst the States on the basis of population. Population is determined in the census. Funding for so many important Federal programs that so many Americans and New Jersians care about will be in jeopardy. The Federal dollars for housing assistance for seniors, small business loans, Head Start programs, Pell Grants, school lunches, and so many more are determined by the census count.

In the 1990 Census, 34,000 children in New Jersey were not counted. In the 1990 Census, 2 million children across the country were not counted. So how can my friends on the Republican side of the aisle want us to continue an ineffective, inaccurate census program? I do not know how they can do it, but what we can do in the Congress is to vote against the rule and vote against H.R. 472. Otherwise, Americans all over this country will be shortchanged for all of these programs and others if we do not use accurate methods.

Mr. Speaker, I urge my colleagues to reject the rule on H.R. 472 and, if the rule is passed, to adopt the Maloney amendment which will maintain local government involvement without hampering the Census Bureau's ability to carry out an accurate census.

Everyone counts in America. Let us make sure the census counts them. Let us approve the Democratic alternative.

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

Mr. Speaker, I urge Members to vote against the previous question. If the previous question is defeated, I will offer an amendment to the rule that will make in order an open rule for H.R. 472 and will increase general debate to 2 hours.

The rule that is currently before us severely limits amendments as well as the time that they may be considered. The time restrictions in this rule will not provide Members with enough time to thoroughly debate this most important issue.

Vote ''no'' on the previous question so we can amend this rule and make it completely open without limiting debate on important amendments. Make sure no Member of this House is shut out of the debate.

Mr. Speaker, I wish to insert for the RECORD at this point a list of local governments, local officials and organizations opposed to H.R. 472, and the text of the amendment and extraneous materials related to this debate.

LOCAL GOVERNMENTS OPPOSED TO H.R. 472

State of Hawaii, State of South Carolina, State of North Carolina, Commonwealth of Puerto Rico, City of Detroit, Michigan, City of San Francisco, California, City of New York, New York, Miami-Dade County, Florida, City of Houston, Texas, City of Los Angeles, California, Cook County, Illinois, City of Denver, Colorado, City of Hialeah Gardens, Florida, City of West Hollywood, California, City of San Antonio, Texas, City of

Austin, Texas, City of Hartford, Connecticut, City of San Juan, Texas, City of Jersey City, New Jersey, City of Laredo, Texas, City of Cudahy, California, and City of San Fernando, California.

LOCAL OFFICIALS OPPOSED TO H.R. 472

County Commissioner Katy Sorenson (FL), County Commissioner Barbara Carey-Shuler (FL), State Senator Gwen Margolis (FL), State Senator Miguel del Valle (IL), State Representative Rebecca Rios (AZ), Chicago Alderman Ricardo Munoz (IL), County Supervisor Gloria Molina, Los Angeles (CA), Council Member John Castillo, Houston (TX), Othello City Councilman Samuel Garza (WA), County Commissioner Javier Gonzales, Santa Fe (NM), Councilman John Bueno, Pontiac (MI), Council Member Bobby Duran, Taos (NM), Councilwoman Debra Guerrero, San Antonio (TX), State Assemblyman Peter Rivera (NY), State Representative Sally Ann Gonzales (AZ), and Councilmember Martin Samaniego (AZ).

ORGANIZATIONS OPPOSED TO H.R. 472

United States Conference of Mayors, National Association for the Advancement of Colored People, NAACP, National Asian and Pacific Legal Foundation, National Congress of American Indians, National Black Caucus of State Legislators, National Association of Latino Elected and Appointed Officials, NALEO, National Education Association, NEA, American Federation of State, County and Municipal Employees, AFSCME, Consortium of Social Science Associations, Laredo Chamber of Commerce, and American Association of University Women, AAUW.

United Automobile Workers, UAW, Leadership Conference on Civil Rights, LCCR, American Federation of Labor and Congress of Industrial Organizations, AFL–CIO, American Federation of Teachers, AFT, Mexican American Legal Defense and Education Fund, MALDEF, Coalition of Black Trade Unionists, National Council of Negro Women, Black Leadership Forum, Blacks in Government, National Urban League, Religious Action Center of Reform Judaism, and American Federation of Government Employees, AFGE.

TEXT OF PREVIOUS QUESTION FOR H. RES. 138
H.R. 472—LOCAL CENSUS QUALITY CHECK ACT

Strike all after the resolving clause and insert in lieu thereof the following:

''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. 472), to amend title 13, United States Code, to require the use of postcensus local review as part of each decennial census. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed two hours equally divided and controlled by the chairman and ranking minority member of the Committee on Government Reform. After general debate the bill shall be considered for amendment under the five-minute rule. 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. Any member may demand a separate vote in the House on any amendment adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.''

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Republican majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

The vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda to offer an alternative plan.

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

Mr. SESSIONS. Mr. Speaker, I yield 1¼ minutes to the gentleman from Florida (Mr. MILLER), the chairman of the Subcommittee on the Census.

Mr. MILLER of Florida. Mr. Speaker, I am amazed that there is so much opposition to this proposal. It was used in 1990, and it is about getting the most accurate, trusted and legal census possible.

In 1990 it addressed 400,000 mistakes. It corrected 400,000 mistakes. Everybody wants to say we are undercounted. Well, this is one way to help correct the undercount problem.

It is a voluntary program. No one is mandated to do it. It is the smaller communities and towns that feel the greatest interest in even doing this, because big cities have full-time people working on the census.

Now, let me make sure we understand what the Supreme Court did say. The Supreme Court said that we must have a full enumeration for apportionment, and they also indicate, in my opinion, though it is going to have to go back to the court, that it is going to apply to redistricting.

In fact, CRS issued a report in February of this year, and let me read the sentence: ''However, a closer examination of all other parts of the Court's opinion indicates that it did not interpret those other purposes as necessarily including at least intrastate redistricting.''

This is a good commonsense idea. It helps address the undercount, and that is what we want to do is address the undercount, get everybody counted. It makes a better census.

Mr. SESSIONS. Mr. Speaker, I yield myself the balance of my time, and I urge support of the previous question, a vote of ''yes''.

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

The SPEAKER pro tempore. The question is on ordering the previous question.

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

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

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

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of agreeing to the resolution.

The vote was taken by electronic device, and there were—yeas 220, nays 207, not voting 6, as follows:

[Roll No. 86]

YEAS—220

Aderholt	Bereuter	Burr
Archer	Biggert	Burton
Armey	Bilbray	Buyer
Bachus	Bilirakis	Callahan
Baker	Bliley	Calvert
Ballenger	Blunt	Camp
Barr	Boehlert	Campbell
Barrett (NE)	Boehner	Canady
Bartlett	Bonilla	Cannon
Barton	Bono	Castle
Bass	Brady (TX)	Chabot
Bateman	Bryant	Chambliss

Chenoweth
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Forbes
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
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 (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Upton
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—207

Abercrombie
Ackerman
Allen
Andrews
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
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E.B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Larson
Lee
Levin
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)
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
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 (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
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NOT VOTING—6

Brown (CA)
Hastings (FL)
LaHood
Lantos
Napolitano
Weller

□ 1502

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

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mrs. NAPOLITANO. Mr. Speaker, on rollcall No. 86, I was unavoidably detained. Had I been present, I would have voted ''no.''

The SPEAKER pro tempore (Mr. LATOURETTE). The question is on the resolution.

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

RECORDED VOTE

Mr. FROST. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 219, noes 205, not voting 9, as follows:

[Roll No. 87]

AYES—219

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
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Fletcher
Foley
Forbes
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
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)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Upton
Walden
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOES—205

Abercrombie
Ackerman
Allen
Andrews
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
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E.B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Larson
Lee
Levin
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
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver

Ortiz	Sanchez	Taylor (MS)
Owens	Sanders	Thompson (CA)
Pallone	Sandlin	Thompson (MS)
Pascrell	Sawyer	Thurman
Pastor	Schakowsky	Tierney
Payne	Scott	Towns
Pelosi	Serrano	Turner
Peterson (MN)	Sherman	Udall (CO)
Phelps	Shows	Udall (NM)
Pickett	Sisisky	Velazquez
Pomeroy	Skelton	Vento
Price (NC)	Slaughter	Visclosky
Rahall	Smith (WA)	Waters
Rangel	Snyder	Watt (NC)
Reyes	Spratt	Waxman
Rivers	Stabenow	Weiner
Rodriguez	Stark	Wexler
Roemer	Stenholm	Weygand
Rothman	Strickland	Wise
Roybal-Allard	Stupak	Woolsey
Rush	Tanner	Wu
Sabo	Tauscher	Wynn

NOT VOTING—9

Brown (CA)	Hastings (FL)	Meek (FL)
Clayton	LaHood	Ryun (KS)
Ewing	Lantos	Watkins

□ 1512

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. MILLER of Florida. Mr. Speaker, pursuant to House Resolution 138, I call up the bill (H.R. 472) to amend title 13, United States Code, to require the use of postcensus local review as part of each decennial census, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. BASS). Pursuant to House Resolution 138, the bill is considered as having been read for amendment.

The text of H.R. 472 is as follows:

H.R. 472

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 ''Local Census Quality Check Act''.

SEC. 2. POSTCENSUS LOCAL REVIEW.

(a) IN GENERAL.—Subchapter II of chapter 5 of title 13, United States Code, is amended by adding after section 142 the following:

''§ 143. Postcensus local review

''(a) Each decennial census taken after the date of enactment of this section shall include an opportunity for postcensus local review, similar to that afforded as part of the 1990 decennial census, so that local governmental units may review household counts, jurisdictional boundaries, and such other data as the Secretary considers appropriate for the purpose of identifying discrepancies or other potential problems before the tabulation of total population by States (as required for the apportionment of Representatives in Congress among the several States) is completed.

''(b) Any postcensus local review afforded under this section in connection with a decennial census shall be conducted in conformance with the following:

''(1) Not later than February 1st of the year in which such census is taken, the Secretary shall notify local governmental units as to the guidelines for, and shall furnish them with any other information pertinent to, their participating in the upcoming postcensus local review.

''(2)(A) Not later than 30 days before submitting to a local governmental unit the data subject to its review under this section, the Secretary shall furnish to such unit the appropriate block level maps and lists of housing units.

''(B) Not later than August 1st of the year in which such census is taken or, if earlier, the 30th day after the date on which the nonresponse followup process for such census is completed, the Secretary shall submit to each local governmental unit the data which is subject to review by such governmental unit under this section.

''(C) For purposes of subparagraph (B), the date on which the nonresponse followup process for a census is completed shall be as determined by the Secretary.

''(3) A local governmental unit shall have 45 days (excluding Saturdays, Sundays, and legal public holidays) to review the data submitted to it under paragraph (2)(B), and to submit any challenges relating to such data.

''(4) The Secretary shall investigate all challenges timely submitted under paragraph (3), recanvass such blocks or other units as the Secretary considers appropriate in connection with any such challenge, and correct any miscounts identified pursuant to any such challenge.

''(5) Not later than November 1st of the year in which such census is taken, the Secretary shall, with respect to each challenge timely submitted under paragraph (3)—

''(A) complete the measures required under paragraph (4) with respect to such challenge; and

''(B) notify the local governmental unit that submitted such challenge as to the measures taken in response thereto.

''(c) As used in this section—

''(1) the term 'decennial census' means a decennial census of population conducted under section 141(a); and

''(2) the term 'local governmental unit' means a local unit of general purpose government as defined by section 184, or its designee.''.

(b) CONFORMING AMENDMENT.—The table of sections for chapter 5 of title 13, United States Code, is amended by inserting after the item relating to section 142 the following:

''143. Postcensus local review.''.

The SPEAKER pro tempore. The amendment printed in House Report 106–93 is adopted.

The text of H.R. 472, as amended pursuant to House Resolution 138, is as follows:

H.R. 472

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 ''Local Census Quality Check Act''.

SEC. 2. POSTCENSUS LOCAL REVIEW.

(a) IN GENERAL.—Subchapter II of chapter 5 of title 13, United States Code, is amended by adding after section 141 the following:

''§ 142. Postcensus local review

''(a) Each decennial census taken after the date of enactment of this section shall include an opportunity for postcensus local review, similar to that afforded as part of the 1990 decennial census, so that local governmental units may review household counts, jurisdictional boundaries, and such other data as the Secretary considers appropriate for the purpose of identifying discrepancies or other potential problems before the tabulation of total population by States (as required for the apportionment of Representatives in Congress among the several States) is completed.

''(b) Any postcensus local review afforded under this section in connection with a decennial census shall be conducted in conformance with the following:

''(1) Not later than February 1st of the year in which such census is taken, the Secretary shall notify local governmental units as to the guidelines for, and shall furnish them with any other information pertinent to, their participating in the upcoming postcensus local review.

''(2)(A) Not later than 30 days before submitting to a local governmental unit the data subject to its review under this section, the Secretary shall furnish to such unit the appropriate block level maps and lists of housing units.

''(B) Not later than August 1st of the year in which such census is taken or, if earlier, the 30th day after the date on which the nonresponse followup process for such census is completed, the Secretary shall submit to each local governmental unit the data which is subject to review by such governmental unit under this section.

''(C) For purposes of subparagraph (B), the date on which the nonresponse followup process for a census is completed shall be as determined by the Secretary.

''(3) A local governmental unit shall have 45 days (excluding Saturdays, Sundays, and legal public holidays) to review the data submitted to it under paragraph (2)(B), and to submit any challenges relating to such data.

''(4) The Secretary shall investigate all challenges timely submitted under paragraph (3), recanvass such blocks or other units as the Secretary considers appropriate in connection with any such challenge, and correct any miscounts identified pursuant to any such challenge.

''(5) Not later than November 1st of the year in which such census is taken, the Secretary shall, with respect to each challenge timely submitted under paragraph (3)—

''(A) complete the measures required under paragraph (4) with respect to such challenge; and

''(B) notify the local governmental unit that submitted such challenge as to the measures taken in response thereto.

''(c) As used in this section—

''(1) the term 'decennial census' means a decennial census of population conducted under section 141(a); and

''(2) the term 'local governmental unit' means a local unit of general purpose government as defined by section 184, or its designee.''.

(b) CONFORMING AMENDMENT.—The table of sections for chapter 5 of title 13, United States Code, is amended by inserting after the item relating to section 141 the following:

''142. Postcensus local review.''.

The SPEAKER pro tempore. After 1 hour of debate on the bill, as amended, it shall be in order to consider the further amendment printed in the CONGRESSIONAL RECORD numbered 1, which shall be considered read and debatable for 1 hour, equally divided and controlled by the proponent and an opponent.

The gentleman from Florida (Mr. MILLER) and the gentlewoman from New York (Mrs. MALONEY) each will control 30 minutes of debate on the bill.

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

□ 1515

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

Mr. Speaker, post-census local review is a very straightforward, commonsense idea used by the Census Bureau in 1990. It is a voluntary program that allows local governments to check for mistakes by the Census Bureau that may have left households in their communities uncounted. If a local government does not want to participate in the program, nothing in the legislation would make them.

Make no mistake, Mr. Speaker. Post-census local review is in no way designed to criticize the Census Bureau. Rather, Mr. Speaker, H.R. 472 is designed to recognize an indisputable fact. As the Census Bureau attempts to enumerate 275 million people residing in America on Census Day, which is April 1, 2000, it is going to make some mistakes. Post-census local review is designed to find and then correct these errors.

Mr. Speaker, in 1990 post-census local review corrected close to 400,000 errors. Eighty thousand households were added to the count, and another almost 200,000 were moved to their correct block. Another 100,000 households were removed from the census count because they did not belong.

Mr. Speaker, this program is designed to make the census more accurate, and that is exactly what it does. Who here can argue that catching 400,000 errors before they become final is not a worthwhile goal?

My colleagues on the other side will argue that post-census local review is not needed. They argue that the Census Bureau's pre-census programs are doing an adequate job. Well, first of all, there are some 21,000 local governments that are not participating in the pre-census programs. Do these local governments not matter? Many have limited resources, and, given a choice, would understandably want to dedicate these resources towards a final check at the end of the process.

Mr. Speaker, I know that there are two words that local government officials hate to hear from the Federal Government and they are:

''Trust us.''

That is what this administration is telling the local government:

Trust us. The Federal Government does not make mistakes. We can count 275 million people without a mistake in the lot. After all, we are the Federal Government, and we do not make mistakes.

Mr. Speaker, if there is one thing I have learned during my time in this fine institution, it is that the government does make mistakes, lots of them; some of them honest mistakes, and some of them not so honest. There were almost 400,000 errors in 1990 during the 1990 census, and the post-census local review, H.R. 472, is designed to catch these mistakes.

The ironic thing, Mr. Speaker, is that the Census Bureau has made much acclaim about their efforts to reach out to local governments and to build a trusting relationship, but do they really trust local governments? Well, I will let my colleagues be the judge.

Mr. Speaker, in a recent New York Times article Census Bureau Director Ken Prewitt said the following quote. This is referring to post-census local review:

It invites 39,000 independent jurisdictions to tell us that they have more people than we found. It is an incentive for anyone to try and boost their numbers for either economic or political gain.

Mr. Speaker, it goes without saying that this is a terrible thing to say about our local government partners, partners that Census Bureau needs to work with in order to ensure that we have an accurate count in the 2000 census.

Mr. Speaker, this is a far cry from what the Census Bureau said about post-census local review and local governments during the 1990 census. In 1990 the Census Bureau said, quote:

A considerable amount of goodwill and understanding of one another can develop between governmental units, the State agencies assisting the governmental units and Census Bureau personnel as a result of the interaction during the local review process.

Sadly, Mr. Speaker, we have moved from a time of building goodwill and understanding to one of distrust and alienation.

Mr. Speaker, the strongest supporters of post-census local review are those groups who are most intimately involved in the Census Bureau's pre-census programs and understand their deficiencies. Listen to what the National League of Cities, which represents 135,000 mayors and council members in 17,000 cities said about H.R. 472. Quote:

The National League of Cities enthusiastically supports the Local Census Quality Act, H.R. 472. This bill will provide our Nation's cities and towns with the much needed post-census local review process.

Listen to what the National Association of Towns and Townships which represents 11,000 towns and townships nationwide, has to say. Quote:

The 45-day post-census review, as proposed in H.R. 472, is one way to help assure that our smaller communities are more accurately accounted for.

And the National Association of Developmental Organizations supports this legislation. I quote:

We strongly urge you to support H.R. 472 which reinstates the post-census review program for local governments. There are too many consequences from inaccurate counts whether in urban or rural areas for local governments to be prohibited from double-checking their count.

Mr. Speaker, even the Commerce Secretary's own census advisory committee has recommended that he reinstate post-census local review, and they have been studying this issue for most of this decade. Quote:

The Commerce Secretary should direct the Census Bureau to develop a post-census local review operation for Census 2000. This review would be of housing units only, not population, and also would identify special places which have been enumerated. Participating governments can work in partnership with the Census Bureau to assure that the entire population of the community has been contacted and received the opportunity to participate in the census.

Mr. Speaker, this is good legislation. This legislation will help reduce the minority undercount.

Mr. Speaker, we worked very closely in the development of this legislation with a number of different local government groups. I would like to thank the National League of Cities, the National Association of Towns and Townships, the National Association of Developmental Organizations and others for their support in crafting this important legislation. It represents their desire to have a successful and accurate census in 2000 and ours as well.

I urge passage of H.R. 472 without the Maloney amendment.

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

Mrs. MALONEY of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to 472. This bill, should it pass, will seriously damage the quality of the 2000 census. It may create so much disruption that the Census Bureau will miss the statutory deadlines for delivering apportionment counts to the President.

To make matters worse, this bill will do absolutely no good. It will not increase the accuracy of the census. It will not reduce the high undercounts for minorities and children.

The 1990 census was fundamentally unfair. That census missed 8.4 million people who were mostly minorities and the poor in urban and rural areas. It also counted twice 4.4 million people, mostly white suburbanites. Over all, the total error rate was over 10 percent. The 1990 census missed 1 in 10 African American males, 1 in 20 Hispanics, 1 in 8 American Indians on reservations, 1 in 16 white rural renters.

During the decade, as a result of these errors, millions of people went unrepresented. The supporters of 472 want to repeat the errors of 1990. In fact, they went so far as to put in the legislation that all] future censuses would have to repeat the procedures that brought us this seriously flawed 1990 census, the first census in our history to be less accurate than the one before it.

Post-census local review is a review of the housing counts, the counts of housing units. It does very little to reduce the undercount of people, the big problem that the Census Bureau is trying to correct in the present census. In 1990, 70 percent of the people missed and 80 percent of the African Americans missed lived in households that were counted. The Census Bureau counted the households but missed the people in them. For 2000 the Census Bureau moved local review to the front end of the census.

Mr. Speaker, let us get it right the first time, not fix it later, and that is what the Census Bureau is doing.

In 1990, post-census local review was a failure. Eighty-four percent of the local governments did not participate. For the last year, the Census Bureau has been working with local governments to make sure that there is an agreement with the local governments on the number of housing units before the census begins. So far that program has covered 86 percent of the addresses in the United States, and they are still working. That is far, far better than 1990.

Why then does the majority want to repeat the 1990 census? In fact, it is not just local review they want to repeat from 1990. The majority has repeatedly said, in fact it has been said on the Floor today, that the 1990 census was not all that bad. They want to repeat as much of 1990 as possible.

Why? Why does the majority want to repeat 1990 with all those undisputed errors? Because they believe that the errors in the census are to their political advantage.

Just recently one Republican operative was quoted as saying in the paper that this was a, quote, do or die issue for the Republican party.

The former Speaker said in his book that winning the census fight was about preserving the Republican majority in Congress. It was not about getting an accurate count. He said it was about preserving the Republican majority in Congress.

The head of the RNC sent out a memo soliciting contributions to fight the census in the courts, and the majority here made sure that those lawsuits would be paid for with taxpayer dollars.

The litany goes on and on, but the tune is the same. The supporters of this bill, the opponents of a fair and accurate census, are willing to do anything to make sure that the next census repeats the mistakes of the past. H.R. 472 is just one more salvo in that continued assault on a honest and accurate census.

Let us remember what happened in the last Congress. The Republican majority attached to the disaster relief bill, the flood relief bill, language that would have prevented the use of a modern scientific count. They thought the President would not veto it because so many Americans were suffering. The President vetoed it and received editorial support across this Nation for standing up for what was right. Twice they held up the budget over it. And now, they complain that the Census Bureau is partisan and trying to rig the census for the Democrats.

The Census Bureau has no political agenda. In fact, the Director, when he testified before us, implored the Congress to keep the Census Bureau out of the line of fire. The response by the majority has been to put the Census Bureau between the cross hairs.

The Census Bureau put forward the best plan it could develop for the 2000 census, one that has been supported by many professionals in the scientific community, Republican and Democrat alike. It is time to stop trying to destroy the census and let the professionals do their work.

□ 1530

We should not be trying to micromanage the Census Bureau. We should let the professionals go out and conduct an accurate count.

The partisan agenda is not at the Census Bureau; it is here on Capitol Hill. It is being managed out of the Speaker's office and the RNC down the street.

H.R. 472 is just one more item in that agenda and it must be defeated. I urge a no vote.

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

Mr. MILLER of Florida. Mr. Speaker, I yield myself 15 seconds.

Mr. Speaker, what we are talking about doing is the most accurate census possible and we need to put all the resources into it. We have to follow what the Court says, what the law says. The Supreme Court ruled.

If they want to have a constitutional amendment and change things, that is another route to go, but it is not going to happen. Follow the law. Let us get the best count we can.

Mr. Speaker, I yield 2 minutes to the distinguished majority leader, the gentleman from Texas (Mr. ARMEY).

Mr. ARMEY. Mr. Speaker, I thank the gentleman from Florida (Mr. MILLER) for yielding me this time.

Mr. Speaker, the previous speaker from the Democrat side of the aisle was most unsettling. The rules of discourse that we follow in this House, the protocols that we try to honor for one another in this House, are commonly understood that we do not assail one another's motives.

I have just listened to what is as malicious a diatribe regarding the motives of the majority in this matter as I have ever heard on the floor of this House, and it is not necessary.

Should I try to refute point by point the allegations about our motives, political motives? No, of course not.

Let me say, Mr. Speaker, suffice it to say that it is commonplace among the Democrats for them to accuse us of what they themselves are doing. What we are asking is not to repeat the census of 1990. What we are asking is for Congress to listen to the Constitution and to the chief institutional defense of the Constitution, the Supreme Court, and count the American people, enumerate.

The Constitution says and the Supreme Court says, count. Every American deserves to be counted. We are prepared to make whatever obligation of funds and efforts is necessary to count every person. I deserve to be counted. My son and daughter deserve to be counted. If you live in Bemidji, Minnesota, you deserve to be counted, not estimated, not guessed at and not eliminated because you did not fit in somebody's statistical model.

Now, we are making that commitment. The Census Bureau needs to make a plan to count the American people, a plan that conforms with the directives of the Supreme Court of the United States as they have lent interpretation to the Constitution of the United States. When they make that plan to count the American people, wholly, totally, completely, we will fund it; we will support it. We will provide the resources to count the American people.

We do not believe that the census of the United States should be done by polling. We do not believe that you, Mr. and Mrs. America, should be found in your place within a standard deviation. You should be counted in your home. You should not be estimated.

Finally, we have already seen at the local level that local review reveals where the count was not complete and accurate. Every community wants that. It is a simple matter. It is a simple matter. If we make our best effort to go out and have a decent, honest count of every single person as, in fact, the Constitution and the Supreme Court directs us, and we then want to check that, should we relegate our checking of that to a bunch of guesstimators holed up in Washington, D.C. with some abstract mathematical model, replete with its standard deviations? Or should we go to the local community and say to the mayor, were we inclusive, did we count everybody?

Who knows better, the mayor and the community government in Bemidji, Minnesota, or somebody holed up behind some statistical model in Washington, D.C.?

Now, I am sure before this debate is over I am going to hear more diatribes about our motives here, but I am content to let the American people listen to this debate and judge for yourselves.

Mr. and Mrs. America, read the Constitution. Remember what you have been through in the census decade after decade after decade in America. Did we count you, or did we estimate you, in accordance with a model that was defined by the Clinton administration that has politicized every other thing they have ever touched in this government?

Mrs. MALONEY of New York. Mr. Speaker, may I inquire how much time is remaining on our side?

The SPEAKER pro tempore (Mr. BASS). The gentlewoman from New York (Mrs. MALONEY) has 22½ minutes remaining. The gentleman from Florida (Mr. MILLER) has 20¾ minutes remaining.

Mrs. MALONEY of New York. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. WAXMAN), the distinguished ranking member of the Committee on Government Reform.

Mr. WAXMAN. Mr. Speaker, the purpose of this bill is for one purpose only. It would delay the Bureau of the Census from getting the report to the States in time for them to redistrict using the most accurate statistically

approved methods to get the count that will be the one that should be achieved in a census.

Now we are really looking at an Alice in Wonderland situation. I have a chart. Maybe we can get this chart up. This chart shows those groups that believe using modern statistical methods will give us the most accurate census: The National Academy of Sciences, the American Statistical Association, even President Bush's Census Bureau director, all the experts.

Let me have the chart of those who think that statistical methods are unconstitutional, inappropriate: The gentleman from Florida (Mr. MILLER) and the Republican leadership.

Are we supposed to believe that all of these people from the Academy of Sciences are doing something for partisan purposes but the Republican Party is out to get us the most accurate census? Well, I think if we want to look at their motives we ought to look at the statements of some of their leaders.

In a refreshing moment of candor, one Republican strategist said that this is a do or die issue for the Republican majority in the House, because what the Republicans really fear is that a more accurate count will include more African Americans, more Hispanics and that they will in turn elect more Democrats to Congress.

Alice in Wonderland told us that up is down, down means up, and here what we have is when the Republicans say they are nonpartisan, they are accusing everybody else of being partisan.

The fact of the matter is that there will be local participation in making the census as accurate as possible. That is really not the issue involved. The issue involved is that this legislation would make it impossible for the Bureau of the Census to do their job in a professional way, as has been recommended by every nonpartisan organization.

I urge a defeat of this proposal and an adoption of an amendment that will be offered by the gentlewoman from New York (Mrs. MALONEY).

Mr. MILLER of Florida. Mr. Speaker, I yield myself 15 seconds.

Mr. Speaker, the thing missing on that list besides Dan Miller are two Federal courts, six Federal judges and the United States Supreme Court. They all oppose sampling.

Mr. Speaker, I yield 6½ minutes to the gentleman from Wisconsin (Mr. RYAN), and ask unanimous consent that he be permitted to control that time.

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

There was no objection.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Idaho (Mrs. CHENOWETH).

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

Mrs. CHENOWETH. Mr. Speaker, I thank the gentleman from Wisconsin (Mr. RYAN) for yielding me this time.

Mr. Speaker, I rise in opposition to the Maloney substitute which would allow the Secretary of the Census to decide in what manner local governments may participate in the census count.

By requiring post-census local review, H.R. 472 is at the heart of the differences between many of us in Congress. The issue is very simple. Who knows better how to minister to the people, the small local governments familiar with their communities or an overburdened Federal bureaucracy that takes its marching orders from Washington, D.C.?

Post-census local review makes good common sense. How can this heavily centralized Federal Government possibly justify its assertion that it is better equipped to verify a local census count than the locals themselves?

In Idaho, where I am from, there are a great deal of rural areas, pocket communities, tucked in the mountains away from cities and towns. These areas must be counted, and no one is better equipped to ensure that they are counted than the people of Idaho themselves. The local government interacts with these citizens on a daily basis. They deliver the mail. They provide utilities. They help children get to school. They establish voting packages and provide emergency and rescue assistance.

To expect the Federal Government to have the same level of familiarity, the same ability to account for each family and community, is ludicrous. Why is the government attempting to reinvent the wheel at taxpayers' expense?

We already have the resources in place to make this census an accurate count and yet the administration does not want to make use of these resources. The government wants to hire so-called experts in Washington to determine whether or not the census is accurate for a community they have never seen.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we have heard a lot of partisanship here on the floor tonight but that is not necessary. This is not about Republicans or Democrats. It is at getting the best possible count we can achieve.

We know the Supreme Court has caused this ruling. We know we have to engage in enumeration. That is what we are here talking about. This has nothing to do with sampling, to be quite honest. This has everything to do to make sure we get the best enumeration possible.

Rather than quoting Republicans, rather than engaging in a partisan, vitriolic speech, I would like to quote some Members of Congress. I would like to quote the dean of Congress, the gentleman from Michigan (Mr. DINGELL), and I quote, ''The local government officials have labored tirelessly for 2 years that ensure that each home and every person is included in the final census tally. They understand the importance to themselves, the communities they serve and the people.''

Actually, we have been hearing from the Commerce Department that Secretary Daley will be encouraging the President to veto this legislation, but I would like to ask the Secretary of the Commerce to talk to his own brother, the mayor of Chicago, a Democrat mayor of Chicago, Mayor Richard Daley, who said, ''They, the Census Bureau, should come with the inclination to work closely with the mayors. We are the ones who are in the trenches. We are there. We know our cities. There should be an effort of cooperation and partnership.'' That is a Democratic mayor of Chicago.

I would like to quote from the distinguished chairman of the Subcommittee on Census in 1990, the gentleman from Ohio (Mr. SAWYER), a Democrat. ''Local review presents the last chance for local officials to have an effect on the completeness of the census counts. In some ways, it is the final opportunity to share observations gathered throughout the entire census operation this year.''

Lastly, I would like to talk about one of our fantastically successful mayors, a mayor of Detroit, Michigan, Dennis Archer, who said just this year at the U.S. Conference of Mayors, this is Dennis Archer, mayor of Detroit, Michigan, a Democrat, ''We, as cities, need to have the opportunity, before the census count is in cement, given to the President, for the President's review by the end of the year 2000, so we can evaluate and say, 'Here is where you are wrong, and here are the changes we would like for you to consider.' I think that we ought to be given that.'' That is the Democratic mayor of Detroit.

In my district, I actually did a survey of all of the elected officials, town board chairmen, mayors, county executives.

□ 1545

I have here all of the petitions, all of the surveys from those locally-elected officials in the first Congressional District of Wisconsin, Independents, Democrats, Republicans. Here is what they said.

This is the Mayor of Racine, Jim Smith: ''We would anticipate it would be very beneficial to both the Census Bureau and the city of Racine to have an opportunity to review maps and addresses after the count has been completed and prior to the Census Bureau submitting its final account.''

Sheila Siegler, from the town of Wheatland in Wisconsin: ''I believe the very best attempt should be made to get an accurate account, and local review would aid that process.''

Mr. Speaker, our efforts are to get a better number, are to improve the Census. This should not be about Republicans or Democrats. We are going to engage in enumeration, we know that, the Supreme Court has said just that. So let us work together and get the best count we can possibly get.

These gentlemen, the Independents, the Democrats, the Republicans from Wisconsin at local units of government, the Democrats in Congress, in the cities across our Nation, they know the benefits of local government involvement. This is not and should not be about politics.

We are not advocating a method that will cause a manipulation of the numbers, we are advocating a method to improve the count. Local governments, combined with Federal governments and State governments, can do just that.

Lastly, I would like to talk about one issue that has been mentioned by some of the minority today, that this is a delaying tactic, a tactic to try and frustrate the efforts of statistical adjustment. That is simply not the case. They had a statistical adjustment in 1990, and they had a post Census local review. It can be done. It was done in 1990. They did a post Census local review. They did engage in a sampling adjustment. They did not use it, but they did engage in it.

This is not a delaying tactic, this is simply embodying the principle that governments can work together at all levels of government, the Federal Government, local government, State government. The mayor of Detroit, the mayor of Chicago, Congressmen and Senators from both sides of the aisle, the Democrats, the Republicans, have over the last 10 years advocated postcensus local review.

This is not about politics, it is about doing what the Constitution has asked us to do.

Mrs. MALONEY of New York. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Mr. Speaker, I thank the gentlewoman for yielding time to me.

Mr. Speaker, the gentleman who just spoke quoted Mayor Archer of Detroit. Let us hear the rest of the story. Mayor Archer said, and I quote, ''This bill prevents Census counts from being tracked for the undercount by April 1, 2001, which is critical for distribution of Federal funds. I cannot support H.R. 472 in its current form.''

Going on, we have all agreed that the last Census was inundated with millions of errors. It is our duty to fix this problem. I am dismayed that H.R. 472, the Post Census Local Review Act, is still being considered as a solution to the miscount. The bill will continue a thoughtless practice of requiring the Census Bureau to set aside 9 unnecessary weeks after the field work is done to review the count of local addresses a second time.

Most mayors who participated in this program in 1990 thought it was a disaster. Why are Republicans pushing to repeat the same mistakes? As a lawmaker, I have a responsibility to focus my energy on the impact this legislation will have on the people whom I am accountable to.

As a result of the 1990 Census, 21,000 of my constituents were excluded from Federal funds for health care, education, transportation, economic development, and even child care. This must not happen again.

Mr. MILLER of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Speaker, the State of California has almost 1 in 9 of all American citizens that live in it. An accurate census count is very, very important. We are a donor State in transportation. We are a donor State in education. The formulas that devise the amount of dollars that come out of the Federal Government to California is very important. That is why I want to a good, accurate count of every person that comes in.

Take the case of the Title I education program, for example. In 1991 when I came here, its state allocation was based on the previous Census in 1980. Most of the immigration that came into California was during that time between 1980 and 1991. We were getting cheated. The gentleman from Massachusetts in the other body did not want the money coming from out of Massachusetts, so he actually added money to the program when the Democrats were in the majority. So an accurate count is important for education. The Census should not be a guess. An accurate statistical system of guessing, as my friend, the gentleman from California, said, is an oxymoron. It is not possible. We cannot do that.

Let me give a little statistic. California has more illegals than all the population in Kosovo. If I had my way, only people that are in the United States of America legally would be counted in the Census—not illegal aliens. We cannot do that, but I think it would be the right thing to do.

The mayor of San Diego, Mayor Susan Golding whose city has a population that is bigger than many of the States, supports this issue of local post-Census review very strongly.

My question is this: If we talk about the 1990 Census being so poor, why did they mess it up so bad? The liberal Democrats had control of the House and Senate in 1989. Why did they mess it up so bad? I would say they messed it up so bad maybe because they were following the Constitution of the United States that says actual enumeration which, in modern times, is very difficult to do well—but very important to do well. We must count everyone. We must not guess in our Census. What we are trying to do is add local adjustment to solving that problem.

Mrs. MALONEY of New York. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. BLAGOJEVICH).

Mr. BLAGOJEVICH. Mr. Speaker, I thank the gentlewoman for yielding time to me.

Mr. Speaker, in 1990 the Census was the first Census that we had that was less accurate than the one before it. We have been conducting the Census since 1790, and only one time in our history has it been less accurate than the one before it.

Because of the 1990 Census, 10 million Americans were undercounted. In the city of Chicago, my hometown, 68,000 Chicagoans were not counted. That is enough Chicagoans to fill Soldier's Field completely at a football game where the Bears were playing. I know the Bears have a bad record, and they may not always sell out, but 68,000 people is a lot of people to not be counted.

Federal resources are predicated upon the counts. All the statisticians, the National Academy of Scientists and others, indicate that statistical methodology in the 21st century is the way to go, not the 1990 version, where we undercounted people by 10 million.

Mr. MILLER of Florida. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. CALVERT).

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

Mr. Speaker, I rise today in support of H.R. 472, the Local Census Quality Check Act. My hometown of Corona, California, has been voluntarily working with the Census Bureau to review and compare maps provided by the Census Bureau to ensure accuracy in the 2000 Census count.

Growth in Riverside County, California, has soared in the last decade. From 1991 to 1998 the city of Corona added 36,000 new residents, more than any other community in California's inland empire. An accurate Census count is absolutely vital.

During this review, the city found that additions are not always incorporated in a timely manner by the Census Bureau. Local governments are the best source to verify where residential addresses are located within their boundaries. Therefore, it is critical that cities have the opportunity to review the final addresses.

Mr. Speaker, H.R. 472 is a sound piece of legislation which restores and improves upon a program begun by the Census Bureau. As we work toward enumeration of the 2000 Census, we will continue the implementation of improved methods and ensure all persons are counted.

Mrs. MALONEY of New York. Mr. Speaker, I yield myself 15 seconds for a point of clarification.

Mr. Speaker, in the 1990 Census it was the Secretary of Commerce in the Bush administration that refused to allow the use of modern scientific methods to correct the undercount that caused the 1990 Census to be less accurate than the one before it, not the House and Senate.

Mr. Speaker, I yield 1 minute to the distinguished gentleman from Tennessee (Mr. FORD), an outstanding member of the subcommittee on the Census.

Mr. FORD. Mr. Speaker, I thank the gentlewoman for yielding time to me,

soon to be chairwoman of the subcommittee, no disrespect to our current chairman, the gentleman from Florida (Mr. MILLER).

Mr. Speaker, I rise in opposition to H.R. 472, and would take the liberty to ask all of my colleagues to support the Maloney amendment. I have heard nothing, Mr. Chairman, since being a member of the committee, but lip service paid to this notion of an accurate count.

While many of the independent experts, including those mentioned by the committee ranking member, the gentleman from California (Mr. WAXMAN), tell us that the key to an accurate Census is the use of modern statistical methods, whether the majority leader likes it or not.

We have not been able to count all the folks in this great Nation. There were 8 million missed in 1990; in my district alone 20,000, and in my State of Tennessee, 8,000. Had we counted all of them, that would have been the fifth largest city in the State. The 20,000 missed in my district, 10,000 of them were children; 17 new schools, 530 new teachers, according to children's organizations who have done some of the numbers.

Census data, Census data, is used to determine the amount of funding, Federal funding for education, for health care, for transportation projects, as my good friend, the gentleman from California (Mr. DUKE CUNNINGHAM) just talked about.

But the bill that the gentleman from Florida (Mr. MILLER) and my friends and others are putting up would not accomplish the goals they seek to accomplish. If we allow local governments to work with the Census Bureau, if we follow them, the Maloney model, that is consistent with what these guys want to do.

Do the right thing, allow the money to get to Members districts, my district, all of our districts.

Mrs. MALONEY of New York. Mr. Speaker, I yield 1 minute to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, I thank the gentlewoman for yielding time to me.

Like many grandmothers, my granddaughter Isabel and I read books together, and some of them are counting books. There is one where there are these hidden butterflies. The trick is to find the hidden butterflies.

The children in our country are those hidden butterflies. It is not as simple as one, two, three. In fact, in the Census we found that 52 percent of those 8 million that were not counted were children. This H.R. 472 is simply not intended to count the children. It is aimed at identifying not people but housing units.

The fact is that 70 percent of the undercounted people, most of them children, were in housing units that had already been identified. What we need to be about is counting children.

I want to say to my colleague on the other side of the aisle, there is no way that the mayor of my city, Mayor Daley, is supportive of H.R. 472. He, like the New York Times, feels that House Republicans are up to their usual mischief on the Census. One of their worst proposals is H.R. 472. Let us get about counting the children.

Mrs. MALONEY of New York. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. PASCRELL), a former mayor and outstanding member of our Task Force on the Census.

Mr. PASCRELL. Mr. Speaker, I want to thank the gentlewoman for yielding time to me.

Mr. Speaker, I have a great deal of respect for the legislation that has been put on the agenda today. I happen to disagree with it. If I listen to those people who have been in support of this legislation, we could have worked out a compromise on this. That is the sad part about it.

To imply that Democrats are against local review is simply untruthful. What we are saying is that this local review must be done at a specific time so that there is time for the Census under the law, under the law, and under the Constitution of the United States to do scientific methodology. That is what this debate is all about.

My city in 1995 was one of three in the entire Nation that dealt with the scientific foundation of what we are debating today. It worked. Each one of those towns had their populations increased because of the state of the art of scientific sampling. It was not polling and it was not guessing, and it was accurate.

Mr. MILLER of Florida. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. GRANGER), the former mayor of Fort Worth.

Ms. GRANGER. Mr. Speaker, I rise today in support of H.R. 472, the Local Census Quality Check Act of 1999. This important legislation will reinstitute the highly successful Post Census Local Review Program used by the Census Bureau in 1990.

Post Census local review is a program both parties have supported in the past. I hope both parties will support it in the future. In short, it is a commonsense way to ensure that our Census is accurate, fair, and constitutional.

Let me say at the onset that as a former mayor of a major city, I appreciate and I support the need for an accurate count of all of our citizens. That is why I believe the post census local review is the way to go. Post Census local review is not a new idea, it is a proven product that works. In fact, post Census local review is a Census Bureau program. That is right, the Census Bureau formulated this plan. They used it in the 1990 Census.

Here is how it works. Post Census local review gives local and tribal governments a review of housing counts in their area prior to finalization of Census numbers. After all, who knows these areas better, government officials in Washington, or local officials in these jurisdictions?

□ 1600

Post-census local review in the 1990 census was highly successful. But do not take it from me. Just look at these facts. A 1990 post-census local review added 80,929 housing units to the census count.

It also relocated 198,347 housing units to the right block and removed 101,887 housing units counted in error. This all equates to around 400,000 mistakes corrected as a direct result of post-census local review.

Over 124,000 people were added to the census count. For example, in the City of Detroit, they added over 47,000 people, mostly inner-city residents, to its total. Cleveland added more than 10,000 people.

Mr. Speaker, these are real people in real cities who are added to the census, not hypotheticals, not guesses. Mr. Speaker, the census is too important to mess around with. Let us do this right.

Mrs. MALONEY of New York. Mr. Speaker, I yield 2½ minutes to the gentleman from Maryland (Mr. HOYER).

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

Mr. HOYER. Mr. Speaker, I thank the gentlewoman from New York for yielding me this time.

I want to join the mayor who spoke in saying that this is not about local involvement, it is about the timing of local involvement. Why is it about the timing of local involvement? Because I suggest to my colleagues, if they involve the local governments late in the process, they deny the opportunity for sampling to be used.

Speaker Gingrich, the former Speaker of the House, in 1991 said that sampling ought to be used, because if it was not used minorities in Georgia would be undercounted. That was Speaker Gingrich in a letter of 1991.

The fact of the matter is, if we delay, as H.R. 472 will inevitably require, the involvement as opposed to having it early, as the mayor and the gentlewoman from New York (Mrs. MALONEY) suggest, then we will preclude what I suggest the gentleman from Florida (Mr. MILLER) said in a statement would be, not only allowed, but the sense that I took from his statement was might be preferable.

Furthermore, Dr. Bryant, George Bush's census director, says that we ought to utilize sampling. If that is the case, we ought not to adopt legislation which will delay it.

In a report of the panel on census requirements in the year 2000, the National Academy of Sciences said we ought to use sampling because it more accurately counts.

The gentlewoman from Texas (Ms. GRANGER), former mayor, said that we counted some 124,000 people in a post-census review. Yes, we did. But guess

what, we did not count 8 million people. In other words, while we got 124,000, we left out 7,896,000 people. That does not seem to me to be a good trade-off if we really care about counting every person for the purposes of making an accurate census.

I refer to the distinguished gentleman from Florida (Mr. MILLER), my friend who serves with me on the Committee on Appropriations. In quoting him, he says ''I have chosen these words carefully. The issue of sampling is an issue of apportionment of representatives, not, I repeat, the distribution of Federal aid.''

Now, if it is all right to use sampling for the purposes of distributing over $187 billion of taxpayers' money, presumably because we think that is more accurate and will more accurately target where the funds are supposed to be, then I would suggest to the gentleman it is equally applicable to making sure that people who are getting money are represented accurately as well.

The SPEAKER pro tempore (Mr. NEY). The Chair notes that the gentlewoman from New York (Mrs. MALONEY) has 12½ minutes remaining, and the gentleman from Florida (Mr. MILLER) has 9 minutes remaining.

Mr. MILLER of Florida. Mr. Speaker, I yield myself 15 seconds.

It is amazing that we keep talking about sampling. The Supreme Court settled the issue. The issue of distribution of funds is not a constitutional question. We are talking about apportionment and redistricting. That is the constitutional question. That is what the Constitution mandates us to do in Article I of our Constitution, to do a full enumeration. That is what they are doing.

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

Mrs. MALONEY of New York. Mr. Speaker, I yield myself 15 seconds.

I really want to underscore what the gentleman said. They ruled on a statutory issue, not the Constitution. It referred only to apportionment and specifically said that one could use modern scientific counts and should use it for all other purposes, redistricting and distribution of Federal funds.

Mr. Speaker, I yield 1 minute to the gentleman from Guam (Mr. UNDERWOOD), my dear friend and colleague.

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

Mr. UNDERWOOD. Mr. Speaker, H.R. 472 has a goal. But that goal is not to achieve a fair and accurate census count, and it is not to use the best scientific methods available. It is to derail the Census Bureau's plans of using statistical sampling, the only method which would remedy the undercount of minorities, children, and the rural and urban poor. By instituting a post-census check, not only will the Census Bureau's work be set back for more than a month, the Bureau would miss its apportionment deadline set by December 31, 2000, and deplete funds necessary for statistical sampling. I do not know whether this is the intent, but this is clearly the effect.

Both Democrats and Republicans in the past have acknowledged that a post-census local review such as H.R. 472 mandates will not work. It was clearly demonstrated in the 1990 census, and that is why the Bush administration's director of the Census Bureau stated that the post-census local review in 1990 was a well-intentioned but ineffective operation.

We support local government participation, but not as a mechanism to delay and divert the basic intent of the census.

Mrs. MALONEY of New York. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. GREEN).

(Mr. GREEN of Texas asked and was given permission to revise and extend his remarks.).

Mr. GREEN of Texas. Mr. Speaker, H.R. 472, the Local Census Quality Check Act, calls for a post-census local review by local governments of the census population numbers before they become official.

We already have done that. We found out, though, that it does not work. We still lose over 8 million people. So this bill is not the solution that we need to do. The 1990 census was the least accurate of all our censuses. It missed or double counted over 8 million people.

We have used the post-census reviews in 1990, and the gentleman from Guam (Mr. UNDERWOOD) mentioned the quote from Dr. Barbara Bryant about how this post-census review in 1990 was well-intentioned but ineffective.

Rather than repeat the post-census local review with its disappointing and miniscule results, the Census Bureau determined to find a better way for local governments to fully participate. They are doing that now.

In 1990, Texas was undercounted substantially. Houston alone was undercounted by thousands. So by doing this in 1990, it was broken, but we need to fix it. This bill will not fix it, Mr. Speaker, unless we attach the Maloney amendment to it.

I urge my colleagues to support the Maloney amendment. The Census Bureau estimates the post-census review will add an additional 9 weeks to the count which will also increase our costs.

H.R. 472, the Local Census Quality Check Act, calls for a Post Census Local Review by local governments of the census population numbers before they become official.

The 1990 census was the least accurate of all of our censuses and it missed or double counted over 8 million persons. We used a Post Census Local Review during the 1990 Census. However, Dr. Barbara Bryant, Director of the Census Bureau during the Bush Administration, has testified before the Census Subcommittee that

Post Census Local Review in 1990 was a well intentioned, but ineffective, operation. . . . Rather than repeat postcensus local review, with its disappointing and minuscule results, the Census Bureau determined to find a way for local governments to more fully participate in the census.

Texas was undercounted in 1990 in Houston alone by thousands.

The Census Bureau has done just that. They have established The Census 2000 Local Update of Census Addresses (LUCA) which vastly expands both the interaction between local governmental units and the Bureau, and it extends the time local governments are given to verify and correct addresses and boundaries. To date, twice as many local governments are participating in Local Update of Census Addresses compared to the Post Census Local Review in 1990. Notably, these governments cover 85 percent of all addresses in the country.

The Census Bureau estimates that a post census review will add an additional nine weeks to the count which would increase cost, increase delays, and effectively hinder the operations of the Census Bureau. Instead of wasting time, we should be using the most modern and scientifically accurate methods of counting in order to take the 2000 census. Without it the miscounting of minority populations will persist.

H.R. 472 is a bad attempt at correcting the miscounting of over 8 million persons in our country during the 1990 census. We should not be wasting our time and taxpayer dollars on an operation that has proven to be at best ineffective.

Again, I urge my colleagues to oppose H.R. 472, unless the Maloney amendment is adopted.

Mrs. MALONEY of New York. Mr. Speaker, I yield 1 minute to the gentlewoman from Florida (Mrs. MEEK), who has been an outstanding participant in this census task force.

Mrs. MEEK of Florida. Mr. Speaker, I thank my colleagues on the Committee on Government Reform and Oversight. I have worked with both of them. They are both able and capable leaders.

I happen to have a difference of opinion on the bill than the gentleman from Florida (Mr. MILLER) has, and that time is the thing in this entire thing. Time is very, very important.

The whole concept philosophically may be good, but what will happen in the end is this post-census review will not be done in a timely manner. There is too much at stake, Mr. Speaker, too much at stake.

The people I represent have been undercounted for the last two censuses. Data will show that the post-census review and the pre-census, none of them did the job of giving us the count that we need.

All I am saying is people want to be counted. I cannot go back to Miami and say to the minorities I represent, the Hispanics, the African Americans, all of this people who make up this beautiful pattern of color we have in this country and say to them we are not doing everything that we can do to be sure that each one of them is talented.

So today I want to say to this particular House, we cannot go with the bill of the gentleman from Florida (Mr. MILLER), with all of his good intentions, because the time is too short. He

is extending the time of the bill's implementation.

Mr. Speaker, There are some in Congress who are intent on making sure that we do not have a fair and accurate census count in 2000. H.R. 472, introduced by Representative MILLER, requires the Census Bureau to provide local governments with an opportunity to review the housing counts from the 2000 census.

There is little difference between Mr. MILLER's proposal and the post-census local review conducted as part of the 1990 census. This procedure didn't work in 1990 or 1980, consequently, Congress replaced it with a precensus local review that is more simple and easier for communities to handle.

Rather than adding another program, we should be working to make the precensus local review work.

H.R. 472 has as its purpose to keep the Census Bureau from doing its job. This will not do anything to improve the accuracy of the 2000 Census. This bill could even cripple the Census Bureau's efforts to conduct the most accurate census possible. Micromanagement of the 2000 Census, at this late date, is absolutely the wrong thing to do. We need to get out of the way and let the Census Bureau do its job.

It is interesting to note that Mayor Penelas, the mayor of Miami, FL, as well as several local Commissioners, forwarded letters to my office outlining their opposition to H.R. 472.

Additionally, Dr. Barbara Bryant, the former Director of the Census Bureau, testified before Congress that the 1990 local review was a logistical nightmare and a public relations disaster. Most of the communities that participated were displeased with the process, and less than 20 percent of the governmental units participated.

The program as laid out in the Miller bill essentially duplicates activities in the precensus local review. Although the desire on the part of local government officials to get one last chance to increase their counts is understandable, any such program should complement rather than duplicate other census activities.

The Census 2000 is one of the most divisive and partisan issues that we will face in this session of Congress. At stake are billions in federal funds, as well as control of state legislatures throughout our country. The main effect this bill would have would be to delay, past the statutory deadline established in P.L. 101–174 (April 1, 2001), the release of corrected totals at the geographic level suitable for redistricting. I urge my colleagues to vote against H.R. 472.

Mrs. MALONEY of New York. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Speaker, I thank the gentlewoman from New York (Mrs. MALONEY) for the time and also for her hard work to make sure that all people in this country are counted.

I rise today to strongly oppose H.R. 472. There are 352 days until April 1, 2000, census day. Preparation for this constitutionally mandated national head count has been in the works for years. Now, in the eleventh hour, our colleagues on the other side of the aisle are proposing legislation that seeks to change procedures, add costs, and most importantly a timetable to an already tight time schedule.

Mr. Speaker, I come to the floor today to consider how best to correct the undercount of low income people, minority groups, and children. The undercount has been the practice of the Census Bureau in recent decades. If you are not counted in, you are counted out. That is fundamentally undemocratic. It is wrong.

H.R. 472 appears to be harmless. But the post-census local review strategy used in 1990 failed miserably. We must not dismiss the views of the Census Bureau Director, who calls this bill just short of disastrous. Let us not repeat these mistakes. I ask for a ''no'' vote on H.R. 472.

Mr. MILLER of Florida. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. CRANE).

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

Mr. CRANE. Mr. Speaker, I thank the gentleman from Florida for yielding me the time.

Mr. Speaker, I will take just a moment, and it is just to reinforce the importance of preserving the process for a post-census local review on the part of local governments.

I have a community in my district that sent a letter out. It was actually to all of the Congressional Members from our Illinois delegation, but it is a village in my district, Elk Grove.

Back in 1990, Elk Grove village reviewed the Census Bureau's preliminary count, they say, and village staff found that a newly constructed subdivision had failed to be counted which included 349 residents.

Furthermore, based on the per capita revenue dispensed by the State of Illinois, Elk Grove village would have lost over 35,000 in annual revenue, almost 250,000 in total, had the review process not existed. To be sure, that sounds nickel, dime in this town and in this body, but it is vitally important to local communities.

For that reason, I urge that we follow the process of continuing that but simultaneously expanding to 45 days the consideration for review.

Mrs. MALONEY of New York. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to revise and extend her remarks.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise against House Resolution 472 unless we adopt the Maloney amendment. This amendment is a logical and effective means to include local governments, produce an accurate count in the 2000 census, and it gives the Census Bureau ability to use statistical sampling to validate traditional census data without unnecessary interference.

We need to do everything we can to make sure that everyone is counted in this census by using all the technology and tactics that we have available to us.

Undercounting in the 1990 census cost the State of Texas a total of $1 billion from a variety of Federal programs for which we would otherwise have qualified. According to the Census Bureau, nearly half a million Texans were missed in the last census, most of whom were inner city minorities and most especially children. So we are not talking about voters here.

While this country is using science and technology to find a cure for many diseases, to expand opportunities in education and employment, and even to build better buildings and bridges, the Republican majority refuses to allow the use of science and technology to help us count the people.

Why should not our government be allowed to use this technology. Why must we retreat back a century rather than forward.

I rise in support of the Maloney amendment to H.R. 472. This amendment is a logical and effective means to include local governments to produce an accurate count in the 2000 census.

Further, it gives the Census Bureau the ability to use statistical sampling to validate traditional census data without unnecessary interference. We need to do everything we can to make sure that everyone is counted in this census by using all the technology and tactics we have at our disposal.

Undercounting in the 1990 census cost the State of Texas a total of $1 billion from a variety of federal programs for which we would otherwise have qualified. According to the Census Bureau, nearly half a million Texans were missed in the last census, most of whom were inner-city minorities and most especially children.

While this country is using science and technology to find a cure for many diseases, to expand opportunities in education and employment and even to build better buildings and bridges, the Republican majority refuses to allow the use of science and technology to help us count those who need to be counted the most.

Why shouldn't our government be allowed to use this technology? Why must we retreat in the 20th century on this important issue?

Unfortunately, the antiquated and inaccurate means we use to count our citizens will continue to be used.

Not only will our constituents lose out on federal funds they deserve, but we are quietly eroding the principle of one person—one vote. The recent Supreme Court decision on statistical sampling ties the hands of state legislatures who depend on census data to draw fair and competitive congressional districts.

This decision and the Republican majority's embrace of its effects on voting rights will greatly reduce the electoral opportunity for minority and women candidates to win office and represent their concerned constituents.

Further, this decision acts to disenfranchise poor and minority citizens, those who are traditionally missed using traditional census data.

It is time to stop ignoring the facts! Traditional headcounts do not work. How many times does it need to be proven? Mayors know this. So many are in support of using statistical sampling.

Congress knows this. Otherwise, how can you explain the utter fear of the Republican

majority to the use of sampling? Let me give it a try. Sampling will work. It will work well. It will work too well for them. Undercounts in the nation's inner cities consistently help Republicans stay in and gain new entry to elected office.

Be fair to the citizens of the United States and let the Census Bureau do their jobs the best way they can—through traditional methods supported by statistical sampling.

Vote ''yes'' to the Maloney amendment.

MAY 20, 1997.

IMPORTANT NOTICE TO ALL STATE CHAIRMEN

From: Jim Nicholson, Chairman, Republican National Committee.

Re: The Clinton Census.

I am contacting you to recruit your assistance in addressing an issue of unusual importance to the future of Republican Party. At the heart of the matter is one of the federal government's most fundamental Constitutional functions: the United States census. At stake is our GOP majority in the House of Representatives, as well as partisan control of state legislatures nationwide.

The Clinton Administration is implementing a radical new way of taking the next census that effectively will add nearly four and one-half million Democrats to the nation's population. This is the political outcome of a controversial Executive decision to use a complex mathematical formula to estimate and ''adjust'' the 2000 census. Using this process Democrats gain a critical advantage in the next redistricting that will undermine GOP efforts to elect Republicans to both federal and state offices.

A reliable analysis done for the RNC by Polidata Political Analysis reveals that a statistically altered census will have a sweeping political impact that clearly imperils the Party's present congressional majority. The GOP would suffer a negative effect in the partisan makeup of 24 Congressional seats, 113 State Senate seats and 297 State House seats nationwide (a state-by-state summary is attached for your reference). Many of these legislative districts are in states where majorities are held by only the narrowest of margins. An adjusted census could provide Democrats the crucial edge needed to prevail in close contests to control several state legislative chambers.

The census does have problems and improvements are needed to insure a successful effort, but an adjusted census ignores the Constitution's call for an ''actual enumeration''. Republican leaders are committed to providing the needed resources for a complete count as directed by the founders. Census adjustment raises many legal, ethical, and technical concerns, yet Democrats faithfully promote it as the solution. Don't be fooled. An adjusted census is part of a long-term Democrat strategy to regain control of Congress and elect more candidates at all levels.

I regard it my duty as Party Chairman to alert you to the consequences on this front, and to request your assistance in stopping a census adjustment. Congress has the ultimate Constitutional authority to decide how the census is conducted, and federal appropriators have moved to halt funding for an adjusted census. Conference review of this issue is scheduled to begin today as part of a Supplemental Appropriations bill (H.R. 1469 fiscal year 1997 Supplemental Appropriations Act). We anticipate an attempt to strip this legislation of language that prevents the use of estimates and sampling in taking the census. Despite the concerns outlined here, adjustment proponents have been successful in exploiting Members' local concerns related to federal funding and legislative representation. A census adjustment could shift some federal funding levels, but it should be stressed that the language coming out of conference is planned to be specific for apportionment, and not funding distribution purposes.

It is vital that Republicans be united in opposing an adjusted census. Therefore, I am calling on each state chairman to urge your congressional delegation to support legislative restrictions, and to vote against any amendment that removes such language from the Supplemental Appropriations bill.

Thank you, and please do not hesitate to contact me should you need further information regarding this matter.

Mrs. MALONEY of New York. Mr. Speaker, may I inquire of the time?

The SPEAKER pro tempore. The gentlewoman from New York (Mrs. MALONEY) has 7¼ minutes remaining, and the gentleman from Florida (Mr. MILLER) has 7¾ minutes remaining.

Mrs. MALONEY of New York. Mr. Speaker, I yield 3½ minutes to the gentleman from Ohio (Mr. SAWYER), former chairman of the Subcommittee on Census and an outstanding leader on this issue.

Mr. SAWYER. Mr. Speaker, I thank the gentlewoman from New York for those kind comments.

I, too, rise in opposition to H.R. 472 based on that kind of experience that I have from 1990. The 1990 post-census local review was a well-intentioned but ultimately flawed program to tap the knowledge of local officials in the final stages of the census.

□ 1615

Now, that knowledge ought to be a key element in any orderly count, but in reality in 1990 it became a frantic attempt to make up for deficiencies in traditional counting methods. Unfortunately, the shortcomings of those methods were widespread and systemic. Trying to find missing housing units and determine who lived there 6 months earlier was like looking for a lot of needles already long gone from a very large haystack.

Dr. Bryant has been widely quoted on this floor. On this specific subject she said that the post-census local review was a logistical nightmare and a public relations disaster. The depth and the breadth of the undercount was an obstacle that desperation in the guise of persistence could not overcome.

Recognizing that its counting efforts were falling short, the Census Bureau that year initiated a recanvass of a selected 20 percent of all blocks in the country. That combined effort, put together with the post-census local review, increased the final census count by one-tenth of 1 percent. PCLR was less than one-twentieth of 1 percent.

The decision not to conduct this style of-post census local review in 2000 was neither arbitrary nor isolated. It simply was not a cost effective activity. The GAO concluded that extended reliance on field follow-up activities represents a losing trade-off between augmenting the count and simply adding more errors.

An accurate address list is clearly a critical part of an accurate census. We were amazed in our census review, the gentleman from Wisconsin (Mr. TOM PETRI) and I, to find that every 10 years the Census Bureau starts from scratch to build a new address list. So involving local governments in the development of an address list was critical. It was an equally clear fact that involving them at the end of the process in a frantic effort to close out the census was a failure for both the Bureau and for local officials.

Involving local governments early in the process of developing the lists was better for both the Bureau and for local officials. So we developed the Address List Improvement Act to address those legal constraints, and in 1994 we enacted permission allowing the Bureau for the first time to share address information with the U.S. Postal Service and with local governments ahead of time.

Using this new authority, the Bureau's redesigned census relies on the knowledge of local governments to compile and verify ahead of time a master list file of all housing units before the census starts, when it can do the most good.

We also have to face a difficult fact. Some local governments, not all but some, are not well positioned to provide reliable data on their housing stock. They may lack fiscal resources or technical expertise. The GAO observed that, on balance, local address lists add more error than they correct. There simply comes a time when too many cooks stirring the pot spoil the porridge.

I have discussed this with Director Prewitt at some length, and we agree that a more constructive approach would be for the bureau to provide local governments with frequent reports and up-front involvement in the progress of the address list development and in the count itself as it unfolds.

The legislation of the gentleman from Florida (Mr. MILLER) is a well-intentioned effort to bring the knowledge of local officials to the census process, but I must strongly counsel against tying the Bureau's hands with specific operational requirements, particularly ones that run against the professional judgment of the Bureau's staff, and is clearly not wise in the light of past experience.

The 1990 Post Census Local Review (PCLR) was a well-intentioned, but ultimately flawed, program to tap the knowledge of local officials in the final stages of the census. The Bureau hoped that mayors, county supervisors, and other local officials could help identify obvious gaps in the census counts and direct enumerators to specific neighborhoods where housing units may have been missed.

In reality, as time wore on, PCLR became a frantic attempt to make-up for deficiencies in traditional counting methods. Unfortunately, the shortcomings of these methods (later documented by independent evaluators such as the General Accounting Office and National Academy of Sciences, as well as the Bureau

itself) were widespread and systemic. Trying to find missed housing units and determine who lived there six months earlier (on Census Day) was like looking for a lot of needles already long gone from a very big haystack.

Dr. Barbara Everitt Bryant, Census Bureau director during the 1990 count, told a congressional oversight panel in 1998 that PCLR was ''a logistical nightmare and a public relations disaster.'' As summer faded, local officials in the hardest-to-count areas saw the writing on the wall as traditional methods failed to reach large numbers of households. They viewed PCLR as a final chance to make-up for disappointingly low mail response and painstakingly difficult follow-up efforts that would doom their communities to inaccurate counts. But the depth and breadth of the undercount (more than 8 million people were missed in 1990, according to Census Bureau evaluations) was an obstacle that desperation in the guise of persistence couldn't overcome.

The hard facts about PCLR tell the story. At a cost of $9.6 million, PCLR added about 125,000 people living in 81,000 housing units. Subsequent evaluations estimated that 11.7 percent of the households added should not have been included. Of all local governments invited to participate in PCLR, only 25 percent (about 9,800 of 39,000) did so. Recognizing that its counting efforts were falling short, the Census Bureau also initiated a recanvass of selected neighborhoods in late summer and early fall of 1990. In all, the Bureau revisited 20 percent of all blocks in the country. The combined effort increased the final census count by one tenth of one percent.

The decision not to conduct a 1990-style Post Census Local Review in 2000 was neither arbitrary nor isolated. The Bureau's own evaluations clearly showed that PCLR was not a cost-effective activity. In its comprehensive assessment of the 1990 census, the General Accounting Office concluded:

> During the final stages of data collection the Bureau expends considerable effort to increase the population count, with limited success. The coverage improvement programs provide a vivid illustration of this problem. . . . The results from 1990 also demonstrated that spending more time on fieldwork has questionable value. Extended reliance on field follow-up activities represents a losing trade-off between augmenting the count and adding more errors.

Altogether, the coverage improvement programs accounted for only one percent of the 1990 census count (or 2.4 million persons). Clearly, any redesign of the census process had to consider alternatives to lengthy and costly field operations that did little to reduce the chronic undercounting that plagued poor rural and urban communities and people of color overall.

As Tom Petri and I conducted our evaluation of the 1990 census we quickly came to the conclusion that building an accurate address list was an essential element to an accurate census. Frankly, we were amazed that each 10 years the Census Bureau starts from scratch to build a new address list. It was clear from the two hearings we held on post-census local review that involving local governments in the development of the address list was critical. It was equally clear that involving them at the end of the process in the frantic efforts to close out the census was a failure for both the Census Bureau and local officials.

Working with the Census Bureau, we came to the conclusion that involving local governments early in the process of developing the address list was better for both the Census Bureau and local officials, but that the confidentiality provisions of Title 13 U.S.C. made that very difficult. In addition, the Postal Service told us that the statutes governing their operations complicated providing addresses to the Census Bureau. At the request of the Census Bureau and the Postal Service we developed the Address List Improvement Act to address these legal constraints.

At the request of Congress and the Bureau itself, the National Academy of Sciences convened two expert panels to conduct a comprehensive review of the census process. Legislation mandating one of those reviews asked the panel to study ways to improve direct enumeration methods, alternative methods for collecting the basic population data, and the appropriateness of using sampling methods in combination with direct counting techniques. In relevant part, the Panel on Census Requirements in the Year 2000 and Beyond concluded that: ''It is fruitless to continue trying to count every last person with traditional census methods of physical enumeration. Simply providing additional funds to enable the Census Bureau to carry out the 2000 census using traditional methods . . . will not lead to improved coverage or data quality. . . . [P]hysical enumeration or pure 'counting' has been pushed well beyond the point at which it adds to the overall accuracy of the census. Moreover, such traditional census methods still result in a substantial undercount of minority populations.''

With guidance from the Academy panels, the GAO, the Commerce Department's Office of Inspector General, and congressional oversight and funding committees, the Census Bureau re-engineered the census process to meet the overarching goals of increased accuracy and cost containment. The Census 2000 plan it unveiled in February 1996 incorporates new approaches for developing a complete file of the nation's residential addresses and as I mentioned earlier, legislation enacted in 1994 allowed the Bureau, for the first time, to share address information with the U.S. Postal Service and local governments. Using this new authority, the Bureau's redesigned census relies on the knowledge of local governments to compile and verify a Master Address File of all housing units before the census starts. Unquestionably, an accurate address list will substantially increase the likelihood that all households will receive a census form and that enumerators will visit all households that fail to respond by mail. Equally important, shifting a thorough review of address lists to the front of the process will promote a higher quality census, since information collected late in the census is unquestionably less reliable. As the GAO and other evaluators discovered, as the information-gathering moves further away in time from Census Day, more and more mistakes are made, and the quality of the data greatly diminished.

We also have to face a difficult fact. Some local governments are not well-positioned to provide reliable data on their housing stock. They may lack fiscal resources, technical expertise, or accurate administrative records. As recently as March 1998, the Commerce Department's Acting Inspector General observed that ''on balance, local [address] lists add more error than they correct.'' There simply comes a point when too many cooks are stirring the pot, and the Census Bureau must be able to exercise its professional judgment in deciding how best to compile a comprehensive address file that follows consistent definitions of what constitutes a housing unit.

For jurisdictions that have the capacity to review and confirm a large set of address information, the pre-census activities offer the best opportunity to get it right. Once they do, a 1990-style review after non-response follow-up is completed will do little to address the problem of undercounting that experience tells us in inevitable. If the Bureau starts with an address file that incorporates as much knowledge as local governments can offer, there is no reason to believe that these same governments can improve the search for housing units six months after Census Day. A more constructive approach in my opinion, would be for the Bureau to provide local governments with frequent reports and upfront involvement progress of address list development the count itself as the census unfolds. That way, working together, the Bureau and local officials can pinpoint neighborhoods where response is low and develop targeted efforts to reach those unresponsive households.

I understand that Chairman Miller's legislation to require a 1990-style post-census local review in every census is a well-intentioned effort to bring the knowledge of local officials to bear on the census process. That is an admirable goal and one that should run through all stages of census planning, preparation, and implementation.

But I must strongly counsel against tying the Bureau's hands with specific operational requirements, particularly ones that run against the professional judgment of Bureau staff and is clearly not wise in light of past experience. In 1990, post census local review held out great promise for local governments to improve the accuracy of a census that more and more Americans shunned. In the end, the program didn't meet expectations. But even if it had, we cannot automatically assume that a repeat ten years later is justified.

This country is changing, more profoundly and rapidly than we are able to measure. We will not be the same country in 2000 that we were in 1990, and we must be able to adapt our tools of measurement to accommodate that change. That is why the Census Act (title 13, United States Code) gives the Secretary of Commerce wide latitude in determining how best to conduct the census.

Congress still bears the constitutional responsibility for taking the census, and I do not mean to suggest that we should look the other way while the Census Bureau plans each decennial count. Perhaps the most constructive role for Congress is ensuring that the Bureau is guided by sound scientific and operational knowledge, generated both from within the agency and from outside experts and stakeholders.

Following the 1990 census, the Secretary of Commerce established an advisory committee comprised of a wide range of stakeholder organizations. Local and state elected officials, civil rights advocates, scientific disciplines and data users, community service providers, veterans and senior citizens, educators, and the business community and all represented on the committee. These stakeholders have worked tirelessly over the course of this decade to master the intricacies of census-taking and recommend ways to improve the process

based on their own unique perspectives of the diverse nation we are trying to measure.

The 2000 Census Advisory Committee has prepared a final report that includes recommendations for improving the accuracy of the address file before the census and housing unit coverage during the census. The committee unanimously endorsed a focused local review program that gives local governments an opportunity to review housing unit counts at various levels of aggregation, depending on their ability to participate in the pre-census address compilation program. The committee also endorsed a large post-enumeration survey that can serve as the basis for correcting overcounts and undercounts in the census. Clearly, this diverse group of stakeholders recognized both the potential contribution of local governments in improving the coverage of households, and the limitations of this effort with respect to addressing the persistent problem of differential undercounting.

This committee and other advisory panels focusing on populations of color and relevant scientific disciplines have provided a valuable and necessary check on the Census Bureau's work. Their continual oversight and guidance ensures that the 2000 census plan represents the collective knowledge of the broad community of stakeholders. Congress should encourage the Bureau to incorporate as many recommendations from these key stakeholders as is operationally and technically possible. But we should not second-guess the advice this broad group has issued, nor should we render their substantial effort meaningless by negating or modifying key elements of their proposals.

The subcommittee can make a further contribution to the process, I believe, by encouraging the Bureau to consider the feasibility of these stakeholder recommendations quickly and to implement those proposals that are likely to improve the accuracy of the census. Tying the Bureau's hands with specific statutory requirements for a housing unit check may irreversibly damage a process that by its very nature must be as pliable as it is intricate, and as forward-thinking as it is grounded in experience and history.

Mr. MILLER of Florida. Mr. Speaker, may we have a time status?

The SPEAKER pro tempore (Mr. NEY). The gentleman from Florida (Mr. MILLER) has 7¾ minutes remaining, and the gentlewoman from New York (Mrs. MALONEY) has 3¾ minutes remaining.

Mr. MILLER of Florida. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. DOOLITTLE), the vice chairman of the Subcommittee on Census.

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

Mr. DOOLITTLE. Mr. Speaker, I am not a supporter of the disastrous proposal by the Clinton administration and the minority party in this House to do statistical sampling, for a number of reasons.

I think it is clearly unconstitutional. I think we have a recent Supreme Court decision handed down at the beginning of this year, a fair reading of which would be to conclude that it prohibits both sampling for apportionment of representatives as well as for redistricting purposes within the States.

I think, in the effort to make a more accurate count, in fact it introduces a high degree of subjectivity into the process, and in fact would be less accurate. And even if we accepted the fact that somehow this might be valid, we would have to have it with an administration that we could trust, and this administration is the most partisan one in history.

This is an administration that we cannot trust on the issue, for example, as they have proven with the manipulation of campaign finance laws or of the immigration procedures, all designed to affect the outcome of an election. So the trust threshold is low here.

But let me just say to those that do support sampling that I do not believe this bill, H.R. 472, deters them from their goal. Let me just quote from the committee hearing here that the gentleman from Florida (Mr. MILLER) conducted.

A question was posed by the chairman to Dr. Prewitt, the census director. ''Does post-census local review impact sampling, because I have heard that one of the reasons you are opposing it is that it will make it harder to do the sampling adjustment?'' And Dr. Prewitt answered: ''No, sir. I do not know on what basis that would have been suggested to you.'' And then the gentleman from Florida (Mr. MILLER) replied, ''So the post-census local review has no impact, to your knowledge, on the 300,000 sampling process; right?'' Dr. Prewitt responded: ''No.''

So I think it is clear that the Clinton administration's census director does not believe that this is going to threaten sampling, which we oppose, but which I submit this bill does not impact.

I would, though, like to draw my colleagues' attention to the fact that there is strong support for the post-census local review. Now, we can all understand that, can we not? Yes, the U.S. Government, through the Census Bureau, is charged with doing the census every 10 years. But we also have a principle in this country that we all know called federalism, and post-census local review is perfectly consistent with this principle.

Even from Thomas Jefferson forward we have known that the government which governs least governs best, and that government should occur at the most local level. Now, my Democratic colleagues claim Thomas Jefferson. I claim him, too. I have never understood why we did not have him in the Republican Party. In fact, I think he was a member of the Democratic/Republican Party, so we could have a Jefferson Day Celebration, too.

But look at this. This is the testimony of Alex G. Feteke, who is the mayor of Pembroke Pines, Florida. This was testimony for the National League of Cities before the Subcommittee on Census given earlier this year. Here is what he had to say: ''The National League of Cities enthusiastically supports the Local Census Quality Control Act, H.R. 472. This bill will provide our Nation's cities and towns with the much-needed post-census local review process.''

And then we have here the testimony of Lanier Boatwright, President of the National Association of Developmental Associations, representing 77 million Americans: ''The precensus activities, such as local update of census addresses program, are not adequate substitutes for post-census local review. Local governments should have an opportunity to ensure the accuracy of the census numbers before they are final.''

And I would like just to conclude with this thought, Mr. Speaker. In 1990, there were 400,000 errors that were corrected as a result of this, and they only had 15 days to check it over. This bill gives them 45 days. We believe there will be an exponential increase.

In 1990, we added 80,000 housing units, 198,000-some housing units to the right block, and 101,000 housing units were counted in error and were removed. A correction in either direction assures accuracy and fairness, and that is what we seek: accuracy and fairness, consistent with the Constitution of the United States.

I strongly urge an ''aye'' vote for H.R. 472.

Mrs. MALONEY of New York. Mr. Speaker, I yield myself 15 seconds.

The gentleman quoted Dr. Prewitt from the Census Bureau. I request to put in the RECORD a letter of April 12 to me, and I would like to quote and put in the RECORD directly his response. He said, ''The operation proposed in H.R. 472 will harm the ability of the Census Bureau to carry out its basic mission of providing the most accurate census counts for all purposes.'' And to end his quote, he says, ''It would put the census at risk''.

Mr. Speaker, I provide for the RECORD the letter I just referred to.

U.S. DEPARTMENT OF COMMERCE,
BUREAU OF THE CENSUS
Washington, DC, April 12, 1999.

Hon. CAROLYN B. MALONEY,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE MALONEY: I apologize if my responses to the question(s) regarding H.R. 472 have left any uncertainties about its impact on the overall accuracy of the census. I welcome this opportunity to make the record clear, especially because the amount of time available during the hearings to address H.R. 472 was limited by the need to respond to the full agenda of issues of interest to the Subcommittees.

In assembling the plan for a census, the U.S. Census Bureau reviews the strengths of a large number of operations, first considering each on its own merits. We then assess the relative effectiveness of each operation, for the final design is of course an integrated set of operations. It is this integrated set that constitutes the design that in the professional judgment of the Census Bureau will provide the best census results within the available time.

In assembling the final design, the Census Bureau did not exclude the Post Census

Local Review in order to include the Accuracy and Coverage Evaluation procedure. Decisions on the desirability of these operations were mutually exclusive. In 1990, the Post Census Local Review process proved to be so cumbersome that 75 percent of all local governments did not participate in the exercise, resulting in the addition of only one-twentieth of one percent to the overall count, or about 125,000 persons. Census Bureau professionals, relying on a decade of experience, analysis and testing, designed a new and better way to involve local governments in the effort to count everyone. This new operation, called Local Update of Census Addresses, or LUCA, enables local governments to verify the addresses in their communities before the census is conducted.

Similarly, the Census Bureau included the Accuracy and Coverage Evaluation on its merits. It is the only effective procedure that will inform the Census Bureau and the country about the accuracy of the original count based on the mailback, telephone/interview operations, and nonresponse follow up. The accuracy measurement represented by the Accuracy and Coverage Evaluation will provide the greatest level of accuracy for census data for uses other than reapportionment, such as redistricting, federal funds allocation, and population estimates. It is designed specifically to address the differential undercount experienced in prior censuses and anticipated in 2000.

In making these determinations, there was no trade-off between the two programs, just as there was no specific trade-off between any of dozens of other operations excluded and included. Census 2000 represents an integrated set of operations that was selected over many alternative sets.

At this late stag in the decennial cycle, any new operation of the magnitude of the Post Census Local Review would adversely affect the timing and quality of census operations, including the Accuracy and Coverage Evaluation. I have testified, and here reemphasize, that an integrated operation of the complexity of the census—correctly described as the largest civilian mobilization in the country's history—cannot now be redesigned without degrading accuracy and placing timely completion at risk.

In conclusion, to directly address your question, the operation proposed in H.R. 472 will harm the ability of the Census Bureau to carry out its basic mission of providing the most accurate census counts for all purposes. More specifically, H.R. 472 as proposed would obligate the Census Bureau to send to all cooperating jurisdictions an incomplete household file; or, if we delayed sending it until we had completed that work our ability to produce apportionment counts by December 31, 2000, as required by law, would be put at risk.

Sincerely,

KENNETH PREWITT,
Director.

Mrs. MALONEY of New York. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. RUSH).

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

Mr. RUSH. Mr. Speaker, I want to thank the gentlewoman for yielding me this time, and I want to commend her on the outstanding work she has done on this issue.

Mr. Speaker, I rise today to speak on behalf of every U.S. citizen, black and white, old or young, rich or poor, city dweller and rural resident. Every U.S. citizen is important to the very fabric of our Nation and deserves to be counted, not ignored. Unfortunately, this is the overall effect of H.R. 472, the bill that my Republican colleagues want to pass.

I live in a city that still suffers from the 1990 census undercount. Chicago's undercount is the third highest among America's cities, with an estimated 68,000 people missed. A disproportionate number of those undercounted citizens were minorities. This is wrong and must be corrected.

In a bipartisan manner we must include every American, we must vote in opposition to 472. Any other vote is wrong, wrong, wrong.

Mrs. MALONEY of New York. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. WYNN).

Mr. WYNN. Mr. Speaker, I thank the gentlewoman for yielding me this time, and I rise in strong opposition to H.R. 472.

Mr. Speaker, this is not the way we ought to go in terms of doing the most important job we have, which is counting the American public. Obviously, the census determines the allocation of resources across our country.

What do we know? We know the last time we tried to do this we had numerous mistakes. We missed 8 million people. We double counted 4 million people. We are trying to correct this, and the scientific community says that the most accurate method for counting Americans is through statistical sampling.

Why is that relevant today? Because this bill, sometimes described as a Trojan horse, will say that we will give local communities opportunity for participation. The effect of this bill is to deny the Census Bureau the opportunity to conduct statistical sampling. What happens is the resources needed in time for sampling are drained away by local participation. But because local participation always sounds like a good idea, they think they can get away with it.

Under current law we can have local participation, and we should have it. Enhanced participation is provided for under current law. In addition, the Democrats are supporting the Maloney amendment which would provide enhanced local participation.

We can have local participation, we should have statistical sampling, we should not have this bill.

Mr. MILLER of Florida. Mr. Speaker, how much time do we have remaining?

The SPEAKER pro tempore. The gentleman from Florida (Mr. MILLER) has 2¾ minutes remaining, and the gentlewoman from New York (Mrs. MALONEY) has 1½ minutes remaining.

Mr. MILLER of Florida. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. SHIMKUS).

Mr. SHIMKUS. Mr. Speaker, I would like to bring up correspondence which I received from the City of Carlyle. Mayor Schmitz wrote to me in support of the post-census review and included a memorandum from one of his staff, Ms. Jean Parson, which discusses this issue in detail.

Ms. Parson, in her memo to Mayor Schmitz writes: ''In the old program, the Census Bureau conducted the census and then we had an opportunity to review the count and challenge anything that didn't quite look correct to us. Under this program, as I understand it, our only input is in the formulation of an address list.''

She goes on, ''I have spent many hours reviewing their list. I spent time with the postmaster comparing our lists, and then made corrections to the census list. This entire process was extremely confusing and I have had my doubts if my changes will even be made. I also am sure that I didn't pick up every problem in the list. It is just too complicated and time-consuming.

''I guess I'm just getting old, but the old way seemed to work. If we have no opportunity to review the final list, we will not have an accurate count.''

One final quote from Ms. Parson: ''Communities are not well represented at the meetings I attended, and I have spoken to many community leaders who were not even aware of the changes.''

''I'm sure this is because of mailings not reaching the appropriate people. Anyway, this process could be very damaging to those communities who did not participate in the address review process. It is possible that they will have changes. . . . and interest could increase between now and census time, and it will be too late for them to have any input.''

Mr. Speaker, the localities in my district are confused. It appears that many have not even heard about LUCA and by the time they do they aren't even sure that their changes are being recorded.

Let's listen to our local governments and give them the right to challenge the census bureau.

I plan on supporting H.R. 472 today and I urge my colleagues to support this common sense legislation.

Mr. Speaker, I ask my colleagues to support this. Our small communities are begging for the ability to be involved in this process.

□ 1630

Mrs. MALONEY of New York. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. FARR).

(Mr. FARR of California asked and was given permission to revise and extend his remarks.)

Mr. FARR of California. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, there is no rocket science in this. The Federal Government since history has been required to do a census every 10 years. We do not need to pass any law to do that. We created the Census Bureau to do it. So if we are going to pass a law at this stage, we really are going to pass a law to restrict how we do the census, and that is what this bill does and that is why it should be rejected.

Essentially, no bill is necessary. So this bill comes along and it only addresses post-census review, which is

letting local governments review it. But then if we read the bill, throughout the bill, on page 2, line 23; page 3, line 3; page 3, line 19; page 4, line 5, all those times and dates restrict the ability of local government to have a review of the process. And, essentially, if we restrict local governments, we restrict local voices to comment on what is going to affect the revenues that they are going to receive because of the undercount that occurs.

Basically, we know there is a partisan battle going on here. The more people that are counted in this country, the more people that are probably Democrats, the less people that are Republicans. So let us quit this partisan fight and have no bill at all.

The SPEAKER pro tempore (Mr. NEY). The gentlewoman from New York (Mrs. MALONEY) has 30 seconds remaining.

Mrs. MALONEY of New York. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, the record is clear. We need to defeat this bill. The U.S. Conference of Mayors in a letter this week said, ''A lengthy 1990 style post-census local review will do very little to address the persistent undercount problem. We urge you to oppose any legislation that places at risk the Census Bureau's ability to conduct a timely, post-enumeration survey.''

We should let the professionals at the Census Bureau do their job. We should stop trying to micromanage the census. We should support an accurate census and defeat H.R. 472.

Mr. MILLER of Florida. Mr. Speaker, I yield myself the balance of the time.

Mr. Speaker, during the debate the other side kept referring to sampling, sampling, sampling, and I keep saying the Supreme Court ruled it illegal. So we just need to do the best job we can and address the undercount.

Yes, there was an undercount. We need to do everything we can to eliminate that undercount, and post-census local review is one way to help eliminate the undercount. It solved 400,000 mistakes back in 1990. They added 125,000 people. Those people count. So why can we not use it? Why would we even be opposed to it?

Now, the two criticisms I have heard today was, one, it was going to delay the process by 45 days, by 9 weeks. This takes place parallel at the same time as the sampling plan or the Census Bureau is proposing to use a sample of 300,000. So it should not delay it. It was used in 1990. It did not delay the census in 1990. And so it should not delay it this way around.

The other argument is that we have this LUCA program that we allow people to get involved in before the process. That is good. We want people to be involved. But every community is not involved in that. So the idea is that is a before, this is an after. It is kind of like an audit of the books.

What is there to be afraid of? It is just a chance to check it. I know it is a pain, and maybe it is a lot of trouble for the Census Bureau. It is not like it is a huge sum of money. It was $7 million in 1990. So it is not the money issue, when we are spending billions of dollars on this issue. What it is is it is an issue of trust and accuracy, accuracy because we can add people.

Because mistakes are made. As the gentleman from Illinois (Mr. CRANE) said, in Elk Grove village in Illinois they missed a whole subdivision they were able to catch before it was too late. That is getting accuracy. And then we get back to the issue of trust. Let the local officials have one final shot to say, were there any mistakes? Were there any subdivisions missing? That is all we are talking about. It is a good piece of legislation.

Mr. KOLBE. Mr. Speaker, I rise in strong support of H.R. 472, the Post Census Local Review Program. This program which was dropped by the Clinton administration has strong support from my local government officials and needs to be reinstated.

In Arizona, we have experienced unprecedented growth during the 1990's. Small towns like Oro Valley have quadrupled in size between 1990 and 1999.

The following is from a letter written by Mayor Paul Loomis of Oro Valley.

> Because of this rate of growth and our changing community we feel the Post Census Local Review program is very important in order for Oro Valley to receive our fair share of State and Federal funds. The town of Oro Valley does want the opportunity to correct mistakes before the Bureau of the Census finalizes the year 2000 count.

Pima County wants the opportunity to make sure the families in houses occupied in the last few months before the census are included in the count and to verify that areas containing concentrations of ''hard to count'' populations are counted. In some areas we have 6,000 residential building permits outstanding and many of these ''addresses'' will become valid after the local update of census addresses is completed.

In Cochise County, we are finishing a decade long addressing project during which we named or renamed 3,000 road and addressed more than 85,000 parcels. In Bisbee, the city is worried that due to the unique and difficult topography, many small neighborhoods and small enclaves of homes in side canyons and hidden basins will be missed.

Mr. Speaker, the Supreme Court has ruled that we must have an actual count; that is not the issue here. The Post Census Local Review Program is merely an opportunity for the local officials who know their communities to look at the census results and verify their accuracy. Calling such a program ''unfair'' stretches the credibility of any thinking person.

Mr. HOEFFEL. Mr. Speaker, I rise in support of the Maloney amendment to H.R. 472, the Local Census Quality Control Act.

The Maloney amendment would allow local governments to get involved in reviewing census plans in their area in a fashion which will allow the Census Bureau to execute its plan on schedule. The Census Bureau studied its 1990 procedures and have proposed updated methods which will be more accurate and more efficient. The Maloney amendment is compatible with these recommendations, and will allow the Census Bureau to produce the most accurate count possible of American citizens.

An accurate count is critical to every state, district, and town in this country—including my own district in Pennsylvania. As my constituents know, an inaccurate count has real effect on real people.

In the Norristown Area School District, inaccurate procedures employed during the 1990 census undercounted the number of poor children by 60 percent, dropping the count of impoverished students from 1,375 in 1980 to 541 in 1990.

But Norristown administrators experienced a different reality: not 541, but 3,348 kids received free and reduced lunches each day—that's 1 out of every 2 students.

This undercount resulted in real budget cuts for Norristown schools: Federal assistance to Norristown dropped each year from $1.4 million in 1992–93 to $652 thousand in 97–98. That's only 47 percent of the original budget—less than half.

These cuts have resulted in actual reductions of Title I services to students. The Norristown school district was forced to reduce its number of Title I teachers, and the number of students they served. Title I programs provide special instruction in reading and math to the kids most in need of help, so they have a chance not to fall behind, but to excel.

So the end result of the 1990 census' undercount: If we cut out disadvantaged children from the census, we cut out their opportunity to get a solid education and a promising future. Congress should not allow this to happen.

H.R. 472 ignores the expert advice of the Census Bureau and keeps the same 1990 procedures, which unfairly excluded these impoverished children in my District. I cannot support the underlying measure.

What should our criteria be for a good census?

The census should be accurate: Congress allow the Census Bureau to use the methods that produce the most accurate results: statistical sampling. The Bureau is following the recommendations of the scientific community and other experts.

The census should be efficient: The 2000 census will cost $4 billion with modern statistical methods, and $7.2 billion without them. H.R. 472 would also add at least nine weeks to the counting process. That doesn't make sense.

Most importantly, the census should be fair: In our democracy, to be uncounted is to be voiceless, and to be voiceless is to be powerless. We should not overlook children, minorities, and the poor. In 1990, the undercount of African-Americans, Hispanics, and Native Americans was three times that of the general population. Congress can and should correct this.

I urge my colleagues to vote for the Maloney Amendment to H.R. 472.

Ms. KILPATRICK. Mr. Speaker, today I rise in strong and stringent opposition to H.R. 472, the so called Local Census Quality Check Act. The bill is more properly titled the Local Census Quality Destruction Act. This bill which Republicans argue allows local governments to participate in the results of the Census is a deceptive trick by the Republican Majority intended to delay the Census results solely—let me repeat—solely for political gain. The enactment of this legislation could add up to 9

weeks to a complex process that must be completed in the short span of a year. H.R. 472, will extend the completion of the Census so that there will not be enough time to make statistical corrections. Local government participation is extremely important, however, the Bureau has already recognized this fact. The 2000 Local Update of Census Addresses (LUCA) already gives local governments an important and expanded role in enumerating their populations by assisting the Census Bureau to accurately verify local addresses prior to the mailing of census questionnaires. In fact, twice as many local governments have taken advantage of this aspect of the 2000 census as compared to the Post Local Census Review of the 1990 Census.

Today you will hear the majority argue extensively that modern scientific methods are unconstitutional, or that modern statistical methods are inaccurate or wasteful. Do not be fooled. Most Republicans who oppose this bill could care less about the accuracy of the Census. They take comfort in knowing that the Census will be conducted in a manner similar to the way it has always been conducted because it serves their political ends.

In 1990, the traditional head count missed 8.4 million Americans—4.4 million Americans were counted twice for a net undercount of 4.0 million people—52 percent of this undercount, 52 percent were children. In my home state of Michigan, almost 1 percent of all minorities were undercounted. Most of those not counted were the poor and underserved. In 1990, the undercount averaged 1.6 percent of the population. The under count of minorities was far worse—4.4 percent of African-Americans were not counted; 5.0 percent of the Hispanic community was not counted and 4.5 percent of our nation's Native Americans were not counted.

Republcans in Congress who oppose this measure do so for very specific reasons. It is rumored that the Republican leadership believes that they could lose between 12 to 24 seats in the House of Representatives if modern scientific methods are allowed. In light of this possibility they have amassed an all out offensive to redirect or derail the use of modern statistical methods in the Decennial Census. In addition to bills like this one here today, keep your eyes peeled for the massive media campaign that the leadership is planning to use to obstruct the benefits of modern statistical methods.

If I still have not convinced you of the misguided intent behind this bill, let me point you to the opinions of others. Dr. Kenneth Prewitt, the Director of the Census Bureau, who was appointed by the Republican Bush administration, supports the use of modern scientific methods. He has also stated that the enactment of H.R. 472 is neither timely, effective, nor cost efficient. The American Statistical Association, the Population Association of America, the National Academy of Sciences, the Cities of Los Angeles, Houston and my home city, the city of Detroit all support the use of modern scientific methods for the census. There are even a few Republican members here in the Congress who recognize the importance of using modern scientific methods to enumerate our population.

There is too much riding on the accuracy of the Census. The accuracy of the count is fundamental to the very concept of a government for, of and by the people envisioned by our Constitution's Framers. More than $100 million in federal grants is distributed based upon census numbers. This money goes to state and local governments for the programs that benefit roads, schools, job training, medicaid, and other important social services. It is only right that all Americans be accounted for in our Decennial census process. Delaying the Census, as H.R. 472 does will only ensure that this is not the case.

Mr. BURTON of Indiana. Mr. Speaker, I am pleased to be here today to support H.R. 472, The Local Census Quality Check Act. This bill was one of seven pertaining to the Census that were recently reported out of the Government Reform Committee. This series of commonsense Census bills will help to ensure the most accurate count for the year 2000 Census.

I want to congratulate the Census Subcommittee Chairman, Mr. MILLER, for putting together this very positive legislative package. Chairman MILLER is the author of H.R. 472. He has done an excellent job under very difficult circumstances and is to be commended for his efforts.

Some of my Democratic friends have accused us of micro-managing the Census. Well, there are some real problems over at the Census Bureau, and we need to take a hard look at them. That's not micro-managing, that's responsible oversight, which is our job. The voters didn't send us here to sit around and twiddle our thumbs. When there are problems, they expect us to solve them.

One of the problems that we have is that it doesn't look like the Census Bureau is doing everything they can to count every American. The Supreme Court has ordered them to do a full enumeration for reapportioning congressional seats. They may very well order them to do only a full enumeration. That remains to be seen. They do not appear to be taking the steps they need to count the hard to count populations, which is why this bill should be passed.

H.R. 472, The Local Census Quality Check Act is designed to get more people to participate in the Census. It will help to get a more accurate count and reduce the undercount. Local and tribal governments are the ones who need accurate Census data the most, and it is important that they are able to trust the Census counts. Post Census Local Review provides the opportunity for local governments or their designees to review official Census household counts in their jurisdictions before the Census numbers are final. Under this bill, local governments would be given 45 days after the completion of the nonresponse followup stage of the Census to review the official housing counts noting discrepancies for possible challenges. Post Census Local Review added 124,000 people to the final count of the 1990 Census.

I just can't understand why anyone would be opposed to consulting with local governments to make sure that the numbers are right. This just makes common sense. The Census Bureau used this Post Census Local Review program in both 1980 and 1990 Censuses. For the 2000 Census, the Census Bureau has decided not to provide local governments with this opportunity, which is wrong.

This bill shows that we're committed to counting every single American, whether they're a minority or not, whether they live in the inner city or the suburbs. I believe this bill will pass on its merits. We want everyone to be counted, and I wish the Clinton administration would join us in that commitment.

Mr. STARK. Mr. Speaker, I rise today to call for the use of modern statistical methods in order to assure an accurate census in the year 2000. Without this, the undercount of the urban and rural poor and minorities will persist.

H.R. 472, the Local Census Quality Check Act, would prevent the use of statistical methods by requiring the use of a postcensus local review as part of each decennial census.

Representative DAN MILLER's bill would require the Census Bureau to review the count of local addresses a second time—nine weeks after the census field work is done. This new requirement will consume so much time that the Census Bureau will be unable to carry out its plans to use modern statistical methods. The 2000 census will suffer from the same flaws as the 1990 census—millions of people missed and millions of others counted twice.

Mr. Speaker, an accurate count is essential to California. The population in the 13th district of California was undercounted by 11,857 for the years 1991–1999. This translated into nearly $32 million in lost federal funds. In addition to formula funds, hospitals and community clinics which provide vital services in our communities use census data to determine where to build and whom to serve. Without an accurate count, our citizens will again be denied essential services.

This legislation is opposed by the National Association for the Advancement of Colored People, the National Asian and Pacific Legal Foundation, and the National Association of Latino Elected and Appointed Officials, and for good reason. The 1990 Census missed 8.4 million people, miscounting children, the poor, and people of color. The requirements in H.R. 472 would further undermine the accuracy of the next census, and would compromise our constitutional assurance of ''one American, one vote.''

It is critical that we put partisan policies aside and work to ensure an accurate census in 2000—for poor and minority Americans in California and throughout the nation.

The SPEAKER pro tempore. All time for general debate has expired.

It is now in order to consider an amendment in the nature of a substitute.

AMENDMENT NO. 1 IN THE NATURE OF A SUBSTITUTE OFFERED BY MRS. MALONEY OF NEW YORK

Mrs. MALONEY of New York. Mr. Speaker, I offer an amendment in the nature of a substitute.

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

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

Amendment No. 1 in the nature of a substitute offered by Mrs. MALONEY of New York:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Local Participation in the Census Act''.

SEC. 2. CENSUS LOCAL PARTICIPATION.

(a) IN GENERAL.—Subchapter II of chapter 5 of title 13, United States Code, is amended by adding at the end the following:

''§ 142. Census local participation.

''(a)(1) The 2000 decennial census shall include the opportunity for local governmental

units to review housing unit counts, jurisdictional boundaries, and such other data as the Secretary considers appropriate for the purpose of identifying discrepancies or other potential problems before the tabulation of total population by States (as required for the apportionment of Representatives in Congress among the several States) is completed.

''(2) Any opportunity for local participation under this section shall be provided in such time, form, and manner as the Secretary shall (consistent with paragraph (1)) prescribe, except that nothing in this section shall affect any right of local participation in the 2000 decennial census otherwise provided for by law, whether under Public Law 103–430 or otherwise.

''(b) Any opportunity for local participation under this section in connection with the 2000 decennial census should be designed with a view toward affording local governmental units adequate opportunity—

''(1) to assure that new construction, particularly any subsequent to April 30, 1999, and before April 1, 2000, is appropriately reflected in the master address file used in conducting such census;

''(2) to verify the accuracy of those units or other addresses which the United States Postal Service has identified as being vacant or having vacancies; and

''(3) to assure that the Secretary has properly identified the jurisdictional boundaries of local governmental units, consistent with any measures taken under Public Law 103–430 and any other applicable provisions of law.

''(c) Any opportunity for local participation under this section shall be afforded in a manner that allows the Secretary to derive quality-control corrected population counts (as recommended by the National Academy of Sciences in its final report under Public Law 102–135 and as proposed in the census 2000 operational plan as part of the Accuracy Coverage Evaluation program) on a timely basis, but in no event later than the date by which all tabulations of population under section 141(c) (in connection with the 2000 decennial census) must be completed, reported, and transmitted to the respective States.

''(d) As used in this section—

''(1) the term 'decennial census' means a decennial census of population conducted under section 141(a); and

''(2) the term 'local governmental unit' means a local unit of general purpose government as defined by section 184, or its designee.''.

(b) CONFORMING AMENDMENT.—The table of sections for chapter 5 of title 13, United States Code, is amended by inserting after the item relating to section 141 the following:

''142. Census local participation.''.

Amend the title so as to read: ''A bill to amend title 13, United States Code, to require that the opportunity for meaningful local participation in the 2000 decennial census be provided.''.

The SPEAKER pro tempore. Pursuant to House Resolution 138, the gentlewoman from New York (Mrs. MALONEY) and a Member opposed each will control 30 minutes.

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

Mrs. MALONEY of New York. Mr. Speaker, I yield myself such time as I may consume.

My amendment will fix some of the underlying problems of the bill that is before us. But, in the final analysis, this is a very bad bill and should be defeated.

There are three things wrong with H.R. 472. First, it calls for a repeat of a failed program in the past. Second, it does not address the fundamental failure of the 1990 census, the large undercount for minorities. Third, this bill will prevent the Census Bureau from being able to correct the final population counts for the millions of errors that are inevitable.

The supporters of this bill have proudly claimed that it makes permanent the local review program from the 1990 census. Why would we want to make permanent a program that failed miserably in 1990?

Let us look at the record on post-census local review. Only 16 percent of local governments participated. The additions to the address list amounted to less than one-tenth of 1 percent. That means that more than 99.9 percent of the address lists went unchanged. Local review had a nearly 20 percent error rate. That means that one out of every five addresses added to the census was wrong, thus making the census less accurate.

In simple language, local review, as it was done in 1990, did not work for the census and it did not work for the local governments. The good thing about the Census Bureau is that they work very hard at trying to fix the things that do not work in the census, and that is just what they are doing now with local review.

For 2000, the Census Bureau, spurred on by Congress, decided that it would be better to work with local governments before the census rather than to try to fix it afterwards, and that is exactly what they are doing.

The 1990 local review covered less than one-tenth of 1 percent of all addresses. The 2000 local review has already covered 86 percent of all addresses, and they are still working. This is an improvement of over 1,000 percent.

Why do my colleagues on the other side of the aisle want to go back to a system that is 1,000 times less effective? The Republicans claim they are trying to help local governments, but a large number of mayors and other local officials oppose H.R. 472.

The mayor of Dade County, Florida, said, ''I urge you to oppose H.R. 472.'' The mayor of Detroit, the mayor of San Francisco, the City Council of New York and Los Angeles all are opposed to this bill. And let me share with my colleagues just a few of the editorials around the country.

The Sacramento Bee says, and I am quoting from an editorial since my colleagues on the other side of the aisle are saying that I am partisan, let us go to a nonpartisan, independent opinion molder. The Sacramento Bee says, ''At the eleventh hour, Republicans in Congress are proposing legislation that seeks to significantly change census methodology and procedures, adding costs, confusion and, most critically, time to an already tight schedule. Post-census local review was tried in 1990 and 1980 and, according to a Republican former Census Bureau director, turned out to be a logistical and public relations nightmare. The real Republican goal here seems obvious, delay.''

According to the Houston Chronicle, ''One side is so clearly wrong. Republicans fear the more accurate numbers will give Democrats an advantage. But Texas GOP lawmakers ought to put their constituents above narrow partisan interests.''

The Miami Herald says, ''Republicans will prevent an accurate census at any cost. The House Government Reform Committee voted to throw as many monkey wrenches as needed into next year's count with bills that will delay a true count, delay it until all those initially overlooked, black, brown and other minority faces, no longer count. When these bills get to the House, common sense should trump partisan politics.''

And I could put in many, many more. But, Mr. Speaker, what is most disturbing about this bill is that it will prevent the Census Bureau from being able to correct the census for the millions of people missed or the millions of people counted twice. It is those errors that make the census blatantly unfair. It is those errors that will leave millions of people unrepresented in Congress and left out when Federal funds are distributed.

My colleagues across the aisle want to make sure that these millions are permanently left out of the census and to make sure that the millions counted twice are forever left in. Why?

This bill will do nothing to make the census more accurate. My colleagues want the errors left in the census because they believe that these errors create for them a political advantage. Remember the Republican spokesperson who was quoted in the paper who said that this is a ''do or die'' for the Republican Party? Not ''do or die'' for the American people. Not ''do or die'' for democracy. Not ''do or die'' for our country. Not ''do or die'' for accuracy. But the quote from the Republican spokesperson was, ''do or die'' for the Republican Party.

The supporters of H.R. 472 cannot hide from the fact that their entire census agenda is aimed at making sure that millions of minorities are not counted in the next census.

Mr. Chairman, my amendment in the form of a substitute is specifically drafted at two areas that were of concern that was raised by local governments; and these concerns can legitimately be addressed, and they are new construction and boundary problems.

In addition, my amendment calls for any program on new construction or boundaries to be coordinated with all of the other parts of the census to assure that we get the most accurate count possible.

I urge my colleagues to vote for my amendment and save us from the disaster awaiting if H.R. 472 is passed without change.

The Conference of Mayors agrees. The overwhelming majority of the editorial boards across this country agree. Defeat 472 and vote for my amendment.

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

Mr. MILLER of Florida. Mr. Speaker, I rise in opposition to the Maloney amendment. It is, basically, a gutting amendment. It just guts the whole idea of post-census local review.

We know in 1990 there were 400,000 errors that were determined. We added 125,000 people. I think those are important people. We need to count people. We need to get the most accurate census, and this helps make it more accurate and builds trust. That is what this is all about.

What, basically, the Maloney amendment does is it defeats the very nature of H.R. 472 by requiring that all local review take place prior to census day. This is called post-census local review. It prevents the possibility of doing it afterwards.

The amendment affords the Secretary of Commerce the ability to exclude any post-census local review. Well, he has already stated he is opposed to it, so we are basically doing away with it by giving him the power to say, ''well, we do not want it.''

This is really getting politics more involved in it. We need to trust our local communities to know the right way to do it, be part of the process. It worked in 1980. I am amazed that somebody said it was a failure in 1990. If we added 125,000 people, are they not real people? Is that not really important? And we corrected these other mistakes.

So I urge opposition, that we have a ''no'' vote on the Maloney amendment.

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

Mrs. MALONEY of New York. Mr. Speaker, I yield 3½ minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

□ 1645

Ms. NORTON. Mr. Speaker, never have the Republicans looked worse than they look today in their support of H.R. 472. Because for the first time in American history, the Republicans are trying to force an inaccurate census on the American people. Bad enough that H.R. 472 is the opposite of what all the census professionals, all the statistical experts, what the National Academy of Sciences say gets you accuracy. But what is worse is who H.R. 472 would keep from being counted. I am going to call the roll for you. Because they are first and foremost children, then they are people of color, then they are immigrants, and they are people from big cities, and they are people from rural areas. I am going to call their names out because that is who they are. Undercounting at the Federal level means higher taxes at the local level, because somebody is going to pay for the services for these people.

The way in which this bill makes the Republicans look, even if that is not your motive, it makes you look as if there are some people you want to be counted and some people you want to be discounted. Let us look at who gets counted twice and who does not get counted at all. 4.4 million people got counted twice in 1990. Do you know who they were? They were affluent people who had two homes, or whose children were away at colleges. They mostly live in suburbs, God bless them. Let us look at who did not get counted. Almost twice as many people did not count at all. There were 8.4 million of them. And let us see who they were. They were kids. They were black people. They were Hispanic people. They were Asians. They were hard-to-reach people in big cities and in rural hovels. That is who they were. This time they demand to be counted.

We know what to do this time. Two things: Involve local communities early, rather than post-census when it is too late to do anything about it. Two, use modern scientific methods that all the experts say are the only way to get a more accurate census. Why do the Republicans, instead of doing what the experts say, hinting at closing down the government, why do the Republicans want to spend $7.2 million on a census the way they would do it while the Census wants to spend only $4 million? Do you want this result or do you want this result? Because this is the result the census would get us, five times as many people were uncounted in 1990.

All three minority group caucuses, the Black Caucus, the Hispanic Caucus and the Asian Caucus, we rarely get together on one press conference, we work on the same issues often but we do not usually get together at the same time. We are working as one on this because we have the most to lose. This, my friends, this issue, H.R. 472, is the most important civil rights issue that will come to the floor of the House in the 106th Congress.

So all three caucuses have come forward to put you on notice, we cannot give this one up, because to do so is to give up our entire community. We have the most to lose. That is why we want local import. H.R. 472 makes a mockery of local import. Give us a colorblind census by counting people of every color. Count everybody. Support the Maloney amendment.

Mr. MILLER of Florida. Mr. Speaker, I yield 4 minutes to the gentleman from Nebraska (Mr. TERRY), a former Omaha City Council President.

Mr. TERRY. Mr. Speaker, I rise in support of H.R. 472 and against the Maloney amendment. I feel particularly strongly about keeping this initiative in place because of my background as an 8-year member of the Omaha City Council. Post-census local review is a highly successful program which affords local and tribunal governments the opportunity to review housing counts in their jurisdiction and challenge those counts before the census numbers are made final.

When local officials in my district and across the country learned of the administration's plan to replace the post-census local review with an estimated second number, they objected, including the mayor of Omaha, Nebraska, Mayor Hal Daub, who submits here today that if the Census Bureau misses a zip code or a housing development, which does happen, we must be provided the opportunity to review and correct that error.

At the city level, we feel very strongly that everyone counts in our community and everyone must be counted. It is the local leaders, the mayors, the city council members, the school boards, who know which neighborhoods have grown and which ones have been left out. These local officials must be empowered.

Doing away with the post-census local review would have serious consequences for the Second District of Nebraska. We have seen explosive growth in our district since 1991 because of the high-tech and information industries as well as the transportation and ag industry. In fact, since about 1991, our Hispanic and Latino population has grown from about 2 to 3 percent to 10 to 12 percent by estimate now. These people deserve to be counted.

Nationally, post-census local review added over 80,000 housing units to the count in 1990. The program relocated nearly 200,000. Total corrections as a direct result of the post-census local review totaled nearly 400,000. We cannot argue with those figures.

We cannot ignore local and tribunal officials. These officials know their jurisdictions best and they want post-census local review. If local governments and cities do not want to participate, they are under no obligation to do so. It is a voluntary program.

It is imperative that we allow local officials from smaller cities a voice in how their communities are counted. Communities like the ones I represent fear that without this formal mechanism for local review, only the biggest cities in the Nation with political clout will be heard and those from cities with populations in the thousands instead of the millions will not be heard and our people will not be counted accurately.

Unfortunately, this administration is setting America on a divisive course, pitting small States against large States, small cities against large cities. We depend on an accurate census for our fair share of the representation and our fair share of vital public services. Without giving local communities like ours in Nebraska a voice, the methods the administration plans to use and enabled by this amendment would make cities and counties like those in my district in Nebraska the losers. We cannot allow this to happen.

Mr. Speaker, local governments place their trust in us to assure a fair census, that we in fact count everyone. Post-census local review is a small but vital way to live up to that trust.

I urge all to vote against this amendment and for H.R. 472.

Mr. Speaker, I include the following letter for the RECORD:

REPUBLICAN MAYORS AND LOCAL OFFICIALS,
Washington, DC, March 18, 1999.

Hon. WILLIAM JEFFERSON CLINTON,
President of the United States of America, Washington, DC.

DEAR MR. PRESIDENT: It is time to place policy over politics and save the 2000 Census from failure. The recent announcement by Census Bureau Director Ken Prewitt, that the Administration is going to attempt a two-number census causes us great concern.

For the first time in history, Americans will be presented with two numbers measuring the same population: the Supreme Court number as mandated in the January 25th decision and the confusing and admittedly estimated second number supported by your Administration given to the states for purposes of redistricting and other functions. The U.S. Constitution is clear in calling for an ''actual enumeration'' of individuals residing within our borders.

In addition, cities have been told that your second number will serve to replace worthwhile and legitimate improvement measures such as Post Census Local Review. It won't. The National Academy of Sciences has said your sampling proposal will have ''considerable variability.'' With all due respect Mr. President, ''considerable variability'' is not good enough. Our communities rely on decennial census for their fair share: fair share in political representation and public monies for vital public services. Post Census Local Review doesn't yield variability—it yields accuracy. If the Census Bureau misses a zip code or housing development, Post Census Local Review will provide local governments with an opportunity to notify the Census Bureau and have the error corrected. Under your sampling proposal, adjustments are distributed throughout a state or across state lines, so cities don't necessarily get the specific adjustments they deserve.

As mayors and local officials, we represent the true stakeholders in the 2000 Census, the American people. We urge you to cleanse the census and drop the second number being proposed by your Administration. We also urge you to reinstate Post Census Local Review so that we can help the Census Bureau count our cities accurately.

Do it for the American people.

Thank you.

Sincerely,

Mayor Hal Daub, City of Omaha, Nebraska, President; Councilwoman Beulah Coughenour, City of Indianapolis, Indiana, Vice President; Vice Mayor Michael Keck, City of Little Rock, Arkansas, Secretary/Treasurer; Mayor Neil Giuliana, City of Tempe, Arizona, Executive Committee; Mayor Rita Mullins, City of Palatine, Illinois, Executive Committee; Mayor Ralph Moore, City of Union City, Georgia, Executive Committee; Councilman Chuck Mosher, City of Bellevue, Washington, Executive Committee; Mayor Lou Ogden, City of Tualatin, Oregon, Executive Committee; Councilwoman Rebecca Ravine, City of Fort Wayne, Indiana, Executive Committee; Councilman Patrick Tuttle, City of Joplin, Missouri, Executive Committee; Alderwoman Lisa Walters, City of Ridgeland, Mississippi, Executive Committee.

Mr. MILLER of Florida. Mr. Speaker, I yield 4 minutes to the gentleman from Georgia (Mr. LINDER).

Mr. LINDER. Mr. Speaker, I rise in support of H.R. 472, the Local Census Quality Check Act. This legislation is a key element of our commitment to assure that every single American is counted in the year 2000 census.

Post-census local review gives officials in every city, county, township and village the opportunity to review the initial results before they become official. This only makes sense. These officials approved the new subdivision that is not on the map. They know the places that mailed forms or a manual count would not reach. They are the best editors that the Census Bureau could ever ask for. This bill empowers them to speak out for their local citizens and prevent mistakes before they occur.

Some of my colleagues across the aisle have argued that local officials are already being consulted. I support those efforts, too. But today less than half of the Nation's local governments have participated in the precensus programs.

Unfortunately, some are using this important legislation to fight old battles that were resolved by the Supreme Court earlier this year. As much as my colleagues across the aisle may disagree, this debate is not about sampling, it is about getting it right the first time. The National League of Cities, the National Association of Towns and Townships, the National Association of Developmental Organizations have asked Congress for this legislation, to be an opportunity to be a partner with the Census Bureau. I urge us all to support this and make sure that the first check of our census occurs on Main Street, not Pennsylvania Avenue.

I must ask the question, what are we trying to hide? What are we trying to slide by? We do not want them participating? This administration cheated with the INS for political purposes in the last election by registering a million new citizens before they had background checks. I would not put it past them to use this method to statistically sample, to manipulate the numbers. What are you trying to hide?

Mr. MILLER of Florida. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. WELDON).

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

Mr. Speaker, I rise today in opposition to the Maloney amendment to the Local Census Quality Check Act. The Maloney amendment has nothing to do with local review and has everything to do with establishing a dictator of the census. Before a local community is allowed to review and comment on census data, they must ask ''Mother may I?''

For Members who may not believe me, let me read the amendment itself:

''Any opportunity for local participation under this section shall be provided in such time, form and manner as the Secretary shall prescribe.''

Let me read further from the Maloney amendment:

''The 2000 decennial census shall include the opportunity for local government units to review housing unit counts, jurisdictional boundaries and such other data as the Secretary considers appropriate.''

This amendment would be nothing more than a ''Mother may I'' amendment. Under this amendment, the rights of the local communities would be ceded to the Secretary of Commerce. This might be the norm in Third World dictatorships, but it has been soundly rejected by the United States.

The Maloney amendment guts the very rights of local communities that this bill would protect. The Maloney amendment would force local communities to beg the Secretary of Commerce for permission to comment on census figures. We do not need a sovereign rule over local communities on this census issue. We rejected a sovereign 200 years ago. The Maloney amendment gives the Secretary the authority to dictate whether or not local governments have any meaningful input in the process.

We all know the Secretary of Commerce has publicly opposed post-census local review. How fair a card will he deal to local communities? It is imperative that we have input and oversight from local leaders at every stage of the census. H.R. 472 is designed to improve the accuracy of the census. It helps pinpoint such problems as clusters of missed housing units or incorrectly displayed jurisdictional boundaries. H.R. 472 protects the rights of local governments to review data before the census is final.

The Maloney amendment should be rejected because it denies local communities this right unless the President's political appointee gives his stamp of approval. Local governments know their jurisdictions better than Washington bureaucrats.

It is time for the Democrats to stop putting politics before the truth and to protect the rights of our local communities. Make no mistake about it, the Maloney amendment is a muzzle on local communities, clear and simple.

Reject the dictator of the census amendment. Vote ''no'' on the Maloney ''Mother may I'' amendment.

Mrs. MALONEY of New York. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. DAVIS).

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

Mr. DAVIS of Illinois. Mr. Speaker, I rise in support of the Maloney amendment and in opposition to H.R. 472, for three basic reasons.

First of all, the director of the Census Bureau testified before the Subcommittee on Census that this bill in its current form, if passed, would put at risk the accuracy of the 2000 census. This bill not only puts at risk the accuracy of the census count but it adds additional time which further delays taking the census.

Secondly, I oppose this bill because I have heard from local governments,

such as the Cook County Board in Illinois and others, who have complained that local census review did not work well in 1990 and will not work well today. Even the U.S. Conference of Mayors has stated that a lengthy 1990 style local review will do little to address the persistent undercount problem.

□ 1700

This bill is a wolf masquerading in sheep's clothing. It looks good, it sounds good and can even make us feel good. But it really is no good and could even bite.

In fact, it is not timely, nor is it cost efficient. It simply serves the goal of tying the hands of professionals at the Census Bureau.

Finally, I oppose this bill because it duplicates what the Census Bureau is already doing. The Census Bureau is already involving local governments in the process on the front end as opposed to the back end through a process known as pre-census review.

I urge that we listen to the wisdom of Dr. Barbara Bryant, who served as Census Bureau Director under the Bush administration in 1990, when she said that post-census local review was a failure. I urge that we listen to the wisdom of Dr. Ken Prewitt, who has said that this bill could derail the accuracy of the census. I urge that we listen to the U.S. Conference of Mayors and others who agree that this bill will do little to address the undercount.

Finally, Mr. Speaker, I urge that we listen to the wisdom of the gentlewoman from New York (Mrs. MALONEY) who has amended this bill so that we can make sure that we get about the business of counting the people.

Mr. MILLER of Florida. Mr. Speaker, I yield 4 minutes to the gentleman from Arizona (Mr. SHADEGG).

Mr. SHADEGG. Mr. Speaker, I thank the gentleman for yielding this time to me, and I rise in strong support of H.R. 472, the Local Census Quality Review Act, and in very strong opposition to the amendment offered by the gentlewoman from New York (Mrs. MALONEY). I think indeed the amendment may be well-intended, but I suggest that its author does not understand the problem faced by western States with vast rural areas.

Let me begin by pointing out this is not a debate about sampling. Rather, this is a debate about creating the most accurate census, indeed a census that counts every single American.

I strongly support, everyone on this side strongly supports, a census that counts every single American, and precisely because we want to count every single American, we believe that a post-census review is critically important.

The efforts which have been discussed on the other side to consult with local government before the census are indeed good and worthwhile and supported by this side. But why? Why would anyone say, having consulted with local government before the census, before Census Day, we will not talk to them afterward? I suggest we cannot possibly get as accurate a count if we only talk with local officials before and not after the census.

And let me point out exactly, and that is what the amendment offered by the gentlewoman from New York (Mrs. MALONEY) does, but let me point out the proponents of the Maloney amendment say, well, it is focused on new construction, and it is focused on addresses which are in dispute. Let me point out that in Arizona we have unique problems. In my State we have tens of thousands of voters who register without an address, who live in such a rural location, many of them Native Americans, that they register by reference to a map like this showing that they live 2, or 3, or 5, or 20 miles north of a given dirt road and 8, or 10, or 12 miles west of a stream, or of a ridge, or of a mountain top. Now that kind of rural situation is not repeated in the State where the author of this amendment comes from. I suggest that when we have those kind of rural conditions as we have on Arizona's Native American reservations and throughout all parts of rural Arizona, it is critically important that we talk with local officials, not just before the census to tell them what they ought to do, to tell them where there are pockets that they ought to go talk to people, but that we talk to them after the census.

Now my colleagues should ask themselves, if the goal here is to produce the most accurate census, why would we want to tie one hand behind our back and say we will not talk to local officials, we will not talk to tribal officials about whether we have found people who register 8 miles north of a dirt road and 20 miles west of a particular stream as their home and identify that is where they live? Why would we not want to talk to them after the census is conducted to see if, in fact, the information we gathered is accurate?

I suggest that the amendment offered by the gentlewoman from New York (Mrs. MALONEY) indeed will not produce a more accurate census. It may produce a more political census, but it will hurt rural voters across America who desperately depend upon local consultation for an accurate census.

Mrs. MALONEY of New York. Mr. Speaker, I yield 1 minute to the gentleman from South Carolina (Mr. CLYBURN).

Mr. CLYBURN. Mr. Speaker, I rise today in opposition to H.R. 472.

The proponents of H.R. 472 will tell us that post-census local review will produce a more accurate count by receiving local input. What they will not tell us is that post-census local review failed in 1980 and again in 1990 to reduce the undercount of our Nation's minorities. The 1990 census missed 8.4 million people, counted 4.4 million twice and put 13 million people in the wrong place. Minorities were the majority of those not counted by the 1990 census which missed 4 percent of all African Americans but only seven-tenths of 1 percent of non-Hispanic whites.

Mr. Speaker, the undercount continues to unfairly deny full representation and equitable services to millions of minorities in America. That is why the professionals at the Census Bureau have already begun a form of pre-census local review called the local update of census addresses. The Bureau is working hand-in-hand with localities to ensure that its address list is as accurate as possible before the census begins, rather than waiting until after it is nearly completed to correct any mistakes.

Mr. Speaker, I urge all of my colleagues to reject H.R. 472 unless the amendment offered by the gentlewoman from New York (Mrs. MALONEY) is adopted.

Mr. MILLER of Florida. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana (Mr. SOUDER), my colleague from the Subcommittee on Census.

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

Mr. SOUDER. Mr. Speaker, I want to thank the gentleman from Florida (Mr. MILLER) for his leadership on this issue. It is a very complicated and difficult issue in the middle of a very partisan atmosphere. Clearly, whether or not we are able to get an accurate count may have an impact on how Congress is distributed, and that is why we see much of the debate here.

I believe we have to have a real count and not an estimate or a guess. Estimating has real problems, and I want to illustrate why local communities, mayors, city councils and county councils are so concerned about having the ability to review this, because our assumptions when we estimate are critical.

Mr. Speaker, let me illustrate by using fantasy baseball. I love to play fantasy baseball. I have a team, and it is based on real daily statistics.

Imagine what baseball would be like if the Census Bureau was in charge of baseball:

Fantasy owners of Mark McGwire would be crushed because he would hit only 36 home runs this year, which is his yearly average. Unless, of course, we use his average for 162 games, in which case he hit 48 home runs. But we could use his 3-year average, which is 60 home runs. But anybody who has Mark McGwire in fantasy baseball is really hoping for more than 60 home runs, so they would not want the Census Bureau statistic.

Then take Sammy Sosa. His Census Bureau number this year would be 27. That is his average yearly number. Who would want Sammy Sosa at 27 home runs if he has got the potential to hit 66 home runs?

Now I have had Andres Galarraga, and I would like the Census Bureau number on Andres Galarraga because

his 3-year average is 44 home runs, and he is out for the year.

But, as my colleagues know, this illustrates the problem with estimating. Estimating for the whole United States is accurate. But the smaller the unit when we do estimating, the less accuracy there is and the more deviation there is because it is more difficult to count.

So when we go down to a census block or the equivalent of an individual player, it is completely unpredictable; over 8 percent, I believe, is the variation, or higher. When we move to the city level or even a city council level to a city, then we become more like a team, and it is also very inaccurate and above the percentage that the estimates of the current census of actual numerical count, if we did it in not the way the Republicans are proposing, because we are proposing to increase the money for local groups to go out and do it, we are proposing to increase any way we need to to get a better real count. But if we just took the traditional problems that they had in 1990 and said this is the way we are going to do a real count, it would still be more accurate at the city level and the block level than estimating. Now when we get to the larger units, estimating starts to work better because we have a larger base to work off of and the people are not moving around.

Now let me illustrate why that is the case, because estimating and the mathematical probabilities are based on very difficult things in this type of situation. The people who are most at risk of being undercounted, and I do not think there is any one of us here who sincerely have worked with the problem who do not believe that counting is very difficult in high-risk populations, which include illegal immigrants; it includes the homeless; it includes anybody who does not want to talk to somebody from the Federal Government.

For example, in Fort Wayne we say we have 120 crack houses, but only 20 or 30 may be operating at a given time because it is really abandoned homes and the people are moving between them. Illegal immigrants may be clustered many in a house, or there may be a couple, or the place may not have them at a given time.

Now what we have proposed to do, and the gentleman from Virginia (Mr. DAVIS) and I, and the gentleman from Illinois (Mr. DAVIS) and I worked on an amendment in committee to make sure that we signed off an amendment that even said groups of color with a marketing background, so we can get people in the community to try to find the people who are hard to count because they do not trust somebody like me walking into a neighborhood. Looks like potentially I am going to count them and they are not going to trust me. We have to find groups in local communities who are trusted, but if we do not get real people, that is why we have estimates in this country, and some big cities that is there is 20,000 homeless or there is 120,000 homeless. Quite frankly, if we estimate on certain assumption that there is 120,000, and there is only 20,000, we are depriving 100,000 other citizens, if we are wrong, of their civil right to vote. That is more than the cities, for example, of Muncie and Terre Haute in Indiana, plus Huntington combined, would be deprived of their right to vote because somebody made an estimate that was high on the homeless as opposed to low.

It does not work. Many of the people who are hardest to count are moving around, and if they are moving around, unless we have a real name, we could quadruple count them.

It is a difficult thing, and it is not a question of sincerity here. I want to get a real count, I want to do everything I can to get the real count, but I am not going to go in for guessing.

Mrs. MALONEY of New York. Mr. Speaker, I yield 1 minute to the gentlewoman from North Carolina (Mrs. CLAYTON).

Mrs. CLAYTON. Mr. Speaker, we all are saying that we want an accurate count. It is what we do when we say that. Indeed, this bill is a fig leaf. This amendment really gives some substance to it. We think we can say anything and say it is local control.

I was a former local county commissioner, and I am from a rural area, and I can tell my colleagues it makes more sense to get more engaged pre-census than post-census, and why would we want to institutionalize a method that only used 10 percent of a local government and call that local involvement?

The amendment offered by the gentlewoman from New York (Mrs. MALONEY) gives some credibility to it. Yes, it does say ''if needed.'' It does not say, ''Mama, may I?'' It says if it is needed, every local government could be involved. We give that authority to the Census Bureau and allow them to make that determination.

The amendment further gives opportunity for new construction, opportunity for change of address.

Mr. Speaker, I urge the support of the amendment offered by the gentlewoman from New York (Mrs. MALONEY) to make this resolution which is very insufficient a sufficient resolution.

Mrs. MALONEY of New York. Mr. Speaker, I yield 1 minute to the gentlewoman from Connecticut (Ms. DELAURO).

□ 1715

Ms. DELAURO. Mr. Speaker, the Maloney amendment enhances the role of local government in perfecting the census address list, while leaving the details to Census Bureau professionals. The Census Bureau Director Ken Prewitt has said that without the Maloney amendment, this bill, the Local Census Quality Control Act, will make the census 2000 neither timely, effective or cost efficient.

It disrupts the Bureau's effort to complete a fair and accurate census on time. It prevents the use of modern statistical methods to count Americans that are missed by the traditional head count.

Statistical methods cut the costs, provide for a more accurate count of all Americans, and we have to keep in mind in this process that in 1990 that census missed 8.4 million people. This cannot happen again.

Why is the census important? Why is statistical sampling important? Because we are talking about the distribution of billions of Federal dollars; road improvements, medicaid, child care, community development block grants, foster care grants. This is not a political issue. The census count should reflect the population of this great country of ours. Let us have an accurate count. Let us have local government involved. Let us support the Maloney amendment.

Mrs. MALONEY of New York. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. MENENDEZ).

Mr. MENENDEZ. Mr. Speaker, I thank the gentlewoman from New York (Mrs. MALONEY) for yielding me this time and I want to congratulate her on her excellent work in this regard.

Mr. Speaker, in our last census the GAO estimates that 26 million Americans were counted twice, counted in the wrong district or not counted at all. Now some in Congress say that kind of census result is acceptable, but I strongly disagree. When we are talking about a constitutional guarantee, we cannot settle for 80 or 90 percent correct. Our standard has to be full and fair participation for all.

The good part is, we know how to get that 100 percent accuracy through modern, scientifically proven statistical methods.

Let me just say as the former mayor of the most densely populated city in America I can say that by using the limited time and resources we have to needlessly repeat a local review process, H.R. 472 actually prevents us from getting an accurate count.

Why would the Republicans not want an accurate count? Maybe it is because African Americans are seven times more likely to be missed than whites or that the difference in the undercount between whites and blacks in the last census was the highest ever. Or maybe it is because 1.5 million Hispanic Americans were not counted at all.

Maybe it is because people of color are denied equal representation at every level of government because of an inaccurate count. Maybe Republicans know that the Democratic agenda has far greater appeal to these Americans and they will not vote for them so let us not count them.

Republicans are in the act of a raw political power play that will disenfranchise millions of Americans who are black, brown, Asian or rural and who, in fact, will not be counted by

their methods. We are not just talking about numbers here. We are talking about people, though, who can least afford not to be counted. These people undercounted may be single mothers who work two shifts to put food on the table and send their children to day care and families just struggling to get by, those barely above the poverty line or new citizens who came to America fleeing oppressive regimes and are fearful of government authorities knocking on their door.

The Maloney amendment gives these people a voice. H.R. 472 strips it a way. Let us count everyone regardless of their color. Let us vote for the Maloney amendment.

Mr. MILLER of Florida. Mr. Speaker, I yield myself 15 seconds.

Mr. Speaker, we all want to count everyone. We do not want to have an undercount. We need to put all the effort and resources to do the hard work. The Supreme Court has ruled that sampling and polling cannot be used for purposes of apportionment. So let us do the job right. This is what post-census review is, giving the chance to have the most accurate census that can be trusted.

Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. RYAN), a colleague who is on the Subcommittee on Census.

Mr. RYAN of Wisconsin. Mr. Speaker, as we know from studies from the Census Bureau themselves, populations of under 100,000 are underserved under sampling. So if someone represents a district that has less than 100,000 inhabitants, every city in the district I represent in Wisconsin, we are going to be hurt under sampling. That is very important to note.

I would like to take a look at some of the quotes that we have seen as this census debate has occurred. From a Congressman from New York at that time, Charles Schumer, then Democrat from New York, commenting on post-census local review and I quote, this is a Senator from the other body at this time, ''Certainly post-census local review is not a panacea but we urge the Bureau to treat it with the gravity it deserves and to truly try to cooperate with the localities in the endeavor to help secure an accurate count.''

Right now, post-census local review is simply aimed at missing households. So in New York or Albany or any other locality, housing units have post-census local review. They could say, well, we missed this House or we missed that block or we missed this apartment building.

This kind of information should be made available to the Census Bureau in post-census local review and they should be able to incorporate it as they go over things, end of quote by Democrat Member of Congress from New York, Charles Schumer.

The point is this: We want to get an accurate count. This is not about Republicans and Democrats. This is about fulfilling the Constitution, carrying out the Supreme Court ruling and doing the best job we can to count everyone, everyone in every apartment building, in every urban center, and if we do pass the Maloney amendment it is to take away the very rights of local government officials to participate in the census, to catch the glitches that occur after the census is taken. It is not a delaying tactic to stop sampling. We had post-census local review in 1990 and sampling in 1990.

The Census Bureau can engage in this. They simply have to go through the work to do it.

Mr. Speaker, this is a killer amendment. A vote for the Maloney amendment is to dilute the vote in all those cities that are under 200,000 in population.

Mrs. MALONEY of New York. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, I rise in support of the Maloney amendment, and in doing so to commend the gentlewoman from New York (Mrs. MALONEY) for her exceptional leadership on this issue.

The gentleman from Florida (Mr. MILLER) knows the high esteem with which I hold him but I disagree completely with his bill and I take great issue with its title, Local Census Quality Control Act.

What kind of quality control is it to exclude minorities in our society from being counted accurately? What kind of quality control is it to deny them their due representation in this governing body? What kind of quality control is it to deny the proper funding to States based on an unenlightened process? This bill should pass only if the Maloney amendment is included.

The Maloney amendment will allow the Census Bureau, an entity known to be able to do this, to be left to do their job and provide the most accurate count of all of America's peoples.

The delay proposed by H.R. 472 undermines the Bureau's efforts to provide an accurate count by derailing the process in an attempt to invalidate the best possible census count.

It denies fairness to people and it denies fairness to communities. As a Californian, I appeal to my colleagues from the State of California to support the Maloney amendment and to defeat H.R. 472 without the Maloney bill.

This will do great harm to California. It certainly does to my City of San Francisco and I will submit that testimony for the record. Our country, as I say in California, the beauty is in the mix. We are blessed with a great and diverse population. That diversity is our strength. We must not undermine it by under counting it in the census and therefore undermining the representation that the beautiful diversity should have in this great legislative and deliberative body.

So I again salute my colleague, the gentlewoman from New York (Mrs. MALONEY) for her outstanding leadership on this and urge my colleagues to vote yes on the Maloney amendment.

Mr. Speaker, the only ''quality'' in H.R. 472 is poor quality.

What kind of ''quality control'' is it to exclude minorities in our society from being counted accurately? What kind of ''quality control'' is it to deny them their due representation in this governing body? What kind of ''quality control'' is it to also deny the proper funding to states based on an unenlightened process?

H.R. 472 is not about ''quality control.'' H.R. 472 is about delaying the process and denying representation. H.R. 472 is about denying the civil rights of individuals who deserve to be included in an accurate account.

A post-census review was ineffective in the 1990 census; what makes it effective in 1999? H.R. 472 sends us on a retreat to 1990 methods which failed. There is a lesson to be learned here but, instead, H.R. 472 places us on a proven path of failure. Involving local government too late in the count is 1990 dejavu. The problems which occurred in 1990 with only 25% of local governments participating in the traditional local review has been addressed by the Census Bureau's Local Update of Census Addresses which is well underway and has already doubled local participation.

The Maloney amendment would let the Census Bureau do what it is charged to do—use the best, modern techniques to provide the best census count possible.

Individually, an undercount using outdated methods, can be damaging and an undercount also has a tremendous effect collectively—on entire communities. In the U.S. Conference of Mayors report on the fiscal impact of an undercount, this effect is noted: ''. . . the formulas used by the federal government to allocate funds in various programs include the number of people who are part of a socioeconomic group—for example, those living in poverty. Since such groups are the ones that historically are the most likely to be undercounted, the loss of federal funds in a city with large portions of such populations is particularly profound.''

Specifically, the report identifies San Francisco in stating: ''The impact of the undercount will be greater in the next decade if the Census 2000 reflects the same inaccuracy. The City is more likely than many other areas of the United States to be adversely affected if sampling is not used in Census 2000.'' The report continues in addressing the immigrant population in San Francisco: ''Studies have shown that communities having a large, relatively recent immigrant population, as well as those with a relatively large proportion of their households living in rental units, are especially prone to undercounts.'' From the time between the 1980 census and the 1990 census, 54,000 immigrants came to San Francisco and the net increase through 1997 has been 66,000.

In addition to the undercount of the immigrant population in cities, there is also a concern which San Francisco shares with other urban areas in an undercount of the homeless population. In a year's time, 11,000–16,000 San Franciscans experience at least one episode of homelessness. Almost a third of this number is comprised of families with children which translates into a large potential undercount of children in urban areas.

These are the individuals who will suffer from a delay that attempts to subvert the Census Bureau's efforts to provide an accurate count. Entire communities will also suffer as a

result. All members of the California delegation should be particularly concerned about this delay and its impact on federal funding to communities throughout the state. The loss to California from the 1990 census undercount was $2.2 billion in lost revenue. As Governor Davis has stated, ''We can ill afford to lose another $2 billion over the next ten years.''

The Census Bureau is a known entity which employs experienced census experts. They should be left to do their job and provide the most accurate count of all of America's people. The delay proposed in H.R. 472 undermines the Bureau's efforts to provide an accurate count by derailing the process in an attempt to invalidate the best possible census count. It denies fairness to people and it denies fairness to communities. This should not be allowed to happen.

H.R. 472 provides no ''quality control'' on the undercount; it is simply an attempt to continue the inequities of an undercount.

Vote ''yes'' on the Maloney amendment and ''no'' on H.R. 472 without it.

Mrs. MALONEY of New York. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. GONZALEZ).

Mr. GONZALEZ. Mr. Speaker, I ask all my colleagues today to join me in supporting the amendment to H.R. 472 offered by the gentlewoman from New York (Mrs. MALONEY). This amendment succeeds where 472 fails. It allows for local government participation without jeopardizing inaccurate census. It includes local governments in the Census Bureau's plan. It makes them a vital part of it by including them in the process of building and checking the list utilized by the Census Bureau when it conducts the census.

That is the participation that local governments want. They want to be part of the process now, not later. Let us not be fooled. Whether intentionally or unintentionally, the end result of H.R. 472 will be another inaccurate census. The voiceless will continue to have no voice. The unrepresented will continue to be unrepresented, and the American dream will remain just that, just a dream, never a reality for those who are not counted. We must vote for the Maloney amendment. Vote yes.

Mrs. MALONEY of New York. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. HINOJOSA).

Mr. HINOJOSA. Mr. Speaker, how anyone can support a bill that will result in delaying, in obstructing and politicizing the next census is beyond me, and that is exactly what H.R. 472 would do.

This bill is a wolf in sheep's clothing. While its benign language may make it seem like local government will have more of a say in the census outcome, the reality is that the bill imposes requirements designed to undermine the census accuracy and opens the door to political meddling.

I intend to support the Maloney amendment. Why? Because the Maloney amendment allows local government to be involved in the census, to review and participate honestly in the development of the census from the onset, not after the fact. Vote for the Maloney amendment. Vote to let the experts do their job and do it right.

Mr. MILLER of Florida. Mr. Speaker, I yield 1¼ minutes to the gentleman from Wisconsin (Mr. RYAN).

Mr. RYAN of Wisconsin. Mr. Speaker, I would like to address a few of the points made by our distinguished colleagues on the other side of the aisle, specifically my friend from Texas, who I think is a very good man and an honorable person.

The point is we want everyone to be counted. We want to make sure that every person in this country is counted, and by voting for the Maloney amendment we will effectively be voting to deprive local government officials from having the ability to take a look at the data, to simply say after the numbers have been counted let us pour over the maps and make sure nothing was missed.

Now the last speaker just said that this is delaying, this is obstructing, this is politicizing. It is nothing of those kinds. We have quote after quote after quote of Democratic Members of Congress, Democratic mayors, Democratic Governors, supporting post-census local review. Mayor Richard Daley of Chicago; former Mayor Tom Bradley of Los Angeles; the Dean of Congress, the gentleman from Michigan (Mr. DINGELL); the former chairman of the Subcommittee on Census, the gentleman from Ohio (Mr. SAWYER). We have quotes from so many different Democratic Members of Congress who when they were in the majority were the strongest advocates for post-census local review.

Now that has changed. They seem to be opposing it. If this position is the political position of asking local units of government to get involved, to make sure the data is accurate, and the position on the minority side where when we were debating this 10 years ago their position was in favor of post-census local review and now they have reversed their position, reversed their principles, I would suggest that that is a political move.

Mrs. MALONEY of New York. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. WATT).

Mr. WATT of North Carolina. Mr. Speaker, I rise in opposition to H.R. 472 and in support of the Maloney amendment. I favor local involvement in this process but I am opposed to anything that has any prospect of slowing down getting to an accurate count and frustrating that purpose, and I believe H.R. 472 will do exactly that.

□ 1730

It is unfortunate that this debate has evolved along partisan lines, because this really should not be a partisan issue. For me, it is about the fact that 126,000 North Carolinians were missed in the 1990 Census. Beyond that, it is about the fact that because of that undercount, North Carolina has missed $6,830,000 a year in Federal funds for each of those 10 years that that undercount has been in effect.

If we do not correct the problem going forward, a growing State like North Carolina with a growing urban population, with a growing minority population, is going to suffer the consequences of that not only in terms of the representation that it has in the Congress of the United States, but in terms of the actual dollars that come to North Carolina for such programs as Medicaid, highway planning, the Title I reading programs that help our kids prepare themselves to read at grade level. Those are the kinds of impacts that will be had on people in North Carolina.

So representatives in North Carolina can vote along party lines if they wish. I hope that they will vote in the interests of their States for an accurate count against this bill and for the Maloney amendment.

Mrs. MALONEY of New York. Mr. Speaker, I yield 1½ minutes to the gentleman from Ohio (Mr. SAWYER).

Mr. SAWYER. I thank the gentlewoman for yielding time to me, Mr. Speaker. I cannot let this occasion pass without thanking her for her extraordinary leadership on this issue throughout this Congress and the last.

Mr. Speaker, let me just comment on a point that the gentleman from Florida (Chairman MILLER) made during the debate earlier. He said that the Supreme Court will rule that the Census Bureau must use the same number for apportionment and redistricting. We cannot use two different numbers for apportionment and redistricting.

In this I do not question his motive, but he is simply misinformed. The fact is that in 1990, the Bureau issued one set of numbers for apportionment and another for redistricting and all other purposes, including the allocation of Federal funds to State and local governments.

The Supreme Court upheld the decision to produce two sets of numbers, even though it caused a seat to shift from one State to another. So let us not give the American people the incorrect information. There is ample precedent for producing different sets of numbers for apportionment and redistricting, and the Supreme Court has specifically validated that practice.

Let me just add one point, in closing. In the immortal words of Mark Twain, the rumors of my demise are greatly exaggerated.

Mrs. MALONEY of New York. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. BONIOR).

Mr. BONIOR. Mr. Speaker, I also want to commend my colleague, the gentlewoman from the great State of New York (Mrs. MALONEY) for the fabulous job she has done on this issue.

Mr. Speaker, this bill is nothing but a poorly disguised attempt to undermine a full, a fair, and a complete Census. This bill would have the Census Bureau use counting techniques that have already failed twice, in 1980 and

1990. In using these counting techniques, Census takers missed completely 8.4 million people in the last Census, and at the same time they counted more than 4 million people twice; blind in one eye, double vision in the other. That is what we have here with this bill, Mr. Speaker, blind in one eye and double vision in the other.

Effectively, this means that millions of American families will be denied their rights, their resources, and the representation that is theirs by law. Sadly, that seems to be the very purpose of this bill.

Mr. Speaker, a complete and an accurate Census is the foundation of our democracy. This bill undermines that foundation, and all across the country it is opposed by the very people it ostensibly aims to help, including the U.S. Conference of Mayors.

They oppose this bill because all it does is introduce more bureaucracy, more uncertainty, more politics, more delay, and more inaccuracy into the Census.

My colleague, the gentlewoman from North Carolina (Mrs. MALONEY) has offered a good substitute for this bill. Her proposal will protect the integrity and the input of local governments while ensuring that there is no delay in completing the 2000 censure.

Even more important, the Maloney substitute will enable the Census Bureau to complete the most accurate count possible. It guarantees local review, and ensures that all Americans are counted. That is the right thing to do, and it is our responsibility. I urge my colleagues to support the Maloney substitute.

Mrs. MALONEY of New York. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. CROWLEY).

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

Mr. CROWLEY. Mr. Speaker, I rise in strong support of the amendment offered by the gentlewoman from New York (Mrs. MALONEY). This amendment ensures that local participation will occur in a manner consistent with existing law by requiring the professionals at the Census Bureau to design and carry out the most accurate Census possible, which requires a release of the final Census count by April 1, 2001.

This amendment gives local governments the opportunity to assist the Census Bureau in perfecting the Census address list, by making sure all new construction is included in the Census address list, by giving local governments an opportunity to review the counts of vacant addresses identified by the Postal Service, and finally, by giving local governments the opportunity to make sure that the Census has properly identified the jurisdictional boundaries of local governmental units.

Mr. Speaker, without adoption of this unit, the passage of H.R. 472 will prevent the Census Bureau from using statistical methods to produce the most accurate Census possible, and the mistakes of the 1990 Census will be repeated when 8.4 million people were missed, more than 400,000 in my home State of New York alone, and 4.4 million people were counted twice.

Mr. Speaker, this amendment accomplishes the goals of enhancing local involvement without blocking the Census Bureau from using the best scientific methods available. I strongly urge my colleagues to support it.

Mrs. MALONEY of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is the civil rights issue of the decade. We know what the last Census gave us. We know that millions of Americans were missed, and that these Americans that were missed were primarily minorities and the poor from both urban and rural areas. We should let the Census Bureau correct the undercount and give us an accurate count.

The Republican bill is a Trojan horse. It is designed for one purpose and one purpose only, which is to delay and delay and delay, delay designed to prevent the Census Bureau from reporting the most accurate numbers possible to the American people by the statutory deadline.

We must not let that happen. Support the Maloney amendment and vote no on H.R. 472.

Mr. MILLER of Florida. Mr. Speaker, I yield six minutes to the gentleman from California (Mr. THOMAS).

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

Mr. THOMAS. Mr. Speaker, I have listened to and participated in this Census debate now several times. I have to say that, as someone who believes that the arguments that we make on our side of the aisle are valid and felt strongly, this gentleman is getting a little tired of the way in which the minority seems to argue this point and others.

A little truth in packaging: The idea that the amendment of the gentleman from Florida (Mr. MILLER) somehow seeks to undermine the Census process by allowing locals to review what the Census does. Locals, for example, in El Paso, Texas, who are 72 percent Hispanic, locals in Gary, Indiana, who are 86 percent black should not have the right, the minority says, to examine what the Census Bureau has done because they believe Republicans are racist in the way in which we are making the Census arguments; that in fact the amendment of the gentlewoman from New York (Mrs. MALONEY) involves the locals in a responsible way.

''Amendment in the nature of a substitute offered by Mrs. MALONEY of New York. 'This act may be cited as the Local Participation in the Census Act.'''.

Do Members want truth in packaging? Do Members know what Local Participation in the Census Act means? Section 142, beginning on line 1: ''The 2000 decennial Census shall include the opportunity for local governmental units to review housing unit counts, jurisdictional boundaries, and other such data as the Secretary considers appropriate.''

On line 17, ''Any opportunity,'' ''Any opportunity for local participation under this section shall be provided in such time, form, and manner as the Secretary shall prescribe.''

Local Participation in the Census Act, with the permission of the Secretary? What we have here is the bill of the gentleman from Florida (Mr. MILLER) which says the locals get to look over the shoulder of the Census. What we have here is a substitute which says, ''It is the Local Participation in the Census Act,'' but only if the Secretary lets the locals play. Okay?

That has been the tenor of this debate. The Democrats have been pure in their motives and above politics. The Republicans have been racist and we are playing politics in its entirety. They are white and we are black. They are the good guys and we are the bad guys. Frankly, I'm getting a little tired of that kind of a political game.

The only thing they have been consistent in is playing the race card. They have been consistent in that. They are arguing that we have to move forward, time is of the essence. Why, then, did they not accept our argument that the Constitution says enumerate, and that the statute based upon that portion of the Constitution says that when we apportion between States, we have to count?

They did not accept that. The Clinton administration did not accept that. We had to go to court. We had to go to the United States Supreme Court and have the court tell us we were right. That ate up a lot of time.

But all of a sudden, now, time is important to them. We cannot let the locals participate. They want to move a provision which says if the Secretary wants them to participate, they can do it. We want to let them. But somehow now time is of the essence.

And then, interestingly, it is really fun to listen to liberal Democrats talk about money, talk about the fact that this is going to cost money. Well, listen, if we want to get it right, let us spend whatever is necessary to get it right. The court has said that we have to enumerate between States. Okay, we have to count. Let us spend as much money as necessary to count as best we can.

An argument that we have heard repeated over and over again, we tried this local Census review in 1990, and there is a quote that they have used several times, that the Bush Census chief said it was well-intentioned but ineffective. They used the same argument against the Census itself, but we are talking about using better methods and focusing better on the Census. We can do exactly the same on the local Census review.

As a matter of fact, the gentleman from Ohio, Mr. SAWYER, said in 1994

they front-loaded the process. If in fact we front-loaded the process, if we got the locals involved for almost 6 years now, do we not think the local review will go smoother? But no, they do not want that. They do not want the locals participating, but they are not playing politics, we are. They are not racist, we are.

Let us talk about who has been playing politics. Our argument has been consistent from day one. We think constitutionally we should have to count, we believe between States. The Supreme Court has supported us on that argument.

Frankly, I believe ultimately if we get to the court on the constitutional argument of apportionment within a State, that in fact they will also argue we have to count. But let us take the January court decision for right now. It said we have to count between States. We have to enumerate. Let us spend the money for enumeration.

The court then said we can use sampling. The gentlewoman from New York said we should use sampling. That is simply incorrect. What the court said was that the statute allows us to do that. Okay, then we have to spend money in terms of doing a good job on sampling. But what is wrong with letting the locals review what we have done? Why is that such a heinous crime?

If in fact Members want minorities to be counted, what is wrong with the folks in El Paso for Hispanics, what is wrong with the folks in Gary, Indiana, or Compton, California, for blacks, to look over the Census officials' shoulders to try to get it right?

□ 1745

The argument that we cannot do this because we are going to lock into an undercount for the entire decade is to simply play a really unfair political argument that we cannot, given the law, sample over the decade to make it correct.

It is not a black and white issue. This question of the census is whether or not we count all Americans. It is totally legitimate to have a debate about what ''enumerate'' in the Constitution means. That is not a racist argument. In fact, the Court supported us in that position.

Obviously between censuses, there is nothing wrong with taking the best shot statistically one can at the population changes over the decade. That is appropriate. But to say that we are arguing that one needs to count people because we are racist is one of the most slimy political arguments I have ever heard. My colleagues have done it repeatedly and repeatedly.

Why do my colleagues not simply say, let us come together, let us spend what money is necessary to follow the court's requirement that we count for apportionment between States, and let us spend as much money as is necessary to do as good a job as we can on sampling, and let us support the amendment of the gentleman from Florida (Mr. MILLER) so that the locals can look over the shoulder of the census officials and let the locals, whether they be Hispanic, black, white, or otherwise, have a comfort level that they believe they are also being counted.

So I would say that I oppose the argument of the gentlewoman from New York (Mrs. MALONEY) that her amendment in fact is local participation because it is only if the secretary considers it to be appropriate.

I would ask my colleagues to support H.R. 472, the bill of the gentleman from Florida (Mr. MILLER), because it just seems to me that there is more than enough money to enumerate and to do the sampling correctly.

If we get on with it, there is time enough. Let us get on with the business of counting Americans the way the Supreme Court said we need to do it between States, enumerate as the Constitution requires within a State. If a State chooses sampling or if they choose to use the actual count, it would be the State decision.

It seems to me that there has been enough discussion. Let us support the bill of the gentleman from Florida (Mr. MILLER). Let us spend all money necessary to do it right whether that American is black or white or otherwise.

The SPEAKER pro tempore (Mr. NEY). The time of the gentleman from California (Mr. THOMAS) has expired.

Mr. SAWYER. Mr. Speaker, I ask unanimous consent that the gentleman from California (Mr. THOMAS) have one additional minute so that we can have a colloquy.

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

Mr. MILLER of Florida. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

Mr. ORTIZ. Mr. Speaker, I rise today in opposition to H.R. 472, and in support of the Maloney substitute.

We are charged with the awesome responsibility of counting the American people as accurately as we can so we can divide up the resources and representation of their government. This is a complex matter that must be concluded in one year. As we speak here, the Census Bureau is planning their year-long mission, hour-by-hour, in order to count 120 million addresses and 275 million people.

The most important concept that this bill contains, including the local governments in the effort to ensure a fair and accurate count, is a laudable one. It is the local governments who are the closest to the people we all represent, and it is the local and state governments which have the most to lose. But it is also the local and state governments which have spoken up loudly about the bill we are considering here today as we look for the middle ground on which we can conduct our constitutional responsibility of overseeing the decennial census.

Including the local governments in the preparation of the census is not a novel idea invented by the proponents of this bill; the Census Bureau is already consulting with local governments to assess the number of addresses in each jurisdiction. Counting the addresses is nearly 90 percent complete.

The requirement in this bill to set aside 9 weeks after the field work is complete to check the count of local addresses a second time is a needless waste of precious time in this endeavor. I do not believe that anyone in this chamber wants to waste resources in discharging our responsibility—but I do think that a provision of this nature does prevent the Census Bureau from utilizing the very best contemporary science we have, modern statistical methods.

The results of not using modern methods would carry us backward a decade, recreating all the same mistakes we made in the 1990 census, missing millions of Americans and counting millions more twice. The Mahoney substitute allows the Census Bureau to use their own design to integrate the local governments in the operational plan. This will allow science to help us and provide a much more accurate count.

My home state of Texas lost $1 billion in federal funds as a result of the 1990 census undercount. It is estimated that a faulty census with a similar undercount will now cost Texas $2.18 billion. The mayor of Brownsville, TX, has urged me to support statistical sampling to ensure an accurate count, as has the Nueces County Judge; their correspondence is attached for inclusion in the record. Those who do not learn from history are bound to repeat it. Let us learn from history.

Brownsville, TX, March 17, 1999.

Hon. SOLOMON ORTIZ,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE ORTIZ: The 1990 census resulted in an undercount of eight million Americans. As a result the State of Texas was denied approximately $1 billion in Federal funds. No other part of the country was more affected by this situation than perhaps California. In the case of Texas, the South Texas region which has a population that is largely Hispanic and a large concentration of families with income below poverty level, probably felt the brunt of the impact.

It is my understanding that in preparation for the 2000 census the House Government Oversight Committee, which you form part of, is presently considering legislation to require post-census local review instead of a statistical sampling method to arrive at an accurate census count. Our position is that the proposed legislation—H.R. 472, the Local Census Quality Check Act—while well intentioned, will prevent the Census Bureau from utilizing effective scientific methods for population counting, and may once more result in large undercounts. This unfortunately will impact once more the states with the larger population and larger concentrations of minority groups—e.g., Texas and California.

I therefore urge you to oppose passage of H.R. 472. I am certain that allowing the use of statistical samplings will result in the most accurate and timely census possible. This is after all, I am sure, what we are all interested in.

Thank you.
Sincerely,

HENRY GONZALEZ,
Mayor of Brownsville.

RICHARD M. BORCHARD,
Corpus Christi, March 26, 1999.

Hon. SOLOMON ORTIZ,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE ORTIZ: The 1990 Census resulted in an undercount of eight million Americans. As a result, the State of Texas was denied approximately $1 billion in Federal funds. No other part of the country, other than perhaps California, was more affected by this situation. In the case of Texas, the South Texas region which has a population that is largely Hispanic and a large concentration of families with low incomes below the poverty level, probably felt the brunt of the impact.

It is my understanding that in preparation for the 2000 census the House Government Oversight Committee, which you form part of, is presently considering legislation to require post-census local review instead of a statistical sampling method to arrive at an accurate census count. Our position is that the proposed legislation—H.R. 472, the Local Census Quality Check Act—while well intentioned, will prevent the Census Bureau from utilizing effective scientific methods for population counting, and may once more result in large undercounts. This unfortunately will impact once more the states with the larger populations and larger concentrations of minority groups—e.g., Texas and California.

I therefore urge you to oppose passage of H.R. 472. I am certain that allowing the use of statistical samplings will result in the most accurate and timely census possible. This is, after all, what we are all interested in.

Thank you.

Sincerely,

RICHARD M. BORCHARD,
Nueces County Judge.

The SPEAKER pro tempore.All time has expired.

Pursuant to House Resolution 138, the previous question is ordered on the bill, as amended, and on the further amendment in the nature of the substitute offered by the gentlewoman from New York (Mrs. MALONEY).

The question is on the further amendment in the nature of a substitute offered by the gentlewoman from New York (Mrs. MALONEY).

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 202, nays 226, not voting 6, as follows:

[Roll No 88]

YEAS—202

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
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
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Klink
Kucinich
LaFalce
Lampson
Larson
Lee
Levin
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
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
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 (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NAYS—226

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bereuter
Biggert
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Forbes
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kuykendall
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCollum
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 (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 (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Upton
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—6

Brown (CA)
Delahunt
Hastings (FL)
Jones (OH)
LaHood
Lantos

☐ 1809

Messrs. SOUDER, HEFLEY, GREENWOOD, MCINTOSH, DOOLITTLE, and Mrs. CUBIN changed their vote from ''yea'' to ''nay.''

Mr. SHOWS and Mr. DINGELL changed their vote from ''nay'' to ''yea.''

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mrs. JONES of Ohio. Mr. Speaker, on roll-call No. 88, I was unavoidably detained. Had I been present, I would have voted ''yea.''

The SPEAKER pro tempore (Mr. NEY). The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

Mrs. MALONEY of New York. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 223, nays 206, not voting 5, as follows:

[Roll No. 89]

YEAS—223

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Biggert
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady

Cannon
Castle
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Forbes
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCollum
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 (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
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 (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Upton
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—206

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E.B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Larson
Lee
Levin
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
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
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 (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NOT VOTING—5

Brown (CA)
Hastings (FL)
LaHood
Lantos
Reynolds

□ 1828

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

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. LAHOOD. Mr. Speaker, I was unavoidably detained for rollcall votes 83, 86, 87, 88, and 89. Had I been present, I would have voted ''yes'' on rollcall 83, Journal.

I would have voted ''yes'' on rollcall vote 86, ordering the previous question; ''yes'' on rollcall vote 87, H. Res. 138; ''no'' on rollcall 88, The Maloney amendment; ''yes'' on rollcall 89, H.R. 472, The Local Census Quality Control Act.

GENERAL LEAVE

Mr. MILLER of Florida. 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. 472.

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

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1376, TAX RELIEF FOR PERSONNEL IN FEDERAL REPUBLIC OF YUGOSLAVIA (SERBIA/MONTENEGRO) AND CERTAIN OTHER AREAS

Mrs. MYRICK, from the Committee on Rules, submitted a privileged report (Rept. No. 106–95) on the resolution (H. Res. 140) providing for consideration of the bill (H.R. 1376) to extend the tax benefits available with respect to services performed in a combat zone to services performed in the Federal Republic of Yugoslavia (Serbia/Montenegro) and certain other areas, and for other purposes, which was referred to the House Calendar and ordered to be printed.

□ 1830

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. MORAN of Kansas). 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.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

(Ms. ROS-LEHTINEN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

INDIANA COLLEGE AND HIGH SCHOOL BASKETBALL 1999

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Indiana (Ms. CARSON) is recognized for 5 minutes.

Ms. CARSON. Mr. Speaker, it is my pleasure to be here this afternoon speaking about a rich tradition and important part of Hoosier heritage, an element of life that the great State of Indiana continues to support and love, basketball, a game with which Indiana has become synonymous.

Indiana's basketball is nearly unparalleled. The names from the State, John Wooden, Oscar Robertson, Chuck Taylor, Larry Bird, bring to mind all that basketball should and can be. The rivalries such as the one between IU and Purdue, and the stories of epic proportions such as the movie ''Hoosiers'' is what separates Indiana basketball from all the rest. These icons and ideals continue to be revered, inspire greatness, and offer a mystical and enriching quality to a game that continues to grow and captivate fans

around the country, but remains in the heart of Indiana.

It is my honor to acknowledge that this tradition of excellence and inspiration continues today. The sensational Lady Boilermakers of Purdue, and the coach of the boilermakers, enjoyed a story book season on their way to winning the NCAA National Championship, while North Central High School in Indianapolis played nearly flawlessly at the end of their season to capture their first high school 4A State championship.

I would like to acknowledge a remarkable young woman, Carolyn Peck, who coached the Lady Boilermakers to an NCAA championship.

Ms. Peck is the recipient of the 1999 John and Nellie Wooden Award, one of the most prestigious honors in college basketball. At the age of 32, she was the youngest coach in the Big Ten and has quickly risen to the top of women's basketball coaching circles.

With her unmatched enthusiasm and grace, Ms. Peck is a leader, coach and motivator who is destined to become one of the greatest names in women's collegiate sports. In 1997–98, during her first season as head coach, the Purdue Lady Boilermakers finished with a 23–10 overall record, won the Big Ten Conference Tournament, advanced to the NCAA Tournament Elite Eight, and ranked number 11 in the final USAToday/ESPN poll. During this past season, Ms. Peck led the lady boilermakers to an NCAA championship victory and an amazing 32–1 overall record.

Carolyn Peck, holding true to Hoosiers' reputation for great basketball, is undeniably a wonderful role model for young women everywhere.

I would also like to congratulate a high school that is in my district, the North Central High School of Indianapolis. The North Central High School Panthers, led by coach Doug Mitchell, won Indiana's 1999 Division 4A State Basketball Championship and then defeated 2A champion Westview to win the Tournament of Champions. The Panthers' victory capped an outstanding season whereby the Panthers finished with an overall record of 25 wins and only 5 losses. The Panthers became Marion County's fifth champion in the past 11 years. The Panthers' run to the championship included a hard-fought 79–73 overtime win over then number one ranked Bloomington South. Trailing by 3 points with little time left on the clock, Jason Gardner, Indiana's Mr. Basketball, hit a clutch 3-point shot as time expired to send the game into overtime. The courage and commitment to excellence displayed by the Panthers are befitting for the champions of the most esteemed high school basketball tournament in the world.

I would like to recognize Eric Chapman, Jason Gardner, Nick Gardner, Wegahta Ghebremichael, John Hayes, Max Matthews, Doug Moore, Lucas Query, Shawn Radford, Eric Rhodes, Zach Scott and Donald Yates. Mr. Speaker, each of these players understand the importance of teamwork and are worthy of being called champions.

Finally, Mr. Speaker, I would like to mention that I will probably be back on the floor in mid-June to congratulate another team from Indianapolis, the Indiana Pacers, who will have just won the NBA championship.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. DIAZ-BALART) is recognized for 5 minutes.

(Mr. DIAZ-BALART 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 Ohio (Mr. BROWN) is recognized for 5 minutes.

(Mr. BROWN of Ohio addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

RETIREMENT SECURITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. PORTMAN) is recognized for 5 minutes.

Mr. PORTMAN. Mr. Speaker, I rise this evening to talk about an issue that is of crucial importance to all Americans, and that is security and peace of mind in our retirement years. It is an issue that is beginning to gain a lot more attention nationally. In fact, today President Clinton revealed his plans for so-called universal savings accounts, USA accounts, that would function much like private pension savings.

Why has retirement savings become a bigger and bigger issue, taking more and more attention of this body and more and more attention at the Clinton administration? It is because we find ourselves in a retirement squeeze. Happily, Americans are living longer. That is a good thing. But we also have 76 million baby boomers, me included, who are going to begin retiring in really just a few short years. Neither our public retirement system, Social Security, nor our private pension system in this country, including 401(k) type plans and others, are ready for this retirement of the baby boom generation.

In response to these challenges, Social Security's fiscal problems have become a top priority of this Congress, and that is appropriate. But we have to remember Social Security is only one component of a secure and comfortable retirement. Social Security actually was never meant to meet all the retirement needs of Americans, and for most Americans it does not. Rather, it is only one leg of a three-legged stool that supports Americans in their retirement years. The other two are personal savings, and then employer-provided retirement plans such as 401(k) plans, profit sharing plans, defined benefit plans and others.

This third leg, pension savings, is crucial in giving Americans the peace of mind they need as they plan for their retirement years. And economists from across the ideological spectrum, right, left and down the middle, agree that the enhanced personal savings that comes from increased pensions are key to long-term economic growth and prosperity.

But all is not well with our pension system. In fact, it is not well at all. Right now only half of American workers have any kind of pension at all. That means about 60 million American workers do not have access to one of the key components of a secure retirement. And far fewer than half of employees who work for small businesses have access to plans.

In fact, only 19 percent of small businesses, those with 25 or fewer employees, have any kind of retirement savings plan at all, 401(k), profit sharing or anything. Why? Well, I think the main reason is that over the years pensions have become so costly to set up and administer that many small businesses simply cannot afford to offer them.

Not enough workers have this pension coverage at the same time that our overall savings in this country is in sharp decline. The personal savings rate in this country, the amount of money people save for their retirement and for other needs, is at its lowest since 1933. Again, 76 million baby boomers starting to retire in a few short years, yet studies show that older baby boomers have only about 40 percent of the savings that they will need to avoid a real drop in their standard of living after retirement.

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

Mr. PORTMAN. I yield to the gentleman from South Dakota.

Mr. POMEROY. The issue the gentleman is speaking to is one of the greatest problems facing this country. His leadership has been very significant. The legislation he has advanced I believe goes a long way to expanding retirement income security for Americans. I am proud to be a cosponsor.

Mr. PORTMAN. I appreciate it. That leads me right into what I am about to talk about. The gentleman from North Dakota has been a leader on this for years, particularly on the issue of portability that I will get into in a second. I appreciate his comment.

In fact we do have some solutions to this problem that we have laid out. I have joined with the gentleman from North Dakota and with the gentleman from Maryland (Mr. CARDIN) to introduce what is called the Comprehensive Retirement Security and Pension Reform Act of 1999. We are committed to making the needed reforms to our Social Security system, of course. In fact, the gentleman from Maryland and I both serve on the Subcommittee on Social Security. But we are also committed to making these changes in the private pension system.

We believe there is a need to increase overall retirement security, which must include leveraging of private sector dollars by expanding pensions. The Portman-Cardin bill knocks down barriers to savings by raising limits for all Americans, allowing Americans to set aside more of their earnings tax free. It untangles complex and irrational rules and cuts through red tape that burdens retirement plans and their participants, and it creates new incentives for small businesses to establish plans.

The Portman-Cardin bill also allows a special catch-up contribution for older Americans who have been out of the workforce for a while perhaps, working in part-time positions, particularly important for working moms who have returned to the workforce after raising their children and want to have more of a nest egg for retirement. We also respond, as I mentioned earlier, to the new realities of a mobile workforce by allowing portability.

If enacted, all these changes will expand retirement savings and make the difference between retirement subsistence and real retirement security for millions of Americans. I urge the Congress to focus on this issue and to address this problem through the Portman-Cardin bill and other legislation to reform and expand our private pension system.

COMMUNICATION FROM THE HONORABLE JACK KINGSTON, MEMBER OF CONGRESS

The Speaker pro tempore laid before the House the following communication from the Honorable JACK KINGSTON, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, April 7, 1999.

Hon. J. Dennis Hastert,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule VIII (8) of the Rules of the House that I received a subpoena (duces tecum) issued by the Superior Court of Bulloch County, Georgia, in the case of Griffin v. Zimnavoda.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and precedents of the House.

Sincerely,

JACK KINGSTON,
Member of Congress.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. MILLENDER-MCDONALD) is recognized for 5 minutes.

(Ms. MILLENDER-MCDONALD addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

CRISIS IN KOSOVO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PAUL) is recognized for 5 minutes.

Mr. PAUL. Mr. Speaker, I rise this evening to address the crisis that is ongoing now in Yugoslavia. For a war to be moral, we must have a reason to go in. National defense is a moral justification. If we are attacked, it is a moral war. Getting involved in any other kind of war is not considered to be moral.

A legal war in this country is one that is declared, declared by the Congress. Any other war is illegal. The war in Yugoslavia now pursued by our administration and with NATO is both immoral and illegal and it should not be pursued. We will be soon voting on an appropriation, probably next week. There may be a request for $5 billion to pursue the war in Yugoslavia. I do not believe that we should continue to finance a war that is both immoral and illegal.

It has been said that we are in Yugoslavia to stop ethnic cleansing, but it is very clear that the goal of the NATO forces is to set up an ethnic state.

□ 1945

It is totally contradictory. There is a civil war, and it is horrible, going on in Yugoslavia today, but this is no justification for outsiders, and especially United States of America, to become involved without the proper proceedings.

I believe that our colleague, the gentleman from California (Mr. CAMPBELL), deserves to be complemented because he is making a determined effort to put the burden on the Members of Congress to vote one way or the other. Since World War II we have fought numerous wars, and they have never been fought with a declaration of war, and it is precisely for that reason, because they have not been fought for truly national security reasons, that we have not won these wars. If a war is worth fighting, it is worth declaring, and it is worth winning.

I am delighted that this effort is being made by the gentleman from California (Mr. CAMPBELL) and others here in the Congress because for so long, for 50 years now, we have permitted our Presidents to casually and carelessly involve our troops overseas. So I see this trend as putting more pressure on the Congress to respond to their responsibilities. I think this is a very, very good move and going in the right direction.

It has been asked why in the world might we be there if it is not a concern for the refugees, because obviously we have hundreds of thousands, if not millions, of refugees in many, many places around the world. We do not go to Rwanda to rescue the refugees, we did not go into Yugoslavia to rescue the Serbian refugees when they were being routed from Bosnia and Croatia, but all of a sudden the refugees seem to have an importance.

Most people know why we went to the Persian Gulf. It was not because we were attacked. It was because of a financial commercial interest: oil. But what is the interest in this area in Yugoslavia? I am not sure exactly what it is. There has been a lot of postulations about this, but I am not convinced that it is all of a sudden the concern for the refugees.

Yesterday in the Washington Post an interesting article occurred on this subject, but it was not in the news section; it was in the business section. There was a headline yesterday in the Washington Post that said: Count Corporate America Among NATO's Staunchest Allies. Very interesting article because it goes on to explain why so many corporations have an intense interest in making sure that the credibility of NATO is maintained, and they go on to explain that it is not just the arms manufacturers but the technology people who expect to sell weapons in Eastern Europe, in Yugoslavia, and they are very interested in making use of the NATO forces to make sure that their interests are protected. I think this is not the reason for us to go to war.

There is talk now of calling up all our Reserves or many of our Reserves at the same time there are hints now that there may be the institution of the draft. So this is a major problem that this country is facing, the world is facing, and up until now we, the Congress, have not spoken.

On February 9 of this year I introduced a bill that would have prohibited this by prohibiting any funds being spent on a war in Yugoslavia. I say it is too bad we did not pass that legislation a long time ago.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. SMITH) is recognized for 5 minutes.

(Mr. SMITH of Washington addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

EXCHANGE OF SPECIAL ORDER TIME

Mr. ETHERIDGE. Mr. Speaker, I ask unanimous consent to take the time previously allotted to the gentleman from Washington (Mr. SMITH).

The SPEAKER pro tempore (Mr. NEY). Is there objection to the request of the gentleman from North Carolina?

There was no objection.

NEW DEMOCRATS FOR FISCAL DISCIPLINE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. ETHERIDGE) is recognized for 5 minutes.

Mr. ETHERIDGE. Mr. Speaker, I rise today to express my opposition to the Republican budget that the House passed this afternoon.

As a member of the New Democratic Coalition when I came to Congress, I was very proud of the vote that I made

last year in the last session to help lead my party in this Congress back to fiscal responsibility and be able to vote on the first balanced budget in a generation.

I say that with a heavy heart today because I think we have just passed one, the majority has, that is not a budget but a political document.

Prior to my service in public office, Mr. Speaker, I spent 19 years running a small business in North Carolina, where you have to balance the budget, you have to meet a payroll every week, and if you do not balance your books, you will go broke.

When I served in the General Assembly where I served for 10 years, I chaired the appropriations committee for 4 years where I helped write a balanced budget for 4 straight years. You have to balance the budget to make sure you do not have to raise taxes.

As State Superintendent of Schools of the State of North Carolina for 8 years I had responsibility for running a large agency with a huge budget; I cut a bureaucracy, and it helped improve the quality of education, with others in my State.

The people of North Carolina sent me to Congress 2 years ago to help with balancing the Federal budget and to put our national financial house in order, and I was tremendously proud to serve in that first session and vote to balance the budget. But that discipline is difficult. It is difficult to keep your budgets balanced. It is difficult to do the things you need to do to make sure you do not overspend. But it is economically wise, and it is a moral imperative.

Mr. Speaker, that is why the Republican resolution that passed today is so disappointing. It returns to those irresponsible promises, in my opinion, and the tax cut binges that helped create the annual deficits, and it crippled this country's economy and piled up a huge national debt in the 1980s that our children and grandchildren could be forced to pay.

In order to push this risky scheme, the Republican leadership has passed a budget that fails to protect Social Security and Medicare, threatens needed investments with our priorities in education and abandons our new-found fiscal discipline. This misguided attitude captured on this floor by Members of the majority who said there is nothing, there is no such thing, as an irresponsible tax cut, that is the kind of attitude we ran into in the 1980's that got us in such bad trouble. We should not return to those attitudes.

Let me state for the record that I support tax cuts, I am in favor of them, but I think we ought to keep our financial house in order.

One of the first bills that I signed as a Member of this Congress when I came was the tax cut for the middle class, for estate tax relief for small businesses and farmers, for the $500-per-child tax credit, for HOPE scholarships so that our children could go to school and have an opportunity to blossom in the 21st century, and to help families pay their college tuitions, and for tax credits or to deduct interest on the money they borrowed to go to college.

In this Congress I have introduced legislation for school construction, to provide tax free interest bonds at the State level to build new schools in our communities, which in turn would provide relief to a lot of our local communities that are feeling the strain of tremendous growth.

So I am for tax cuts, but they must be responsible, they must be paid for. We must save Social Security and Medicare first before we jump off the cliff. We must pay down the national debt to keep the interest rate down and encourage economic growth.

We are now enjoying one of the largest, longest and greatest periods of economic prosperity in our Nation's history, and we should not do anything to undermine it. We must make careful investments in education and in health care and scientific research that will provide the basis for the future for our tremendous growth. We have had that already. We need to continue so that we will enjoy the bounty of a new economy in the 21st century.

ECONOMIC ISSUES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Dakota (Mr. THUNE) is recognized for 5 minutes.

Mr. THUNE. Mr. Speaker, this afternoon we did have an opportunity to vote on the budget; call it the Republican budget if you will; and, just as a matter of response to my friend from North Carolina (Mr. ETHERIDGE) who expressed his criticism of that budget, I would like to, if I might, set the record straight because I think the American people have a right to know for the first time in a long time we are being honest.

This is a honest budget. This says to the American people that we are going to set aside Social Security and Medicare taxes, payroll taxes, and leave them there, lock them up, wall them off and not touch that because the surplus that we are running today, most of it is in Social Security and Medicare and the payroll tax side of the budget. After that is done, after those dollars are walled off and we get into the future years when there are surpluses on the overall budget, in other words, coming off the income tax and other sources of government revenue, then we can engage in a debate in this Chamber, in the Congress, about how best to use those revenues.

Now our side happens to believe we said in our plan that we think we would like to see those dollars go back in the form of tax relief because the American people worked hard to produce those dollars, and they ought to be able to keep more of what they earn. But the fact of the matter is, and make no mistake about it, the American public has a right to know that all this demagoguery and all this hype, and we have heard it before and we are going to hear it again, but the Republican budget that was passed today sets aside 100 percent of the Social Security and Medicare payroll tax and walls it off and locks it up.

Now everybody on the other side is talking about the President's great budget which got two votes in the House, two votes in the Senate because it was a statement of priorities, it was a statement of values. The President's budget raised taxes by $172 billion over 5 years. The President's budget sets aside less for Medicare and Social Security than does the Republican budget, and again we do it by being honest with the American people and saying when you pay the payroll tax at the payroll, it ought to go into the Social Security Trust Fund to be used for Social Security and Medicare.

The President's budget also talked about debt repayment. The plan that we voted on today actually retires more debt, pays off more debt than does the President's budget, substantially more debt over the course of the next 10 years. And then again at end when we are actually generating a surplus above and beyond Social Security, then we have a national debate in this country about whether the hard-working people of America ought to be able to keep more of what they earn or we ought to spend more here on Washington bureaucracies and programs.

Mr. Speaker, that is a honest debate, but do not fall for the lies because you are going to hear them over and over again. The fact of the matter is that the budget that we passed today sets us on a path and on a course that is consistent with protecting the retirement earnings of America's hard workers.

Let me just, if I might today, also address an issue which is very important in my State. Last week, or during the course of the recess, I traveled in western South Dakota in places like Spearfish, and Belle Fourche, and Buffalo, and Lemmon, and McIntosh and Timber Lake, and Mo Bridge, and Mound City, and Eureka, and Leola, and Aberdine and Watertown, and one of the things that I found out, and I already knew but I heard more, and I got a really good earful on my travels across South Dakota about the crisis affecting agriculture because that part of the State, the northwestern part of South Dakota, has been as hard hit as any place in the country, and I believe that we have a responsibility to recognize the incredible crisis that is affecting our agricultural producers and to address it, and there are a series of initiatives that we will be rolling out over the course of the next several weeks which I think do just that. But I believe we need to have a debate in this Congress on mandatory price reporting. Our producers need to know in making decisions what the market information is that the packers are using

in determining how to purchase their products, and today that information is not disclosed. And we have a bill introduced, House bill 693, that I believe deserves a hearing. We ought to have a vote on it in the House.

We need country of origin labeling. We need to make sure that the producers of this country have the protections that are necessary to allow them to do what they do best, and that is provide the best source of food and fiber for the American people.

The gentleman from North Dakota (Mr. POMEROY) and I will be introducing crop insurance legislation which addresses some of the problems in that program and makes it workable so that our producers have an opportunity to hedge against loss and make sure that they are, again, able to survive and prosper in this economy.

We need sanctions reform. There are a lot of countries in the world that we cannot do business with, and it makes no sense, and I think we need to have a debate in this Congress about what we can do to better open markets so that our producers have an opportunity to make a living and to survive.

Every small town, every Main Street across my State and many States across rural America, suffers when the ag economy suffers, and there is not an economy in any Main Street in South Dakota today that is not feeling the effects of this crisis.

So I believe it ought to be a priority of this Congress. I am going to fight very, very hard and work with other Members from rural States who want to work together to see that we produce a series of initiatives, a series of solutions that will help address the serious needs that we have and the concerns that we have in the agricultural sector of our economy.

So I look forward to working my friends and colleagues on both sides of the political aisle. This ought to be a bipartisan issue.

□ 1900

EXCHANGE OF SPECIAL ORDER TIME

Mr. POMEROY. Mr. Speaker, I ask unanimous consent to claim the special order time of the gentleman from North Carolina (Mr. ETHERIDGE).

The SPEAKER pro tempore (Mr. MORAN of Kansas). Is there objection to the request of the gentleman from North Dakota?

There was no objection.

AUCTIONS, AUCTIONS, AUCTIONS: WHAT WILL HAPPEN TO THE FAMILY FARM?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Dakota (Mr. POMEROY) is recognized for 5 minutes.

Mr. POMEROY. Mr. Speaker, I want to follow up on the comments of my friend and colleague, the gentleman from South Dakota (Mr. THUNE) relative to the agriculture crisis. I cannot say how terrible it is relative to the farm economy in North Dakota.

I have with me today some auction bills. We have been seeing a lot of these auction bills. Consider that each auction bill represents a sale of a family farm, the end of literally generations of tradition of farming the land. It goes on for pages.

Recently, Ag Week Periodical, which covers the Red River Valley, the most prosperous part of agriculture in my State, published 150 farm auctions. This is 150 individual operators throwing in the towel, ending, again, the tradition handed down for generations of making a living off their land. In each case, it is a tragedy and something to be avoided.

One friend of mine, and I am going to offer this for the RECORD, who is selling out after 120 consecutive years of production on this family farm, wrote an op-ed to the newspaper and he has on the title of it, now at least we do not have to wonder anymore.

Mr. Speaker, there are an awful lot of families wondering tonight whether or not they will be able to get a crop in the ground this spring. Imagine, we all deal with career uncertainty surely as Members of the House up for election every other year. We really never know until the election is over what we are going to be doing, but we have people at this late point in the spring not knowing whether they will be able to put a crop in the ground right now.

Obviously, if they cannot get the financing to get a crop in the ground they have no idea what they are going to do to put shoes on their kids' feet, to put food on the table.

We have got a full-blown crisis in agriculture directly related to the financing capital farmers need to get their crop in the ground this spring.

For that reason, the administration advanced several weeks ago emergency funding requests so that we might have additional loan authority funded. The request is for $152 million and it is part of the supplemental appropriations bill sent up by the White House; $109 million of that would make $1.1 billion in additional lending authority available to farmers, $42 million so that the USDA could actually hire additional staff to process these applications and get the money out.

Here is what has happened. In light of the collapse in commodity prices, farmers have had terrible losses. As they sit down with their regular bankers, they are unable to show cash flow and, therefore, unable, ineligible in many cases, for the financing that they had otherwise expected.

Now there are programs available for these farmers, FSA lending programs, direct lending programs, USDA loan guarantee programs, but because so many have had trouble in lending in the normal course, they have come to the USDA and overwhelmed the resources available for those USDA loans.

Right now North Dakota, we have a backlog. We do not have enough money to meet the loan need now and it is anticipated that that loan need is going to increase dramatically over the next few days. There is $4.4 million in unmet loan need that has come into the North Dakota FSA offices over the last 2 days alone. This is a crisis, and it is a crisis with a very narrow window of time for us to address.

If a farmer cannot get the crop in the ground in the spring, the money coming along here in July or August is not going to do a lick of good. The window is gone. They have lost the chance to plant, and for these operators that means they have lost the farm.

I would say to my colleagues, please let us move this supplemental appropriation request along. Everyone knows of the urgent straits in farm country, not just in North Dakota or South Dakota but throughout the country, and we must respond to this by getting that loan guarantee money replenished so that it can get out to the farmers so they can get their crop in the ground this spring, so they don't lose their farms.

It is as simple as that. It is very straightforward. This is a body that unfortunately sometimes cannot operate very quickly, but there is just no mistake. The urgency is now. We have to act. Failure to act is going to mean a lot more auction bills and that, in each instance, is a tragedy.

NOW WE DON'T HAVE TO WONDER ANYMORE

Bismarck, N.D.—On June 15, near Mayville, N.D., there will be another farm auction—just another farm auction—barely noticed by most in these days of collapsing agriculture as we know it. Just another sale bill.

Just another gathering of neighbors, family, friends and buyers—buyers who realize that with all sales at this time, there should be some pieces of equipment useful to them that will go at a bargain price. Friends and neighbors will come to offer moral support and experience the friendly social atmosphere that is unique to rural America. Family members will come to witness the end of the family tradition.

Last year was the 120th crop planted and harvested since the original homestead was taken in 1878. Some of the family members want to witness the auction as a closure, similar to attending a funeral for a loved one. Sometimes it takes an event to provide acceptance of what has happened.

For many years we have seen hundreds of sale bills, been to auctions and wondered what these folks were going through—what they were feeling. I'm sure that for most it was every bit as difficult as it is now for us. I would guess that after the initial sense of failure and depression, there is an uneasy sense of relief that the hopelessness can now be dismissed and energies can be devoted to something positive.

Now we don't have to wonder anymore. The initial feelings have come and gone. The personal feelings have been pushed aside for the most part—at least on the surface. Now the business decisions must take over. Emotions will have to give way to the matters at hand. The plans on how to best organize and handle preparations for the sale are now a priority.

Occasionally regrets surface, and I wonder what we could have done differently to have

avoided the present situation. What did my grandparents do when faced with the perils of pioneer life at the turn of the century? What did my parents do when they were faced with hard times prior to and during the depression of the 1930s?

The accounts of their struggles are fresh on my mind. I listened intently as they described how drought, rust and low prices nearly pushed them over the edge. Only hard work, hope, determination and a strong faith sustained them. Faith in God and in a society that would ultimately rescue America from a bad situation. They endured and persevered. And with the help of federal farm programs at the last, even prospered.

This came at a time when the world seemed to care about its food supply and those who produced it. As time passed and a degree of prosperity continued some became frustrated with the aspect and methods of supply management. A bit of arrogance told some that we no longer needed any help from the federal government and that we could handle things now.

The commodity traders, food processors and exploiters of the ag sector of our economy could now have their way. Congress listened to the wrong people—those whose interests were not supportive of farm families. A non farm bill called ''Freedom to Farm'' was crafted and passed over the objections of our rural congressional delegations. This, along with the years of crop disease, bad foreign trade policies and apathetic citizens, all contributed to our present situation.

Our country has never experienced overall hunger. Many European countries have, and they appreciate and protect their agriculture producers. We have been scolded for not being efficient. We have been told to produce more—we have. We have been told to market smarter—we have. We have been told to expand—we have.

None of this helps without a equitable price. In the Legislature we have attempted in a small way to address the problems with the proposals forwarded by the Commission on the Future of Agriculture. Nearly all proposals have been defeated by the Republican majority.

What now? Do we in the North Dakota Legislature turn our backs on the No. 1 industry in our state and let what is left crumble further? Or do we put some plans forward to help solve the problems at the state level? It may already be too late to ask Congress for help given the demographics of our rural/urban population split. Are we going to offer any hope that we are willing to save agriculture as we know it?

It is too late for some of us. But it is still not too late for North Dakota. We must use what we have left of this session to get to the business of supporting rural families and communities.

THE PRESENCE OF SQUALENE IN SICK GULF WAR VETS SHOULD BE INVESTIGATED BY THE DEPARTMENT OF DEFENSE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. METCALF) is recognized for 5 minutes.

Mr. METCALF. Mr. Speaker, I am here today to address an issue of critical importance to many of our constituents. Over a year ago, my office was contacted by several veterans and others who were concerned about reports that the presence of antibodies for squalene had been discovered in blood samples of sick Gulf War veterans.

How could squalene antibodies show up in the bodies of Gulf War veterans? Squalene is a component of adjuvant formulations used in some experimental vaccines but not in any licensed vaccines. It has not been licensed.

An adjuvant is a toxic substance incorporated into a vaccine to accelerate, enhance or prolong specific immune responses.

After my initial inquiries, I determined that it would be prudent to ask the GAO to conduct an investigation to determine the facts surrounding these disturbing reports.

With over 100,000 of our Gulf War era veterans suffering, I believed it was imperative that we provide them with the truth regarding this issue. If there was nothing to substantiate the assertions, then we should be able to report those findings back to the veteran's community and move on with the search to provide them with the best possible treatment for Gulf War illnesses.

GAO's report, recently released to me, is very disturbing and raises an increased number of serious questions. Its title, ''Gulf War Illnesses: Questions About the Presence of Squalene Antibodies in Veterans can be Resolved,'' indicates that we can get to the truth about squalene.

The GAO report's conclusion is troubling and demands immediate attention. The GAO recommended that the Department of Defense should act now to expand on the research already conducted. The GAO found that independent research had been undertaken using valid scientific measures, which has found the presence of squalene in sick Gulf War vets.

They interviewed the dedicated immunologist who headed the project and the respected lead researcher from Tulane University in New Orleans who developed the test which provided these results. Their inquiry led them to vaccine experts who confirmed the validity of the methods used.

After a thorough investigation, the GAO determined that the quality of the independent research demands, demands that the Department of Defense aggressively pursue these findings.

Specifically, the report states that DOD should conduct research designed to replicate or dispute the independent research results that revealed the presence of squalene antibodies in the blood of ill Gulf War veterans. If DOD's research affirms the presence of these antibodies, additional research must be conducted, designed to assess the significance of that finding.

The Department of Defense response to these recommendations has been unconscionable. They have stated that since they did not use squalene as an adjuvant during the Gulf War, there is no reason to test for it at this time. That is ducking the issue completely. They are willing to wait possibly for a year or more until the research is published to determine whether or not it warrants further review.

Considering the suffering of so many of our brave men and women who are living daily with the painful consequences of their service to our Nation, I cannot comprehend the DOD's reluctance. Over $100 million, $100 million, has been spent on investigating Gulf War illnesses, with little success. Surely, we can find a few thousand dollars to replicate or dispute the research results. We owe the veterans the truth.

Recently we have seen journalistic investigations examining this issue. Additional concerns have been raised by Gary Matsumoto in Vanity Fair and Paul Rodriguez of Insight Magazine.

We must exercise our constitutional oversight role to unravel this mystery and provide a clear presentation of the facts.

I have asked the gentleman from South Carolina (Mr. SPENCE), the chairman of the Committee on Armed Services, and the gentleman from Arizona (Mr. STUMP), the chairman of the Committee on Veterans' Affairs, to hold a joint hearing regarding the results of the GAO report. I believe it is essential to hear firsthand from the GAO investigators and obtain answers from DOD officials and others under oath to many of the questions that remain outstanding.

It is imperative that DOD cooperate. We must find the truth wherever the next step leads.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas (Mr. SNYDER) is recognized for 5 minutes.

(Mr. SNYDER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

REPORT FROM THE U.S. DEPARTMENT OF STATE ON HUMAN RIGHTS PRACTICES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Oklahoma (Mr. COBURN) is recognized for 60 minutes as the designee of the majority leader.

Mr. COBURN. Mr. Speaker, I wanted to take a few minutes tonight. I know via C–SPAN that this is going to be very hard for the people at home to read but I think it shows a tremendous problem that we have in our foreign policy and how that policy is being carried out.

I want to just read it verbatim. What this is is listings taken directly from the U.S. Department of State's 1998 Human Rights Practices Report.

The Department of State is required by law to assess human rights violations ongoing in countries that we have dealings with.

There are two countries here that are listed, and we have significant involvement, ongoing today, with these two countries. If I may, under country A, this government's human rights record worsened significantly and there were

problems in many areas, including extrajudicial killings, murders, disappearances, torture, brutal beatings and arbitrary arrests and detentions. Country B, the government's human rights record deteriorated sharply beginning in the final months of this last year with a crackdown against organized political dissent. Abuses included instances of extrajudicial killings, torture, mistreatment of prisoners, forced confessions, arbitrary arrests and detention, lengthy incommunicado detention and denial of due process.

Second area, country A, the government infringed on the citizen's right to privacy. The same thing, country B, the government infringed on the citizen's right to privacy.

Number three, under country A, the government severely restricted the freedom of speech and of the press. The same thing, country B, the government continued restrictions on the freedom of speech and of the press.

The fourth area of concern, discrimination and violence against women remained serious problems. Discrimination against religious and ethnic minorities worsened during the year. Country B, discrimination against women, minorities and the disabled, violence against women, including coercive family planning practices which sometimes included forced abortion and forced sterilization, prostitution, trafficking in women and children and abuse of children are all significant problems.

Fifth area, the government infringed on the freedom of worship by minority religions and restricted freedom of movement. Country B, serious human rights abuses persisted in minority areas where restrictions on religion and other fundamental freedoms intensified.

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The sixth area, Country A, the police committed numerous serious and systematic human rights abuses. Country B, security police and personnel were responsible for numerous human rights abuses.

What kind of countries are these? The first is a constitutional republic, the second is an authoritarian state. Country A happens to be Yugoslavia. Country B happens to be China.

We are bombing Yugoslavia as I speak. We are courting China to the World Trade Organization. We give them MFN, most-favored-nation status privileges, in trading with us.

Mr. President, Mr. Vice President, I call on you to have some consistency in our foreign policy. The human rights abuses are atrocious for both these countries. Our policy has to be consistent.

THE SOCIAL SECURITY TRUST FUND

Now I would like to spend some time tonight talking about the problems that really face us. Today we did pass a budget. It is the first honest budget. I have been here, I am in my fifth year. I am a term-limited congressman. I have one year to go.

This is the first budget that the Congress of the United States has considered that is honest in comparison with the numbers for the people of this country. It is honest about what our problems are, it is honest about what the real numbers are in terms of money, and it speaks honestly about what our situations are financially.

The social security trust fund is a definite problem for us. I think it is important that we understand how it works, because most of the people in my district still think there is real money in a trust fund. That is what it was intended to be, but in fact we have not used it that way, and it has not been done for 40 or 50 years. In fact, the money actually has been taken to use on other programs.

What happens now is when we earn a salary, the money that is paid in by our employer or us directly, if we are self-employed, comes to the Federal Government. Excess money coming into social security that is above that which is paid out in social security benefits is used to pay for more spending, or pay off publicly-held debt.

We have heard today a lot of people talk about paying off debt. If we pay off publicly-held debt by borrowing money from the social security, we have not changed our debt at all, we have just changed who we owe it to. We also change who is going to be supplying the repayment of that debt. So we put IOUs in the trust fund that bear interest.

We are not paying any of that back. As a matter of fact, we are actually creating a larger quantity, and doing so at a greater rate than we ever have in our country's history.

In the year 2014, which is the latest, just this last week, the Social Security Administration came out with revised numbers that in the year 2014 there will not be a surplus of payments coming into the social security system. In fact, what that means is the money that will be paid out to benefits, to social security recipients, will exceed the amount of money that the people working are paying into the system.

What is going to happen? We are going to have to get the money somewhere, so we are going to either raise taxes or borrow the money by creating additional obligations and reshifting the debt back out of the social security to publicly-held debt.

What we are doing, we have the little peanut in the shell game that has been going on for the last 50 years in this country. The budget that was passed today specifically addresses the problems associated with this. All social security trust funds will be moved off-budget and not used for anything except retiring debt: no increased spending, no tax cuts, nothing except reserving them for future use for social security.

So you can get an idea of what is actually happening in the social security trust fund balance, the year 1999 is this year. We are going to have about an $80 billion, maybe $90 billion surplus in social security payments in excess of what we are paying out.

But as we can see, by the year 2014 what happens is that we start going in the red. We have to borrow money to pay social security, or we have to cut spending somewhere else, or we have to issue new instruments of debt, which is the same thing as borrowing money, or we have to raise taxes. We are going to talk about that in a minute.

It is interesting to note a mere 30 years from now we will have $700 billion worth of underpayment in the social security system, $700 billion that we are either going to have to raise the taxes on our children or grandchildren just to meet the obligations for the social security system.

By the way, these numbers come from the social security trustees' report. None of these are opinionated numbers made up by a Congressman. They either come from the Office of Management and Budget, the Congressional Budget Office, or social security.

So what are our options? There is one fact that is true: In the year 2014, social security will pay out more than it takes in. That has not changed. It has moved one year in the last 2 years.

The first thing we can do is save 100 percent of the social security surplus and transition to a system with individually-controlled investments. We can repay the money from the trust fund by raising income taxes on ourselves now, or our children or our grandchildren, or we can delay the date by raising the retirement age or reducing benefits. None of those are of value to anybody that is paying taxes today. They are not of value to our seniors. We have to fulfill our commitment to our seniors.

So we only have three options: raise taxes, decrease benefits, or make social security a system that will work. The most interesting thing about social security, had we put the money that was put into our account for social security in a passbook savings account, we would have earned on compounded interest four times what is going to be available to our account under the government's auspices. The average annual interest earnings on social security trust funds is 1.2 percent.

Another way of looking at what is going to happen with social security taxes is to look at what the tax rate is now on the employee and employer share. Right now it is 12.5, 12.6 percent that is paid, half of that out of your salary, half out of your employer's salary, or if you are self-employed, you pay it all.

We can see the green line shows that that is the rate. If we continue at that same rate, the red line shows what we are going to have to have. So we can see that by the year 2029 we are going to have to go all the way up to 18 percent. We are going to have to have a 50 percent increase in social security taxes, just to meet the demands that are going to be on the system.

It is not any wonder that when people are polled in this country, that they have more confidence in the fact that there are UFOs out there than that the social security system will be viable for them. Here is why. If your current age is 5, you have an average life expectancy of 82.5 years. If you earned the average wage in 1998, you would have to live an extra 5.1 years over your expected life expectancy just to get back the money you put in, with interest paid on that. If you earned the maximum, which is $70,000, or $68,400 in 1998, it is higher than that now, you would have to live an extra 14.9 years.

Let us say you are 34. Your life expectancy if you are 34 years of age today is 83.8 years, on average. If you earned the average wage during 1998 and you did that for the rest of your working period until you were eligible for social security, you would have to live to be 100.5 years, almost 101 years old to ever get back even what you put into the social security system.

If you earn the maximum, $68,000, you have to live to be 172 years old to get your money back out of the social security system. Why? Because the money is not invested properly, it is not achieving daily compound interest, and the money has been spent for things other than what it was intended to.

Why is social security important? If we do not fix social security, if we do not quit stealing social security money, if we do not make social security a viable retirement system, our grandchildren will have a much poorer standard of living than what we have today. We are stealing opportunities from our children and our grandchildren by not being responsible over the past 50 years.

That is why the budget that passed today was so important. For the first time it recognizes that money for social security is intended to be for social security, and that that money is not intended for tax cuts, that money is not intended for increased spending on anything except social security.

Each citizen's share of the debt, in 1997, $19,898; 1998, $20,123; 1999, at the end of this year, September 30th of this year, every person, man, woman, and child in this country, will be responsible for almost $21,000 of debt.

More importantly, substitute the politicians' surplus that they have been talking about the last couple of years, and we do not have a real surplus. What we have is an excess payment of social security monies over what is paid out. There is not a true surplus projected until the year 2001.

What is happening daily? Every day the debt that our children and grandchildren must repay goes up by $275 million. In 1998, the national debt rose by $120 billion. Yet, the politicians said we had a surplus of $69 billion. Something does not add up. We will never have a surplus until the debt stops rising. That is how you measure a surplus. If the debt is rising, we cannot possibly have a surplus.

If any business, any homeowner, any group of individuals managed their books the way the Federal Government manages theirs, first of all they would be going to jail. Number two, if they rob from the pension plan the way the Congress through the years has robbed from the social security plan, they would be in jail already.

The most important aspect of putting social security back and building its integrity is the fact that we will start a new process that recognizes that if the Congress makes an obligation to the American people, they have to keep that obligation. It is called truth in budgeting. There is no surplus. There is a politician's surplus. We will talk about that a little bit.

Here is what has been publicly said by both the politicians in Congress and the administration about surplus: in 1998, a $69 billion surplus. But how did the national debt go from $5,340 billion to $5,440 billion if we had a surplus? It is because we really did not have a surplus.

When we say we have a surplus, then it is easier to spend more of our tax dollars, it is easier to cut taxes because, oh, we have extra money. We have no extra money. As a matter of fact, we owe $1.6 trillion to the social security system now. The money is not there. It has already been spent on something else.

When we hear the word ''surplus,'' if we ever encounter that, if we read it in the newspapers, it has to be an on-budget surplus. We use two sets of numbers, one for political purposes, for people to get reelected, and the other that is a real true number that we end up making hard decisions on.

The politicians' surplus is a lie. There is not a surplus. If we apply these numbers carefully, we can look at what President Clinton has proposed and the actual spending and what is proposed in this budget, and we can see big differences in the numbers.

If we totally exclude social security money from all spending and we keep the budget caps that were agreed to in 1997, that the President and the Congress agreed to, then a couple of things are going to happen.

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In 1998, if we restrain spending, the real deficit was about $30 billion instead of $69 billion surplus. If we can restrain spending and live within the caps, based on the Congressional Budget Office's projections of what will happen in terms of revenue and costs, what we will see is that we will get a real surplus, a citizens' surplus. More money, we will actually have more money in than we have obligations to meet, not touching any Social Security money.

Why is that important? Because in the year 2014 when we have to start paying out this large amount of money to Social Security payments, we are going to have to get that money somewhere.

We can do two things. We can borrow the money, which just delays the price of that to a future time, or we can change the system. We can cut the benefits. We can delay the age. We can say one cannot have Social Security until one is 75 and one has to continue to work.

The problem with that is we have made a commitment to the American people in terms of the Social Security retirement system. The other problem with it is that the Social Security system today is not a livable retirement wage.

So if we want to meet the obligation to the senior citizens of this country, and I am soon to be one, I now have an AARP card I am proud to say, that we have to make the hard choices, we have to be honest about what our budgeting problems are, and we have to keep our hands off Social Security.

When I talk to people in my district, I hear lots of worries about creating a system other than the system that we have now that would take a small percentage, say a third of one's Social Security payments, and allow one to put that in a restricted, highly safe investment entity that would earn interest at three or four times the rate that the government is going to earn interest.

It is not hard to figure out at compound interest, if the Federal Government is earning 1.2 percent on one's money, and the average private investment vehicle today, discounting the rise in the market the last 6 or 7 years, but pre-1992 was 7 percent, what one is talking about is a fivefold increase in the earnings power of that money.

Einstein said the most important scientific fact that he ever looked at powerwise was the power of compound interest, that if one gets paid interest daily on money that one saves, that the building power of that each day that base amount rose and one earns more interest on a higher amount each day, eventually what one will achieve is a marked reduction in the cost for any service that one would offer.

This ability to restrain spending, to stay within the caps is the most important thing that Congress can do. The budget that we passed today does exactly that. It preserves 100 percent of the Social Security funds for Social Security.

Number two, it restrains spending by staying within the budget caps agreed to between the President and the Congress in 1997. We cannot do anything any more important than that for our children and our grandchildren.

Part of being a Member of Congress is helping us fulfill our obligations, not just to our seniors, but fulfilling the obligations that we have to our children and the future generations that come after us.

I want to use an example. This is not meant to be a partisan example, but it tells very specifically what happened in 1998 with the supposed ''surplus,'' but really spending the Social Security surplus.

We had $127 billion more come into the budget in 1999 on Social Security than we actually paid out. Correction. That is, 1999 was projected to be $127 billion. We have agreed to spend $1 billion, or we think we have agreed because it is in conference now, in terms of the emergency spending bill, in terms of all of the tragedies that happened in South America. That brings us to $126 billion.

We had a bill that spent an additional $15 billion at the end of last year outside of the caps that we had agreed to. So that brought it down to $111 billion. We had another billion dollars that was spent in agreement with the President in emergency appropriations.

So last year we stole $17 billion of the Social Security surplus straight off the top.

What is going to happen this year, the expected surplus is $138 billion in Social Security. The surplus for the general accounts is not near that. It is at actually a deficit.

If we do not accomplish what we said we would with this budget today, what will happen is we will be using Social Security money again to pay for things that we should be paying for with things other than Social Security dollars.

We will be undermining the Social Security system. We will not be honest about what we are doing here. We will have two sets of numbers again, one for the American people when we are campaigning and being politicians and trying to look good, and another that is the real world that someday we are going to have a day of reckoning when it comes to our kids.

The President put forth the budget that said, over the next 15 years, we spend only 38 percent of the Social Security surplus when we should not spend any of it. But even under his budget for the year 2000, he actually spends 42 percent of it on increased programs within the Federal Government.

Let us not spend any of the Social Security money. Another thing has struck me since I have been in Congress. I am a physician, obstetrician, family practice doctor. I delivered 97 babies last year while I was in Congress. So I go home every weekend. On Mondays, I still practice medicine, lots of times on Fridays, and every fourth weekend I am on call. So I get to talk to people about real problems, see the real issues that they are involved in.

It strikes me so peculiar that we talk so easy about these large numbers. The application is, when I have a senior citizen in my office, and they are not taking their medicine, and the reason they are not taking their medicine is because they cannot afford to take their medicine, that they are choosing between eating and taking the medicine that will extend their lives, that we have failed as a Nation under, quote, Social Security and Medicare to provide the things that we promised that we would provide.

The other thing that strikes me is that we heard the gentleman from North Carolina earlier say that the reason that we had this huge deficit was tax cuts in the future. We have two ways of affecting government funds. We can either spend more or less, that is one way, or we can raise taxes or lower taxes. It is one or the other. One is not better than the other when it comes to balancing our books. If in fact we need to cut spending, we can.

I cannot find one person in my district who thinks that the Federal Government is efficient; that it could not be. As a matter of fact, if one knows anything about the history of World War II, when this country had to improve efficiency, when we had a crisis that faced us, what we did is markedly reduce the cost of the bureaucracy of the Federal Government so that more dollars went into our ability to sustain the freedom that we all cherish.

We have that big of a crisis facing us today. It is not flashy. It is not great big. It is not in front of us all the time. But the fact is, is our children and our grandchildren, unless we have fiscal discipline, will have a markedly lower standard of living. We do not have any option to that except doing the right thing now.

I am going to close here in a minute. One of the things that I have learned in my short stint as a politician is that there is a lot of ways to look at things. There is a way to look at things if one wants to get reelected. There is a way to look at things if one wants to play ball up here with the politicians. There is a way to look at things if one wants to be able to sleep at night.

Martin Luther King in his last speech at the National Cathedral, his last major speech, said this: Cowardice asked the question, is it expedient? Vanity asked the question, is it popular? But conscience asked the question, is it right?

It is not right to steal Social Security money and use it in other things. It is not right to be dishonest with the American public about the budget numbers that we deal with every day.

It is not right to be untruthful about our situation in Yugoslavia or our trading relationships with China. They are equivalently the same in terms of the way they treat humans. They are both atrocious.

We have to live with ourselves. We have to demand the integrity and the statesmanship that is necessary for our freedom to operate.

As we spend more of one's money and we do not fulfill our obligations, we all lose freedom. I want freedom for my grandchildren. I want freedom for my children. I have three daughters, two sons-in-law, two grandchildren. My greatest dream is that they will have the opportunity to be free and succeed in a free society. That requires integrity in the Congress and requires integrity at every level in this government.

We can become much more efficient. We can do the right things. We do not have to always be popular. We do not have to look for the expedient way. That is the way of the coward.

FARM CRISIS IN AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 60 minutes as the designee of the minority leader.

Ms. KAPTUR. Mr. Speaker, as some of our colleagues discussed earlier this evening, rural America is in economic depression. Tonight I would like to ask the question of: Where is the beef? Where is the bill that is supposed to come out of this Congress that meets the needs of farmers across this country who are losing equity, increasing debt, and many, many of them putting their farms up for sale?

Recently I stood on this floor and read to my colleagues a letter I received from a constituent who comes from a farming family of many generations. She called the American farmer an endangered species and asked if Congress even cared about saving them.

I care about saving the independent American farmer, Mr. Speaker. But the leadership of this Congress is very, very irresponsible. Where is the bill? Where is the beef?

Some Members of this Congress are doing all they can to get a bill out of here that addresses the concerns of farmers across this country. But many other Members are unaware or literally are playing politics by holding relief to our farmers hostage to other bills, literally putting a tourniquet on the credit so essential as life lines to farmers across this country.

It is awful that, while the American economy is at one of the strongest points in recent history, the benefits are not flowing to every community. In fact, the benefits are flowing out of the pockets and the bank accounts of our farmers.

They are continuing to experience significant declines in prices that began over a year ago. In fact, over the last 15 years, one would ask oneself the question: Why would one even want to be an independent farmer in America?

The price declines experienced by wheat and cattle producers over the last couple of years have now expanded across rural America to include the feed grains, oilseed, cotton, pork, rice, and now even the dairy sector at 50-year lows.

In some instances, prices are now lower than during the 1940s. Coupled with that is the increasing cost of production and farm equipment and fuel. Those prices do not go down, only up.

For the RECORD this evening, I want to submit some of these prices. Imagine how many bushels of wheat one would have to supply to a local grain company when wheat is now selling at $2.66 a bushel. Fifteen years ago, it was selling at $3.39. In corn, it is at all time

record lows, $2 a bushel. In soybeans, $5.05. Those prices had been on a continuing decline.

In cattle and steers, the prices continue to go down. Certainly in the hog area were at all time lows at $35.41. It is almost amazing that one can buy an entire animal for that amount. Then of course one would have to add on the slaughter costs. But across this country, farmers are burying their animals. They cannot meet the cost of production.

These are people who work very, very hard for a living. Farm income is expected to fall by next year by an additional 20 percent. That means taking 20 percent of one's equity away from one. How would that feel for any American family?

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We know that exports are also down, nearly 20 percent in the last 3 years. Exports of wheat are down 15.4 percent; corn is down 19.2 percent; soybeans down 8.3 percent; cotton down nearly half.

Is it any wonder that there is a cry across America in our rural communities? Farmers are losing their equity big time. The only question remains, how long can they hang on?

Total farm debt in the last 2 years is rising, over $170 billion, nearly a 10 percent increase. Equity down, debt up. The drop in income, coupled with declining asset values for many producers, means they cannot obtain credit. This Congress should be guaranteeing that credit for America's farmers.

I ask again, where is the bill? Where is the beef?

Those who do obtain credit will find that they will be using it for cash expenses rather than for investment or for improvement. They will find themselves squeezed out as they try to repay debt on current income.

And prices for next year do not look any better. Many farmers who struggled with cash flow last year resulting from low prices and adverse weather will likely see their situation worsen as this year and next year move forward. In fact, the U.S. Department of Agriculture projects that the greatest financial strain in 1999, this year, will be on field crops: Wheat, corn, soybeans, upland cotton, rice. Net income will be 17 percent below previous 5-year averages. And this year current projections show there will be an additional 27 percent below the previous 5-year average.

My colleagues, this is very, very serious. And I think the political problem inside here in some ways reflects America's folly, taking our food production system for granted. Because, of course, we were only able to create this civilization when the tillers of the soil and those who raised our livestock were able to feed more than their own family, became more efficient, were able to feed the Nation and so much of the world. We came to take them for granted.

They only comprise 2.8 percent of those who work in America. They truly are a minority. And so most of the public does not even see the sweat on their brow, the debts that they have had to amass as they try to continue in the work that they love.

While the equity level of farmers is relatively high, farm lenders report that farmers are depleting their equity at a faster rate than earlier in this decade. And unlike the 1980s, when many of them loaned up and they got debt heavy, what this group now is doing, and the average age of farmers being about 55 years of age in America, they are saying, why take on more debt, why weather more of this crisis, let us get out of this business. What a tragedy for our country.

When we think about it, when we walk around the Capitol and we see all the statutes and look at the murals on the walls, what do they represent? They represent the abundance of this land; the ability of the American people to have a stable political unit built on independent farmers, independent ownership of land; the ability to survive and, in the process, to be able to produce enough to feed one's neighbors.

Most Americans do not pay more than 10 percent of their income for food. Most of the world pays over half of their income for food. We owe much to our farmers. We are blessed with fertile soil in this country and hard-working people. Our country was built on the sweat of their labor. In fact, they are so good, unfortunately, that most of the rest of the society does not even see them any more.

We cannot turn our back, Mr. Speaker, on our farmers, because they have never turned their back on us. This Congress, the leadership of this Congress tomorrow could bring up the emergency farm bill if there were the will. We ought to start with credit for planting this spring, but that is not sufficient. We have to look at price transparency. We have to look at risk management.

I want to say a word, before I recognize several of my colleagues who have joined me here this evening, about why it is so hard for farmers to make a living. If we look at the concentration that is continuing to afflict this industry and how difficult it is for an independent producer to make it in America, our independent farmers are being squeezed out.

If we take a look at pork, most Americans do not know that six companies in this country control the processing that brings that pork to America's tables, those ribs, that pork sausage. Companies like Smithfield, IBP, ConAgra, Cargill, Farmland Industries, and Hormel control 75 percent of all pork slaughter in this country.

If a farmer has animals and he wants to get them to market, he does not go to the retail store, he has to go to the processing company, and it is the processing company that decides whether his animal will get to market. The processing company decides what that farmer will receive per pound for that animal, and they decide, generally by deals with the retail stores, on which shelves might that farmer's product arrive. The independent farmer has nothing to say about all of that.

In Ohio, the area where I come from, due to a lack of independent slaughter facilities and last year's closing of Thornapple's up in Michigan, along with the dumping of Canadian hogs on our market, our pork farmers in Ohio are suffering greatly. They are lucky if they can find companies willing to take their animals.

And it is not just in pork. In beef, four firms control 83 percent of all beef slaughter in this country, four firms control 73 percent of all sheep slaughter, and four firms control 62 percent of flour milling. And I can tell my colleagues this, at the regional level the concentration is even worse when farmers cannot find a way to get their products to market.

Truly, this is a battle between David and Goliath, and Goliath is winning.

I want to recognize some of my colleagues who have joined me this evening; certainly the gentleman from North Carolina (Mr. BOB ETHERIDGE), who has been down here every day trying to get a bill out of this institution.

We have a Speaker from Illinois. There are lots of feed grains in Illinois. Why is a bill not moving? We have a Whip in this Chamber who is from Texas where cotton and cattle are in trouble. Why can we not move a bill out of this Chamber?

I yield to my colleague from North Carolina (Mr. ETHERIDGE) and thank him for his tremendous work and leadership on this issue, not just for his own State but for farmers across our country.

Mr. ETHERIDGE. Mr. Speaker, I want to thank the gentlewoman from Ohio (Ms. KAPTUR) for putting together this important special order on the condition of American farmers at a time when the American farm economy is in deep trouble, as she has already stated, and the need for this body to stop playing politics and get a supplemental spending bill through.

There is no excuse for what is happening. Our farmers need help now. They really needed it last month. We tried to get a supplemental bill through, as the gentlewoman well knows, but politics prevailed over good sound policy.

I, as a member of the Committee on Agriculture, had to vote against the bill because it was that bad, as did many of the Members of this body, and it did not pass. The reason was we were taking money out of the international fund, where we were selling our products, to loan to farmers to produce, which is the craziest thing I have ever heard of. And this body realized it when it got to the floor. It was nothing more than a political game.

I am sorry I had to vote against it, but the point is, as the gentlewoman

has indicated, farmers are hurting. Farm families are in trouble all across this country. The need for American families to have us stop playing the partisan games are the greatest they have ever been, and the Republican majority has denied any relief to suffering farmers. They have denied that relief when we can do something about it, as the gentlewoman has indicated. It is in their power to bring it to the floor, it is within their power to let us pass it. Because if it gets to this floor, it will pass.

I grew up on a farm. I have a lot of my friends who still farm. It is a great life. I own a little piece of land. It is kind of hard for me to say I farm. I go out there a lot and check the cows, and my son spends a lot of time on the farm, almost every day. But farmers are hurting. I have been around farming all my life, and I do not remember a time when there has been more uncertainty, more turmoil, more economic devastation of such a broad scale in the agricultural community as there is today.

I was at a 4–H lamb show during the break with some friends, and an auctioneer came up to me and he said, ''I want to say something.'' He did not know me. I had never met him. He said, ''It hurts me to go and have farm sales, and I am having more farm sales now than any other type of sale I am having.'' And the shame is there is no one there to bid. The farmers' assets are going for a pittance.

In North Carolina almost no farmer has been spared, and I think this is true all across the country. Our tobacco farmers are close to facing the lowest production quota in the history of the tobacco program. That goes back to the mid 1930s.

Pork farmers, as the gentlewoman has shared, have experienced the lowest prices for live hogs in more than 50 years, for a variety of reasons. And cotton, peanut, dairy, corn, wheat and soybean farmers are being crushed by the low prices. They are being crushed by low prices and oversupply and no place to market their goods.

In these modern times there are an awful lot of people who really think they get their groceries at a grocery store, and they do, but what they forget is the farmers that produce those goods, that put them on the shelves.

I am here to say to my colleagues that if we want to keep having food come from the farm, as the gentlewoman has already indicated, we had better be about helping the farmers stay in business. Because if the independent farmers go out, and surely they will if we do not give them help, and we wind up with just the large mega corporate farms, America is going to be in deep trouble and we will pay a heavy price for it.

Food is a vital part of a country's national security. If we lose our ability to produce food, we will not have the underpinnings of a strong national security. We have a responsibility, and I think a duty, to make sure our farmers survive. And not only survive, they should thrive.

It is absolutely not fair, when so many people in the country are deciding whether or not to roll over their IRAs and how to do it, and look at the stock dividends and watch the stock market, when farmers are watching their stock go to market and not even getting paid for it. That is not right.

We need to make sure our farmers survive and that our families have access to a safe and adequate food supply. It needs to be produced in the United States if we want to make sure it is a safe food supply.

The Freedom to Farm Act that passed here in 1996 has been an utter failure. There is no question about it. Talk to any farmer, they will tell my colleagues that. Promises were made in 1996 of a new and expanded market in exchange for an end to price supports and production controls. So what happened was the Republican majority in this Congress did away with the controls, but we did not fulfill the other part. We did not make sure they had markets for their goods. And if they do not have an overseas market, they are in trouble. And that is where our farmers are.

We have to be accountable to our farmers for the failure of that promise, and the only way we can be accountable is to put a bill on this floor that keeps them in business.

Ms. KAPTUR. Reclaiming my time for just a moment, the gentleman was talking about the importance of production in this country. I completely agree.

And also it is important to understand how our farmers are organized to produce; whether they become franchisees to some big processing company or whether they are allowed to own their own farmstead and make their own decisions on what they wish to raise and be able to pledge their own assets against borrowing.

What is happening so often across our country now, in order to survive, and I do not think most urban dwellers or suburban dwellers understand this, these farmers are oftentimes having to lock themselves into economic arrangements where they totally are losing their independence. They are no longer independent farmers.

Mr. ETHERIDGE. I thank the gentlewoman for those comments. That is absolutely true. If our farmers lose their independence, that is the very thing that has made America great.

Going back all the way to colonial days, as the gentlewoman mentioned earlier, is the fact that a person had a piece of ground, and it used to be said they had a mule. There are no longer mules in the country now. Those that came out of Missouri, we have now put tractors behind them and other things.

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But the important thing was that they had their independence. We have had a strong vibrant economy because of agriculture. When our agricultural economy gets in trouble, pretty soon the rest of us follow.

We started to do something last year to help the farmers when we passed the disaster relief bill, but not a dime of that money, not one dime of that money, has been sent to the farmers yet because of a whole variety of reasons.

Earlier this year, we passed, and I commend the majority for bringing this to the floor, legislation to free up loan reserves within the Department so that they can make money available to farmers. But that money is also gone, the reason being there is such a big need in the farm community, farmers need a lot of money in the spring to buy supplies to start the farm operations. They are huge users of credit.

The problem we have is, as my colleague indicated earlier, the commodity prices are so low, the lowest they have been in probably 50 years, they have very little reserves, they have grain and other commodities in the bins where they are stored. Unfortunately, those commodities are not worth anywhere near the amount they need to go to the bank and borrow money.

So it is up to us, I think, to step up and make sure they are in business and get through these tough times so that all of us can enjoy the bounty that we have enjoyed for so long. We have had the food in this country. We have been able to share it around the world. If we want to keep doing that, we better make sure that we make money available through the USDA to get to our farmers. But the money we already made available is gone.

The trouble in the farm economy is often the first step, as I said earlier, to a greater problem in the economy in America. And we better wake up and we better get a supplemental spending bill on this floor and the majority better do it for our farmers or we are all going to pay a heavy price.

And our farmers know who is in charge. Farmers across this country find themselves in the situation where they do not watch Wall Street. They cannot. They are watching Main Street, and Main Street does not look very good these days. The Wall Street bankers may deal with stocks, but if the Main Street banker cannot lend money to the farmers, a lot of us may not enjoy the kind of bountiful food at the cheap prices that we have enjoyed for so long.

This happened once before in our country in the 1930s. Different times. But the farmers got in trouble and we had the dust bowls in the Midwest because the farmers were not farming. That can happen again. It can very well happen in America. But this Congress can take action, and I challenge the Republican leadership to bring that bill to the floor so that we can give our farmers the help they need as they start this planting season.

Ms. KAPTUR. Mr. Speaker, reclaiming my time, so we can let the American people know where this bill is whether it first came through the House, it had to then go to the Senate. The Senate has passed a bill. Under our rules, we now have to do what we say ''go to conference.'' That means to work out the differences between the House and Senate bill.

The problem is the Senate has appointed conferees. But guess what? The leadership of this House has not appointed conferees. Therefore, we cannot clear a bill because they have not even worked out the differences.

It is now into the fourth month of this Congress, and spring planting is now. People have to make life-and-death decisions now. I have had seed companies call me from back home saying, ''MARCY, I have debts from last year related to credit I extended, and I cannot do it again. I got a lot of farmers totally at risk here.'' And yet we are sort of fiddling here in this Chamber while rural America burns across this country and we cannot even get a conference committee appointed.

Mr. ETHERIDGE. Mr. Speaker, if the gentlewoman would yield further, she is absolutely correct. There is no excuse for it. There is no excuse when we have the power to do something about it. The majority does. We do not. The majority does.

We should move tomorrow. We should have a bill on this floor before we go home this weekend and we ought to pass it so that the farmers can go to work.

Planting season, as my colleague said, has started. And in the Southeast, for some of the crops, we are getting pretty far along already. And in my colleague's part of the country, they are going to be planting within the next week or so and some are probably getting land ready.

We need to act now, and it does not need to be next month.

Ms. KAPTUR. Mr. Speaker, I thank the gentleman from North Carolina (Mr. ETHERIDGE) for joining us and for being a vigilant voice not just for farmers in North Carolina but across this country and in trying to get the majority here to do what is right for our country.

Mr. Speaker, I yield to the gentleman from Arkansas (Mr. BERRY), one of the most knowledgeable Members of the entire Congress on the subject of rural America and agriculture.

Mr. BERRY. Mr. Speaker, I am a bit sad this evening to have to come to this floor again to express the concern I have for America's farmers. I consider and have always considered myself, since the time I have been old enough to understand, privileged to be born a farmer. I still am. That is the way most of the members of my family for as far back as I know about. That is the way they have made a living. We never had a lot but we had enough.

And it is a sad thing to see the rest of the country prosper, and we are proud of that, we are happy for them, at a time when America's farmers are in the worst situation that they have been in in this century. It is almost unbelievable that the same body, the United States Congress that passed Freedom to Farm, the same leadership that crammed Freedom to Farm down our farmers' throats when they begged not to do it, they knew this was a bad idea, for us to have to come to this floor tonight and once again ask the leadership of this House to do the right thing.

We are not asking them for a handout. We are not asking them to do anything except what they should do. Because they made a commitment when they passed Freedom to Farm. They basically said to America's farmers that they produce and we will help them sell it.

They did not pass fast track. They have not helped open up any new markets. They have basically let it go by the wayside and told America's farmers, good luck, guys, we hope you make it. It is like standing on the bank of the river while they know someone is about to drown and saying ''good luck.'' But that is what is happening in this Congress right now.

It is unconscionable that the leadership has not appointed conferees and they have not dealt with this and it has already gone to the President's desk, and it is hard to believe.

America's farmers are the most productive people that have ever been known in the history of the world. There has never been another nation that it cost them so little to eat as it does this country. America's farmers have had an average increase in productivity of 3 percent annually since 1910. That is unmatched by any other industry anywhere in the world at any time in history. And it is unbelievable that the House is holding up this progress.

Our farmers are out there twisting in the wind right now. They need the loans that this money will provide. We have an obligation to them to see that it happens. All of the things that have been said here this evening are quite true. And it is just unbelievable to me that, as a branch of the Government, we do not do the right thing and do what we know is the right thing to do.

It is a national security issue. I was amazed a few weeks ago to hear leading economists say that agriculture was no longer an important part of America's economy, that the stock market had grown so big that it was almost insignificant. It is not important unless we happen to eat three times a day. Then it becomes pretty important to us.

America's farmers have done such an incredible job that we do not even notice what they do. But they are proud people. They are hard-working people. They work hard. They play by the rules, and all they ask is for an even break. Yet, after passing Freedom to Farm, basically doing away with the safety nets and saying, good luck, fellows, the leadership and the majority party in this House has turned their back on America's farmers.

It is an amazing thing to me. I cannot imagine why they would want to do this. It is just amazing to me. The longer I live and the more I see, the more I am convinced that the further we get from our Jeffersonian roots, the further we get from an agrarian society, the more social problems we have.

I think there is great value not only in production of food but in rural America and what we learn and what we gain by having a strong rural America. Yet we are letting things like this, actions by the majority leadership, create a situation where rural America is threatened, where America's farmers are threatened, and it is something that just should not be allowed to happen.

I certainly hope that our leadership will take the responsibility. Let us hold them accountable, ask them to do the right thing, and bring this bill to conference, get it done, get it passed, get it on the President's desk, and do what we need to do for our farmers.

Once again, I thank the gentlewoman from Ohio (Ms. KAPTUR) for holding this special order and appreciate the opportunity to participate.

Ms. KAPTUR. Mr. Speaker, I thank the gentleman from Arkansas (Mr. BERRY) for his eloquent remarks this evening, which reflect not just an intellectual understanding of what agriculture means to this economy but his personal experience and bringing that kind of knowledge to this floor when so many of our Members do not know this particular industry firsthand, and to thank him for his sincerity and the weight of his arguments, which I know will help us as we try to carry the day here. He has been so convincing and his passion not just for people in Arkansas but across our country is completely demonstrated by his participating in this special order, and I want to personally thank him and thank the people of Arkansas for sending him here.

I could not help but think as he was talking about independent agriculture what has happened to our country. Farmers work very hard and they try to get their product to market, and there are these gatekeepers now and some of the big processing companies really do hold the leverage and power in the system. It has been my experience in dealing with some of those processing companies that they do not care whether the meat comes from America or whether it is imported, whether the grain comes from America or whether it is imported, whether the vegetables come from America or they are imported, because they can literally process anything and it really does not matter.

But I would just plead with my colleagues and plead with the American people who are listening this evening, think about the history of our country and what the roots of our freedom really are. When any segment of our society that has been so very important to

us is on the ropes, about to lose their independence, we are all connected to that, and only because we have had independently-owned agriculture for most of our history have we been able to maintain our freedoms and the political stability that we have known.

But if we look at what is happening to the processing of food today, if we look at the processing firms who racked up profits last year four times higher than in prior years, we have to begin to ask the question why, when we can buy an entire hog for $40, the price does not go down in the store? When these companies, the processing firms, can buy volumes and volumes of product produced by our farmers, and yet the price really does not go down in the store, what is happening there to consumers?

Consumers need to be interested in this. We need to be asking our local grocer whether there are products on the shelves that come from local companies, local farmers. Where does the meat come from? Is it labeled? Where do the vegetables come from? Are they labeled? Are we eating American grown strawberries or strawberries from somewhere else?

Only 2 percent of the food that comes onto the tables of America is literally inspected at our borders. And last year we imported over $30 billion worth of commodities into this country. And so, we begin to ask ourselves questions about the way this whole agricultural system has been transformed in the last 30 years.

It is a very different America than it was for our forebears. And the question for us today is, is this the system? Do we like the system the way it is? We have less than a million people in farming production agriculture today, and now we are going to wipe out thousands and thousands and thousands more. Is that really the America we want?

Try, if you are listening, call your local farmers, work with your local farm bureaus, work with your local associations, church groups, see if there is not a way to buy direct.

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ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PEASE). The Chair reminds Members that they are to direct their remarks to the Chair and not the television viewing audience.

Ms. KAPTUR. Mr. Speaker, I would ask people to visit their farmers' market and take advantage of farm fresh produce. Ask your grocer to procure locally-grown products, even eggs, poultry. Very interesting to see how few are able to actually participate in supplying the shelves. That is not by accident. It is because of the system that we have today. We need local solutions, as well as national solutions, to this problem.

I would urge the Members, I would say to the Speaker, that the American people should call their Members of Congress, particularly those in the leadership, and they should be asking for clearance of the emergency supplemental farm bill here in this Congress. It would only solve part of the problem. The biggest share remains ahead of us. If we could release credit for this spring, that would permit some of our farmers to remain in business.

But America must be concerned with the next generation of farmers and how she is going to preserve an independent agriculture, if at all, for the 21st century.

Mr. Speaker, I see our fine colleague, the gentlewoman from North Carolina (Mrs. CLAYTON), who has joined us this evening, who has spent her life working in rural development and is such an effective voice for the economic interests of all people, and I thank her very much for joining us and for her. I can tell the other Members and the Speaker pro tempore here this evening that she is really effective and communicates this message on agriculture every day to the people who need to move bills inside this Congress, and I thank her for joining us.

Mrs. CLAYTON. Mr. Speaker, I want to thank the gentlewoman from Ohio (Ms. KAPTUR) for holding the special order on the emergency need for the farm supplemental appropriation, and I thank her for all her leadership for rural America, but I thank her for bringing the opportunity that we can talk about in emergency.

In January of this Congress I was discussing the conditions of our farmers and the need to enact emergency legislation. In fact, the President also mentioned it in his State of the Union. Now more than a quarter of a year has passed, and we have yet to pass that legislation.

Mr. Speaker, what constitutes emergency? Emergency is a crisis, it is an exigent situation that demands urgent attention. We have a crisis in farming. We have an exigent situation that demands urgent attention.

Why then do we not have an emergency supplemental for agriculture? I believe we do not have an emergency supplemental bill almost four months later, after no Member of this Congress disputes that there is indeed an emergency. Everyone will tell you they understand that the farmers are suffering, and yet we do not respond to this.

I cannot imagine, if my colleagues understand what emergency is, and yet we have not done it. I think it is simply because we have misplaced our priorities. It is farmers are not that important to us. This Congress would rather fight for tax cuts for a few than help our farmers. We just passed the budget resolution; we took care of that, we pushed that. Last night, went to the Committee on Rules. Two o'clock, came out with a bill.

Three and a half months ago we talked about the bill for the emergency supplemental, and we do not have one yet. This Congress would rather pass a budget amendment that no one has seen than help small farmers and ranchers who struggle. Everyone has seen and recognized. It is not like we did not know it. We admit, we understand they are suffering, but we have not done anything about that.

Small farmers and ranchers are struggling to survive in America. In fact, small farmers and ranchers are a dying breed, and I would say when I say small farmers, I mean independent farmers. And some of those may not be independent, but they are small in size because they do not have a big holding in investment, but they certainly have invested a lot of their resources; they are in debt up to their necks. They are a dying breed, and because they are dying, because they are diminishing, the quality and the affordability of food is at risk for all of us.

Now whether we understand or not, we are tied to their survival. Farmers and ranchers have been able to eke out a living in the past, are now finding out they are not able to do that. They are not even able to break even. Most are losing money, and they are fighting just to stay in farming by borrowing more money. Just to stay in farming they have to borrow more money. They are not making anything; they are losing. But they love farming so dearly they want to stay, and that is their way of life.

Just consider in 1862, the year that the Department of Agriculture was created, 90 percent of the population farmed for a living. Today America's producers represent less than 3 percent. By 1992 there were only 1.1 million small independent farms left in the United States, a 45 percent decline since 1959.

Ms. KAPTUR. Mr. Speaker, it is amazing to think that a million farmers can feed 270 million people in this country and a third more abroad.

Mrs. CLAYTON. Yes.

Ms. KAPTUR. Millions and millions, to understand how magnificent the work that they do is.

Mrs. CLAYTON. That just shows us how efficient they are, and the gentlewoman from Ohio (Ms. KAPTUR) is right, how we are dependent on such a small number of people who are undergirding the support.

I am reminded, and I just say parenthetically reminded, that our former chairman, Democratic chairman of the Committee on Agriculture used to say if you wanted to know how important farmers were, he would tell the story about the submarine in World War II, and he was saying that the other countries would say how did you have such a superior submarine, or why were you able to stay there so long? And the answer was: We were able to be superior and hold our place as long as the food would last.

Now please understand that is symbolic of a military strength, but food is also symbolic of our national strength. It was important for our military, and it also is an important need for all of

our citizens. And so if those small farmers go out of existence, we just do not exist, we just do not exist. Farmers and farm families deserve a chance.

Before we had the Freedom of Farm bill of 1996, the farm price safety net was a shield against uncertain fluctuations in commodity prices. When the bill was considered, we referred to it as Freedom to Fail. I am sad to report that our ammunition has been far too accurate in that situation in North Carolina. According to a recent news report, the State's top farm commodities, hogs have experienced 50 percent drop in prices, 1996. Wheat is down in that State 42 percent, soybeans down 36 percent, corn 31 percent, peanuts 28 percent; turkey and cotton prices are down 23 percent since 1996. In fact, Mr. Speaker, there is no commodity in my State of North Carolina that makes money for farmers.

We must act now. If we do nothing about the real problem facing these hard-working citizens, they may not be there later at a later time. This is a time, if we are talking about saving them, we do not save them after they go out of business; we need to do it now. Congress must act now to relieve the pressure by providing the emergency supplemental funding.

I want to say that does not take care of all the problems, but at least that relieves the pressure that they need right now just to get in the field and just to start their whole production crop season again.

The emergency supplemental appropriation farm loan was the result of the unprecedented demand for agriculture credit due to the persistently low commodity prices across our Nation. The Department of Agriculture Farm Service Agency needs an additional $152 million in additional money in 1999 to provide credit and to deliver the services that farmers and ranchers need because of both the low prices and the weather.

On March 26 of this year USDA advised Congress and we passed a law to allow it to have the extraordinary emergency transfer action, which they took money out of their staffing of FSA to allow it to go into the credit insurance fund. Now that is a temporary provision. This transfer allows USDA to meet its urgent credit needs for farmers who maybe are planting now, but all that money is being spent. We are robbing Peter to pay Paul. This transfer obviously was a stopgap measure, but that has now ceased, so we really have run out of time.

The transfer of these funds also places FSA salaries and expense accounts in a deficit basis. My State, FSA work flow has experienced dramatic increases for a wide range of programs having considerable producer activity. While staff levels have been reduced by 25 percent from the 1993 levels, with the increased responsibility they simply cannot offer the service that our North Carolina farmers expect and deserve.

According to an official count, North Carolina is the most understaffed State in the Nation based on FSA work load criteria. At present we are under staffed by 56 employees. When I spoke with my State director earlier this afternoon, he said he could hire 25 additional people now, had he had the money for the salary. He also told me that his employees cannot go out in the field because there is not extra money for travel. We cannot tolerate that.

As my colleagues know, one has said that silence gives consent. We need to speak out against this. We need to speak to the leadership, that the leadership of this House must act now.

So I call on all my colleagues to call on our leader, for him to call on the appropriate people, to appoint the persons to the conference committee and to make sure that indeed we have an opportunity to move this forward, if not tomorrow, at least by Monday. We need to begin at least working out the differences between the Senate version and the House version.

Finally, as our farmers indeed survive, we will survive; and as rural America is hurting, they are tied to their farmers. Obviously all of us do not farm in rural America, but I can tell you we are tied to the farms' survival. As the farm indeed fails, much of Main Street, and much of infrastructure and school taxes, or rather the ability for the banks to survive also suffer, and this Nation, whether they understand it or not. Maybe only 25 percent of us may live in rural areas, and maybe only 1 percent or 1.1 million farmers farming, but they are undergirding us with the very basic of good food, quality food and fiber, that if they were not existing, we would not have that opportunity for that very basic.

And I thank the gentlewoman from Ohio (Ms. KAPTUR) for her leadership in this role and her persistence, willingness, to come here and to urge our colleagues to do the right thing, and I just want to stay with her and break the silence, that we should not be giving consent that we understand there is a crisis and refuse to do anything about it.

I thank the gentlewoman for allowing me to participate.

Ms. KAPTUR. Mr. Speaker, I want to thank the gentlewoman from North Carolina (Mrs. CLAYTON) for being here late this evening on behalf of America's farmers who need a voice in this Chamber. We must be their voice, we must get the leadership of this institution to move a bill. I wish we could move it this week because it could be done. We can work out these differences.

As the gentlewoman says, you can go up to the Committee on the Budget, they work until 2 a.m., and they get it done. A lot of our farmers are plowing their fields at 2 a.m. in the morning also. It is not a 9 to 5 job.

And as I was listening to the gentlewoman's remarks, I was thinking about the song America the Beautiful, where we talk about the fruited plains, about the amber waves of grain, and how different America would look if we were to lose this tremendous productive capacity that we have. And most Americans probably say, ''Well, gosh, we've, you know, had attrition of farmers over the whole century, so what makes this different?'' What makes this different is the structure of the industry at the end of the 20th century and that, in fact, the people who are in farming today are what we would call the diehards. They are the ones that have survived downturns in the economy, the current depression in rural America, all kinds of drought, all kinds of disease. These are the best farmers. They have had to survive everything, and now we risk losing them because of the current economy and the inability of this Congress to clear a bill that will keep rural America functioning for the sake of the Nation.

And as the prior gentleman talked about the stock market and the gentlewoman talked about what is happening in the rest of the economy, as one of our former chairmen of our committee used to say, there is a difference between money and wealth. And Wall Street can generate a lot of dollars, but those really are rather representative; they are a mirror of what is happening elsewhere in the economy.

When you talk about rural America and the ability of independent farming to survive, you are talking about the real wealth of America spread among many owners, not a few, and what is really at stake today is the ability of that group of people to survive and prosper, or are they going to be franchisees of large processing firms if they are even allowed to remain in business at all? The situation in America today, at the end of the 20th century, is as serious as it has ever been.

And so I want to thank the gentlewoman for being down here tonight. Along with her, the gentlewoman from North Carolina (Mrs. CLAYTON), the gentleman from North Carolina (Mr. ETHERIDGE) and also the gentleman from Arkansas (Mr. BERRY). We again make a plea to the leadership of this Chamber that delay is not an option.

The Speaker of this House and the other body, the other body's leadership, are fiddling while rural America burns. America needs our independent farmers, Mr. Speaker, and they need us. They need this Congress.

And so I ask the leadership: Where is the emergency farm bill? Where is the beef?

TAXES, SOCIAL SECURITY AND RETIREMENT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Colorado (Mr. MCINNIS) is recognized for 60 minutes as the designee of the majority leader.

Mr. MCINNIS. Mr. Speaker, first of all, I, of course, have been here to hear the previous remarks.

Let me make a point of clarification because I think it is very important. The previous speaker stated that the Speaker of the House sits idly by, or made some kind of reference in that regards, while the farmers out there suffer.

I am from rural Colorado. The Speaker is from rural Illinois. If the previous speakers would have read the newspaper recently, they would find out the Speaker's wife does not stay in Washington but remains at home in rural Illinois.

The Speaker cares about farmers. I do not know anybody in here who does not care about farmers, and I think it is grossly unfair for a speaker to stand up here, any speaker, and look out here, whether Republican or Democrat, and make the kind of audacious claim that for some reason because you are Republican or Democrat you do not care about farmers in America.

Frankly, I have not found anybody in America that does not care about farmers. Now, sure, there are disagreements on what can be done to help save the farming community and so on, but I think you stoop a little too low when you stand up here at this microphone, a speaker, any speaker, and would say or infer that any Republican or Democrat in this body does not care about farmers. Of course, we do.

Now let me go on now. This evening I am going to speak about taxes and a number of other issues.

Ms. KAPTUR. Mr. Speaker, will the gentleman yield?

Mr. MCINNIS. I will not yield to the gentlewoman from Ohio. The previous speaker had an hour and now I would like to have an opportunity to have an hour.

Ms. KAPTUR. Mr. Speaker, can I be recognized since the gentleman acknowledged that we had spoken?

The SPEAKER pro tempore (Mr. PEASE). The gentleman from Colorado has the time. The gentlewoman will suspend.

PARLIAMENTARY INQUIRY

Ms. KAPTUR. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentlewoman from Ohio will state her parliamentary inquiry.

Ms. KAPTUR. Mr. Speaker, my inquiry is, did the gentleman not reference a prior speaker and therefore under the rules am I not allowed to respond?

Mr. MCINNIS. Mr. Speaker, I control the time.

The SPEAKER pro tempore. The gentleman's remarks are not grounds for recognition.

The gentleman from Colorado may proceed.

Mr. MCINNIS. Mr. Speaker, some of the things that we want to talk about this evening, I want to talk about taxes. Of course, tomorrow, April 15, that is the tax day. Before I begin these remarks in-depth, I want to make a couple of thank yous. First of all, I want to thank all of the American taxpayers. I want to thank those taxpayers who are honest. I want to thank those taxpayers who go out every day of the week and they work hard to earn money, and they pay their proportionate share of taxes so that this country can remain great. I want to thank those taxpayers who make sure that they file their tax returns on time.

I want to assure the taxpayers of this country that there are a number of us on both sides of the aisle, there are a number of us who are devoted to making government more efficient and making government work for you. The concept of this government is not the taxpayers working for the government but the government working for the taxpayers.

I am employed and all of my colleagues here on the floor, we are employed by the taxpayers of this country. It is the taxpayers to whom we respond. It is the taxpayers to whom we owe a fiduciary duty to run this government in the most efficient way that we can possibly do it. I can say despite all the rhetoric that we have heard about tax cuts, can you or can you not have them, if we could just on a uniform basis cut the government waste that we see in day to day operation within this government, we could cut the taxes across the board, a permanent tax cut.

Of course, every time we cut waste back here in Washington we are getting into somebody's pocket because that money is not just put into a hole in the ground; it goes to somebody's benefit.

What they tend to do in Washington, D.C. is build a wall to protect that benefit, even though it is a waste of taxpayers' dollars.

I want to say another thank you. That is thank you for the services that are being rendered, as we speak, by our men and women in uniform, not only in Kosovo and in the region over in the Balkans but throughout the entire world.

When we take a look at what our military people make for pay, we will see why tax day is a tough day on them. It is a tough day on a lot of Americans that make that kind of salary, but these people are dedicated and they are showing their strength and the dedication and the patriotism toward this country not only in Kosovo in the military mission that we are engaged there, but in Korea, in Somalia, throughout the United States and Canada. We have troops throughout the world, and I want to say thank you to them tonight as well.

Along with the thank you to our service people, I also want to come back to the taxpayer and thank you for helping us finance these soldiers, for helping us get them the best and most technologically advanced equipment in the world. Taxpayers, you have a lot to be proud of this evening, and it is now our duty, our continuing duty, and a number have tried to do this but it is our continuing duty, in appreciation to the sacrifices you make by sending this government money to fund it, it is our duty to make sure this government in turn gives you a bang for the buck. You deserve it. It is your money.

You will hear some people say, well, the government spends its money. That is government money back in Washington, D.C.

It is not government money. It is your money. It comes out of your workday every day of the week. It comes every time you go to the cash register, you pay taxes. We will go into a little more of that.

Let us start with the taxpayer and the American worker. We all get a paycheck. I thought we could just kind of break down a typical paycheck. I asked someone in my office if we could use their paycheck stub. We have taken the name off, as can be seen, but let me just point out a couple of things here.

This particular individual has a gross income of $1,958.33. Deducted from that is a retirement amount for the retirement account of $195.83. This particular taxpayer is a very responsible taxpayer because they are helping fund their future retirement.

It is a mistake for the workers of this country, for all of us in this country, and most of us are workers in this country, for us to figure out or to depend on the government to provide our retirement for us. I think it is fair for us to depend on the government to provide a partial retirement through Social Security because we fund Social Security, as does this taxpayer, and we will look at Social Security here in a little more depth, but we also have a responsibility. We have personal responsibility to plan for those years in which we will not be employed, the golden years of our life, when we will not be in the workforce, it may be by choice, and where we are going to have a retirement.

Do not expect the government to do it. We have personal responsibility. Most people I talk to accept that personal responsibility. So does this taxpayer. They put $195 a month aside for their retirement, and some evening I am going to come over here and visit a little about why I think the government retirement system works pretty efficiently for all government employees and what I think we can do with Social Security to track along the same kind of system that we have for retirement for two or three million Federal employees, and I think we will see the benefits and why that system works.

This evening we are going to continue to stay focused on the taxes. So then go to the adjusted gross. The key down here that I want to take a look at is Social Security, $149.82. Now I want to talk briefly about Social Security and the kind of challenges that we face in the future about Social Security.

Now why is Social Security in trouble? We have often heard that Social Security is in trouble because the government has borrowed from the Social Security funds to use that money in its general funds. Well, that is true, but let us not focus on that this evening because if the government paid back every penny of every dollar that they borrowed from the Social Security funds, and by the way the government is going to have to, I mean the government on the bottom line is obligated to do this, they are going to have to produce that, but even that said, if they paid it all back, Social Security still faces challenges, financial challenges, in the future.

What brought on these financial challenges? Well, first of all, some good news. The good news is because of the medical technology in the greatest country in the world, our country, the United States of America, people now can expect to live to a later age. When Social Security first came in in 1940, when people retired at age 65 they could expect to live 12½ more years; 12½ more years. That is 77½. That was the average expectation. Today we can expect to live another 17½ years beyond that point in time, by the year 2030. So I think it is very reasonable to expect that my children and my grandchildren, although I do not have my grandchildren but my expected grandchildren at some point, will live well up into their hundreds and probably beyond their hundreds.

So we have good news. Life expectancy has gone up, but Social Security premiums have never really been adjusted to allocate for that. At some point we will have no choice but to raise the retirement age, which by the way can be done pretty harmlessly over a long period of time, to allocate for this or raise the premiums.

I think, of course, the fairer way to do it is do it kind of on an almost hold harmless, over a period of time raising the age limit.

Let me go on and talk about the other issue that we have got here with Social Security, and that is that Social Security has kind of become a pay-as-you-go. Today, the average couple on Social Security draws out about $118,000 out of the system more than they have put into the system. We cannot have a system that operates like that for a very long period of time. So we have to figure out what benefits are going out, what money is coming in, what kind of adjustment we need to make for the extended life span.

The other problem, of course, that we have is that when Social Security first came around, I am trying to remember the exact number but I think the ratio of recipients was something like 13 or 15 to 1. In other words, when Social Security came, there were 15 people working for every person retired.

□ 2045

Today that has changed. Today it is 3.4. We have 3½ workers out there for every person retired. In the not too distant future, we are going to have two people working for every person retired. We have to stand up and face the social security.

We have done that in part. The Republicans specifically have put in place a lockbox to lock money for the future of social security. That all said, and talking about the problems of social security, let me say what has gone right about social security. Number one, the checks go out every month.

I cannot believe some of the propaganda that has been going out there to the general public saying, oh, your social security is going to be cut off. You can tell it is political season when we hear statements like that.

I can tell Members today without exception, without condition, that everybody on social security today faces no threat of losing that social security check. Their check will continue to come. In fact, the people in my generation, which is the generation behind the retired folks today, that generation as well, there is money in there to fund that generation. The generation we have to worry about are my children. Those people that are, say, under 20 years old today or under 25 years, that is the generation that we have an obligation to plan for at that point in the future.

However, up to that point in time, do not let politicians or do not let other people try and propagandize that we are going to lose our social security checks. My gosh, our seniors have enough to worry about when they reach that age.

To get that fear, we sell a lot by fear. Take a look at the Y2K program. If people are like me, they get mail every day trying through fear to get us to buy their product, trying to get around Y2K. They do the same thing with social security.

We should not let them throw that fear factor into us. When we see them throwing that fear into senior citizens, saying, you are going to lose your social security, the Republicans do this to social security, it is not going to happen. The money is there today for social security recipients. It is there tomorrow. It is 25 years from now that we have to plan for.

We, frankly, on the Republican side, and I am proud of this, I am not trying to be partisan here, I am trying to say it is a priority. In our Republican conferences, it is good to see us talking about the future, instead of just trying to handle the problems that come in today. We are trying to plan for the future 25 years out, 25 years out.

That is what a lot of people, in fact, the person who has this check is trying to plan their future 25 years out. With this retirement here, this $195.83, that is positive. Social security is positive. The lockbox is positive.

I think the person with this check right now, with the three-legged approach, one, the retirement that they have, that they put aside with their employment; two, the retirement or investments they plan on their own; and three, social security, I think people will be able to comfortably retire in this country for some time to come.

We are always going to find the exceptions, but in general, I think people can feel pretty good about social security. But that does not mean, that does not mean that we do not need to plan for the financial woes that will occur if we do not adequately address them today about 25 years from now.

Let us go on to the Federal tax, what this person pays in Federal tax, $231.25. Their health insurance, again, good planning by an employee. Let me step back. It is amazing how many people in this country are offered health insurance by their employer but they opt not to take it.

This particular employee is taking the health insurance. That is a wise investment. That is a smart investment. Regardless of what people think, whether we should have nationalized health, which I strongly oppose, by the way, but regardless of where we think we should be with health care, until that is resolved I think it is pretty smart to take out a health insurance policy. That is what is occurring here.

Here is the Federal tax, $231.25. I want us all to consider, we have a pretty healthy economy today. When things seem to be going well, people tend to downplay the burden that we, the taxpayers, are actually carrying here. Once again, I think we owe taxpayers appreciation. They are funding the government. The government is not running as efficiently as it should for them, but I think they are doing more than their share, the honest taxpayers out there, by sending the money this way, by funding this government. So we owe this accountability.

Let us take a look at the tax burden on Americans. I have been reading a lot of editorials, especially this week. April 15th, tomorrow, is taxpayer day. That is the day we have to drive to the postal system and drop it in the mailbox. I have heard a lot of people say, hey, the taxes are not so bad. It is because times are good, but we should not let it sneak up on us.

In World War II was when we had our highest tax, in 1944, pretty understandable in a war, 20.9 percent. Then, in 1945, it actually dropped to 20.4 percent. But compared to what it is today, in the year 2000, under the Clinton budget it would be 20.7 percent. So it goes right in since 1944, it would be the second highest tax rate, total tax rate, that we would have. I do not think the taxpayer should be paying that much in taxes. I think we have a lot of efficiencies out there in government that can be realized.

Let me say, I think that philosophy is shared, by the way, by Members on both sides of the aisle. Unlike some people who come to this podium just to attack, attack the other party, I think there are people in both parties trying to get some accountability, trying to get a more efficient government.

But I am not a keen supporter, I can tell the Members right now, of this budget right here that would put us in at about 20.7 percent. After we pay those taxes that we showed in the previous poster, we need to take a look at what else we pay taxes on.

First, as we saw, this particular taxpayer had the deduction taken out of their check, so that is what goes to the Federal Government. They also had, and I did not show it on the tax stub, they also had in there a deduction for State income tax.

Let us take a look at the average day. When we wake up in the morning, generally we sleep in an apartment or a house and we have property taxes we pay for, so so far we have Federal taxes, State taxes, now we have property taxes.

If we turn on the lights in the house when we get up in the morning we have utility taxes, so now we have Federal taxes, State taxes, property taxes, and utility taxes. Then we go to get something to eat, we pull a bowl out of the cabinet, we pull a coffee cup out of the cabinet, and we have sales taxes. We have paid sales taxes.

It is interesting, I have a lot of young people that come to my office. I take great delight, and by the way, this generation, this new generation we have, these kids are terrific. They are bright, they are capable. When I talk to them in my office, I say, do you pay taxes? It is surprising, a lot of them say, no, not yet, not like our parents. But we probably will when we go to work. I say, no, you pay taxes every time you go to the store. No matter how old you are, you pay a sales tax.

So now what we have, we have Federal income tax, we have State income tax, we have property tax, we have utility tax, and now we have sales tax.

On top of the sales tax, of course, then we drive our cars to work. Take a look at our gasoline tax. I know in Colorado, in Colorado I think it is 22 cents; not think, I know, the State is 22 cents and the Federal Government charges 18 cents. That is 40 cents per gallon.

It was not very long ago, it was not very long ago, that gasoline in Glenwood Springs or in Colorado was about, I don't know, a dollar a gallon. I called my friend today, Al Stroobants over on the western slope, and I called Bill Vollbraught, my friend in Denver, and asked him, what is the price of gas? It has gone up a little.

For the sake of easy calculations, let's talk about a dollar per gallon. When we stop at the gas station, for every dollar we pay the attendant, here is a dollar for my gas bill, we get 60 cents worth of gas. We pay 40 cents in taxes. Take that out. For every $10 we pay the gas attendant for the $10 bill on the gas pump, for that $10 we get $6 of gasoline and $4 of taxes.

So where are we so far? We have Federal taxes, State taxes, property taxes, utility taxes, sales taxes, gasoline taxes. Then what we do, we go and have a friend, let's say, that comes to visit us, or take a flight from the airport, go out to the airport. Then there are passenger taxes and other fees. We have fees to do this, fees for a rent-a-car, taxes to get on the airplane.

Then, if you decide when you fly to your destination you want to stay in your hotel, you have a hotel tax that is put on top of that. Then finally if you get a little depressed about the whole thing and you decide to, without driving, by the way, without driving, you decide to have a beer, you are going to pay a tax on alcohol, and take a look at what the percentage of that is.

Then, if you are unfortunate and you happen to pass away with too much property, then the government is going to put a death tax on you. No matter what level of property that you have, they still tax certain items in funeral preparations and other things like that involved with your death.

There are lots and lots of taxes in our society. That is where we get to that overall tax burden, which is among the highest in our country's history. Do not let it creep up on you. Do not let these increased taxes creep up on you when the economy is good. That is when people seem to pay the least amount of attention to their taxes. That is when the economy is good. It creeps up on them.

Take a look at special districts. Special districts have a special use in our country. We need them, especially in rural America, but a lot of people never see what their special district taxes are because those are paid by the mortgage banker. You send one check in a month, just like my wife and I do, we send our check in once a month to the mortgage company, and the mortgage company then turns around and pays the school tax, the cemetery district tax, the library district tax, the recreation district tax, et cetera, et cetera, so those are even more taxes.

I am not up here bashing the fact we pay taxes. We cannot have a government if we do not pay taxes. What I am saying, as this tax level begins to creep up and up, you as the taxpayers, you are our employers. We work for you. You have every right to demand efficiency and productivity from your government because you are paying those taxes. You are paying them at every level.

When we go to the airport and pay a passenger tax, we are entitled to have an airport that is efficient. When we go and drive on a State highway or Federal highway, we have a right to expect a highway that is safe, a highway that is well-engineered, and a highway that is built with construction dollars that are done in such a way that it is competitive.

As I mentioned earlier, I think we can be very, very pleased about the efficiency and the dollars that are being spent on our soldiers over in Kosovo. I think they are doing a darned good job, not just because of the fact that they are putting their lives on the line, which of course is the most critical issue that we have facing us today, but by gosh, we are getting good delivery. We have got very efficient forces over there.

In fact, I know a family, I will intercede this here, Steve and Janet Westhof, I want to say hello if I get an opportunity to in the next couple of days, but they have six kids, six kids, and five of them are in our military. We can be assured that our taxpayer dollars, we are getting our worth out of those five Westhof kids that are serving out of Colorado in the military.

Let us go on and talk a little more about some of the tax breaks and things that I think are important. How we calculate taxes, it is just like when we are paying for some kind of service. If you are paying for lawn service, you are starting your lawn service this summer and you are paying for somebody to come mow your lawn, you adjust that every year. One year you may decide to have bushes trimmed in addition to the lawn mowed, so it is going to adjust what you pay. The next year if you decide to trim the bushes yourself, then you should expect you are going to pay less to mow the lawn. If you do not pay less but you are getting less services, something is wrong with that formula. You need to calculate what is going on.

Right now in our government there are some efficiencies that we have realized. There are some tax credits that are very significant. Once again as a Republican I take a great deal of pride in the fact, one, we are going to have a budget tomorrow; number two, we have delivered significant tax cuts in the last couple of years.

I do not know how many of my colleagues out here, and I assume most of them, own their homes, but take a look at this, and again, I am proud of it. I am proud to be a Republican. I think we have done some very positive things, not partisan, positive things for the taxpayer out there.

What have we done? The house. If any Members have sold a house this last year, they need to go see their tax accountant, make sure they have given that information to their tax accountant before those taxes are filed tomorrow, because they may be entitled to one of the largest tax breaks they have received during their entire working career.

What do I mean by that? First of all, let us talk about the old rule, if you sold your house for a net profit. Now remember, on a house, if you bought a house for $100 and if you were to sell the house, it is only worth $100, but you have been paying on it for several years, so you now only owe $50 on it. So you sell the house for $100 but you have been paying $50, you only owe $50 on it, you have $50 in your pocket after you sell the house. That is not net income, that is net equity. Net income would be if you bought the house for $100, you paid down $50, so you now have $50 that you owe on it, but you

sell the house for $150. You have $50 of equity and $50 of net income.

In the past the government has gone to that $50 of net income and they have taxed you on that. There was one exception to it. If you were 62 years of age or older, you got a once-in-a-lifetime tax exemption that one time of up to $120,000.

The Republicans changed that last year. It was a Republican-led plus. This had bipartisan support, some Democrats voted for it, but it is an important one. What does it do? Let us take a look at before this tax bill, before the Republican tax bill. Let us take a look at what an individual, and now, most homes are owned by couples, so let us look at the couple column, which is right here where the red light is.

□ 2100

You buy the House, this is before we changed the tax law, you bought the House for $200,000. You sold the House for $700,000. So you have obviously recognized a large net profit. Your profit is $500,000. The income that would be taxed under the old law for a couple would be $500,000. What did we do? We gave you an exemption that is good every 2 years, not when you are 62, but you get it renewed every 2 years on your primary residence.

Here is what the status is with the same house after the tax credit bill that we put in place last year. A couple again, they buy the house for $200,000. They sell the house for $700,000. Again just like over here, before the tax break, they make $500,000. So they make $500,000 under either circumstance.

But look what the difference is. Here is the column. The income that will be taxed is zero. Zero. Here the income that would be taxed was $500,000. That is significant.

It will apply to every homeowner in this country whether you live in Missouri or New York or Colorado or California or Alaska. Every homeowner in this country that sells their home for a net profit will get a tax benefit, thanks to the hard work of the Congress.

The hard work, again I want to come back, the hardest work is by the taxpayer, which funds the Congress. But we are the managers of that money. Through the management of that money, we have determined that those of you who own homes, and that is most of America, deserve a break today when you sell your home for a net profit. That is significant.

Here is another tax break that I think is worthy of us looking at, because this means millions of families across this country will have more dollars to spend, more dollars coming back to you.

Let us go again through the system of how the taxes work. The money the government has is not created in Washington, D.C. It is created by your hard work, by your contribution to capital, by your sweat, by working and showing up and working those 8 or 10 or 12 or 14 hours every day. That is how money gets to government.

As you know, it comes up through several different layers of government. It means there are a lot of middlemen in the government that take a little here, take a little there. We need to make sure that we are operating in an efficient manner. If we have excess cash, we ought to give it back to you.

Now excess cash is excess cash after we have planned for Social Security, after we have planned for Medicare and after we have planned to reduce the national debt.

Remember, it was not very many years ago we used to be mocked. The Republicans were laughed at when we stood up and told the American people, we were not laughed at by the American people, some maybe, but we were laughed at by some of our political opponents who said we will never get rid of the annual deficit. This government is always going to operate with a deficit. We thought we could accomplish it by 2004. We actually accomplished it in 1999. That is pretty significant.

Now we have got to take on the national debt. But in doing that, we have got to be fair to the people that pay the bill; and that is you, the taxpayers.

Here is one of the things that we have done. It is tough today, economically, to bring up a family, even a family of four, with the kind of needs that you have. My gosh, it is wonderful in America that we have the kind of opportunities that we do. America is a darn good place to live. I am proud to not only be a citizen of the United States, to be here in America, but I am proud to be a representative of the citizens of America.

But our families, we want to allow our families to have as many things as they can have. Frankly, even some of the families in worst shape, are in the lower end of our standard of living here, are still better off than a lot of the other countries in the world.

But the point is, how do we get to the average family? How do we get some dollars back to the average family so they have a little better opportunity at educating their young children, at making sure their young children have the best or at least some good opportunities or good clothes, good food, good transportation, a good home with good heat, with good air conditioning, those kinds of things? What are some of the things that we could do?

We took a look at the tax credit that we gave for the sale of a home. The beauty of that tax credit is most people use that to buy another home.

Here we have what we call the child care credit. A family of four under this tax credit, if they have two children under age 17, they have $45,000 a year annual income; and, by the way, there are a lot of people out there, especially if both husband and the wife work outside the home, $45,000 between the two of them is not unusual. In 1998, we allowed a $400 per child credit that is a direct credit, $400 per child in 1999. That will increase to $500 per child, $500 per child.

The tax credit here before the Republican tax credit went into place, this couple that earned $45,000, family of four, two children under 17 could expect on that income to pay approximately $5,134. After that tax credit, they now pay $4,334, or $800 less.

To some people $800 is not a lot of money. To me it is. To most American families it is a lot of money. One of the problems in government is if the people that work for you in government begin to become somewhat callous towards the value of money.

I have talked to people in government who say, well, what is $800 out there? Hey, get out there and try and earn 800 bucks. That is a lot of money. It means a lot to a family, and it means a lot to a family of four, and it means a lot to a family with young children or to a family that is retired. Eight hundred dollars are big bucks, and that is why these tax credits mean something.

I know in campaign season they always say, well, the Republicans, they give tax breaks to the rich. Rich? Is that what you call rich, those people? Not all homeowners in this country are rich.

Most families in this country are rich with love, family love. We have lots of love. We need more. I am not getting into the social issue here. But the fact is most of the families that own homes in this country are not rich, and that is who that tax credit goes to help. Most people in this country are not rich by those standards, certainly by $45,000 a year standards. That tax credit of $800 goes to help them.

These are not insignificant numbers. The taxpayer is entitled, if the circumstances warrant, and which by the way, a good economy has allowed that to occur, a break today. Let us give them a break today.

Let us go to our employers and say, what you have been paying me is great, but we think we have found some management efficiencies whereunder we can manage Social Security and make sure everybody continues to get their check and we are confident we can.

Medicare will be secure. We have a lock box. We lock the money away. We will be able to take down the national debt. We are still going to have a little left for you, a little left for you, the very person that goes out there and works every day of the week or 5 days a week or whatever your work pattern is to make it possible so we have the money to run this government, by the way, run this government on your behalf.

Let me once again mention Kosovo and the situation we have got over there. We have to come back to the American taxpayer. We are not going to have to raise your taxes, by the way, to fund Kosovo. But this is a very, very expensive operation.

I do not know one Democrat and I do not know one Republican that wants to

cut our soldiers or our people in uniform, regardless of where they are, or our manufacturers that are supplying these products as long as they supply them on a fair value. I do not know anybody on either side of the aisle that wants to short our military.

We may have disagreements on Kosovo, and I think they are significant disagreements on Kosovo and the policy in the Balkans and so on, but policy is separate than the issue of support for our soldiers.

We will afford, we will pay for, and we can pay for every weapon that our military soldiers need, every meal, every uniform, every paycheck. We can meet the needs of the American military.

But that money means that we have to do some more financial planning back here in Washington, D.C. It means that we will not be able to reduce the national debt at the same rate that we thought we could reduce it just a month ago. It means that we have an emergency spending number in front of us.

What we have to consider is how far into the future that emergency spending dollar goes. I am one of those people that happens to think that this operation will not stop today at $3 billion.

I am one of those people that thinks that this operation costs us about $100 million a day and that we have many, many, many more days into the future to fund this operation. This will be a significant cost item for you the taxpayer. Let us not clown around.

It is like having a meeting with your bosses. We need to report it up front. We have a very expensive item on the radar. It is on the agenda right now. It is Kosovo. It may not end when the bombing stops, by the way, because the United States, one, we have a strong sense of humanitarian belief to take care of the sick people, to go in and assist where we can. That is expensive.

Number two, if we maintain a peacekeeping force through the auspices of NATO, by the way the United States carries the biggest burden there, and the United States usually carries the big burden. I am proud of that on one hand, and on the other hand, it is kind of like going camping and having everybody gather firewood. If you have got people that is capable or closest capable to you that is gathering firewood, they ought to be out there gathering firewood if they want to sit by the fire. But we have to constantly make sure everybody carries their fair burden.

But this Kosovo situation can get expensive. It is expensive right now. We will fund it. We have got the money to fund it. But you need to be patient. We all need to be patient and understand that our reduction of the national debt, which is critical for the Republican Party and I think critical for many of my colleagues on the Democratic Party, that the preservation of Social Security, which is critical for all of us, that the preservation of Medicare, which is critical for all of us, that we are going to have to make some adjustments.

It does not mean they are going to be in trouble or that we are not going to be able to do what we had originally committed to do. We are. But it does mean we have an emergency expenditure out there, and it is called Kosovo.

Let me talk about another tax that I think is very unfair, the marriage penalty. Let me talk about a couple other taxes that are very unfair. They are inherently unfair. To me, there is no justification for these types of taxes. These are taxes that the taxpayer should not be paying because it is unfair to the taxpayer. Not that it is a heavy burden on the taxpayer, it is, but that it is an unjustified tax. It is not right to tax people like we are going to tax them, like the government has been taxing them.

One of them is the marriage penalty. My gosh, folks, this is the United States of America. This is a country where we think family is of the highest priority. We encourage marriage in this country. We encourage people to stay married in this country. We know, the statistics prove, I do not care whether you are a conservative clear to the right or whether you are a liberal clear to the left, the fact is, the bottom line is we know that a married couple has a lot better chance of success at raising their young than does a single person. It is just reality out there.

But yet the government, despite the fact that we encourage marriage, despite the fact that we know that married couples have much better odds of raising children and much less dropout rate, et cetera, et cetera, et cetera, despite the fact that we know all of this, the government still continues to impose a marriage penalty when it comes time to pay your taxes tomorrow.

So those of you who pay your taxes tomorrow, which most of the people that we are talking about, most of my colleagues here, if you are married, you pay an additional tax penalty because of the simple fact that you are married. That does not make any sense. It does not make sense to me, and it does not make sense to you. But we have a lot of people out there who are not even aware of the fact that we have a marriage tax penalty.

One of the big priorities of the Republican conference this year is get rid of that marriage tax penalty. We may be delayed if we spend a lot of money in emergency dollars. Those emergency dollars are justified, and I want to make sure we get a good bargain on them. But we know that a lot of those dollars are justified. So it may delay it.

But as soon as we can afford to do it, we need to get rid of that tax. We need to get rid of the tax not just when we can afford it but because it is an unfair tax. It goes contrary to the type of society we want to pursue. We want a type of society where marriage is encouraged, not where marriage is penalized.

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It does not make sense.

What is the other tax that is unfair? It is the death tax. The death tax. We are taxed when we die. Now, granted, there are exceptions to that. We do not have to pay taxes if we have an estate up to $650,000, and that is moving up. But take a look first of all at those people who do.

I do not care whether an individual is rich, I do not care whether an individual is poor, I do not care whether an individual is middle class, no one should ever have to pay a tax that is unfair. And if someone is paying a tax that is unfair, even if it just affects the poor people, the middle class and the wealthy people ought to be just as aggressive at getting rid of that tax that unfairly taxes the poor people with a lower standard of living.

And, likewise, the poorer income should be just as aggressive about taking away a tax that is unfair to the middle income and so on up the line. If it is an unfair tax, it is an unfair tax whether an individual makes minimum wage or whether an individual a million a year. It is an unfair tax, and that is what the death tax is all about.

Now, with the death tax, are we taxing property that somehow has escaped taxation during the life of the person who earned that? No, not at all. In fact, we are taxing once again property that on many occasions has been taxed not only once, not only twice but sometimes three and four times.

So what creates the death tax is simply the fact that a person has died. And the reason it creates it is the government says, ''Hey, old Scott's gone, so let's just go ahead and go after it.'' That is a good legitimate reason to take money from our citizens; they are dead, they are not going to complain any more. But, my gosh, realize what the ramifications are of this death tax.

Take a look at the State that I am from. I am from the State of Colorado. My district is the Third Congressional District. Most Americans have been in my district. If you have ever skied, you have been in the Third Congressional District. If you love beautiful mountains, you have been in the Third Congressional District. It is a beautiful area. But it has a very heavy dependency on two things. Well, on several things but two I want to talk about. One, small business and, two, agriculture.

Now, what do I mean by small business and agriculture? With the values today, as rapidly as they have increased in our healthy economy, we find out that the best way to lose a small business is to die. We cannot pass it on to the next generation because of the punitive taxes that they put on us, despite the fact that we may have bought our business and grew our business with after-tax dollars. In other words, we have already paid the taxes at least once, twice or three times.

We have a country that we should encourage people to be married, we

should not penalize them for being married. We have a country that we should encourage one generation to pass on the small business to the next generation. We should not discourage them. We should not tax them out of it. The government is not getting cheated. The government is not getting cheated because people get married. They are not getting cheated out of any taxes. And the government is not getting cheated because somebody dies, on property that the dead person, when they were alive, owned. They are not getting cheated. It is just another opportunity to grab more money out of our pockets.

What is the impact? Well, first of all, as I mentioned, you cannot pass a business from generation to generation. It is very difficult to do it. Now, if you have a lot of money, maybe you can buy the life insurance that is necessary to pay off the government. Pay them off and get the government off your back steps. That is what it is, it is a payoff to the government, but a lot of small business people simply cannot afford that.

The other thing that Colorado is heavily dependent on is agriculture. We are very selfish with our land, so to speak, in Colorado. We want to preserve the land. Open space has become more and more critical to the citizens of Colorado. It is important for us to preserve our beauty.

We have to work a lot more in balance than perhaps was worked 20 or 30 years ago. What we find ourselves in is a predicament. Land values have gone up in Colorado. They have gone up significantly. Well, if you have a small family farm or a ranch, and your land values have gone up, it is highly likely, highly probable that your ranch, upon your death, will not be able to be passed on to your son or your daughter but will have to be sold at the auction block to pay Uncle Sam.

I will give you an example. I know a family, I will not tell you the exact location, but it is in the Third Congressional District of the State of Colorado. This fellow was a very hard-working man. He came to Colorado when he was about 18 years old. He started as a bookkeeper in a construction company. He worked his way up. Pretty soon he worked from being a bookkeeper into helping supervise construction. He dug ditches, but he soon was driving a truck and he had the books. Pretty soon he built that construction, he and a partner, into a successful construction company in a small town in Colorado.

Along the way, this man and his partner found out that they were having trouble getting financing for their construction company. So they decided, well, let us start a little bank. A small bank. This is not Nation's First or some other big bank. Let us start a little bank in our little community. So they started this little bank in their community.

Well, that was probably 50 years ago. About 8 years ago my friend decided to sell the bank. And by then, of course, the bank had become a very strong small business. It had grown. They put a lot of sweat, a lot of their own human capital into it and it has prospered.

So they decided to sell the bank, and they sold the bank. Unfortunately, within a very short period of time, literally weeks after the bank was sold, my good friend discovered he had terminal cancer. Then, unfortunately, he lost his wife. Three or four months later, my friend passed away from terminal cancer.

What happened? Well, he still had the stock in the construction company. They sold the bank and they hit him with a capital gains taxation. Do you know what the effective rate of taxation was on that estate? When you put capital gains tax, which is complicated, but a lot of you out there understand what I am speaking about, and you put the death tax on top of it, they went into this family, to that man who had worked over 50 years with sweat and toil and put human capital into this investment, the government went in there, and the property that had already been taxed at least once, probably twice or three times, and imposed a 72 percent tax on the property.

Now, when I spoke with the family, I asked them, I said, ''So all you had left in the estate was 28 percent because the government took 72 percent?'' No, they said, we did not get 28 percent because the government came to us and said here is the tax, 72 percent, and, by the way, it is due within this period of time.

The only way that the family could come up with that money to pay off the government on property that had already been taxed but was now being taxed simply because their father had died, the only way they could pay that off was to sell at a fire sale their assets, their property, selling it as quickly as they could. Otherwise, they were going to be penalized by the government.

So the 28 percent did not really work out to 28 percent because they had to sell it under panic prices. They told me they estimated they cleared about 13 percent of that estate. Thirteen percent of what that man had worked for. That man and wife, by the way. The mother was a homemaker, but she deserves as much credit here. The money that couple had worked for for over 50 some years, the little company they had built up, the little bank they had built up, the farmland that they had was all taken in one sweep by the government.

Is that fair? It is not a fair tax. The death tax is not a fair tax. And the death tax, while it may apply to people that only have assets of $600,000 or more, it impacts all of society. And you cannot under any circumstances, in my opinion, justify going to a family that has already paid their taxes and force them to pay a punitive tax on top of that.

Now, has it impacted Colorado? Sure. What happens to the ranches? If you have a ranch that has to be sold, what is the highest and best use for ranch land in Colorado? Well, unfortunately, for a lot of land in Colorado, especially in my district, the Third Congressional District, the beauty of it, if it is no longer a ranch or a farm, you can put condominiums on it, build huge homes on it, put it into five-acre estates. That is where the highest value of that land is. Move the water off the land. I could talk 2 hours on water. Move the water off the land. Change the historical nature of that property.

And I think in most cases it changes for the worst. It takes away our open space. It threatens our open space. It threatens generations of families being able to stay and raise their young in the mountains of Colorado, because of a tax imposed by the government that is unfair to start with.

Well, I think Americans right now are paying a lot of taxes, and I think that tomorrow, on April 15, there are a few things we should consider, and let me summarize.

Number one, everybody that works in the government ought to be thanking every taxpayer out there for funding it. Mr. Taxpayer, Mrs. Taxpayer, young taxpayer, old taxpayer, you hear it right now. Thank you. Thank you for your hard work. Thank you for being willing to be, one, honest on your taxes; two, to pay your taxes; and, three, to allow your government to work for you.

The second point I want to make to you, we have an obligation back to you, working as the government. We have an obligation as elected officials, as appointed people working for the government, as employees of the government, no matter how you classify it, we work for you and we have an obligation to deliver the most efficient product we can on behalf of the government that works for you.

Number three, we have an obligation, and the Republicans are taking charge, this is a priority for them, to eliminate unfair taxation, and we should start with the marriage penalty. The marriage penalty, no matter how we cut it, no matter whether we are a Democrat or a Republican, no matter what level we are, the marriage penalty is an unfair tax and it has costs in society, costs that are negative. It is not a positive thing to look at. Marriage penalty taxes are unfair and they should be eliminated.

Number four, do not just let people dismiss death taxes as taxes for the rich. It has an impact. It has a ripple impact all the way down. Take a look at the open space in Colorado and then take a look at the very premise for that kind of tax.

Is it fair? Is it on property that has not been taxed? The answer to that is no. The death tax is a tax on property that has been taxed once, twice or three times. That tax should be eliminated. It is not fair. The death tax should not go straight to the government. It is not right.

Finally, let me wrap it up with a few words once again thanking our soldiers who are serving us tonight, wherever you are in the world. To me, the servicemen and women we have right now on the DMZ, in North Korea, South Korea, right on the DMZ between South Korea and North Korea, those are some pretty brave people up there, men and women, serving that duty. Throughout the world they are serving us.

I want you to know that with bipartisan support, unified support, I do not think there is a ''no'' vote in the body, this body has voted to give a tax break. We will vote tomorrow unanimously, not one ''no'' vote from Democrat or Republican. We will vote unanimously to recognize the service of these soldiers and give them a tax break. They deserve it. They are delivering for us. You are getting a good product. You are getting good and efficient service from our military today.

You may disagree with the policy. I have got problems with the policy, for example, in the Balkans. That is what I am referring to specifically. You may disagree with that. But the fact of what those military people are doing will be observed tomorrow on April 15 with this bill that will give them some tax relief. So I want to thank those people.

Mr. Speaker, I am now ready to wrap up. Tomorrow is April 15. Folks, take a look at what you are paying in taxes. We should pay taxes for the right kind of product. But just remember, as I conclude tonight, that you have every right, it is a fundamental right to look at the people that work for you, that is the government, the government works for you, and demand from that government efficiency and a good product.

If you are not getting efficiency, if you are not getting a good product, then you should demand that you get your money back. And if you are paying too much money for the product you are getting, you are entitled to get your money back, just the same as if you went to the grocery store and you overpaid there.

America to me is a very positive thing. I am positive about our economy, I am positive about our soldiers, I am positive about the American people. We have a lot to look forward to. And in this country there is a lot more that goes right than there is that goes wrong. But in order for it to work, we have to be sure that we balance that payment from the taxpayer to the government.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PEASE). Members are reminded that they are to direct their remarks to the Chair.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. ETHERIDGE) to revise and extend their remarks and include extraneous material:)

Ms. NORTON, for 5 minutes, today.

Ms. CARSON, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Ms. MILLENDER-MCDONALD, for 5 minutes, today.

Mr. SMITH of Washington, for 5 minutes, today.

Mr. ETHERIDGE, for 5 minutes, today.

Mr. POMEROY, for 5 minutes, today.

Mr. SNYDER, for 5 minutes, today.

(The following Members (at the request of Mr. PAUL) to revise and extend their remarks and include extraneous material:)

Mr. PORTMAN, for 5 minutes, today.

Mr. PAUL, for 5 minutes, today.

Mr. METCALF, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. THUNE, for 5 minutes, today.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 380. An act to reauthorize the Congressional Award Act, to the Committee on Education and the Workforce.

ENROLLED BILL SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 440. An act to make technical corrections to the Microloan Program.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 388. An act to authorize the establishment of a disaster mitigation pilot program in the Small Business Administration.

ADJOURNMENT

Mr. MCINNIS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 30 minutes p.m.), the House adjourned until tomorrow, Thursday, April 15, 1999, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

1497. A letter from the Secretary, Department of Agriculture, transmitting a draft of proposed legislation to assist crop producers who were adversely affected by an insurance company's sale of a private insurance policy called CRCPLUS; to the Committee on Agriculture.

1498. A letter from the Administrator, Farm Service Agency, Department of Agriculture, transmitting the Department's final rule—Dairy Indemnity Payment Program (RIN: 0560–AF66) received April 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1499. A letter from the Administrator, Farm Service Agency, Department of Agriculture, transmitting the Department's final rule—End-Use Certificate Program (RIN: 0560–AF64) received April 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1500. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Fenbuconazole; Extension of Tolerance for Emergency Exemptions [OPP–300824; FRL–6069–4] (RIN: 2070–AB78) received March 23, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1501. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Azoxystrobin; Pesticide Tolerances for Emergency Exemptions[OPP–300805; FRL–6066–4] (RIN: 2070–AB78) received March 23, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1502. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Arsanilic acid [(4-aminophenyl) arsonic acid]; Time-Limited Pesticide Tolerance [OPP–300822; FRL–6069–7] (RIN: 2070–AB78) received March 23, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1503. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Reasonably Available Control Technology for Oxides of Nitrogen for the State of New Jersey [Region 2 Docket No. NJ31–2–189, FRL–6313–9] received March 23, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1504. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision; South Coast Air Quality Management District [CA 201–0138a; FRL–6309–9] received March 23, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1505. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision; El Dorado County Air Pollution Control District [CA 211–0127a; FRL–6313–4] received March 23, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1506. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, Santa Barbara County Air Pollution Control District and South Coast Air Quality Management District [CA 207–0074, FRL–6307–1] received March 23, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1507. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Utah; Foreword and Definitions, Revision to Definition for Sole Source of Heat and Emissions Standards, Nonsubstantive Changes; General Requirements, Open Burning and Nonsubstantive Changes; and Foreword and Definitions, Addition of Definition for PM10 Nonattainment Area [UT10–1–6700a; UT–001–0014a; UT–001–0015a; FRL–6314–8] received March 23, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1508. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Environmental Protection Agency; Underground Injection Control Program Revision; Aquifer Exemption Determination for Portions of the Lance Formation Aquifer in Wyoming [FRL–6316–4] received March 23, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1509. A letter from the Director, Regulations Policy and Management, Food and Drug Administration, transmitting the Administration's final rule—Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers [Docket No. 97F–0213] received April 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1510. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting the Administration's final rule—Over-the-Counter Drug Products Containing Analgesic/Antipyretic Active Ingredients for Internal Use; Required Alcohol Warning; Final Rule; Compliance Date [Docket No. 77N–094W] received April 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1511. A letter from the Acting Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Air Force's Proposed Letter(s) of Offer and Acceptance (LOA) to Israel for defense articles and services (Transmittal No. 99–12), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

1512. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting Accountability Review Board report and recommendations concerning serious injury, loss of life or significant destruction of property at a U.S. mission abroad, pursuant to 22 U.S.C. 4834(d)(1); to the Committee on International Relations.

1513. A letter from the Acting Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting a draft of proposed legislation to revise the boundaries of Scotts Bluff National Monument, and for other purposes; to the Committee on Resources.

1514. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting a draft of proposed legislation to revise the boundary of Fort Matanzas National Monument, and for other purposes; to the Committee on Resources.

1515. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting a draft of proposed legislation to amend the Act establishing the Keweenaw National Historical Park, and for other purposes; to the Committee on Resources.

1516. A letter from the Assistant Secretary—Indian Affairs, Department of the Interior, transmitting the Department's final rule—Class III Gaming Procedures (RIN: 1076–AD87) received April 7, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1517. 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; Determination of Threatened Status for the Jarbidge River Population Segment of Bull Trout (RIN: 1018–AF01) received April 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1518. A letter from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Marine Fisheries Service, transmitting the Service's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific cod by Vessels Catching Pacific Cod for Processing by the Inshore Component in the Western Regulatory Area of the Gulf of Alaska [Docket No. 990304062–9062–01; I.D. 030999B] received March 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1519. A letter from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Marine Fisheries Service, transmitting the Service's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Catching Pacific Cod for Processing by the Inshore Component in the Central Regulatory Area of the Gulf of Alaska [Docket No. 981222314–8321–02; I.D. 031199A] received March 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1520. A letter from the Assistant Administrator for Fisheries, National Marine Fisheries Service, transmitting the Service's final rule—Pacific Halibut Fisheries; Catch Sharing Plan [Docket No. 990312074–9074–01; I.D. 010899B] (RIN: 0648–AM35) received April 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1521. A letter from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Summer Flounder Fishery; Commercial Quota Harvested for Maine [Docket No. 981014259–8312–02; I.D. 032699A] received April 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1522. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to reauthorize and amend the Coastal Zone Management Act of 1972; to the Committee on Resources.

1523. A letter from the Program Analyst, Office of the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Shawnee, OK [Airspace Docket No. 99–ASW–07] received April 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1524. A letter from the Program Analyst, Office of the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Guthrie, OK [Airspace Docket No. 99–ASW–06] received April 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1525. A letter from the Program Analyst, Office of the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Escobas, TX [Airspace Docket No. 99–ASW–05] received April 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1526. A letter from the Program Analyst, Office of the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Lake Charles, LA [Airspace Docket No. 99–ASW–04] received April 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1527. A letter from the Program Analyst, Office of the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Farmington, NM [Airspace Docket No. 95–ASW–18] received April 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1528. A letter from the Program Analyst, Office of the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Logan, WV [Airspace Docket No. 99–AEA–02] received April 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1529. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to amend title 49, United States Code, to increase consumer protections for airline passengers, and for other purposes; to the Committee on Transportation and Infrastructure.

1530. A letter from the Chairman, International Trade Commission, transmitting a draft of proposed legislation to provide authorization of appropriations for the United States International Trade Commission for fiscal year 2000; to the Committee on Ways and Means.

1531. A letter from the Secretary of Health and Human Services, transmitting a draft of proposed legislation to provide improved support to youth in foster care making the transition to adulthood and economic self-sufficiency; to the Committee on Ways and Means.

1532. A letter from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to increase the basic pay of service members and restore retired pay for members who entered service after July 1986; jointly to the Committees on Armed Services and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mrs. MYRICK: Committee on Rules. House Resolution 140. Resolution providing for consideration of the bill (H.R. 1376) to extend the tax benefits available with respect to services performed in a combat zone to services performed in the Federal Republic of Yugoslavia (Serbia/Montenegro) and certain other areas, and for other purposes (Rept. 106–95). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. POMBO (for himself, Mr. CUNNINGHAM, and Mr. DOOLITTLE):

H.R. 1398. A bill to amend section 211 of the Clean Air Act to prohibit the use of certain fuel additives; to the Committee on Commerce.

By Mr. LEVIN (for himself, Mr. MATSUI, Mr. CARDIN, Mrs. MINK of Hawaii, Ms. ROYBAL-ALLARD, Mr. GUTIERREZ, Mr. BECERRA, Mr. COYNE, Mrs. CLAYTON, Mr. MCGOVERN, Mr. DELAHUNT, Mr. BERMAN, Mr. MCDERMOTT, Ms. MCKINNEY, Mr. FROST, Mr. TOWNS, Mr. RUSH, Mr. MENENDEZ, Mr. LAFALCE, Mr. KENNEDY of Rhode Island, Mr. DOOLEY of California, Ms. LEE, Ms. ROS-LEHTINEN, and Mr. DIAZ-BALART):

H.R. 1399. A bill to amend title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to provide States with the option to allow legal immigrant pregnant women, children, and blind or disabled medically needy individuals to be eligible for medical assistance under the Medicaid Program, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Commerce, Agriculture, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BLILEY (for himself, Mr. OXLEY, Mr. DINGELL, Mr. TAUZIN, Mr. TOWNS, Mr. GILLMOR, Mr. MARKEY, Mr. GREENWOOD, Mr. HALL of Texas, Mr. COX, Mr. PALLONE, Mr. LARGENT, Mr. DEUTSCH, Mr. BILBRAY, Mr. STUPAK, Mr. GANSKE, Mr. ENGEL, Mr. LAZIO, Ms. DEGETTE, Mr. SHIMKUS, Mr. BARRETT of Wisconsin, Mrs. WILSON, Mr. LUTHER, Mr. SHADEGG, Mrs. CAPPS, Mr. FOSSELLA, Mr. BLUNT, and Mr. EHRLICH):

H.R. 1400. A bill to amend the Securities Exchange Act of 1934 to improve collection and dissemination of information concerning bond prices and to improve price competition in bond markets, and for other purposes; to the Committee on Commerce.

By Mr. SPENCE (for himself and Mr. SKELTON) (both by request):

H.R. 1401. A bill to authorize appropriations for fiscal years 2000 and 2001 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal years 2000 to 2001, and for other purposes; to the Committee on Armed Services.

By Mr. BLUNT (for himself, Mr. SWEENEY, Mr. STENHOLM, Mr. MCHUGH, Mr. HOLDEN, Mr. ETHERIDGE, Mr. REYNOLDS, Mr. BALDACCI, Mrs. THURMAN, Mr. HUTCHINSON, Mrs. CLAYTON, Mr. HOUGHTON, Mr. SKEEN, Mr. BOEHLERT, Mr. WALSH, Mr. NORWOOD, Mr. ADERHOLT, Mr. CALLAHAN, Mr. CRAMER, Mr. HILLIARD, Mr. RILEY, Mr. DICKEY, Mr. PASTOR, Mr. FARR of California, Mr. LEWIS of California, Mr. HEFLEY, Ms. DELAURO, Mr. GEJDENSON, Mrs. JOHNSON of Connecticut, Mr. MALONEY of Connecticut, Mr. BOYD, Ms. BROWN of Florida, Mr. CANADY of Florida, Mr. DAVIS of Florida, Mr. DEUTSCH, Mr. FOLEY, Mrs. FOWLER, Mr. MCCOLLUM, Mr. MICA, Ms. ROS-LEHTINEN, Mr. STEARNS, Mr. BARR of Georgia, Mr. BISHOP, Mr. CHAMBLISS, Mr. COLLINS, Mr. DEAL of Georgia, Mr. KINGSTON, Mr. LEWIS of Georgia, Mr. LINDER, Mr. FLETCHER, Mr. LEWIS of Kentucky, Mr. WHITFIELD, Mr. BAKER, Mr. COOKSEY, Mr. JEFFERSON, Mr. JOHN, Mr. MCCRERY, Mr. CAPUANO, Mr. MCGOVERN, Mr. OLVER, Mr. BARTLETT of Maryland, Mr. GILCHREST, Mrs. MORELLA, Mr. ALLEN, Mr. BARCIA, Ms. DANNER, Mrs. EMERSON, Mr. HULSHOF, Mr. SKELTON, Mr. TALENT, Mr. PICKERING, Mr. SHOWS, Mr. TAYLOR of Mississippi, Mr. THOMPSON of Mississippi, Mr. BURR of North Carolina, Mr. COBLE, Mr. HAYES, Mr. MCINTYRE, Mrs. MYRICK, Mr. PRICE of North Carolina, Mr. TAYLOR of North Carolina, Mr. BASS, Mr. SUNUNU, Mr. ANDREWS, Mr. SAXTON, Mr. CROWLEY, Mr. FORBES, Mr. GILMAN, Mr. HINCHEY, Mrs. KELLY, Mr. LAFALCE, Mrs. LOWEY, Mrs. MCCARTHY of New York, Mr. RANGEL, Mr. TOWNS, Mr. NEY, Mr. STRICKLAND, Mr. WATKINS, Mr. DOYLE, Mr. GREENWOOD, Mr. KANJORSKI, Mr. KLINK, Mr. MASCARA, Mr. PETERSON of Pennsylvania, Mr. PITTS, Mr. SHUSTER, Mr. CLYBURN, Mr. BRYANT, Mr. HILLEARY, Mr. JENKINS, Mr. TANNER, Mr. BONILLA, Mr. HALL of Texas, Mr. SANDLIN, Mr. THORNBERRY, Mr. HANSEN, Mr. GOODE, Mr. PICKETT, Mr. SCOTT, Mr. WOLF, Mr. SANDERS, Ms. DUNN, Mr. METCALF, Mr. NETHERCUTT, Mr. MOLLOHAN, Mr. RAHALL, and Mr. WISE):

H.R. 1402. A bill to require the Secretary of Agriculture to implement the Class I milk price structure known as Option 1–A as part of the implementation of the final rule to consolidate Federal milk marketing orders; to the Committee on Agriculture.

By Mr. BARR of Georgia:

H.R. 1403. A bill to nullify the effect of certain provisions of various Executive orders; to the Committee on International Relations.

By Mr. BROWN of Ohio:

H.R. 1404. A bill to amend title 11 of the United States Code to include the earned income credit in property that the debtor may elect to exempt from the estate; to the Committee on the Judiciary.

By Mr. BROWN of Ohio (for himself, Mr. LATOURETTE, Mr. NEY, Mr. TRAFICANT, Mr. HALL of Ohio, Mr. STRICKLAND, Mr. SAWYER, Mr. KUCINICH, Mr. HOBSON, Mr. OXLEY, and Ms. KAPTUR):

H.R. 1405. A bill to designate the Federal building located at 143 West Liberty Street, Medina, Ohio, as the ''Donald J. Pease Federal Building''; to the Committee on Transportation and Infrastructure.

By Mr. CAMP (for himself, Mr. LEVIN, Mr. KNOLLENBERG, Mr. UPTON, Mr. EHLERS, Mr. SMITH of Michigan, Mr. HOEKSTRA, Mr. BARCIA, Mr. BONIOR, Mr. KILDEE, Ms. RIVERS, Ms. STABENOW, Mr. DINGELL, Mr. CONYERS, Ms. KILPATRICK, and Mr. STUPAK):

H.R. 1406. A bill to amend the Internal Revenue Code of 1986 to provide that certain bonds issued by local governments in connection with delinquent real property taxes may be treated as tax exempt; to the Committee on Ways and Means.

By Mr. COYNE (for himself, Mr. RANGEL, Mr. MATSUI, Mr. MCDERMOTT, Mr. LEWIS of Georgia, and Mr. NEAL of Massachusetts):

H.R. 1407. A bill to amend the Internal Revenue Code of 1986 to simplify the individual capital gains tax for all individuals and to provide modest reductions in the capital gains tax for most individuals; to the Committee on Ways and Means.

By Mr. ENGEL (for himself, Mr. SANFORD, Mr. OLVER, Mr. GOODLING, Mr. MORAN of Virginia, Mrs. KELLY, Mr. BONIOR, and Mr. ROHRABACHER):

H.R. 1408. A bill to make available funds for a security assistance training and support program for the self-defense of Kosova; to the Committee on International Relations.

By Mr. ENGLISH (for himself, Mr. RAHALL, Mr. MCNULTY, Mr. TAYLOR of North Carolina, Mrs. EMERSON, and Mr. SHOWS):

H.R. 1409. A bill to amend title 31, United States Code, to provide that the provisions requiring payment of Federal benefits in the form of electronic funds transfers shall not apply with respect to benefits payable under the old-age, survivors, and disability insurance program under title II of the Social Security Act; to the Committee on Government Reform.

By Mr. ENGLISH:

H.R. 1410. A bill to amend the Internal Revenue Code of 1986 to exempt small issues from the restrictions on the deduction by financial institutions for interest; to the Committee on Ways and Means.

By Ms. GRANGER (for herself, Mr. HUNTER, Mr. CUNNINGHAM, Mr. MCCRERY, Mr. WELLER, and Mr. SAM JOHNSON of Texas):

H.R. 1411. A bill to amend the Internal Revenue Code of 1986 to provide a 2-month extension for the due date for filing a tax return for any member of a uniformed service on a tour of duty outside the United States for a period which includes the normal due date for such filing; to the Committee on Ways and Means.

By Mr. GREEN of Texas:

H.R. 1412. A bill to amend the National Labor Relations Act to require the arbitration of initial contract negotiation disputes, and for other purposes; to the Committee on Education and the Workforce.

By Mr. HEFLEY (for himself, Mr. ACKERMAN, Mr. BALDACCI, Mr. BARTLETT of Maryland, Mr. BEREUTER, Mr. BOEHLERT, Mr. BOUCHER, Mr. BRYANT, Mr. CHAMBLISS, Mr. CLEMENT, Mr. COLLINS, Mr. CONDIT, Mr. COOKSEY, Mr. DEFAZIO, Ms. DEGETTE, Mr. DEUTSCH, Mr. DIAZ-BALART, Mr. DICKEY, Mrs. EMERSON, Mr. ENGLISH, Mr. FARR of California, Mr. FILNER, Mr. FRELINGHUYSEN, Mr. FROST, Mr. GALLEGLY, Mr. GOODLATTE, Mr. GOODLING, Mr. HANSEN, Mr. HILLEARY, Mrs. KELLY, Mr. LAHOOD, Mr. LUTHER, Mr. MCCOLLUM, Mr. MCGOVERN, Mr. MCHUGH, Mr. MCKEON, Mr. METCALF, Mr. GARY MILLER of California, Mr. NORWOOD, Mr. OBERSTAR, Mr. OLVER, Mr. PACKARD, Mr. PALLONE, Mr. PASCRELL, Mr. PICKERING, Mr. SAXTON, Mr. SENSENBRENNER, Mr. SHOWS, Mr. SMITH of Washington, Mr. SPRATT, Mr. TANCREDO, Mr. TANNER, Mr. TAYLOR of North Carolina, Mr. TAYLOR of Mississippi, Mrs. THURMAN, Mr. TRAFICANT, Mr. UNDERWOOD, Mr. WAMP, Mr. WATTS of Oklahoma, Mr. WELLER, Mr. WHITFIELD, Ms. WOOLSEY, Mr. YOUNG of Alaska, Mr. STUPAK, Mr. STUMP, and Mr. CAPUANO):

H.R. 1413. A bill to amend title XVIII of the Social Security Act to expand and make permanent the Medicare demonstration project for military retirees and dependents; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. JOHNSON of Connecticut (for herself, Mrs. THURMAN, Mr. OBERSTAR, Mr. BARRETT of Nebraska, Mr. COSTELLO, Mr. COYNE, Mr. POMEROY, Mr. FROST, Ms. KILPATRICK, Ms. SLAUGHTER, Mr. FARR of California, Mr. DOOLEY of California, Mr. STENHOLM, Mr. FOLEY, Mr. EHLERS, Mr. UNDERWOOD, Mr. WEYGAND, Mr. BENTSEN, Mr. HAYWORTH, and Mr. ENGLISH):

H.R. 1414. A bill to amend the Internal Revenue Code of 1986 to exclude from income certain amounts received under the National Health Service Corps Scholarship Program and the F. Edward Hebert Armed Forces Health Professions Scholarship and Financial Assistance Program; to the Committee on Ways and Means.

By Mr. KENNEDY of Rhode Island:

H.R. 1415. A bill to authorize appropriations for the Blackstone River Valley National Heritage Corridor in Massachusetts and Rhode Island, and for other purposes; to the Committee on Resources.

By Mr. MCCRERY:

H.R. 1416. A bill to amend the Internal Revenue Code of 1986 to provide that interest on indebtedness used to finance the furnishing or sale of rate-regulated electric energy or natural gas in the United States shall be allocated solely to sources within the United States; to the Committee on Ways and Means.

By Mr. MENENDEZ:

H.R. 1417. A bill to amend title 49, United States Code, to make nonmilitary government aircraft subject to safety regulation by the Department of Transportation; to the Committee on Transportation and Infrastructure.

H.R. 1418. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 concerning liability for the sale of certain facilities for residential use; to the Committee on Commerce, and in addition to the Committee on Transportation and Infrastructure, 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 Mrs. MYRICK:

H.R. 1419. A bill to amend chapter 5 of title 28, United States Code, to eliminate a vacant judgeship in the eastern district and establish a new judgeship in the western district of North Carolina, and for other purposes; to the Committee on the Judiciary.

By Mr. NEAL of Massachusetts:

H.R. 1420. A bill to amend the Internal Revenue Code of 1986 of provide a revenue-neutral simplification of the individual income tax; to the Committee on Ways and Means.

By Mr. ROTHMAN (for himself, Mr. HANSEN, Mr. MEEHAN, Ms. MILLENDER-MCDONALD, and Ms. WOOLSEY):

H.R. 1421. A bill to prohibit the use of vending machines to sell tobacco products in all locations other than in locations in which the presence of minors is not permitted; to the Committee on Commerce.

By Mr. SANDERS (for himself, Mr. NEY, Mr. BORSKI, Mr. FILNER, Mr. WEXLER, Mr. OLVER, Mr. WEINER, Ms. KILPATRICK, Mr. SHOWS, Mr. HILLIARD, Mr. HINCHEY, Mr. BROWN of Ohio, Mr. BROWN of California, Mrs. CHRISTENSEN, Mr. CROWLEY, Mr. THOMPSON of Mississippi, Mr. ROMERO-BARCELO, Ms. PELOSI, Mr. STARK, Mr. KUCINICH, Mr. NADLER, Ms. WOOLSEY, Mr. HASTINGS of Florida, Mr. OWENS, Mr. ABERCROMBIE, Mr. FARR of California, Ms. NORTON, Ms. LEE, Mr. LATOURETTE, Mr. COYNE, and Mr. BONIOR):

H.R. 1422. A bill to require the establishment of a Consumer Price Index for Elderly Consumers to compute cost-of-living increases for Social Security and Medicare benefits under titles II and XVIII of the Social Security Act; to the Committee on Ways and Means, and in addition to the Committees on Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STUPAK:

H.R. 1423. A bill to amend title 18, United States Code, to restrict the mail-order sale of body armor; to the Committee on the Judiciary.

H.R. 1424. A bill to limit access to body armor by violent felons and to facilitate the donation of Federal surplus body armor to State and local law enforcement agencies; to the Committee on the Judiciary, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TRAFICANT:

H.R. 1425. A bill to authorize security assistance for the Kosova Liberation Army to be used for training and support for their established self-defense forces in order to defend and protect the civilian population of Kosova against armed aggression; to the Committee on International Relations.

By Ms. WATERS:

H.R. 1426. A bill to prevent the laundering of money; to the Committee on Banking and Financial Services.

By Mr. SAM JOHNSON of Texas (for himself, Mr. THOMAS, Mr. PAUL, Mr. LARGENT, Mr. COX, Mr. BARTLETT of Maryland, Mr. BARTON of Texas, Mrs. MYRICK, Mr. HOSTETTLER, Mr. DOOLITTLE, Mr. TAUZIN, Mr. CAMPBELL, Mr. TANCREDO, Mr. BALLENGER, Mr. GIBBONS, Mr. HEFLEY, Mr. HAYWORTH, Mr. SCHAFFER, Mr. PITTS, Mr. COOKSEY, Mrs. CHENOWETH, Mr. BARR of Georgia, Mr. BILIRAKIS, Mr. MILLER of Florida, Mr. CAMP, Mr. SESSIONS, Mr. CHAMBLISS, Mr. HERGER, Mr. LINDER, Mr. STUMP, Mr. EVERETT, Mr. DELAY, Mr. BONILLA, and Mr. SKEEN):

H.J. Res. 45. A joint resolution proposing an amendment to the Constitution of the United States to abolish the Federal income tax; to the Committee on the Judiciary.

By Mr. BOYD (for himself, Mr. STENHOLM, Mr. ETHERIDGE, Mr. TANNER, Mr. MINGE, and Mrs. THURMAN):

H. Con. Res. 85. Concurrent resolution expressing the sense of Congress that the Internal Revenue Code of 1986 should be reformed by April 15, 2002, in a manner that protects the Social Security and Medicare Trust Funds, that is revenue neutral, and that results in a fair and less complicated tax code; to the Committee on Ways and Means.

ADDITIONAL SPONSORS

Under clause 7 of rule XII sponsors were added to public bills and resolutions as follows:

H.R. 14: Mr. BOEHNER, Mr. PICKERING, Mr. WELDON of Florida, and Mr. TOOMEY.

H.R. 26: Mr. GREEN of Texas, Mr. BERMAN, Mr. TIERNEY, Mr. ENGLISH, Mr. SHOWS, Ms. WOOLSEY, Mr. JEFFERSON, Mr. WYNN, Ms. LOFGREN, Mr. FARR of California, Mr. BECERRA, Mr. CAPUANO, and Mr. RODRIQUEZ.

H.R. 27: Mr. WELDON of Florida.

H.R. 38: Mr. BACHUS and Mr. TALENT.

H.R. 66: Mr. STUMP.

H.R. 111: Mr. BRYANT, Ms. SANCHEZ, Mr. GEKAS, Mr. CAMP, Mr. KING, Mr. BILIRAKIS, and Mr. STUPACK.

H.R. 116: Mr. EVANS, Mr. BARCIA, Mr. PAYNE, Mr. MCHUGH, and Mr. KIND.

H.R. 165: Mr. GONZALEZ, Mr. GREEN of Texas, and Ms. BALDWIN.

H.R. 205: Mr. MCINTYRE.

H.R. 230: Mr. CAPUANO and Mr. PAYNE.

H.R. 237: Mr. KUYKENDALL, Mr. GONZALEZ, Mr. CAPUANO, and Mrs. MYRICK.

H.R. 271: Ms. KAPTUR, Mr. WYNN, Mr. BERMAN, and Mr. LAMPSON.

H.R. 274: Mrs. TAUSCHER, Mrs. BIGGERT, and Mr. PICKETT.

H.R. 306: Ms. SCHAKOWSKY, Mr. SPRATT, Mr. ENGEL, and Mr. GONZALEZ.

H.R. 316: Mr. WYNN.

H.R. 325: Mr. DEUTSCH, Mr. GORDON, Mr. MARTINEZ, and Mr. RODRIGUEZ.

H.R. 330: Mr. DICKEY AND MR. DEMINT.

H.R. 352: Mr. STUMP, Mr. WATTS of Oklahoma, Mr. TURNER, Mr. NETHERCUTT, Mrs. NORTHUP, and Mr. BONILLA.

H.R. 355: Mr. TANCREDO, Mr. THUNE, Mr. GONZALEZ, Mr. HILL of Montana, and Mr. WATTS of Oklahoma.

H.R. 358: Mr. MARTINEZ.

H.R. 383: Mr. MCINTYRE, Mr. BRADY of Pennsylvania, Ms. SLAUGHTER, and Mrs. FOWLER.

H.R. 403: Mr. PICKERING.

H.R. 407: Mr. YOUNG of Alaska.

H.R. 417: Mr. GRAHAM and Ms. STABENOW.

H.R. 489: Mr. CONYERS and Ms. BERKLEY.

H.R. 492: Mrs. CUBIN.

H.R. 500: Mr. KILDEE.

H.R. 515: Mr. CUMMINGS, Ms. NORTON, Mr. CAPUANO, and Mr. WYNN.

H.R. 516: Mr. WELDON of Florida.

H.R. 527: Mr. BRADY of Pennsylvania.

H.R. 528: Mr. WELDON of Florida.

H.R. 531: Mr. CASTLE, Mr. ALLEN, Mr. BILIRAKIS, Mr. HOSTETTLER, Mr. BLUMENAUER, Mr. WELDON of Florida, Mr. HULSHOF, Mr. BISHOP, Mr. CRANE, Mr. GOODLING, Ms. ESHOO, and Mr. METCALF.

H.R. 541: Mr. BARRETT of Wisconsin, Mrs. CHRISTENSEN, and Mr. HINCHEY.

H.R. 561: Mr. NADLER.

H.R. 564: Mr. GARY MILLER of California.

H.R. 576: Mr. UNDERWOOD, Mr. THOMPSON of Mississippi, Ms. MCKINNEY, Mr. DEUTSCH, and Mr. SNYDER.

H.R. 586: Mr. GARY MILLER of California.

H.R. 588: Mr. SHOWS and Mr. BRADY of Pennsylvania.

H.R. 610: Mrs. ROUKEMA.

H.R. 611: Mrs. EMERSON and Mr. HINCHEY.

H.R. 612: Mr. SANDLIN and Mr. OLVER.

H.R. 614: Mr. NORWOOD, Mr. ROHRABACHER, Mr. HASTINGS of Washington, Mr. WELDON of Florida, and Mr. TALENT.

H.R. 626: Mr. BARRETT of Wisconsin, Mr. FILNER, Mr. SHOWS, Ms. KILPATRICK, Mr. HINCHEY, Mr. FRANK of Massachusetts, Mr. GEORGE MILLER of California, Ms. WOOLSEY, Mr. GONZALEZ, Mr. SANDLIN, Mr. OWENS, Mr. BRADY of Pennsylvania, Mr. HILLIARD, Mr. CAPUANO, and Ms. CARSON.

H.R. 632: Mr. BRADY of Pennsylvania, Mr. FLETCHER, and Mrs. CUBIN.

H.R. 664: Mr. PHELPS, Ms. WATERS, and Ms. CARSON.

H.R. 678: Mr. JEFFERSON, Ms. LOFGREN, Mr. KLINK, and Mr. SHAYS.

H.R. 680: Mr. SHOWS and Mr. SANFORD.

H.R. 691: Mr. SPRATT.

H.R. 692: Mrs. CUBIN, Mr. COBURN, Mr. PAUL, Mr. LARGENT, Mr. RYAN of Wisconsin, Mr. ISTOOK, Mr. HOEKSTRA, Mr. BARTLETT of Maryland, Mrs. CHENOWETH, Mr. GREEN of Wisconsin, Mr. CANNON, and Mr. DEMINT.

H.R. 750: Mr. CONDIT, Mr. MCNULTY, and Ms. KAPTUR.

H.R. 773: Mr. BROWN of California, Mr. CONYERS, Mr. FRANKS of New Jersey, Mr. MEEKS of New York, and Mr. MINGE.

H.R. 775: Mr. FORD, Mr. GREEN of Wisconsin, and Mr. HOLDEN.

H.R. 777: Ms. SANCHEZ, Mr. CUMMINGS, and Mrs. MEEK of Florida.

H.R. 786: Mr. BASS.

H.R. 789: Mr. CRAMER and Ms. NORTON.

H.R. 792: Mr. CUNNINGHAM, Mr. CAMP, and Mr. SCARBOROUGH.

H.R. 815: Mr. THORNBERRY.

H.R. 826: Mr. EHLERS.

H.R. 827: Ms. BROWN of Florida, Mr. BRADY of Pennsylvania, and Mrs. MINK of Hawaii.

H.R. 828: Mr. DICKS, Mr. EVANS, and Mr. SANDERS.

H.R. 833: Mr. BARCIA, Mrs. CHENOWETH, and Mr. UPTON.

H.R. 834: Mr. DICKS and Mr. JEFFERSON.

H.R. 836: Ms. BERKLEY and Mr. VENTO.

H.R. 845: Mr. ROMERO-BARCELO, Mr. OLVER, and Mr. HINCHEY.

H.R. 847: Mr. BROWN of California and Mr. GONZALEZ.

H.R. 850: Mr. WATT of North Carolina.

H.R. 879: Mr. FROST, Mr. PRICE of North Carolina, and Mr. FATTAH.

H.R. 884: Mr. OLVER and Ms. SCHAKOWSKY.

H.R. 888: Mr. FILNER, Mr. LATOURETTE, Ms. DEGETTE, and Mr. BROWN of California.

H.R. 894: Mr. WALSH.

H.R. 896: Mr. GREENWOOD, Mr. LAFALCE, and Mr. LOBIONDO.

H.R. 900: Mr. LUTHER, Mr. QUINN, Mr. GEJDENSON, and Ms. JACKSON-LEE of Texas.

H.R. 914: Mr. CAPUANO.

H.R. 942: Mr. MASCARA.

H.R. 943: Mrs. THURMAN.

H.R. 959: Ms. BROWN of Florida, Ms. MCKINNEY, Mr. HASTINGS of Florida, Mr. HINCHEY, and Ms. CARSON.

H.R. 982: Mr. OXLEY, Mr. SHOWS, and Mr. TERRY.

H.R. 987: Mr. BURTON of Indiana, Mr. FLETCHER, Mr. EHLERS, Mr. BARCIA, Mr. TRAFICANT, Mr. MCKEON, Mr. DEAL of Georgia, Mr. HUTCHINSON, Mr. EWING, Mr. ADERHOLT, Mr. PAUL, Mr. BASS, Mr. JENKINS, Mr. COX, Mr. BARRETT of Nebraska, Mrs. BONO, Mr. NETHERCUTT, Mr. HORN, Mr. WICKER, Mrs. MYRICK, Ms. PRYCE of Ohio, Mr. BRADY of Texas, Mr. THOMPSON of Mississippi, Mr. BARTLETT of Maryland, Mr. POMBO, Mr. MORAN of Kansas, Mr. HERGER, and Mr. TAUZIN.

H.R. 996: Mrs. CHRISTENSEN, Mr. CUMMINGS, Mr. DEUTSCH, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, and Ms. WATERS.

H.R. 1000: Mr. HASTING of Florida and Ms. BERKLEY.

H.R. 1032: Mr. POMBO, Mr. HILL of Montana, Mr. JOHN, Mr. PACKARD, Mr. ISTOOK, Mr. METCALF, Mr. WICKER, Mr. SUNUNU, Mr. SIMPSON, Mrs. CUBIN, and Mr. CALVERT.

H.R. 1053: Mr. CAPUANO.

H.R. 1055: Mr. WHITFIELD, Mr. DUNCAN, Ms. KILPATRICK, Mr. HOSTETTLER, Mr. KENNEDY of Rhode Island, Mr. NORWOOD, Mr. TANCREDO, Mr. SAXTON, Mr. DELAY, Mrs. CUBIN, Ms. ROS-LEHTINEN, Mr. GOODE, Mr. PALLONE, Mr. PITTS, Mr. BLUNT, Mr. HAYWORTH, Mr. GRAHAM, Mr. WELDON of Florida, Mr. HEFLEY, Mr. MCINTYRE, Mr. DELAHUNT, Mr. GUTKNECHT, Mrs. BONO, Mrs. JOHNSON of Connecticut, and Mr. MCINTOSH.

H.R. 1071: Mr. GONZALEZ.

H.R. 1082: Mr. MARTINEZ, Mr. BECERRA, and Ms. LEE.

H.R. 1093: Mr. CLEMENT, Mr. DOOLEY of California, Ms. SANCHEZ, Mr. BASS, Mr. CARDIN, Mr. CONDIT, Mr. HILLIARD, Mr. SABO, Mr. JACKSON of Illinois, Mr. EHRLICH, Mr. LAHOOD, Ms. KILPATRICK, and Mr. EVANS.

H.R. 1097: Mrs. MEEK of Florida and Mr. UDALL of Colorado.

H.R. 1106: Mr. WELDON of Florida.

H.R. 1111: Mr. BRADY of Pennsylvania, Ms. SLAUGHTER, Mr. SHAYS, Mr. RUSH, Ms. WOOLSEY, and Ms. ROS-LEHTINEN.

H.R. 1120: Mr. HOLDEN.

H.R. 1149: Mrs. MEEK of Florida.

H.R. 1160: Mr. DIAZ-BALART, Ms. ROYBAL-ALLARD, Mr. OLVER, Mr. GONZALEZ, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. DINGELL.

H.R. 1193: Mr. STUPAK and Mr. STARK.

H.R. 1205: Mr. OBEY, Mr. VENTO, and Mr. GEJDENSON.

H.R. 1214: Mr. NORWOOD, Mrs. CLAYTON, Mr. SPRATT, and Ms. WOOLSEY.

H.R. 1216: Mr. EVANS, Mr. CLEMENT, Mr. LIPINSKI, Mr. NORWOOD, Mr. GONZALEZ, Mr. FILNER, Mr. OWENS, and Mr. FROST.

H.R. 1217: Mr. KANJORSKI, Mr. MARKEY, Mr. NEAL of Massachusetts, Mr. CARDIN, Mr. BURR of North Carolina, Mr. MEEHAN, Mr. GONZALEZ, Mr. DAVIS of Virginia, Mr. GORDON, Mr. CONDIT, and Mr. SNYDER.

H.R. 1218: Mr. GEKAS.

H.R. 1234: Mr. GEKAS.

H.R. 1236: Ms. KILPATRICK, Mr. CLAY, Mr. FROST, Mr. ACKERMAN, Mr. WATTS of Oklahoma, Mr. CUMMINGS, Mr. KENNEDY of Rhode Island, Mr. WEINER, Mr. VENTO, and Mrs. KELLEY.

H.R. 1238: Ms. KILPATRICK, Mrs. MEEK of Florida, Ms. NORTON, Mr. GUTIERREZ, Mr. RUSH, Mrs. KELLY, Ms. WATERS, Mr. MCGOVERN, and Mr. MEEHAN.

H.R. 1247: Mr. MCHUGH.

H.R. 1251: Mr. HANSEN and Mr. CANNON.

H.R. 1254: Mr. BLUNT, Mr. BOEHLERT, and Mr. CRANE.

H.R. 1286: Ms. ROYBAL-ALLARD, Mrs. CLAYTON, Ms. KILPATRICK, Mr. WAXMAN, and Mr. ABERCROMBIE.

H.R. 1301: Mr. COMBEST, Mr. HALL of Texas, Mr. GOODE, Mr. BISHOP, Mr. CRAMER, Mrs. CUBIN, Mr. SHIMKUS, Mr. GANSKE, Mr. SKEEN, Mr. MORAN of Kansas, Mr. COOKSEY, Mr. CHAMBLISS, Mr. DOOLITTLE, Mr. HAYES, Mr. RADANOVICH, Mr. RILEY, Mr. PAUL, Mr. SMITH of Texas, Mr. BONILLA, and Mr. SESSIONS.

H.R. 1313: Ms. KAPTUR, Mr. TOWNS, Mr. WEXLER, Ms. ESHOO, Ms. RIVERS, and Mr. FRELINGHUYSEN.

H.R. 1317: Mr. BLUNT.

H.R. 1329: Mr. CALVERT.

H.R. 1330: Mr. EVANS and Mr. ENGLISH.

H.R. 1332: Mr. BROWN of California, Ms. SCHAKOWSKY, Mr. BENTSEN, and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 1333: Mr. BEREUTER, Mr. INSLEE, Mr. GONZALEZ, Mr. PAUL, Mrs. CLAYTON, Ms. ESHOO, Mr. LIPINSKI, Mr. PAYNE, Mr. RUSH, and Mr. SHOWS.

H.R. 1335: Mr. GUTIERREZ.

H.R. 1337: Mr. SANDLIN, Mr. KLINK, Mr. NETHERCUTT, Mr. BRADY of Pennsylvania, Mr. BILBRAY, and Mrs. TAUSCHER.

H.R. 1349: Mr. GARY MILLER of California.

H.R. 1355: Mr. FARR of California, Mr. OLVER, and Mr. MCGOVERN.

H.R. 1357: Mr. WELDON of Florida.

H.R. 1395: Mr. ROHRABACHER, Mr. MCKEON, Mr. CUNNINGHAM, Mr. POMBO, Mr. DOOLITTLE, Mr. PACKARD, Mr. DREIER, Mr. ROYCE, Mrs. BONO, Mr. HERGER, and Mr. GALLEGLY.

H.J. Res. 2: Mr. SUNUNU.

H.J. Res. 7: Mr. DICKEY.

H.J. Res. 14: Mr. MORAN of Virginia, Mr. NORWOOD, and Mr. KINGSTON.

H. Con. Res. 8: Mr. FRELINGHUYSEN.

H. Con. Res. 14: Mr. NEY.

H. Con. Res. 30: Mr. GARY MILLER of California.

H. Con. Res. 57: Mrs. BIGGERT.

H. Con. Res. 77: Ms. KAPTUR.

H. Con. Res. 82: Mr. STARK and Mr. PAUL.

H. Res. 41: Mrs. CAPPS, Mr. COBURN, Mrs. MORELLA, and Mr. TRAFICANT.

H. Res. 82: Mr. ANDREWS.

H. Res. 106: Mr. TALENT, Mr. GARY MILLER of California, Mr. SNYDER, Mr. CAPUANO, and Mrs. THURMAN.

H. Res. 109: Ms. KAPTUR, Mr. GREEN of Texas, Mr. LEWIS of Georgia, Mr. FROST, Mr. SPRATT, Ms. DANNER, Mr. WOLF, Mr. BARCIA, Mr. HOSTETTLER, Mr. OLVER, Mr. PETRI, Mrs. THURMAN, Mr. KIND, and Mr. MCGOVERN.

H. Res. 115: Mr. ADERHOLT, Mr. GEJDENSON, and Mr. LIPINSKI.

H. Res. 128: Mr. DELAHUNT, Mr. SHAYS, and Mr. BERMAN.

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PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, FIRST SESSION

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Senate

The Senate met at 11:30 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The PRESIDENT pro tempore. The Senate will come to order. The Chaplain will now deliver the opening prayer.

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, we praise You for Your grace and goodness. You will what is best for us as individuals and as a nation. You desire to bless us with the wisdom and discernment we need to solve our Nation's problems. And yet, we have learned that You wait for us to ask for Your help. By Your providence You have placed the Senators in positions of great authority not just because of their human abilities, but because they are willing to seek and follow Your guidance. Together, with one mind and heart, we intercede for one another across party lines and ideological differences. We know that if we trust You, You will be on time and in time to help us with crucial discussions and decisions today. Give us the courage to put the needs of the Nation first above political advantage. You have promised that if we pray with complete trust in You, You will intervene to answer our prayers. In the name of the Way, the Truth, and the Life. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader is recognized.

SCHEDULE

Mr. HUTCHINSON. Mr. President, this morning, the Senate will be in a period of morning business until 1 p.m. Following morning business, the Senate expects to begin consideration of S. 767, the uniformed services tax filing fairness bill. Passage of that bill is expected, and it will then be the leader's intention to begin consideration of the budget resolution conference report. There are 10 hours for debate on the conference report, but it is hoped that a significant portion of that time will be yielded back. Therefore, Members should expect rollcall votes throughout today's session of the Senate.

I thank my colleagues for their attention.

Mr. President, I note the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk (Kathleen Alvarez Tritak) proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HUTCHINSON). Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period of morning business not to extend beyond 1 p.m., with Senators permitted to speak up to 10 minutes each, with the following exceptions: Senator BROWNBACK, 20 minutes; Senator BAYH, 10 minutes; Senators DOMENICI and WELLSTONE, 15 minutes total; Senator LEAHY, 15 minutes; and Senator CLELAND, 15 minutes.

The Senator from Vermont is recognized.

KOSOVO

Mr. LEAHY. Mr. President, not very long ago it would have been difficult to find anyone in this country who had heard of Kosovo, that part of the former Yugoslavia which is today engulfed in a humanitarian calamity and where NATO is conducting the first combat operation in its 50 year history.

During the past three weeks we have watched the catastrophe in Kosovo unfold. Over 600,000 Kosovar-Albanians have fled their homes or been herded onto trains with little more than the shirts on their backs, simply because of their ethnicity and because they are Muslim.

Today they are struggling to survive in the mud and squalor of camps in Macedonia and Albania, or in third countries. Families have been torn apart. Men and boys have been taken away and their fate is unknown. Women and girls have been raped. Children have been lost or abandoned.

Another 200–500,000 people are said to be displaced inside Kovoso, with little access to food or medicine. Luckily it is not winter, but it is still a humanitarian disaster on a scale not seen in Europe for half a century.

I supported NATO's decision to attack Serbian President Milosevic's forces.

We could debate how we got to this point, about the way the negotiations were handled at Rambouillet and whether he might have refrained from invading Kosovo had the diplomacy been conducted differently.

Legitimate questions have been asked about whether the ultimatum put to the Serbs at Rambouillet, which would have led to the partition of their country, was realistic or sustainable. Many knowledgeable people have argued that administration officials did not fully understand the history of the former Yugoslavia or the importance of Kosovo to the Serbs, that they seriously underestimated Milosevic, took a bad situation and have made it worse.

We could also ask whether our relations with Russia, which have been badly damaged in recent weeks, could

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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have been managed better, and what role the Russians should be encouraged to play in helping to resolve this crisis.

But after the collapse of the Rambouillet talks, and after Milosevic had ignored dozens of United Nations resolutions, violated every agreement he had signed, continued to slaughter innocent Kosovar-Albanians and amassed tens of thousands of troops and armor on the Kosovo-Serbia border—and there apparently is evidence that Milosevic planned the expulsion of ethnic Albanians well before the NATO bombing began—we had but two choices:

Do nothing as Milosevic's forces rolled through Kosovo while savagely beating or executing and burning the homes of every man, woman and child who refused his ''ethnic cleansing''; or try to deter him with force. I favored the latter.

Like so many others who hoped that Milosevic would accept autonomy for Kosovo secured by an international peacekeeping force, I have seen my worst fears realized.

The NATO air attacks have damaged Serbia's military infrastructure, but they have failed to achieve their primary goal: preventing the ethnic cleansing of Kosovo.

Milosevic's forces have swept through Kosovo burning whole villages, brutalizing and killing civilians, leaving nothing in their wake and forcing hundreds of thousands of people to flee. It may not be on the scale of Nazi Germany, but it is certainly reminiscent of those days.

Mr. President, not many people would have anticipated the magnitude of the catastrophe that has befallen Kosovo today. But many people predicted that Milosevic would fight to hold on to Kosovo, and many doubted that air power alone would stop him.

I favored the use of force. But, like many others, I have been disappointed by the way this air campaign has been carried out.

We probably could not have stopped Milosevic's forces from invading Kosovo after the Rambouillet talks collapsed. Forty thousand of his soldiers, with tanks, were poised on the border ready to invade.

But I certainly expected that we would hit him with enough firepower so that among the first targets bombed would be those Serbian forces. Instead, they encountered almost no resistance as they emptied Kosovo of its inhabitants, destroyed their homes, and achieved complete control over Kosovo in a matter of days—the very result we had sought to prevent.

Now his soldiers are hiding in the villages and rugged terrain of Kosovo, and we are facing the far more difficult, dangerous and costly challenge of forcing them to withdraw and creating a safe environment for the refugees to return and rebuild their lives.

Despite claims by NATO and Pentagon officials that they predicted everything, the United States and the rest of NATO were clearly unprepared for the debacle that has unfolded. I suspect historians may not look kindly on the Administration officials who did not have a contingency plan if Milosevic refused to back down after a few days or weeks of NATO bombing, who seem to have no strategy except more bombing, and who apparently selected their targets by committee.

The fact that NATO leaders have been scrambling to get more aircraft to Kosovo, and that we are told that it will take weeks to put a few Apache helicopters into service there, is perhaps the best evidence of this.

Having said that, we should not lose sight of the reasons we are in Kosovo. Had it not been for the Secretary of State, I doubt that anyone in the Administration would have argued as passionately for using force to try to prevent crimes against humanity.

I applaud her for it, because I believe that today, in the year of the 50th anniversary of the Geneva Conventions, NATO could not have turned its back on the ethnic cleansing of thousands of defenseless people in the heart of Europe.

The alternative was to give a green light to Milosevic and other would-be Milosevic's, and to severely curtail NATO's future role as an enforcer of international humanitarian law in Europe.

Some have suggested that because we did not act to prevent the slaughter in Rwanda, or in Sierra Leone, or Sudan, or any number of other places, that NATO should not intervene here.

I disagree. In fact, I believe that we and our allies in and outside of Africa should have tried to protect the innocent in Rwanda, where half a million people, in the span of only three months, were murdered because of their ethnicity.

If we have learned anything from that experience and others, it is that by not acting, by allowing genocide to occur, we diminish ourselves and we invite similar atrocities elsewhere.

Others have opposed our involvement in Kosovo on the grounds that we risk becoming bogged down in another Vietnam. As one who in 1974 cast a deciding vote against the Vietnam war, I am sympathetic to those concerns.

But we and our NATO allies have been at war in Kosovo for a total of three weeks. For the first four years of the Vietnam War, our Government's policy was strongly supported by the Congress and the American people. It was only when the Pentagon's credibility was shattered by the 1968 Tet offensive, and it became clear that the war could not be won, that the country turned against the war.

It is also interesting that some of the most vocal opponents of NATO's use of force in Kosovo are the very Members of Congress who strongly supported our involvement in Vietnam.

Some of them have argued that since the Serbian people have rallied behind President Milosevic we should recognize that our policy is not working and find a way out. The reaction of the Serbian people is very troubling, but it is a predictable consequence of war and Milosevic's tight control of the press. We saw the same thing in Iraq, despite Saddam Hussein's brutal repression of his own people.

One does not have to equate Milosevic with Hitler. But let us not forget that millions of Germans supported Adolf Hitler. That was hardly a reason not to fight him.

And contrary to the lies of Serbian officials that the ethnic Albanians who were rounded up and forced to flee were only trying to escape the NATO bombing, the refugees, many of whom saw their relatives murdered, see NATO as their only hope.

The facts are:

Whether or not we believe that diplomacy handled differently might have achieved a different result;

Whether or not the NATO military campaign should have been conducted differently once the decision to use force was made;

Whether or not the President should have publicly ruled out the use of ground forces;

Whether one likes it or not—we need to recognize the unavoidable fact of which the senior Senator from Arizona, Senator MCCAIN, has so consistently reminded us: Our country is the leader of NATO and NATO is fighting a war. Now that we are in it we need to win it. If we fail we will all be the losers.

This is not the time to debate what might have been or to obfuscate or to hedge one's bets. It is a time to stand up as a country united behind the President, the Secretary of State, the Pentagon, our soldiers and our NATO allies in support of a cause that is just, and a cause that will determine the credibility, effectiveness, and future mission of NATO.

Let us remember. It is President Milosevic who is destroying the lives of the people of Kosovo, the very people whom he claims to represent. It is he who has driven them from their homes. It is his forces who are killing, raping and pillaging. It is his forces who are laying landmines where refugees are fleeing.

And let us remember that this is not the first time President Milosevic has laid waste to an entire country. In Bosnia his troops murdered thousands and buried them in mass graves, and uprooted hundreds of thousands, again because of their ethnicity.

We should all be concerned by the damage the NATO military campaign has caused to our relations with Russia.

I am told that the Russian people are united in their anger at the United States like never before since the end of the Cold War.

They have seen their country transformed from a superpower to a crippled giant. They felt that NATO's expansion was unnecessary and an attempt to gain advantage over Russia. They see

the air attacks against Serbia as one more example of the unchecked misuse of American power.

I am told that our policy has only strengthened the hard-liners in Russia.

I am disturbed by the photographs of Russian Prime Minister Primakov coddling President Milosevic. We have also heard threatening statements by President Yeltsin and other Russian officials, opposing the NATO air strikes and intimating that Russia might act militarily to defend its interests in the Balkans.

No one can deny the overriding importance of our relations with Russia and the need to find a way for Russia to join with us in trying to resolve this crisis. Perhaps that includes a major role for Russian soldiers in any international security force in Kosovo.

But the fact remains that it would be foolhardy for Russia to become militarily involved in Kosovo. The NATO attacks against Milosevic are not in any way directed at Russia. All of NATO's members are collectively standing up against genocide in Europe. Russia's long-term economic and security interests are clearly better served by joining with the United States and Europe, rather than casting its lot with the likes of Milosevic.

We must also reflect on the reaction of the people of Serbia and Montenegro. For years our policy has failed to account for the complexities of the history of the Balkans, and we are paying a price for that today.

We have a tendency to oversimplify and over-personalize our foreign policy, to forget that in the past the Serbian people have suffered, too. But while we know that they also have been victimized by President Milosevic, we cannot excuse them for rallying to his defense when all of Europe is united against everything he represents.

Mr. President, there has been a great deal of talk, both pro and con, about the deployment of American soldiers as part of a NATO ground force, in Kosovo.

As much as I hope that ground troops are not necessary, I felt it was unwise to rule them out because I believe it only emboldened President Milosevic.

I also know of no one who thinks this mission can be accomplished by air power alone, and the administration needs a more realistic strategy. We need policy based on solid plans—not policy based on polls.

Again, I think we should heed the advice of Senator MCCAIN. What are our goals—NATO's goals—today? In my mind, it is to force Milosevic to agree to a ceasefire, the withdrawal of his forces from Kosovo, the safe return of the refugees secured by an international force, and autonomy for Kosovo.

If we can prove the experts wrong and accomplish that with air power alone, so much the better.

But if we cannot, if ground troops are necessary to achieve our goals, we must use them, and NATO should be making preparations for the possibility that they will be needed. The bulk of those forces should come from Europe, but as the leader of NATO we would have a responsibility to contribute our share.

To those who complain that Kosovo is not worth the life of a single American soldier, I would say this: As Americans we cherish the life of every American soldier, and we give our armed forces the best available training and technology to defend themselves. Military missions always involve danger. In this mission, an enormous amount is at stake for our country, for NATO, for the people of Kosovo, and for humanity.

What is the alternative? To give in to ethnic cleansing after taking a principled stand against it? That would be a terrible defeat for NATO, and for the cause of international justice and security. It would be a terrible precedent for us to bequeath to the generations that will follow us in the next century.

No one can predict how long this war will last, or how it will end. Let us hope that President Milosevic soon recognizes that he risks losing everything.

In the meantime, we owe our gratitude and our support to our soldiers, and to the humanitarian relief organizations that are providing emergency food, shelter and medical assistance to the refugees.

They have been heroic.

Mr. President, I am also concerned about a disturbing report I received this morning that United States forces have used landmines against the Serbs.

I am told that these are anti-tank mines, but they are mixed with anti-personnel mines, which are prohibited under an international treaty which unfortunately the United States has not signed.

However, every one of our NATO allies except for Turkey is a party to that treaty, and I wonder if they are aware of this since our planes are using airfields located in those countries.

In fact, at last count 135 nations had signed the treaty, and 71 have ratified. The United States should be among them.

Nobody would argue that the United States is bound by a treaty it has not ratified. But it is very disappointing that at the same time that the Administration is holding itself out as a leader in the worldwide effort to ban landmines, it is using mines itself.

Mr. President, I have asked the Pentagon to confirm whether or not this report is true. I hope it is not.

But if it is true, it is only a matter of time before innocent people are maimed or killed by these weapons.

It sends the wrong message to the rest of the world. And frankly, while I support the Administration's use of force against Milosevic I do not know anyone who believes we need landmines to achieve our goals. It is unnecessary, it is wrong, and it will only further erode the Administration's credibility on an issue that cries out for the United States to set the example.

Mr. President, I am hoping this report is not true. But we will find out because if it is, we should stop using them. It is a disturbing thing that we would be so different from the rest of our allies.

UNANIMOUS-CONSENT AGREEMENT

Mr. WELLSTONE. Mr. President, I ask unanimous consent that Senator SPECTER, who will be coming back here—I promised him I would do this for him—be allowed to speak for up to 15 minutes in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAYH addressed the Chair.

The PRESIDING OFFICER. The Senator from Indiana is recognized.

Mr. BAYH. Mr. President, I, first, want to express my great respect for my colleague from Vermont, a man with whom I not only have the pleasure of serving, but he served with my father. The respect the Bayh family has for the Senator goes from generation to generation. It is a privilege to be on the floor with the Senator from Vermont.

COMMENDING PURDUE UNIVERSITY WOMEN'S BASKETBALL TEAM

Mr. BAYH. Mr. President, I send a resolution to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 76) commending the Purdue University women's basketball team on winning the 1999 National Collegiate Athletic Association women's basketball championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BAYH. Mr. President, I rise today to speak not only on my own behalf but on behalf of my senior colleague, DICK LUGAR, who, unfortunately, could not be with us at the last moment. I know he will be submitting his own remarks on behalf of the Lady Boilermakers and their outstanding victory in the NCAA women's basketball tournament this year. I know the rules prohibit me from pointing anybody out in the galleries, but I want to say how much I appreciate the presence of several constituents today; in particular, the mayor of West Lafayette, IN, several officials representing Purdue University, and several of our distinguished citizens from Lafayette, Tippecanoe County, and elsewhere across our State.

Mr. President, basketball is perhaps synonymous with the State of Indiana, not only because we love to play the game, not only because we believe in physical fitness, but because of the character, the determination, and the other fine attributes associated with that sport that are necessary for success in it.

This year's Purdue women's basketball team, perhaps better than any other, exhibits those character traits. They are an example of Indiana at its finest and the United States of America at its finest. So I rise today to salute them both as individuals and as a team for their accomplishments.

Mr. President, this team was an example of near perfection. Their record was an outstanding 34 victories and only 1 defeat. They are the first women's championship team representing any Big Ten university in any sport. Their coach, Carolyn Peck, an outstanding individual, is not only the youngest coach to lead a winning team to the NCAA tournament, but she is also the first African American one to do it. One of their star players, Stephanie White-McCarty, is not only a first-team athletic all-American, but also an academic all-American. As a matter of fact, Mr. President, she represents the rest of the team very well in that regard.

The team, as a whole, had a combined grade point average of 3.0, which is very good by today's standards, particularly with regard to the athletic community.

Mr. President, once again, I salute the Lady Boilermakers for their outstanding contributions not only on the basketball court, but because of the outstanding individuals they are.

Mr. LUGAR. Mr. President, I rise today to join with my colleague from Indiana as a cosponsor of this Senate resolution commending the Purdue University women's basketball team on winning the 1999 National Collegiate Athletic Association (NCAA) basketball championship.

The Lady Boilermakers this year have made Indiana history in becoming the first women's sport to bring home a national championship title for Purdue University. They are also the first women's basketball team in the Big Ten Athletic Conference to win the NCAA title.

This resolution is a fitting tribute and a deserving honor for Coach Carolyn Peck and the team members who persevered throughout the long season and the playoffs to win the national title. Their commitment and dedication to this tremendous effort is demonstrated by their winning record of 34 games—including a string of 32 consecutive victories. Throughout this storied season, the Lady Boilers' skill and dedication was matched only by the grace and dignity with which they carried themselves as a team en route to the national title.

For departing seniors Ukari Figgs and Stephanie White-McCarty, this victory is truly special as they complete their studies at Purdue and look toward the future. Winning the NCAA title is an historic and special occasion—placing this team among a select company of national champions. Their triumph will be remembered at Purdue and throughout our State for years to come.

The dedication and sportsmanship demonstrated throughout the season by the Lady Boilers reaffirm our strong basketball tradition in Indiana. The team's competitive spirit and commitment to excellence make them deserving recipients of the accolades of the nation and the honor of this special Senate resolution.

Mr. BAYH. Mr. President, I ask unanimous consent that the resolution and preamble be agreed to en bloc and that the motion to reconsider be laid upon the table, without intervening action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The resolution (S. Res. 76) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 76

Whereas the Purdue University Lady Boilermakers (Lady Boilers) won their first National Championship in the National Collegiate Athletic Association women's basketball tournament on March 28, 1999;

Whereas the Lady Boilers finished the 1998-99 season with an outstanding record, winning 34 games, including 32 consecutive victories;

Whereas the Lady Boilers proudly brought Purdue University its first ever NCAA championship in any women's sport, and did so with skill matched by grace and dignity;

Whereas the Lady Boilers claimed the first ever NCAA women's basketball championship by any member of the Big Ten Athletic Conference; and

Whereas the Lady Boilers have brought great pride and distinction to the State of Indiana: Now, therefore, be it

Resolved, That the Senate commends the Purdue University Lady Boilers basketball team for winning the National Collegiate Athletic Association women's basketball national championship.

Mr. BAYH. Mr. President, I yield the floor, and 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. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BURNS). Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I ask unanimous consent to proceed for 6 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE SENATE'S CONTINUING FAILURE TO ACT ON JUDICIAL NOMINATIONS

Mr. LEAHY. Mr. President, baseball season began earlier this month and already the Senate is lagging behind the home run pace of Mark McGwire. Last summer I began comparing the Senate's lack of progress on judicial nominations with home run pace of McGwire and other major leaguers. I had tried everything else I could think of: I had lectured the Republican majority about the Senate's duty to the judicial branch under the Constitution, I had cited the caseloads and backlogs in many courts around the country, I had introduced legislation to prevent the Senate from going on vacation while the Second Circuit was experiencing an unprecedented emergency declared by Chief Judge Winter in the face of five vacancies out of 12 authorized members of the court.

I recently attended an historic meeting of the Baltimore Orioles major league baseball team and the Cuban team in Havana. During the Easter recess the Nation's Capital witnessed exhibition baseball between the Montreal Expos and the St. Louis Cardinals and got to see Big Mac in person. Maybe another baseball comparison can inspire the Senate into action on Federal judges this year.

It is already mid-April and the Senate has yet to act on a single judicial nominee. Worse yet the Senate Judiciary Committee has yet to hold or even schedule a confirmation hearing. At this rate, I will have to start comparing the Senate's pace for the confirmation of Federal judges to the home run pace of American League pitchers. Since they do not bat, the Senate has a chance of keeping up with them.

Of course, last year the Senate had gotten off to an early lead on Mark McGwire. Last January through the end of April, the Senate had confirmed 22 judges. By the All Star break last July, the Senate had confirmed 33 judges. It took Big Mac 10 weeks to catch and pass the Senate last year.

This year, McGwire passed the Senate's total on opening day. That is because this year the Senate has yet to confirm a single Federal judge. That is right: In spite of the 33 judicial nominations now pending, in spite of the fact that at least a dozen of those nominees have been pending before the Senate for more than 9 months, in spite of the fact that four of those nominations were favorably reported by the Senate Judiciary Committee and were on the Senate calendar last year, in spite of the 67 vacancies including 28 judicial emergency vacancies, the Senate has yet to confirm a single Federal judge all year. Incredibly Mark McGwire is still on pace with what he accomplished last year. Regrettably, the Senate is not on even or on a slower pace than it was last year; it has no pace at all.

By the end of last year, the Senate finally picked up its pace and confirmed 65 Federal judges—the highest total since the Republican majority took control of the Senate. That was 65 of the 91 nominations received for the 115 vacancies the Federal judiciary experienced last year. Together with the 36 judges confirmed in 1997, the total number of article III Federal judges confirmed during the last Congress was a 2-year total of 101—the same total that was confirmed in 1 year when

Democrats last made up the majority of the Senate in 1994. Of course, the Senate fell short of the record-setting 70 home run total of Mark McGwire and 66 homers hit by Sammy Sosa.

The Judicial Conference of the United States has recommended that Congress authorize an additional 69 judgeships besides, in order for the Federal courts to have the judicial resources they need to do the justice. These are in addition to the 67 current vacancies. That means that the Federal courts need the equivalent of 136 more judges. I cannot remember a time when the resource needs of the Federal courts were so neglected by the Congress.

During the four years that the Republican majority has controlled the Senate, it has barely kept up with attrition when it comes to judicial vacancies. Even with the confirmations achieved last year, the current vacancies number as many as existed at the time the Senate recessed in 1994. The Senate has not made the progress it should have in filling the longstanding vacancies that continue to plague the Federal judiciary. The Chief Justice of the U.S. Supreme Court and others continue to speak of the problem of too few judges and too much work. In 1997 the Chief Justice noted: ''Vacancies cannot remain at such high levels indefinitely without eroding the quality of justice that traditionally has been associated with the federal judiciary.''

Both the Second Circuit and the Ninth Circuit have had to cancel hearings over the past couple of years due to judicial vacancies. The Second Circuit has had to declare a circuit emergency and to proceed with only one circuit judge on their three-judge panels.

The New York Times ran a front-page story recently on how the crushing workload in the Federal appellate courts has lead to what the Times called a ''two-tier system'' for appeals. In testimony and statements over the last few years, I have seen Chief Judge Winter and former Chief Judge Newman of the Second Circuit, Chief Judge Hug and Judge Trott of the Ninth Circuit and Chief Judge Hatchett of the Eleventh Circuit all warn of the problem of too few judges and too much work. I deeply regret that these twin problems have combined to lead to the perception that the Federal appellate courts can no longer provide the same attention to individual cases that has marked the Federal administration of justice in the past.

Appellate courts have had to forgo oral argument in more and more cases. Litigants are being denied any opportunity to see the judges who are deciding their causes. Law clerks and attorney staff are being used more and more extensively in the determination of cases as backlogs grow. As caseloads grow, bureaucratic imperatives seem to be replacing the administration of justice. These are not the ways to engender confidence in our system of justice, acceptance of the judicial process, support for the decisions being rendered or respect for courts. Congress needs to support the judicial branch with the judges and other resources it needs.

Instead of sustained effort by the Senate to close the judicial vacancies gap, we have seen extensive delays continue and unexplained and anonymous ''holds'' become regular order.

The only thing the Judiciary Committee does not ''hold'' any more is judicial confirmation hearings. I recall in 1994—the most recent year in which the Democrats constituted the majority—when the Judiciary Committee held 25 judicial confirmation hearings, including hearings to confirm a Supreme Court Justice. By April 15, 1994, we had held 5 hearings involving 21 nominees, and the Committee had reported 18 nominations. Even last year, the Committee had held four confirmation hearings by this time. This year the Committee has not held a single hearing on a single judicial nomination.

The Senate continues to tolerate upwards of 67 vacancies in the Federal courts with more on the horizon—almost one in 13 judgeships remains unfilled and, from the looks of things, will remain unfilled into the future. The Judiciary Committee needs to do a better job and the Senate needs to proceed more promptly to consider nominees reported to it.

We made some progress last year, but if last year is to represent real progress and a change from the destructive politics of the two preceding years in which the Republican Senate confirmed only 17 and 36 judges, we need to better last year's results this year. The Senate needs to consider judicial nominations promptly and to confirm without additional delay the many fine men and women President Clinton is sending us.

Already this year the Senate has received 33 judicial nominations. I am confident that many more are following in the days and weeks ahead. Unfortunately, past delays mean that 28 of the current vacancies, over 40 percent, are already judicial emergency vacancies, having been empty for more than 18 months. A dozen of the nominations now pending had been received in years past. Ten are for judicial emergency vacancies. The nomination of Judge Paez to the Ninth Circuit dates back over 3 years to January 1996.

In his 1998 Year-End Report of the Federal Judiciary, Chief Justice Rehnquist noted: ''The number of cases brought to the federal courts is one of the most serious problems facing them today.'' Criminal cases rose 15 percent in 1998, alone. Yet the Republican Congress has for the past several years simply refused to consider the authorization of the additional judges requested by the Judicial Conference.

In 1984 and in 1990, Congress did respond to requests for needed judicial resources by the Judicial Conference. Indeed, in 1990, a Democratic majority in the Congress created judgeships during a Republican presidential administration.

In 1997, the Judicial Conference of the United States requested that an additional 53 judgeships be authorized around the country. This year that request has risen to 69 additional judgeships.

In order to understand the impact of judicial vacancies, we need only recall that more and more of the vacancies are judicial emergencies that have been left vacant for longer periods of time. Last year the Senate adjourned with 15 nominations for judicial emergency vacancies left pending without action. Ten of the nominations received already this year are for judicial emergency vacancies.

In his 1997 Year-End Report, Chief Justice Rehnquist noted the vacancy crisis and the persistence of scores of judicial emergency vacancies and observed: ''Some current nominees have been waiting a considerable time for a Senate Judiciary Committee vote or a final floor vote.'' He went on to note: ''The Senate is surely under no obligation to confirm any particular nominee, but after the necessary time for inquiry it should vote him up or vote him down.''

During the entire 4 years of the Bush administration there were only three judicial nominations that were pending before the Senate for as long as 9 months before being confirmed and none took as long as a year. In 1997 alone there were 10 judicial nominations that took more than 9 months before a final favorably vote and 9 of those 10 extended over a year to a year and one-half. In 1998 another 10 confirmations extended over 9 months: Professor Fletcher's confirmation took 41 months—the longest-pending judicial nomination in the history of the United States—Hilda Tagle's confirmation took 32 months, Susan Oki Mollway's confirmation took 30 months, Ann Aiken's confirmation took 26 months, Margaret McKeown's confirmation took 24 months, Margaret Morrow's confirmation took 21 months, Judge Sonia Sotomayor's confirmation took 15 months, Rebecca Pallmeyer's confirmation took 14 months, Dan Polster's confirmation took 12 months, and Victoria Roberts' confirmation took 11 months.

I calculate that the average number of days for those few lucky nominees who are finally confirmed is continuing to escalate. In 1996, the Republican Senate shattered the record for the average number of days from nomination to confirmation for judicial confirmation. The average rose to a record 183 days. In 1997, the average number of days from nomination to confirmation rose dramatically yet again. From initial nomination to confirmation, the average time it took for Senate action on the 36 judges confirmed in 1997 broke the 200-day barrier for the first time in our history. It was 212 days.

Unfortunately, that time is still growing and the average is still rising to the detriment of the administration

of justice. Last year, in 1998, the Senate broke the record, again. The average time from nomination to confirmation for the 65 judges confirmed in 1998 was over 230 days. At each step of the process, judicial nominations are being delayed. Prime examples are Judge Richard Paez, Justice Ronnie L. White, and Marsha Berzon, who have each had to be renominated again this year.

I again urge the Senate to take seriously its responsibilities and help the President fill the longstanding vacancies in the Federal courts around the country. Today the score is running against the prompt and fair administration of justice—vacancies 67, nominations 33, confirmations zero.

In conclusion, last year I talked about judicial nominations and Mark McGwire. I talked about how well Mark McGwire had been doing. I compared his home run numbers, and that he was going along a lot faster than our judicial nominations. And I may do a little bit of that this year, as well.

But I put a little magnifying glass up here to the chart. Here are the number of vacancies of Federal judges. Of course, a person can become a Federal judge only after a nomination and confirmation by the Senate.

Here are the vacancies—67. I put a magnifying glass on the chart so everybody can see how many we have confirmed. Zero. Diddle squat. That is all we have done—no confirmations whatsoever. In fact, I don't think we have even had a hearing. We are now in the fourth month of the year and about to go into the fifth month. I don't think in my 25 years here we have ever gone this long, especially in the middle of a President's term, without even having any hearings.

Mark McGwire is ahead of us in home runs, both on confirmations and on nomination hearings. Last year we got a little bit ahead of him, at least until the baseball season began. We had confirmed by the time of the All-Star break in July something like 33 judges. It took Mark McGwire almost 10 weeks to catch up and pass us last year. This time he passed us on the very first day he goes out to bat. The very first day that he is playing he beats us.

I have heard it said that we can't confirm nominees that we don't have. We have 33 nominees up here right now. They are here sitting before the Senate. Some have already had hearings last year, and they just sit there and sit there, and we don't vote on them. We don't confirm them.

Look at how we have done in the past. Let's go a little backward. In 1994, we confirmed 101. In 1999, we only confirmed 65. Mark McGwire hit 70 home runs.

I think we will talk a little more about this as we go along. We have also had a problem with the time between nomination and confirmation. Again, it doesn't answer the question to say we can't confirm people if they are not nominated. In fact, they are nominated, and they still don't get confirmed and those that do are taking longer every year. In 1993, it took the average time of 59 days to get them confirmed. Now it takes 232 days. I know of people who have declined appointments to the Federal bench. Why? Because they can't get confirmed at all or confirmed in a reasonable time.

So the bottom line, Mr. President, is here we are with 67 vacancies and zero confirmations. And I am willing to bet that, at the rate we are going, Mark McGwire is going to be way ahead of us all year long.

Mr. President, I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. KERRY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ALLARD). Without objection, it is so ordered.

Mr. KERRY. Mr. President, I understand we are in morning business; is that correct?

The PRESIDING OFFICER. We are. We are in morning business until 1 p.m.

Mr. KERRY. May I inquire, what is the order at 1 p.m.?

The PRESIDING OFFICER. There is no specific business pending.

Mr. KERRY. Mr. President, I ask unanimous consent that I be permitted to proceed in morning business until I complete my statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KERRY. I thank the Chair.

(The remarks of Mr. KERRY, Mr. LEVIN and Mr. KENNEDY pertaining to the introduction of S. 791 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. KERRY. I thank the Chair and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. COVERDELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—S. 767

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 90, S. 767, under the following limitations: 1 hour of debate on the bill, equally divided in the usual form; the only amendment in order to be a substitute amendment to be offered by myself and others; no other amendments or motions in order to the bill; and at the conclusion of the time and the disposition of the amendment, the bill be read a third time and the Senate proceed to a vote on the bill with no other intervening action or debate.

I further ask consent that when the Senate receives from the House the companion measure and it is the exact text of the Senate-passed measure, then the House bill be considered read a third time and passed.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. COVERDELL. Mr. President, I am disappointed that we would have an objection to a measure that has already, in a sense, been initiated by the President and deals with amelioration and comfort to the troops—our sons and daughters that are in harm's way today, as we have all been highly focused on Kosovo. This sends a very positive message—and it has been broadly agreed to—to their families and to the fighting men and women, and it is a shame that we have to get balled up at a time like this when we are under such duress.

Mr. REID. Mr. President, I say to my friend from Georgia that this is important legislation. It has bipartisan support and we should move forward with the legislation. There is nothing that indicates that anybody is going to prolong this debate unnecessarily. We simply think it is appropriate that this legislation be handled in the manner that legislation has been handled in this body for many years—in fact, a couple centuries.

We understand that we are going to help the fighting men and women of our country, and it is certainly appropriate to do it around tax time because that is what this matter relates to, the tax burdens that face some of our people. There will be a delay, for example, as to when they have to file their returns. We are willing to do that, but we are not willing to enter into a restrictive agreement that just allows the manager to submit an amendment and no one else. We are ready to move forward on this legislation. We should be debating it now. We could go forward with the legislation this very minute and have this wrapped up in a matter of a few hours.

Mr. COVERDELL. Mr. President, I thank my good colleague from Nevada. I want to elaborate.

The reason is not to facilitate my own amendments. It is to facilitate the issue for which, as he has acknowledged, there is broad agreement. I think that the thinking here was that this very simple proposal which would help our fighting men and women, for which there is broad agreement, could be handled and moved forward. It is very clear that a Member on your side of the aisle, who is purporting to want to amend it, is talking about something that would be very controversial and would entangle the simple proposal that could be an immediate gesture to our fighting men and women, to which the whole Congress has agreed. The

House passed it unanimously yesterday. I just reiterate that this is a needless delay on something that is designed for our fighting men and women, no matter how you look at it.

Mr. REID. Mr. President, the needless delay is taking time here and being enmeshed in procedural matters that need not be enmeshed. I was asked to listen to a unanimous consent proposal that was advocated and propounded by my friend from Georgia. It is something that we believe is inappropriate. This legislation is going to pass and it is going to pass quickly. I think it will pass with relatively no opposition. The sooner we get to the merits of this legislation, the better off we will be.

I think it would not be untoward to allow a Member on that side or this side to offer an amendment. If the amendment is no good, and understanding the underlying importance of this legislation, it will either be defeated or the person will withdraw it. But there may be ways of improving this bill, ways that we can help the fighting men and women of our country in a manner different than is set forth in this legislation. I say to my friend, let's move forward with the legislation. It is now 1:25. I think this legislation could be passed by 4 o'clock with no trouble at all. So I hope we can move just as quickly as possible. This is important legislation for the people that are over in harm's way. We want to assist them in any way that we can.

Mr. COVERDELL. Mr. President, let me simply say, I think my friend is correct. I think we can pass this in 5 minutes. But it isn't going to be passed because of the proposal that is being propounded. It has been vetted on both sides. As he said, there is broad agreement on this. Anything that would improve it would have been accepted. You are talking about another debate completely out of context with the benefits proposed in here. Those proposals are highly controversial. So these soldiers and sailors are being held hostage for that view. I think that is inappropriate.

I yield the floor.

Mr. REID. Mr. President, the underlying bill is a pretty good bill, but it is not perfect. I think we should have the opportunity to take a look at it. Too often around here there is a group of people that get together and they agree on a piece of legislation which they think is miraculous and will solve all the problems of a certain issue. There are 100 Members of the Senate, and five or six people get together and bring it to the floor, and the procedure we follow too often is if anybody wants to debate it, they are considered obstructionists, people who don't believe in the underlying issue.

Let me repeat, Mr. President, that we on this side of the aisle believe in the underlying issue here. We want to provide tax relief for our fighting men and women, the soldiers, sailors and airmen who have given so much to this country in the last month. We also think that the legislation should be seen in the light of day. There are 95 other Members in the Senate that should have the opportunity to review this legislation. We are saying on this side, let's give them an opportunity; let's let those people who haven't been in on this so-called deal to bring this legislation up. Let them also take a look at this legislation. There may or may not be amendments offered, but there is going to be nothing done. We will prevent this bill from passing.

Mr. COVERDELL. Mr. President, I yield the floor.

Mr. BRYAN. Mr. President, I ask unanimous consent that I be permitted to speak as in morning business for a period of 12 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

NUCLEAR WASTE

Mr. BRYAN. Mr. President, in the House Commerce Committee today, the Subcommittee on Energy and Power took the first step in what is fast becoming a futile ritual here in Congress.

The subcommittee reported to the full committee a revised version of H.R. 45—the latest in a long string of legislative efforts to single the State of Nevada out as the dumping ground for the nuclear power industry's toxic high-level waste.

The bill approved by the subcommittee today consists of a now familiar assault on the environment and the health and safety of millions of Americans, both in Nevada and along transportation routes throughout the Nation.

It requires the expenditure of billions of taxpayer dollars on a completely unnecessary and misguided ''interim storage'' facility in Nevada.

It makes a mockery of the National Environmental Policy Act process, and preempts every local, State, and Federal statute or regulation that interferes with the nuclear power industry's crusade to move high-level waste to Nevada, no matter what the costs or consequences may be.

The bill is an unprecedented power grab by the nuclear power industry, trampling on the most fundamental states' rights.

The bill overrides years of work by the Environmental Protection Agency in establishing a science based radiation standard, and substitutes by legislative fiat a standard more than six times less protective than generally accepted for citizens anywhere else in the United States.

By shipping waste to Nevada in advance of determining the suitability or licensibility of the Yucca Mountain site, the bill also irreversibly prejudices the scientific work at the site.

Any hope for an objective evaluation of Yucca Mountain will be lost.

The bill approved by the subcommittee today is an environmental and public health travesty.

Fortunately, as in the past two Congresses, the bill stands no chance of enactment into law.

President Clinton continues to oppose the nuclear power industry's special interest legislation, and will veto the bill should it ever reach him.

Even the industry knows there is absolutely no doubt of the firmness of the President's veto threat.

Congress will vote to sustain the President's veto, and we will have once again wasted years of time and effort on a useless battle of wills, when we could have be working together towards an equitable, reasonable, and safe resolution of any legitimate grievances the nuclear power industry has with the federal high-level nuclear waste program.

The nuclear power industry's obsession with moving its waste to off-site, no matter what the consequences, defies all logic.

The Nuclear Regulatory Commission, the Nuclear Waste Technical Review Board, and the industry itself agree that the waste can be stored safely on site for the foreseeable future.

Somehow, though, moving waste off-site has become the ''holy grail'' of the industry.

Taking the liability for the industry's environmental travesty has been their only rallying cry.

Unfortunately for the industry, commercial nuclear power's problems cannot be solved by waste legislation, or anything else we may do here in Congress.

Nuclear power is a declining industry, unable to compete in an increasingly competitive electricity marketplace.

An industry once touted as a technological marvel—one which we were told could produce power ''too cheap to meter'' at thousands of reactor sites—has turned into an aged collection of ''white elephants,'' struggling to keep operating.

As the electricity marketplace moves away from the regulated environment, an environment which virtually guaranteed full cost recovery for utilities huge investments in nuclear plants, the cost of nuclear power continues to rise, due to increasingly expensive maintenance and retrofit costs to keep the plants in operation.

While the industry likes to portray what they describe as ''radical environmentalists'' for its inability to compete, the true cause for nuclear power's demise is simple economics.

The value of nuclear power plants in today's electricity marketplace has plummeted.

Nuclear plants that do sell barely fetch any price in today's markets, and 21 reactors have simply been allowed to shut down.

As the thoughtful newspaper article that I will insert in the RECORD makes pretty clear, nuclear power is an industry with no future.

Unfortunately, the industry's last gasp, its last in a long series of strategic miscalculations, appears to be to

deposit its legacy of high-level waste in Nevada.

Since its very inception, the nuclear power industry has shown a totally irresponsible lack of foresight in dealing with its highly toxic waste stream.

For decades, the industry has shut its eyes to its growing volume of high-level waste, and continued to generate waste with absolutely no rational plan to manage it.

The end result of this irresponsible lack of planning—or maybe the real plan all along—has been simply a demand that the commercial utilities be permitted to shove the waste problem off on the American public.

In 1982, the industry convinced Congress to accept responsibility for disposing of the waste, and, ever since then, the industry's demands on the Federal Government, and the Treasury, have only increased.

The nuclear power industry's surreal sense of entitlement got a jolt of reality last week.

For years, the industry has saturated Congress with frightening scenarios of tens or hundreds of billions of dollars in supposed damages at the expense of the American taxpayer resulting from delays in the Federal Government's high-level waste program.

Last week, the U.S. Court of Claims dismissed one of the utilities self-serving billion-dollar lawsuits.

The Court told Northern States Power, which had filed a claim for over $1 billion, to return to DOE, and seek appropriate adjustments under the contract the utility had signed in the early 1980s.

More dismissals of utilities outrageous damage claims are sure to follow.

While the math leading to the industry's claims of $80–$100 billion in damages was always very mysterious and suspect, last week's decision by the Court of Claims should lay this outrageous scare tactic to rest for good.

The nuclear power industry, or, more accurately, its ratepayers, do have some legitimate grievances with the DOE.

Since 1990, I have introduced legislation to help the Department of Energy and the industry address problems created by the Department's inability to meet the 1998 waste acceptance deadline.

Under this legislation, utilities would be allowed credits against Nuclear Waste Fund payments for the costs associated with storage of waste the DOE was scheduled to accept.

Recently, numerous proposals have surfaced which call into question the fundamental approach of legislation such as H.R. 45 and its predecessors.

On the House side, legislation has been introduced, based upon a previous DOE proposal, which would allow utilities to escrow Nuclear Waste Fund payments, and use some of the investment income from these escrow accounts to pay the costs of on-site storage.

In the Senate, a proposal is being developed to seek at least a partial technological solution to the high-level waste problem, through research and development of transmutation technology.

This week, the Institute for Energy and Environmental Research released a proposal which would store high-level waste on reactor sites, under the stewardship of a federally chartered non-profit corporation.

The Secretary of Energy has his own very generous proposal to the utilities to address any inequities created by the DOE's failure to meet the 1998 deadline.

As a settlement offer to the many utilities filing lawsuits against the Department, the Secretary has offered to take title to the waste at reactor sites.

Under the Secretary's proposal, utilities would be relieved of both financial and legal responsibility for the waste, leaving full responsibility for the waste in the hands of the federal government.

The Secretary's offer is more than generous. The modest adjustments in fees available to the utilities under the Standard Contract would be adequately addressed, in my view, by the Secretary's proposal.

Several utilities, including Commonwealth Edison, one of the largest nuclear utilities in the nation, recognizing the futility of the nuclear power lobby's continued insistence on interim storage in Nevada, have indicated an interest in accepting the proposal.

As the details of the proposal continue to develop, and as the prospects for interim storage in Nevada continue to decline, other utilities are sure to follow.

In fact, for most utilities, the interim storage proposals currently before Congress provide little or no actual relief.

For many utilities, even the overly optimistic 2003 deadline for the start of operation of an interim storage facility is too little, too late.

By that time, many nuclear utilities intending to continue to operate nuclear plants will have already had to invest in additional on-site storage.

For any of these utilities, the Secretary's offer of taking title provides far greater opportunity for relief than the pending legislation—even if the legislation had any chance of passage.

Any utility CEO who refuses to consider the Secretary's offer to take title would be doing the utility's shareholders, and ratepayers, a grave disservice.

Until the nuclear power industry can recognize that the tired, futile approach they have adopted for more than 5 years is going nowhere, and is merely setting a course for yet another legislation train wreck, Congress cannot address in any reasonable fashion whatever legitimate issues the industry may raise.

It is well past the time that the industry should abandon its pipedream of interim storage in Nevada, and come to the table to negotiate an equitable financial and legal solution to its dispute with the federal government over its high-level waste.

In case there is any question of the prospects for enactment for the bill marked up today by the Energy and Power Subcommittee, I will have printed in the RECORD a letter from the Secretary of Energy, dated yesterday, which puts the committee on notice that any legislation establishing interim storage in Nevada will be vetoed by the President.

I ask unanimous consent that the letter from the Secretary of Energy, dated April 13, 1999, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF ENERGY,
Washington, DC, April 13, 1999.

HON. JOE BARTON,
Chairman, Subcommittee on Energy and Power, Commerce Committee, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I was disappointed to learn that your subcommittee will hold a markup tomorrow on interim storage legislation, H.R. 45, the Nuclear Waste Policy Act Amendments of 1999. I understand that there have been some discussions between the Department's staff and your staff about my alternative proposal to take title to spent fuel from utilities at reactor sites, and I had hoped that some agreement could be reached on this alternative prior to the subcommittee taking action on legislation. I continue to believe that taking title to spent fuel at reactor sites could provide a basis for resolving many of the utilities' concerns, particularly in light of the recent decision by the U.S. Court of Federal Claims that the standard contract provides an adequate remedy.

I appreciate the fact that your substitute includes authority for the Department of Energy to take title to spent fuel at reactor sites and provisions intended to minimize the potential for continued litigation over the Department's contracts with utilities. The Department has not done a detailed analysis of these provisions of your substitute, but they appear to address many of the Department's concerns raised when I appeared before your subcommittee on March 12, 1999.

Let me reiterate, however, the Administration's opposition to any legislation that would make a decision to place interim storage in Nevada prior to completion of the scientific and technical work necessary to determine where a final repository will be located.

As you are well aware, the Department has completed considerable technical work at Yucca Mountain and submitted its viability assessment to the Congress and the President in December 1998. While the viability assessment found no technical showstoppers at Yucca Mountain, it identified a number of scientific issues that remain to be addressed before the Department will be able to make a judgment on the suitability and licensability of the site. Making a decision now to place interim storage in Nevada, in advance of completion of the scientific and technical work at Yucca Mountain, would prejudge the scientific work, would undermine public confidence that a repository evaluation will be objective and technically sound, and would jeopardize the credibility of any future decisions related to Yucca Mountain. It also does not make sense to transport spent fuel across the country until we know where the final repository will be.

As we have discussed, both the Administration and the Congress have been aware for some time that the overall constraints of the federal budget process have the potential to limit the availability of funding for the nuclear waste program in the out-years. The Administration strongly opposes provisions that would take the Nuclear Waste Fund off-budget without fully paying for it, and that would exempt this action from the pay-as-you-go provisions of the Balanced Budget Act. However, I would like to continue to work with you to assure that the repository program continues to be adequately funded and that the revenues raised by the nuclear waste fee remain available to complete the job of safe management and disposal of nuclear waste.

Finally, the Administration also strongly objects to provisions of the bill that would weaken existing environmental standards by preemption of Federal, State, and local laws.

For the reasons stated above, the Administration remains opposed to the proposed interim storage legislation, and I would recommend a veto if legislation containing these provisions were presented to the President.

The Department has been discussing my alternative proposal to take title to spent fuel at reactor sites with a number of utilities and other interested parties, and we will continue to do so. In the very near future, I hope to have a meeting with a group of utility executives whose companies have indicated an interest in discussing the proposal further. I will keep you informed of our continued efforts to reach agreement with the utilities on my proposal, and I look forward to working with you on these issues.

Yours sincerely,

BILL RICHARDSON.

Mr. BRYAN. In addition, the letter outlines numerous other environmental and fiscal concerns that the administration has with the revised version of H.R. 45 and makes it absolutely clear that the bill moving through the House in no way removes the administration's strong objection to this legislation. I will also have printed for the RECORD a letter from President Clinton earlier this year which repeats his veto threat in very clear and uncertain terms. Mr. President, I ask unanimous consent that letter to this Senator, dated February 16, 1999, and signed by the President of the United States, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington, DC, February 16, 1999.

Hon. RICHARD H. BRYAN,
U.S. Senate, Washington, DC.

DEAR DICK: Thank you for your letter requesting a restatement of my Administration's position on legislation siting a centralized interim high-level nuclear waste storage facility in Nevada.

As we have stated repeatedly in the past, if legislation such as that passed by the Senate or the House in the 105th Congress were presented to me, I would veto it. Such legislation would undermine the credibility of our nuclear waste disposal program, by, in effect, designating a specified site for an interim storage facility before adequate scientific information regarding the suitability of that site as a permanent geological repository is available.

Thank you again for your interest in this important issue.

Sincerely,

BILL.

Mr. BRYAN. Mr. President, the bill approved by the House Energy and Power Subcommittee today is an environmental and fiscal travesty with absolutely no chance of enactment.

I urge Congress to once again reject this misguided and dangerous legislation.

I ask unanimous consent to have printed in the RECORD an article that appeared in the Las Vegas Review-Journal dated March 28, 1999, which outlines the dreadful prospect that the nuclear power industry has for any future, based upon the economics as I outlined in my statement.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

COST, NOT SAFETY, IMPERILS NUCLEAR POWER

(By Jeff Donn)

SAN ONOFRE, Calif.—Surfers have been riding the thundering breakers of this beach since the days of the steam automobile, long before anyone cracked an atom to make electricity.

Joe Higgs adopted this beach as his second home even before bulldozers scraped away 1.5 million cubic yards of sandstone bluff for the first of three nuclear reactors. He and the San Onofre nuclear plant are uneasy neighbors to this day, peering at each other through barbed-wire fencing.

''I've learned to live with that. I love surfing, and I love the ocean so much,'' he said, looking up at the plant's three protective domes designed to seal in radioactivity during an accident.

But then he added: ''I wish it wasn't here, to be truthful.''

The way the nuclear industry is declining, his wish might yet come true.

Since the Three Mile Island accident in Middletown, PA, 20 years ago today, American attitudes toward nuclear power have been characterized by paralyzing ambivalence and mood swings. Under public pressure, the industry and government have profoundly reworked safeguards at tremendous effort and cost. Warily, the public has watched 51 commercial reactors hum to life in the years since the accident. All of them had been planned before Three Mile Island; none has been ordered since.

Virtually no one in the industry can imagine building a plant in the foreseeable future.

It is not runaway chain reactions but exploding costs that have jeopardized this $43 billion a year business. With barely a whimper, the nation has let 21 atomic reactors shut down. That's 17 percent of its total of 125. They are victims of the intertwined costs of safety changes and heavy staffing, building debt, and mounting expense to replace parts, clean up abandoned sites, and store radioactive waste.

Cranking up pressure, some states are making nuclear power stand on its own as they drop guaranteed electric rates for power monopolies to inject competition into energy production.

The nuclear industry still supplies about one-fifth of the country's power—second only to coal. But the U.S. Department of Energy predicts it could wither away almost entirely during the next 20 years. By just about any standard of policy or politics, atomic power is looking like a lesson in energy wasted.

''We over-promised and under-delivered. We created fears that are not appropriate, and the industry handled it all in a very defensive, closed way,'' said consultant Roger Gale, president of the Washington International Energy Group. ''We took a good technology, and we blew it.''

It's a remarkable turnaround for a technology that began with such hope. When the lights flickered on at Moorpark Nov. 12, 1957, the country was electrified.

CBS television captured the moment for history. The town of 1,146 people went black when it was cut off from Southern California Edison Co.'s conventional power grid. A few seconds later, thanks to the company's little atomic reactor in the Santa Susana Mountains, Moorpark and the nation awoke to the age of atoms for peace.

National leaders were eager to redeem the research and destructive power of the atom bomb. They promoted and helped finance the first round of nuclear energy plants and dreamed aloud of electricity so cheap it would hardly be worth metering, maybe 1,000 reactors by the year 2000.

In the 1970s, public worries about air pollution, the Arab oil embargo and the limits of fossil fuel supplies boosted the inherent high-tech appeal of nuclear power.

The backbone of the new industry's work force came from the ranks of the nuclear Navy—a gung-ho breed that later proved inept at dealing with a doubting public.

Decades of environmental and economic bruises have thoroughly rubbed off the veneer of atomic technology as the wonder boy of energy.

Public support for nuclear energy has slipped 70 percent before Three Mile Island to 43 percent in 1997, according to Roper Starch Worldwide, the polling company. Though some still view the U.S. Nuclear Regulatory Commission as too cozy with the industry, the agency sees itself primarily as a safety enforcer, not a booster.

''Nobody is going to order a new nuclear plant: too much political pressure and environmental pressure, and your capital is at risk for so long,'' said Chris Neil, an industry consultant with Resource Data International. ''Nobody wants to take that risk.''

Southern California Edison is deciding whether to sell its two big 1,100-megawatt reactors still active at San Onofre south of Los Angeles. California's 30 million people draw about one-quarter of their electricity from atomic plants, more than any other state. But that could change as California regulators complete the transition to competitive energy making.

''I don't think nuclear has changed that much. I think the world around it has changed,'' said Harold Ray, the utility's chief of generation.

Kara Thorndike, 14, sprawled in shorts on a blanket at San Onofre beach, busy with homework and oblivious to the atomic plant just a few hundred yards away.

''They have to be safe,'' she said. ''If they weren't, I don't think they'd put it in a public place.''

Even strong critics say the industry has greatly bolstered safety since the partial meltdown of a reactor core at Three Mile Island.

The nation's worst nuclear accident released little radioactivity into the environment, but it exposed dangers that shook government regulators into ordering expanded training of nuclear operators. Plants were redesigned to give operators better information on the state of reactors. Training control rooms were built identical to the real ones, down to the carpeting. Emergency command centers sprang up and connected to hot lines at the Nuclear Regulatory Commission.

While basically on target, the government's reaction might have at times been overzealous, according to William Travers, the new director of the watchdog agency, who oversaw the Three Mile Island cleanup through much of the 1980s.

Today, he said, the agency is ''looking to reduce the unnecessary burden.''

Regulators are stripping back some rules, saying they do not really bear on safety. Using downgraded risk predictions, the agency allows more limited testing of some plant materials and has a fast track for re-licensing old plants to help the industry compete.

In reaction, critics are again fretting over safety. A January report by the General Accounting Office, the investigative arm of Congress, said ''safety margins may be compromised'' as markets turn competitive.

Marybeth Howard, who markets computer hardware, was sunning herself at San Onofre beach and basking in thoughts of abundant electricity.

''I've got the lights on all the time,'' she said. ''I've got the stero cranked. I've got the microwave and the dishwasher on. Everything! I don't care how much the bill is! I don't even really pay attention.''

Her nonchalance sounds quaint in a world where ''energy efficient'' and ''energy conservation'' long ago entered common speech.

In the 1970s, the national appetite for power grew about 7 percent annually, but the growth rate has shrunk to about 2 percent a year—even with the strong economy. That makes it harder for utilities to pay off nuclear construction debts.

In some cases, big debt paid for little but frustration. The $5.5 billion Shoreham plant in Long Island, crippled by safety fears, never opened.

Only two operating plants so far have asked to renew their 40-year licenses. The licenses of 56 reactors expire in the next 20 years, but industry officials acknowledge some likely will close long before.

For one thing, it often takes more than twice as many workers to run a nuclear plant as an equivalent one with fossil fuel.

For another, aging nuclear plants increasingly need big-ticket replacement of generators, turbines and even reactor cores made brittle by decades of neutron bombardment.

San Onofre has been installing new turbines for its two active units at about $30 million each. Owners of Yankee Rowe in Massachusetts, the granddaddy of plants, shut down in 1992 after 32 years instead of buying a new $23 million reactor vessel to cradle its radioactive core.

Meanwhile, in states such as Pennsylvania, regulators are expected to bar utilities from recovering much of their nuclear construction debt through consumer rates during the changeover to competitive markets.

Some in the industry embrace two plant sales in the works as a sign of hope. An international partnership has even arranged to buy the Three Mile Island reactor that did not melt down and later came back on line.

But it is going for just $23 million. It was built for $400 million.

''It appears to me the way to sell a nuclear plant is to pay someone to take it off your hands,'' said Kennedy Maize, editor of the Electricity Daily trade newspaper.

The General Accounting Office says up to 26 plants appear vulnerable to shutdown simply because their production costs are higher than the projected price of electricity.

The industry is banking heavily on an expanding market for U.S. nuclear technology in Japan, Taiwan and other Asian countries during the next 20 years. France depends on nuclear plants for 78 percent of its power.

Environmental distaste, though, has dimmed nuclear prospects in Germany, Sweden and Italy.

Much of the future growth is predicted in developing nations without the centralized grids of power lines to accommodate big nuclear plants. Fear of spreading material and know-how for nuclear weapons is also braking nuclear energy to other lands.

''It's one of those things that seems to be good for a while, and then something else comes along,'' said nuclear physicist Thomas Johansson, who oversees international energy development at the United Nations.

Many analysts say the nation could weather a slow death of nuclear power fairly well.

They say natural gas, which supplies about 10 percent of power, can and will do much more. Dozens of gas generators are under construction.

But renewable resources, such as solar and wind power, have progressed slowly.

Backers of nuclear power say the nation can't attain international limits on greenhouse gases without atomic energy.

James Hewlett, an economist with the Energy Department says coal might be needed to pick up some slack. But Daniel Becker, an energy expert at the Sierra Club environmental group, says that's like ''giving up smoking and taking up crack.''

Maybe nuclear power was fundamentally flawed: steeped in danger and, as environmentalists sometimes suggest, the most expensive way ever devised to boil water. Maybe nuclear plants are just too big and centralized to thrive in an era of smaller-is-better.

But others say a potentially enduring technology was simply mishandled.

Mr. REID. Mr. President, will the Senator yield for a question?

Mr. BRYAN. Yes, I am happy to yield for a question.

Mr. REID. I am very happy, I say to my friend from Nevada, that I was here on the floor when he came to bring us the bad news. But the question I direct to my friend from Nevada—and there is no one who has worked harder on this issue than he has—is that it is my understanding that there is a consensus being developed by the administration and the Secretary of Energy, a number of the large utilities and somewhat smaller utilities around the country, and Members of Congress who have never been on this issue who are thinking that maybe the best thing to do is have the United States assume ownership of the nuclear waste and, in effect, take care of it on-site until there is a permanent depository. Is it true that there is an intensive development around here in that regard?

Mr. BRYAN. The Senator from Nevada is absolutely correct. I think there is a shaft of light at the end of the tunnel, if I may use that metaphor, in which a number of thoughtful Members of Congress, working together with the administration and some responsible nuclear utilities, have come to recognize the futility of the process that my friend, our senior colleague, knows only too well, and to try to work out something that addresses the legitimate concerns of ratepayers in States where nuclear reactors exist and yet does not devastate our environmental laws and create a situation that is costly and dangerous to the American public.

Mr. REID. The last question I direct to my friend is this: Is it also true that this is being done outside of the auspices and outside of the control and direction of the two Senators from Nevada?

Mr. BRYAN. The Senator is correct again. These are suggestions that have been generated by thoughtful Members in the Senate, and in the House, by the administration, and increasingly the dialog has indicated that, again, what I would call responsible and reasonable nuclear utilities are engaged in a dialog. And I am hopeful, as I know my senior colleague is, that we can avoid this train wreck that occurs annually in the Congress and work out something that deals responsibly and legitimately with the concerns that ratepayers have in States with these reactors, but does not involve this incredibly foolish effort to transport 77,000 metric tons of high-level nuclear waste to the State of Nevada unnecessarily. And, as the Senator from Nevada knows, that is simply not going to happen, because the administration and the Department of Energy's Nuclear Waste Technical Review Board all agree that such an approach is unnecessary and unwise.

I thank my colleague for his thoughtful and insightful questions, and I look forward to working with him in developing a responsible approach to resolving this issue.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. VOINOVICH). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GREGG). Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, am I correct the pending business is the conference on the budget for the year 2000?

The PRESIDING OFFICER. The conference has not been called up yet.

UNANIMOUS-CONSENT AGREEMENT—H. CON. RES. 68

Mr. DOMENICI. I ask unanimous consent the Senate now proceed to the conference report to accompany the budget resolution and, when the Senate reconvenes on Thursday, there be 5 hours remaining for debate as provided under the statute. This has been cleared on the other side.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2000—CONFERENCE REPORT

Mr. DOMENICI. Mr. President, I submit a report of the committee of conference on the concurrent resolution (H. Con. Res. 68) establishing the congressional budget for the United States Government for fiscal year 2000 and setting forth appropriate budgetary levels for each of fiscal years 2001 through 2009, and ask for its immediate consideration.

The PRESIDING OFFICER. The report will be stated.

The legislative clerk read as follows:

The committee on conference on the disagreeing votes of the two Houses on the amendment of the Senate to the concurrent resolution (H. Con. Res. 68) have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the conference report.

(The conference report is printed in the House proceedings of the RECORD of April 13, 1999.)

Mr. DOMENICI. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GORTON). Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, I would like to announce to the Senate that the budget resolution, which we have called up and which is being considered, was approved just a while ago by the House, passed there by 220–208. So the remaining real business before we leave for this weekend is to get our budget passed here. I will say, if it is passed today, it would be historic. If it is passed tomorrow, it will still be historic, because we will have produced our budget resolution through both Houses, setting the blueprint for the year before the 15th, which is the statutory date. I will say to the Senate, we have only done that once in the 24-plus years history of the Budget Act.

I think our commitment to the Senate was helped by our various committee members, and help came from our ranking member, Senator LAUTENBERG, to get the job done. No use to delay it. We have been on the floor, gone through it. Yesterday we took a number of votes that we don't normally take, with Senators exercising their prerogatives to make us vote again on some of the issues. Today there will be a vote on final passage.

I remind Senators who might want to speak, whether they are on this side of the aisle or that side of the aisle, we have a unanimous consent agreement already entered into, with the full concurrence of the minority, that whenever we finish this evening—and that could be any time—there will be 5 hours remaining tomorrow. That is because there is a statutory mandate of 10 hours unless agreed to to the contrary.

That means that tomorrow we will be on for 5 hours and then vote. If Senators do not make it to the floor in the next hour or so—obviously, they can come down here, and if they want to make it easy on everybody, maybe they can tell Senator LAUTENBERG when they want to come and tell me when they want to come on this side, and we will accommodate them so they don't have to stay down here and wait a long time while others speak.

Having said that, I probably will reserve most of my time to answer what others might say about this budget resolution, but I would like to give a summary of where things are. I do not think that will take over 10 or 15 minutes. Then I will yield to Senator LAUTENBERG. I have already told my friend that I have to go across the hall for a Republican policy conference, and I will try to do that as soon as my remarks are completed.

Mr. President, let me briefly outline the conference report on the year 2000 budget before us this afternoon. The conference report before us is very similar to the Senate-passed budget resolution back on March 25 on a roll-call vote of 55–44. A similar but different House-passed budget resolution required a conference. That conference resulted in some modifications to the Senate-passed resolution which I will highlight later in my remarks. The basic outline for entering the millennium with a fiscal policy and a tax policy and a defense policy and an education policy, the basic content of that with some modifications is, indeed, what the Senate has before it again today.

First, this is a 10-year budget resolution. We have done a 5-year resolution and 7-year resolution, but this year is the first time we have used 10 years to make our projections and upon which to build the building blocks for the first part of this new millennium.

Now, we have done 5-year budgets and we have done 7-year. Why did we do 10? Well, the President's budget presentation in February was very unique, very different than any President has ever done before. The President and his staff tried to use 15 years, and that is 15-year numbers, and in some cases, 15-year estimates. This 15-year timeframe was a very convenient way to shade the fact that they were and are counting on raiding the Social Security surplus in the early years by $158 billion over the first 5 years of the President's budget. Without any attempt to obfuscate, clearly it uses $158 billion of the Social Security surplus for programs, for expenditures, so it was, indeed, a raid on that Social Security surplus, and then leave it to future Presidents and future Congresses to reimburse that trust fund for this administration's early spending plans which would have used some of Social Security's surpluses.

That is most interesting, especially because the President will be claiming that he is trying to save the Social Security surplus. I put out the challenge to anyone who wants to review the President's proposal and this proposal and see if anybody is entitled to the claim that we are saving Social Security's trust fund accumulations, exempting it, can't use it for taxes, can't use it for appropriated accounts. If you would like to look at it and see which does the most, I think you will find that the President puts $400 billion, that is ''billion,'' less in the trust fund during the next decade, or let me put it another way, on a 10-year basis, it shortchanges the trust fund by $400 billion.

That is as compared with what really ought to be in the fund. We put in what really ought to be in the fund, and that is all of it, all of the surplus year by year, not a portion of it over 15 years.

So we think we can properly say the first responsibility of this budget was to make sure that we did everything possible to protect the Social Security trust fund and to make it available for those who might want to reform, or in a major way change the Social Security program to add to its longevity and perhaps its fairness. But only for that purpose can any of that trust fund be used. That is the first big item. The conference agreement accomplishes that first objective, protects Social Security trust fund balances. Then we go on to three other major items.

Two, we didn't see any way that we could produce a budget to enter the millennium that did not maintain the fiscal discipline of the 1997 budget agreement. The distinguished occupant of the Chair, a distinguished member of the Budget Committee and other committees, knows that it wasn't very long ago that we set a fiscal discipline pattern which has brought us a great deal of success. We said we are only going to spend so much over the next 5 years. It wasn't over a prolonged period, just 5 years. That, plus some other good fortunes that are attributable to economic growth and prosperity, has brought us the best fiscal policy of any industrialized Nation in the world—sustained growth, manifold numbers of jobs, low inflation, and low interest rates.

We thought it was best that we stay on that path. So the second point is that the fiscal discipline is retained from the 1997 agreement. Why shouldn't it? There are those who say it is too tough. There are those who say we can't live by it.

There are those who say the President is going to force us to break this budget. Well, we aren't going to let the President do that. If that is what he thinks we ought to do, we will have to hear from him. We are going to try hard to live within those prescribed limits, which brought such credibility to the fiscal policy ideas of this Government that I believe we ought to stick with them for awhile.

Now, the third is another idea that somehow or another has been challenged here in the Congress, and that is that we want to return to the American taxpayer their overpayments to the Federal Government. Now, what we on our side of the aisle—and we hope some Democrats join us before the year is over—would like to say is that when you have an economy like this one,

with surpluses that we have, you should not just be thinking about spending money; you ought to be thinking about the taxpayer, too. In fact, maybe you ought to say let's look at government and let's look at the taxpayers and let's make sure we have as little government as possible, so that we consider the taxpayers to the maximum extent and have them paying the lowest taxes possible within a good, sound policy.

So while some will say, ''I would like a tax cut but not this one,'' or, ''I would like a tax cut, but not now; I would like it later, but I would like a little bit now and then wait for 5 or 6 years,'' we say the policy is a clear one. The United States succeeds when we have low taxes and we exceed our competitor countries in the world predominantly on the premise that our businesses and our individuals pay less taxes than those competing with us. That is a truism with regard to all of the European countries that try to compete. They are heavily taxed; we are taxed at a low level. They have huge burdens on business to take care of social welfare programs; we have far less.

As a result, business is flourishing in America and we are adding, if not hundreds of thousands, then in a few of the past 6 years, even a few million new jobs. And it is interesting to note, Mr. President, as we consider this budget, if a poll were taken of American business, in particular the medium-sized businesses that are flourishing in our country, and we were to ask them, ''Can't you grow a little more?'' they would all answer, ''Yes.'' And then if we said, ''Why aren't you?'' the No. 1 answer would be, ''We can't find enough skilled workers to add to our workforce to grow as we could.''

Now, that is a very interesting thing for America, and it does mean that there is one long-term problem we ought to be concerned about, which is the validity of our education system to give basic-skill education and basic-skill development to more and more of the young people and those who would like to be retrained in America.

I guess, as an aside, if that doesn't happen, then I know we should not be talking about how we will be able to meet the needs of our businesses. But I surmise that if we don't create more educational skill opportunities for more and more of our people within a decade, we will be looking at an American policy that is going to let more people come in from outside our country to take our jobs.

I hope everybody listening to these remarks knows in what sequence I have said it. Clearly, I would like very much to get to the next point in our budget, because within these fiscal restraints we have taken a look at where the priorities for the expenditure of money, even in this crimped manner, the budget following this fiscal restraint, should be.

I believe Americans would agree with us that we ought to increase spending on education. In fact, if you looked at the President's budget, you would probably say that is not enough; it is sort of a nominal increase. We have said that, and we have increased our recommendations for public education assistance significantly over the President's. In fact, if the recommendation of the Budget Committee were accepted, we would increase, over the next 5 years, spending on education by $28 billion.

Everybody should know, we don't pay for a lot of public education. Local expenditures are, by far, most of it. Perhaps our country pays 7 percent of the bill; 93 percent is paid by local school districts, States, et cetera. We asked that we put more in, but we expressed a big concern—that in doing that we not provide targeted U.S. Government programs mandating the school districts to do things our way, but rather that we have accountability and flexibility built into the education programs that we add money for. So our budget does that.

Next, we created a non-Social Security surplus of about $92 billion for unexpected contingencies, that is, we didn't spend it for tax cuts or on anything else. It starts in the fifth year. It is $92 billion for unexpected contingencies. That could be used for transition costs for implementing fundamental reform in Medicare. Or if we did not use it for any of those things, that is, contingencies and/or Medicare reform, then they would further reduce the national debt.

Understanding that I started my remarks by saying we set aside $400 billion more than the President in the first decade of the Social Security trust fund and lock it in a box that we are going to vote on later, all of that is used to reduce the public debt until we use it for Social Security. It dramatically reduces the public debt. That is one of the best things we can do, and we did $400 billion more of debt reduction during the first decade than the President.

We are proud of that and we think it is the best use of the surplus, and the second best use is to return it to the taxpayers, so we return to them a substantial amount in tax reform, tax cuts, which is $778 billion. So there will be no confusion, add up all of those numbers I speak of and you keep the Social Security trust fund intact, you leave $102 billion for expected contingencies, and you cut the taxes of the American people by $752 billion over a decade.

I don't want anybody to be surprised, but the Republican tax package will not be big at the inception; it will be small. But in one bill, we will pass tax changes that will wedge out and grow each year, and in the fourth, fifth, sixth, and seventh years, you will be providing significant tax relief to the American taxpayer. Frankly, I believe that is just about perfect.

Some are fearful of it because we provide it over 10 years. But I think the American economy is experiencing a tremendous boon right now. I think these tax cuts are going to trigger in —I don't mean ''trigger in'' in the sense that anything will have to happen. I will use another word. It will come into play at just about the time when we need tax cuts for the American people and American business, so we can continue the prosperity, growth, and opportunity that is so prevalent today.

In summary, those are the things we tried to do, and those are the things that show up in this budget resolution. After conferring, almost all of those principles that started here in the Senate are kept. I am pleased to indicate that some of the other things the Senate had in its budget resolution are kept in this resolution. So let me tell you a couple of those.

First, the conference adopted the Abraham-Ashcroft-Domenici sense-of-the-Senate framework for protecting Social Security surpluses through a mechanism for retiring debt held by the public and made it a sense of the entire Congress. That means that both the House and the Senate will use every effort possible to try to pass what we will nickname here today ''lockbox'' legislation, which would be statutory preservation of that fund, requiring a majority vote to dip into it. We will have more to say about that. It will then be perfected and introduced soon, after consultation with more experts. We think we will have one that is flexible enough, yet rigid enough, to make sure that we don't spend that money.

In addition, yesterday afternoon, for the second time, the Senate voted on a child care proposal that had passed the Senate with a 57–40 vote, including 15 or 16 Republicans. Yesterday, in revisiting it, more Senators expressed their will for that.

While in conference, I was not able to get the House to give on it in its entirety. We got $6 billion. Half goes for the block grant that Senator DODD and Senator JEFFORDS discussed, and half is indicated in the tax package and should be used for tax relief that is child care oriented for as many families in America as possible.

Now, I believe that the leadership of both the Senate and the House have made a commitment in this conference report to go beyond the resolution before the Senate today to try to pass legislation to make sure for the first time in history we truly have made it almost impossible in the future to spend the Social Security trust fund for the ordinary expenditures of our budget as a ''basket'' from which we borrow for overextending our receipts.

This resolution maintains the fiscal discipline required by law. Statutory caps cannot be changed by a budget resolution, and they are now written into the law. It does not assume any firewalls between defense and non-defense discretionary spending. We are

not trying to protect defense from domestic spending in this era of great demands on both. We will just let the good judgment of the Congress, in its collaborative efforts, do its will with reference to the defense spending and the domestic spending.

However, in our recommendations, we do substantially increase defense beyond that which the President requested. We do that forthrightly and openly. We believed, even before the Kosovo situation, that the U.S. Department of Defense was being underfunded. We finally asked the Joint Chiefs what they really needed. They expressed genuine concern, so we added most of their requests to the defense assumptions.

This resolution makes no decision on the expansion or extension of the caps beyond 2002. It assumes, on the other hand, that discretionary spending will grow over the decade, increasing at a rate of about half the rate of inflation and expanding to a total of $2.9 trillion over the next 5 years and $5.9 trillion over the next decade.

Within the aggregate numbers on the face of the resolution, and again as required by law, the level of appropriation is distributed by budget function for illustrative purposes, but everyone should know the final decision will be a matter for the Appropriations Committee and the subcommittees. Everybody is beginning to understand that the budget resolution was not intended to be a determiner of how much money each program gets, but rather the total that they must not exceed.

The conference report assumed the priorities I mentioned. I will add one clarification on elementary and secondary education. In the first year, we increased it $3.3 billion in our allocation assumption and $28 billion over 5 years. That would be over and above the estimated $100 billion that would be expended for these programs during the same time period.

We assume full funding of transportation programs adopted last year. We assume full funding of the violent crime trust fund next year. We also have assumed $1.7 billion in additional veterans' health care benefits over the President's request for this year.

Within the spending restraints, it is assumed that the historic pay equity between civilian and military pay will be maintained. It assumes that the Congress funds the President's request for the upcoming census, and it assumes we double the request for the National Institutes of Health—double his increase.

I think that clearly puts us on the side that most Americans desire. We increase defense, we increase education, we increase those functions of our Government that take care of crime and criminal justice in our country. In addition, we take care of our veterans. The President did not even increase, to any extent, the veterans' medical appropriations. We added about $1.7 billion.

Adding those up, and adding a return of tax dollars to the American people with the kind of protection for Social Security and Medicare that we have provided, I believe we have a very good format to begin the millennium, the year 2000 budget.

To maintain the fiscal discipline of the caps and reorder spending toward these and other national needs, it is clear that the Congress will need to set priorities. If not, then some of the proposals I have outlined will likely not be possible.

What are some of those lesser priorities on the Federal taxpayers' dollars?

First, last year we appropriated over $106 billion for programs whose authorizations did not exist. A good place to start looking for lower priority programs in the Federal Government might be in those areas where no authorization exists.

In addition to the unauthorized programs, as I have stated previously, it would be helpful if the Congress reviewed the GAO's recent high-risk series which lists 26 areas this year—nearly 40 percent which have been designated high risk for 10 years—areas that GAO has found to be vulnerable to waste, fraud, and error.

Second, it is clear that some programs will not grow, will remain at their 1999 level, and some will have to be reduced below a freeze as the President's budget suggested. I would suggest that committees and the administration take to heart the Government performance and results act that specifically identifies low performing and inefficient programs.

Some programs, such as various transportation projects funded last year outside TEA–21, were one time and we should not assume continued funding of such programs next year.

The conference assumes that Ginnie Mae will become a private operation and its auction creates nearly $2.8 billion in offsets next year.

And yes, the conference resolution assumes, some of the administration's proposed offsets, fees, are assumed for various agencies in the Federal Government—FSIS and the President's proposed $200 million broadcasters lease fee.

In the area of mandatory savings. The resolution does not assume any of the President's nearly $20 billion reductions in Medicare over the next 5 years. Medicare spending will indeed increase from $195 billion this year by over $200 billion to a total of $395 billion in 2009, an annual increase of 7.3 percent.

And the resolution assumes $6.0 billion in additional resources will be allocated to the Agriculture Committee to address the issue of depressed incomes in that sector.

The Senate-passed resolution assumed that expiring savings provisions in 2002, that were enacted in the 1997 balanced budget agreement, would be extended. This applied to all such provisions except expiring Medicare savings provisions. Between 2003 and 2009 these provisions would save $20 billion.

In conference the Senate receded to the House position that did not assume any of these savings provisions. In part this accounts for the fact that the non-Social Security surplus over the next decade has declined to $92 billion.

The Senate-passed resolution included the Dodd-Jeffords amendment to add $12 billion to child care spending over the next decade. The spending was offset with a reduction in the reconciled tax cut. The House had no such assumption.

The Senate voted yesterday to instruct the conference to adopt this provision. The conference assumes half of these resources for families with children to cover child care expenditures—$6 billion. These expenditures reduced the non-Social Security surplus and did not reduce the reconciled tax reduction.

For revenues the conference resolution assumes that tax reductions will be phased in and over the next 5 years will return overpayments to the American public of nearly $142 billion and $778 billion over the next 10 years. For 2000, paid for tax cuts of up to $15 billion are possible.

How these tax reductions are carried out will, of course, be determined by the Finance Committee and ultimately the Congress and the President.

However, I believe elimination or reduction in the marriage penalty could easily be accommodated within these levels as well as extension of expiring R&D tax credits, self-employed health insurance deductions, certain education credits, and or general reductions in tax rates phased in over time.

Finally, the resolution, being cautious, over a 10-year period, projects a non-budget surplus of over $92 billion. This money could be needed for unexpected emergencies or contingencies, it also could support the cost of funding transition costs for Medicare reform, or if nothing else it will continue to further retire debt held by the public.

Two procedural issues need to be noted—a rule change as it relates to defining emergencies and a clarification that when there is an on-budget surplus, those amounts are not subject to pay-go rules.

The Senate-committee-reported resolution included a provision to make emergency spending items subject to a supermajority point of order. This provision was adopted by the conference, while exempting Defense spending.

Let me close by saying that under this resolution, debt held by the public will decline by nearly $463 billion more than under the President's budget.

This is true even if one treats the President's Government equity purchases as debt reduction.

Why do we reduce debt more than the President?

First, the President spends $158 billion of the Social Security surplus over the next 5 years. In contrast, the conference resolution saves the entire Social Security surplus.

And second, let me remind the Senate of one other thing about the President's spending proposal which may

surprise many—his spending costs more than the resolution's assumed tax reductions. This is true over both the 5-year and 10-year period.

The President's budget spends 35 percent of the Social Security surplus over the next 5 years on programs unrelated to Social Security or Medicare.

That is why we can save the entire Social Security surplus and why he can not.

Let me summarize. The conference report does four things: It protects 100 percent Social Security surpluses; it maintains the fiscal discipline this Senate overwhelmingly supported in 1997 and was most recently reaffirmed by the minority leader; it returns to the American public their tax overpayments; and finally, it prudently and cautiously projects on-budget surpluses for further debt reduction or for supporting unexpected emergencies, and possible transition costs for true Medicare reform like the one recently voted on by 11 of the 17 members of the National Commission on the Future of Medicare.

It is a good resolution to close out the Budget Act's 25-year silver anniversary this year.

It is a good fiscal blueprint for the next century.

Commenting for a minute about the tax proposals in this bill, in the next 5 years Congress will be permitted under this budget resolution to reduce taxes on the American people by $142 billion, and in the second 5 years the total will be $778 billion.

The first and second year cannot be very big, depending on what loopholes are closed by the Finance Committee and the Ways and Means Committee. We can have a goodly tax in the first 2 years, moving up in a ''wedged'' manner to some very substantial return of taxes to the American people over this next decade.

There may be remarks on the floor about what these tax cuts will look like. Certain Republican Senators, including some of our leadership, may say what they prefer. That permits the Democratic leadership and Democratic Senators to get up and say they don't think we ought to give tax cuts to the rich, that we ought to spend it elsewhere rather than giving it to the rich people of our country.

This budget resolution gives the Congress of the United States and its committees full latitude to have a tax cut bill of whatever type the Congress and its committees ultimately approve and, hopefully, that the President will sign. I am quite sure when that package is finally put together the good judgment of the tax-writing committees, with Congress exerting its concerns, it will be a balanced package, focused on average Americans and on continuing the economic prosperity of our country.

If we do that, then I believe there may be disagreement between Republicans and Democrats, but I do believe it will not be the package that is constantly suggested by Democrats—that we are going to take care of only the high-bracketed people, instead of spending it on programs that are good.

I can do no better than that. I don't know that I will answer every time we are accused of having a tax cut that takes care of only the wealthy in our country. The facts are as I have indicated. Whether or not Senators have taken to the floor or given stump speeches or otherwise saying what they would prefer, we probably ought to give some serious consideration to reducing the brackets, with taxation more proportionally on every group of people. I am sure the package will be fair in building American prosperity by cutting taxes in the right places for economic growth.

I make one last comment about the return of tax dollars to the American people. I have been heard to say that as a Budget Committee member and chairman somehow or another when we finally get to that place where we can have surpluses for as far as the eye can see—according to those who estimate for us—I have been heard to say that maybe it is harder to manage surpluses than it is deficits. Yesterday my good friend, Senator LAUTENBERG, indicated that probably that is how it should be, because it is human nature that when you have real assets, you fight over them; with deficits you do the best you can.

I have found it more difficult to give taxpayers tax relief when we have had a surplus than I found as a budget chairman to give tax relief when we had deficits. That is rather incredible.

But I think the history will indicate that we have had many tax cuts, giving back money to the taxpayers, when we had deficits. Now we have a criticism of Republicans who want to give back tax money to those who have overpaid, because we have more money than we need; that we should not be doing it now. If you cannot do it when you have a surplus, when can you? If you cannot do it with a surplus, when should you?

It seems to me the answer is we probably ought to have a major tax reduction bill. I would think before the year is out the President of the United States will get into the act. He is probably still looking back to his first campaign, before he was elected, when he promised a middle-income tax cut. I know, in reading about the politics of the White House during the intervening years, that some of his consultants brought up that issue regularly during his campaign and first year in office—what about the tax cuts? Maybe they were not right in his scheme of things then, but I submit, with this kind of surplus, they are right now.

We look forward, after this budget resolution is passed—and hopefully that will be tomorrow—to working within the Congress—and hopefully Congress with the Executive—to take care of our public needs and take care of our taxpayers' needs. But we will always be vigilant that we not put one over the other, since it is the taxpayers who make our Government capable of doing what it does.

With that, I yield the floor and repeat to Senators, if you do not get to speak this evening, there are 5 hours tomorrow. We will be glad to start taking names for tomorrow. It will be better than tonight. We can get through early tomorrow and early tonight and still have a lot of debate time if most of you will sign up for tomorrow, which means we could get out of here rather early this evening.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I want to respond to the analysis just given us by our good friend and colleague, the chairman of the Senate Budget Committee, Senator DOMENICI. One thing about Senator DOMENICI, he is always direct. He always calls it like he sees it. And therein lie, perhaps, some differences.

The expression, ''beauty is in the eyes of the beholder,'' is one that fits well, I think, because I see it quite differently than Senator DOMENICI. As we begin consideration of the conference report, for the benefit of those who do not know how we work here, the conference report is that report on the budget that has been agreed to by the House of Representatives, their Budget Committee people, and the Senate Budget Committee people. So I have to say at the outset that it is quite obvious that it is the majority's report we are looking at. Even though there are 45 Democrat Senators here, the fact is, with rare exception, all of the Democrats voted in opposition to the initial Budget Committee report and my view here is that we are probably going to see at least something as strong in opposition to the report that has now been agreed upon by the House representatives on the budget and the Senate representatives.

Look at this. Here we have a budget resolution, one that says this is the way we ought to be spending our money. Mr. President, I remind those who are in earshot, this is a toothless tiger. It does have the force of a Senate-House conference committee agreeing that is what we ought to be spending, but it is without law to support it, and it is now an instruction to the various committees that have the jurisdiction to set up the spending as recommended by the Budget Committee.

But what a time this is. The economy has never been stronger. I have been around a long time—thank goodness, for my kids and me—but we have never seen an economy like this. Unemployment is low, inflation is almost unheard of, the stock market is booming, people are able to invest in housing and education and plan their future and vacations. Our fiscal house is in order. We are now running surpluses, having come a long way from 1992 when President Clinton took over, when we were

running annual deficits in the high $200 billion. Now we are running surpluses. So we have done something good. I commend my colleague, the chairman of the Budget Committee, for the hard work that he did—that we did bilaterally, with the President of the United States—to get a balanced budget in place. That, I think, has had a large effect on how it is we got to this current period of prosperity. But at the same time we face serious long-term challenges. Most importantly, the baby boomers' retirement is going to put tremendous pressure on Social Security and on Medicare in the years ahead.

The key question facing Congress is whether we will meet those challenges and prepare for the future at this time or whether we are going to yield to short-term temptation at the expense of the longevity of these programs. Democrats are committed to focusing on the future. Our top priority is to save Medicare and Social Security for the long term by reducing our debt, keeping our debt in control, and increasing national savings.

We also want to provide targeted tax relief for those who need it most and that is the middle-class families, those who work hard for a living, those who are dependent totally on wages and salary for their living. We want to invest in education and other priorities that will enhance the lives of those who are not yet university age but who are looking forward to having a job and career that gives them a decent lifestyle.

The Republicans, our friends on the other side of the aisle, have a different view. Their plan as embodied in this conference report focuses on huge tax breaks, largely for the wealthy. I want to give an example of what it is I am talking about because so often our Republican friends get irritated when we say ''focused on the wealthy.'' But if you are in the top 1 percent of the income earners—that is starting at $300,000 but averaging $850,000 a year—if you are one of the lucky ones, one of the skilled ones, or one of those who inherited wealth, and your income is $800,000 a year, you get a $20,000 tax break in this budget that is proposed before us.

On the other hand, if you work hard and you go to work every day and you worry about how to educate your kids and you worry about how to pay your mortgage and you earn $38,000 a year, you get $100—oh, $99, I am sorry; it is not even $100—a $99 tax break. Somehow or other that doesn't seem right to me: $800,000 on the one hand gets a $20,000 tax break and on the other hand, if you make $38,000, slightly over $700 a week to support your family, you get $99 and you can spend it in any way you want, the $99; buy a yacht, buy a vacation—whatever you want to do with the $99. So it does not seem right to me.

These tax breaks on top of the unfair balance between those who are the wealthy and those who work hard for a living would cost the taxpayer enormous sums in the future. It would absorb funding that is needed to save Medicare. And that, when you get right down to it, is really the main issue this conference report presents to the Senate.

Question: Should we provide huge tax cuts, many of which will benefit the wealthy? Or should we use that money to save Medicare?

Of course, there is a lot more to the conference report before us, so I will take a little time now to explain why I strongly oppose and intend to vote against the acceptance of this conference report. There are four primary reasons.

First, it does not do anything to increase Medicare's life. In other words, in 2015 Medicare is ready for bankruptcy, if things go as they are.

I have suggested that we ought not use funds needed for Medicare for tax cuts that are primarily for the wealthy.

Secondly, it threatens Social Security because it fails to extend Social Security's life, but it allows the use of surpluses generated by those who currently pay about 13 percent of wages; that is the worker and the company, for purposes other than Social Security.

Thirdly, it is fiscally dangerous. I used to run a big corporation, and I will tell you that this is not the way to plan the long-term future. It proposes tax cuts that do not cost much in the beginning, as the distinguished chairman of the Budget Committee said, but he said it is going to cost over $700 billion. In 10 years, over $750 billion will be used to provide that tax break.

Fourthly, it proposes extreme and unrealistic cuts in essential programs that are necessary for the well-being of all our citizens. It would devastate public services on which so many depend. Moreover, Congress will be unable to pass the bills that provide the funding that these programs need, and it could lead eventually to a repeat of a terrible experience that we had a few years ago—a Government shutdown. These are the kinds of programs that would be affected.

Medicare's hospital insurance trust fund is now expected to become bankrupt in 2015. It is critical that we address this problem and do it now. There is no doubt that we have to modernize and reform Medicare to make it function more efficiently, but whatever reform process we pass, we still need more resources—more money, to put it bluntly. In an attempt to find an overall solution, President Clinton proposed allocating 15 percent of projected budget surpluses, that is, the unified budget, for surpluses for Medicare. This would extend the life of the Medicare trust fund for another 12 years. Our Republican colleagues deride this proposal. They say it amounts to adding meaningless IOUs to Medicare, but they are wrong.

First, the President's proposal would reduce the debt that the public holds in bonds and investment in Government securities, which would significantly reduce interest costs in the future, which would help us actually pay for Medicare with the real dollars saved.

Unfortunately, the Republican budget resolution we have in front of us totally rejects the President's proposal to extend Medicare solvency. Instead of directly using these surpluses for Medicare, it uses almost all of that money for tax cuts. The document we have in front of us—that was prepared exclusively by Republicans, I remind you—does not specify how we are going to provide those tax cuts. They will be drafted later in the Finance Committee. However, based on the comments of the chairman of the Finance Committee, it is fair to assume that most of the total benefits will flow to the wealthiest Americans. Mr. President, these GOP tax breaks would come at the direct expense of Medicare. It is wrong.

Under the Republican plan, not one penny of projected surpluses is guaranteed for Medicare—not one cent. The resolution claims to reserve about $90 billion for unspecified uses over 10 years and suggests that maybe we can take some of that $90 billion for Medicare. However, that is far less than the $350 billion the President wants to put into Medicare over a 10-year period. And none of this $90 billion is actually reserved for Medicare.

In any case, there is nothing left for the Medicare program after these funds are used up for unexpected emergencies. For example, emergency spending now averages $9 billion a year. That is emergency spending for natural disasters or some other disaster—fire, whatever you have—in a community that is needed each and every year. It is reasonable to assume that future emergencies will consume all of this so-called reserve.

Mr. President, the Republicans' refusal to provide additional resources for Medicare would have a direct impact on the millions of Americans who will depend on Medicare for their health needs in the future. The resolution almost certainly would mean higher health care costs, higher copayments—that means for the beneficiary. If you have an incident or a matter that can be reimbursed by Medicare, you will have a higher copayment, you will have higher deductibles, lower quality health care services, and probably fewer hospitals, all because the Republicans insist on providing these huge tax breaks.

Beyond Medicare, the second major problem with the Republican resolution is that it poses a direct threat to Social Security.

Just yesterday, I offered a motion to instruct the conferees, those from the House and those from the Senate—but particularly it applied to the Senate because that is where we give our directions—that they ensure that all Social Security surplus is used only to extend the life of Social Security. It was

not a close vote. The motion was adopted by a 98–0 vote. Ninety-eight Senators said, yes, this is the right kind of attitude we want to see. Ninety-eight out of 100 Senators said, yes, we want to use all of our Social Security surpluses to extend the life of Social Security.

But within just a few hours of that vote—the vote took place here, then it went to conference over there in the House, and the conferees, the group that was sitting around the table, our Republican friends, approved a provision that would allow Social Security surpluses to be used for other purposes. I find it astounding and, frankly, it is outrageous that 98 Senators stood up and voted aye, yes, we want all Social Security surpluses to be spent on Social Security, and it went in the wastebasket within a few hours. Quite incredible.

The conference report establishes, as we heard, a lockbox that supposedly protects Social Security surpluses. But it does not do that. It establishes a largely meaningless 50-vote point of order against future budget resolutions but has a huge loophole for any legislation that ''enhances retirement security.''

We do not know what the definition of ''retirement security'' is. What does it mean to enhance retirement security? It does not say ''Social Security.'' This is a word game we play here. We say one thing, but it has a different meaning when we say it over here. Just a change of a word or two: ''Retirement security'' versus ''Social Security.'' Presumably this retirement security plan could mean a wide range of purposes.

Mr. President, it is unacceptable, it is outrageous, it deserves to be condemned in the strongest possible terms. Social Security surpluses should not be used for ''retirement security'' or anything that we do not understand clearly. Sure, it should not be used for tax cuts. They should not be used for risky new schemes and programs. They should be used to pay Social Security benefits, period.

The third problem with the conference report is that it is fiscally irresponsible. The resolution calls only for small tax cuts in the first year or two. We heard the chairman of the Budget Committee say so. But the cost of these tax cuts explode in the future.

Over the first 5 years, the total tax cuts that we would have would cost $142 billion, but over the second 5 years that cost increases to $636 billion, about 4½ times as high as the first 5 years. And that is another way of getting at things. It is kind of a little bit sleight of hand, I would say. That is to say, ''Oh, we can give these tax breaks, give these tax cuts, and it's not going to cost anything.'' No, not while most of us are still Members of this Senate. But 10 years hence, when we add up the scorecard, we will have spent almost three-quarters of a trillion dollars for tax cuts.

Mr. President, the final problem with the Republican plan is that it forces extreme cuts in programs for Americans here at home. Tax cuts, on one hand, cost something for the ordinary Americans on the other hand.

I want to point out something. We Democrats are not opposed to tax cuts that are targeted, that means something for middle-class people, that means something for hard-working people who have to watch if not their pennies, at least their nickels. That is the way we want to do our tax cuts. We want to encourage savings, we want to encourage child care, we want it so people can have child care in case they do want to work. We want to make sure there are funds there for long-term health care for an elderly person. That is the kind of tax cut that we seek, not this broad, across-the-board tax cut that will give these $800,000 wage-earners a $20,000 tax cut. So we will be losing, as a result of that—programs that are here called nondefense discretionary programs—about 7½ percent in the first year. But the real cut in most programs would be much deeper.

Keep in mind, the Republican leadership has said they will increase or maintain funding for a handful of favored programs like new courthouses, the transportation bill for the next half dozen years—we call it TEA–21—the census, the National Institutes of Health, and some crime and education programs. That leaves other unprotected programs facing cuts of about 11 percent.

I want to point out what we are talking about. This is not just an amorphous discussion about arithmetic. When we say 11 percent, we are talking about everything from environmental protection to the National Parks and the FAA. The FAA is responsible for the maintenance of our aviation fleet and working hard to keep up with the new technologies and the needs as aviation expands its marketplace.

The Coast Guard. My gosh, everyone knows the Coast Guard is one of the most important branches of service that we have in this country. They do everything. They do drug interdiction. They maintain waterways. They are out there picking up illegal immigrants who are trying to float their way to the American coast. They are on pollution patrol. They watch it all. You want to cut that down? I do not think so. Eleven percent—that would be devastating.

I heard our Senators from States that border Central America about the inadequacy of the number of Border Patrol members that they have. This would take a big slice out of that so that we could no longer do even the protection of our borders as efficiently as we do now.

We would be losing lots of FBI agents, NASA would be hurt, our space program, job training, head Start, the program that gives kids who come from a disadvantaged background a little bit of a head start.

So what would it mean in real terms? Here are a few examples based on the administration's estimates: 2,700 FBI agents would be lost; 1,350 Border Patrol agents; 780 drug enforcement agents would be lost; 90,000 fewer dislocated workers would receive training for new jobs, job search assistance, and support services; 34,000 low-income children would lose child care assistance—what a devastating thing that would be to lots of families—over 1.2 million low-income women, infants and children—we call it the WIC Program—would lose nutrition assistance each month.

How can we face our conscience?

FAA operations would be cut by almost $700 million. It would lead to travel delays, weakened security, lack of critical modernization technologies. The Superfund Program that cleans up these toxic waste sites left by our industrial past—unusable ground—that raise potential dangers to those who live nearby; we would lose 21 opportunities to clean up Superfund toxic waste sites, needlessly jeopardizing public health.

Up to 100,000 children would lose the opportunity to benefit from Head Start; 73,000 training and summer job opportunities for young people would be lost.

Mr. President, these types of cuts clearly are unacceptable. They are not what the American people want.

Unfortunately, under this resolution the problem gets dramatically worse in later years. By 2004, these nondefense cuts—again, defense, on one hand, nondefense on the other. Defense is a very favored account in this place, and I support a strong defense. And, boy, if we ever doubted our need to fund it, we see now that we have to do it. But we do not have to give them all of the new resources that we have.

By 2004, the nondefense program cuts grow to 27 percent. There isn't a Senator here, who, when faced with reality, is going to vote for those kinds of cuts. But they put their heads in the sand. They are not looking at what the longer consequences of this budget resolution are going to be. And it does not even include any effects of inflation.

Mr. President, you really have to wonder whether our Republican friends are serious about cutting domestic programs by 27 percent. It is hard to believe, especially when they are not giving us any details about where those cuts would come from. Some Republicans have argued that these cuts are required because of the discretionary spending caps which remain in effect through 2002. But that is not true. ''Spending caps,'' again, is part of the vernacular here. Those are the levels of spending that we agreed we would adhere to until 2002. But we are now in surplus. We are out of debt because of the good fiscal policies that we have had here. That occurred because Democrats and Republicans and the President worked together.

Much of the problem for domestic programs is created because the conference report increases military spending significantly over last year's level. Since all discretionary spending is now under one cap, that extra money must come directly from the other programs that we talked about.

Cutting domestic programs by 27 percent in 2004 is not realistic. It is an extreme decision. When it comes time for cutting specific programs, Congress sure will not likely follow through.

In other words, this budget resolution is a roadmap to gridlock. If we can't pass the appropriations bills, the funding bills, we face the prospect of a horrible nightmare that we once experienced here, and that is a Government shutdown.

Why, then, are we considering a budget resolution that even some Republicans admit can't be enacted into law? The answer is simple. Republicans are desperate to claim that they are for tax cuts. And they see that as the ''Holy Grail.'' That is what they say Americans want. I tell you, I see it differently. I see an America where someone comes from a home that is not wealthy, sometimes widowed. I had the experience personally. My mother was widowed at age 36. My father died when he was 43. There was not a chance at all that I was going to be able to get an education or progress in life. But, fortunately, I served in the military—World War II—and I was able to get my education under the GI bill. It is an incredible thing that we offer when we propose to young people that they have a chance to get a job and to progress and to live a life that is better than their parents in most cases. Here we are saying, well, tax cuts will take care of it all. No. Tax cuts won't take care of it all. Some tax cuts will help, but some tax cuts are just giveaways to wealthy people. The result is that we can create stresses in our society that make living uncomfortable.

Right now we see violent crime going down in the most unlikely places. Why? Because we have more police on the streets? Yes. Because we put more criminals in jail? Yes. Because the judges are tougher? Yes. But it is also because people see a way to make a living legitimately and they do not turn to criminality. It is because there are education programs and there are job opportunities that have been created. That is the difference.

In one case you have a stable society. Those of us—and I include myself, having had a successful business career—who can afford to pay for the privilege of living in this country ought to step up and pay for it and not be looking for tax cuts but be looking for harmony and stability in our society. That is what it is all about.

Here we have the tax cut proposal, the Republican tax cut proposal. They think it is politically going to keep up their majorities here. It is not going to happen, because we do not have a clue on how to pay for them. And as long as we don't know how to pay for them, we can only expect the worst.

Mr. President, we are left with a budget that can be described a little bit as show business, fantasy, a budget that almost everybody knows isn't worth the paper on which it is written.

I have to say that some of the other provisions in the conference report as well are highly problematic. The conference report establishes a new process, a 60-vote point of order against all emergency spending except for defense.

Now I pose a situation. Take a volcano in the State of Washington or an earthquake in the State of California or the floods that hit Missouri or the droughts that hit other States or the storms that hit the Northeast or the Southeast. If we say, well, these are emergency conditions, it disturbs the community, it destroys their economic viability; we want that to be taken care of by programs that we have in the Federal Government. Now we are saying, well, it is not enough to have 51 votes. Let's make sure you have to have 60 votes so that 41 votes can stop any program they want.

Let's suppose that there is a political problem existing in a campaign for President or Senator, and one party is in power here. They know that State X, Y or Z has a stronger possible voting block than the other party; 41 Senators can get up and stop it cold. Emergency spending is emergency spending. We ought to leave it to a majority of the Senate to decide that, not require 60 votes.

It flies directly in the face of the Senate-passed resolution. That is the way we did it. We left it 50 votes. So not only do I strongly disagree with it as a matter of policy, but I think it is an abuse of the conference process.

If 59 Senators think that we need to pass emergency assistance to help those ravaged by a flood or earthquake, we can't let 41 Senators block it.

Why should we be buying new weapons with a higher priority than saving the lives of Americans who are suffering from a natural disaster? We know there have been abuses of the emergency designation, but the Governmental Affairs Committee developed a reasonable approach to cutting down on those abuses. They established a new definition and a new process for extracting new emergency items that were added at the last minute in conference reports. The Senate approved that approach, and the House didn't have anything about this in their resolution.

Yet, when they got together in conference, the conferees on their own decided that they would delineate a new and entirely different approach. It is not right. That is not the way the system is supposed to work. We talk about majority rule.

I am also concerned that the conference report rejected yesterday's Senate vote in support of the Dodd child care amendment. It was supported, in part, by our Republican friends, but the amendment that was carried through this body called for $12.5 billion in new funding for child care on top of any new related tax cuts. Instead, what the conferees did is provide only $3 billion in child care funding. We had 66 votes for the proposal yesterday at $12.5 billion. Today, it is down to $3 billion. That is not what the 66 Senators voted for, and it is a sad commentary on our commitment to families in need.

Finally, I am also disturbed that the conference report includes a provision saying that any reestimate of our budget surplus can be used only for tax cuts. I think it is a mistake. I think it is wrong. Why should tax breaks for wealthy people be given a higher priority than education or Social Security or Medicare or defense or veterans' needs?

Mr. President, I do not think we should be spending any surpluses until we save Social Security and Medicare. And I certainly do not think that surpluses should be reserved only for tax cuts, especially when we know that many of those cuts are going to go to wealthy folks.

There are many serious problems with this conference report. Before I close, I want to quickly recount the four problems that are most fundamental.

First, it doesn't guarantee a single additional penny for Medicare, even though Medicare faces bankruptcy in the year 2015. Instead, it takes money needed for Medicare and uses it for tax cuts that will benefit the wealthy.

Second, it threatens Social Security. It doesn't extend Social Security's solvency by a single day, and it calls for using Social Security surpluses for purposes other than Social Security directly.

Third, it is fiscally dangerous. It calls for huge tax cuts, the costs of which explode in the future, just when the baby boomers will be retiring.

Finally, its cuts in domestic programs are extreme. If they were ever enacted, they would seriously disrupt important public services.

More likely, Congress will never approve them, and we will again be facing the disastrous threat of a Government shutdown. The people who voted for it, for the most part, know very well that this is not a budget that is going to survive. It is too bad that we are taking all of this time and expending all of this energy to produce this sleight-of-hand budget proposal that we see in front of us.

I am strongly opposed to this conference report, and I hope that it will be more than a party-line vote that votes against it.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. SESSIONS). Who yields time?

Mr. LAUTENBERG. How much time do we have, Mr. President?

The PRESIDING OFFICER. The Senator used 44 minutes of his 2 1/2 hours.

Mr. LAUTENBERG. I would be happy to yield to the Senator.

Mr. WELLSTONE. Mr. President, this is an inquiry. I gather my colleagues are on the floor, the Senator from Missouri and others, to speak on the budget; is that correct?

Mr. BOND. Yes.

Mr. LAUTENBERG. He has the right to use the time. He is the manager.

Mr. WELLSTONE. Mr. President, I will wait to get some time in morning business to introduce a bill with Senator DOMENICI. Why don't we go on with the process.

Mr. LAUTENBERG. I yield the floor, Mr. President.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, on behalf of the chairman of the committee, I yield 10 minutes to the Senator from Missouri, Mr. ASHCROFT.

The PRESIDING OFFICER. The junior Senator from Missouri is recognized.

Mr. ASHCROFT. Mr. President, I thank the senior Senator from the State of Missouri. I rise to commend, thank, and praise Senator DOMENICI for crafting a budget resolution that we can stand up for and speak about and be grateful for. I appreciate it.

The conference report balances need for responsibility, the need for setting priorities. When families gather around the kitchen table to make budgets, they set priorities. They say: If we are going to get the new car, we don't take the same vacation; we can't spend the same money twice.

For too long, I think the U.S. Government, thinking that it could always just go further and further into debt or raid the Social Security trust fund, didn't have to set priorities. This is a budget that sets priorities. It sets priorities that are important.

The conference report reduces the debt of this country. It will increase funding for education, it will reduce taxes, it will increase funding for national defense, and it will maintain the spending caps that are so very necessary if we are going to have the kind of discipline that keeps us from further invading the province of the next generation and their desire to be able to build their own future, instead of paying for our past. That is the real question when we decide whether we are going to have discipline in spending. It is a question of whether we will let the next generation build its dream or pay for our past.

This in great measure is due to Senator DOMENICI's great efforts. I especially appreciate his willingness to work with his colleagues. At the start of this process, several other Senators and I sent Senator DOMENICI a letter asking for a budget that saved Social Security surpluses, that reduced the $3.8 trillion public debt, that pursued at least $600 billion in tax relief over the next 10 years, that maintained the statutory spending caps, and included increases in funding for both education and national defense. These were specific items that we requested in a letter addressed to the chairman of the Budget Committee, Senator DOMENICI. I know the occupant of the Chair understands what was included in that letter and endorses that as well.

What is gratifying about what the chairman of the Budget Committee did is that the budget that has been prepared both meets and exceeds these goals. It calls for the following: A substantial Federal tax relief package, $142 billion over the next 5 years, $778 billion over the next 10 years. The resolution requires the Senate Finance Committee and the House Ways and Means Committee to report out their tax cut plans by mid-July, a major step forward for the American people, to say to them, ''You earned it, we returned it''—instead of, ''You sent it, we spent it.'' For so long the Congress has said, ''You send it, we will spend it.'' No matter how much they sent, we spent. We viewed the American people as somehow our ''sugar daddy'' for more and more programs and greater and greater spending.

I think it is high time we said to the American people: We believe in you for the future of this country, we believe in families more than we believe in bureaucracy, we believe in the private sector. You have earned so much, you have worked so hard, that we have an operating surplus down the road and we will share it with you by way of tax relief.

Second, it stays within the spending caps. The spending caps have enabled us to bring the budget into balance. I am happy that this budget maintains those caps.

It increases spending for education and defense. This is most important. We understand the ability to defend the country from foreign aggression and the ability for the country to have the kind of intense vigor and vitality that comes from well-trained, bright citizens. These are the two cornerposts of our existence. Education spending goes up 40 percent. The budget fully funds the $17.5 billion in defense spending requested by the Joint Chiefs of Staff over the next 5 years. We accommodated both of those by setting priorities. Senator DOMENICI and the Budget Committee, including the senior Senator from the State of Missouri, have done a good job.

The conference report contains an amendment which I introduced directing that this new education resource be directed to the States and local education districts and not new Federal bureaucracy. We do need to increase the bureaucracy. We need to elevate the students' performance levels; their achievement levels need to soar. We don't do that by building bureaucracy in Washington. We need to get that resource directly to the classroom. I am pleased that the conference report will contain this amendment which I proposed, saying that the increase will go to school districts in schools where parents and teachers, principals, and school administrators will make decisions—instead of bureaucracy directing it from Washington.

The conference report also reduces the debt by $450 billion, $450 billion more than the President's proposal would have reduced the debt. It is time for us to reduce the publicly held debt of this country.

Perhaps most importantly, this budget saves $1.8 trillion over the next 10 years for our Nation's elderly. This money is vital to shoring up the Social Security system. This stands in stark contrast to the President's plan, which spends $158 billion over 5 years of Social Security surpluses for non-Social Security purposes. On the one hand, we save $1.8 trillion over the next 10 years for our Nation's elderly; the President's program over the next 5 years alone would have spent $158 billion of Social Security surpluses for non-Social Security spending.

In addition to the money that this budget saves for Social Security, the budget also takes procedural steps to build in onbudget surpluses from the year 2001 and beyond. In other words, there are Social Security surpluses saved, then there will be other surpluses that relate to the rest of the budget—and the budget is careful to make sure that those surpluses will materialize beginning in the year 2001.

This is setting priorities. This is kitchen table economics. This is understanding that in order to make some things work, you have to adjust other things and you have to work them together. It is not just a wish list, this is a real spending plan. It is a spending plan that honors the next generation and the future of this great country.

Under these new important procedures, Congress could no longer spend billions of dollars on so-called ''emergencies'' that were not really emergencies. These new procedures stop the mislabeling of ordinary expenses in the category of ''emergencies'' so that you could invade funds or take Social Security surplus and spend, which happened last year. There will be a point of order in this budget that says you cannot do that, you cannot mislabel, you cannot automatically categorize things as emergencies.

Last year, the President and the Congress together spent $21 billion from the Social Security trust fund on these so-called emergencies. We need to stop that. We must stop that. This budget will stop that kind of practice.

The conference report contains a 60-vote point of order ensuring that emergency spending will be limited to actual emergencies. In addition, surpluses that are accumulating in the Social Security trust fund will no longer be used to finance onbudget deficits in governmental operations. It is a fundamental first step of Social Security reform that the Social Security surpluses should not be used to funding deficits in the rest of government. This budget stops that.

In order to establish this first step, Senator DOMENICI and I introduced legislation that would establish a 60-vote

point of order against any budget when the Social Security surpluses are used to finance onbudget governmental deficits.

I rise to say how much I appreciate the work of the chairman of the Budget Committee, the members of the Budget Committee, and their cooperation with the Members of the House to work together to bring a budget that really does what family budgets do—sets priorities, looks to the future, understands we cannot have everything all the time, but protects Social Security and its surplus, protects our budget generally from mislabeling that gets us into emergency spending which puts us into debt or raids the Social Security surplus, keeps the caps in place, elevates the capacity for spending for education, and strengthens the military. These are the fundamentals that are important to America's strength in the next century. This budget does that.

There have been a number of years in which I have not voted for the budget. I haven't been able to in good conscience. I voted against last year's budget with the $21 billion raid on the Social Security trust fund. However, I will be able to vote for this budget. This is a budget for which we ought to be grateful. This is the kind of budget that we are grateful to have the opportunity to vote in favor of. I commend Senator DOMENICI and the other members of the Budget Committee and the House for its cooperation in getting us to a place where we can present this kind of spending plan to the people of the United States of America, for it is their money that we spend. This is a budget that they would be proud to develop, were they to sit around the table and make those kinds of hard-nosed judgments about the Nation that they make regularly about their families.

I thank the Chair and I yield the floor.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, before Senator ASHCROFT leaves the floor, I thank him for his kind remarks. I, too, agree we have a very good budget.

Mr. President, I am going to yield to Senator BOND who wants to manage the bill for me for a while. He has a lot of time this afternoon. But I ask unanimous consent for 1 minute to proceed as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from New Mexico is recognized.

Mr. DOMENICI. I thank the Chair.

(The remarks of Mr. DOMENICI pertaining to the introduction of S. 796 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. DOMENICI. Mr. President, I say to Senator DODD, here I got a half loaf, maybe a quarter loaf—but we got something.

Mr. DODD. Mr. President, if I can have the floor for just a second, because I don't know who has the time to yield to me?

Mr. LAUTENBERG. I have the time to yield to the Senator.

The PRESIDING OFFICER. Does the Senator from New Jersey yield time?

Mr. LAUTENBERG. I yield so much time as the Senator from Connecticut needs.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. DODD. Mr. President, let me thank my colleague from New Mexico on the child care effort. There was obviously, strong bipartisan support for this measure. As the Senator points out, as is normally the case, you do not get everything you want, but it is a major bipartisan step forward and will make a lot of difference in people's lives. We had to fight very hard and there was a lot of objection on the other side. Without his efforts, it would not have happened.

I also thank Senator JEFFORDS, Senator CHAFEE, Senator HATCH and the many others who deserve to share the credit for achieving this result, but I particularly want to thank my colleague from New Mexico and my colleague from New Jersey, who has obviously been a champion of all this for a long time. I thank them for their efforts to make a difference in the lives of working families who struggle to find safe and affordable child care.

Mr. DOMENICI. Mr. President, let me respond. We left last night from our place in the Senate from work on this without the conference report being signed—and that was the only issue. And about 10:30 last night signatures were necessary and we got half a loaf.

Mr. DODD. Thanks. I appreciate that.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I yield myself such time as I may require. I join Senator DOMENICI in thanking my colleague, Senator ASHCROFT, for his very thoughtful comments on the budget. Those of us who work on the numbers sometimes get lost in the trees and fail to see the forest. But I thought the Senator from Missouri did a very effective job in explaining why this budget is so important to the working American in the average family who sits around the kitchen table and tries to figure out how to spend their money and wonders why those of us in Washington cannot spend our money with the same kind of discipline.

Today is April 14. It is an ideal time for us to consider this final version of the budget resolution. While so many of our constituents will be staying up late tonight to finish their own income taxes before tomorrow's deadline, we look like we are going to be able to meet an April 15 deadline of our own. The Congressional Budget Act created a deadline of April 15 for Congress to adopt its budget for the upcoming year, and this year looks like it will be only the second time since the Budget Act was adopted in 1974 that we in Congress will meet the deadline and will deliver a budget on time. I am sure many of our friends and colleagues and neighbors back home will be astonished to hear that. Taxpayers, those who are carrying the load that we are distributing, have to meet their April 15 deadline every year. I can understand their amazement, why we cannot seem to meet our April 15 deadline. Meeting the deadline is a major step forward in demonstrating to our fellow Americans we can be responsible in spending their tax money. I commend Chairman DOMENICI and all the conferees on doing whatever it takes to make that happen.

Senator DOMENICI is responsible for the discipline that this budget imposes on spending. Through his good efforts and with the cooperation of the colleagues on the other side of the aisle, they even met the time deadlines that were required as well. But, as our constituents put the final touches on their tax forms, it is important they be able to read in the papers about how their taxes will be spent next year. Adopting the budget at this time amounts to full disclosure. Taxpayers are sending in their checks. We need to deliver the details of what they are buying. This year I think the taxpayers will have less cause for buyers' remorse than in the past.

I think, when the American people heard what the President proposed in February, they probably wished their tax forms carried a money-back guarantee. Just think of what the President sent us and look how far we have come. The proposal made by the President would destroy the budget discipline that has helped us balance the books. It would have actually broken the spending caps by $22 billion in new budget authority and $30 billion in actual cash outlays. The conference report we have before us keeps to the caps and keeps to the discipline the taxpayers demanded.

When you listen to the President's budget, someone might get the idea that it really presented a sound fiscal plan. That is patently false. This budget that the conferees presented us saves more of the surplus than the President over the next 5 and 10 years. That is why we will have lower debt levels than the President's proposal, from the year 2000 to the year 2009, even if one adjusts for Social Security equity purchases.

This means the President's new spending is larger than our tax cuts. You do not hear too much about that, but that is what the President proposed. We have heard great complaints about leaving options in the budget for tax relief for American families, but the President proposed to spend more than that, new spending already above what we already do. The President would spend 35 percent of the surplus over the next 5 years on programs unrelated to Social Security or Medicare. To do that, he would have to use $158 billion of Social Security's money to pay for them.

Our tax cut that we empower in this budget is smaller than the President's

new spending, which is why we felt it was essential that we save the entire Social Security surplus. The President's budget talks about 15-year budget estimates and talks about how much he would save over the extended period. When you talk about saving money down the line and spending it in the short term, I do not think you have to tell the American taxpayer what that is all about.

There is an old saying about ''a bird in the hand is worth two in the bush.'' The President front-loads his spending and says leave it to a future President to come up with more savings. I do not believe that dog hunts in my State or any other State in the Nation. That is not the way to go.

That is why I believe, when I introduced the President's budget as an amendment, for those who did not like the budget presented by the majority, the Republican budget, that the President's budget got a whopping two votes on the floor of the Senate. That was the President's budget, all his assumptions, what he wanted to do. People who said ours was so bad, our friends on the other side of the aisle, two of them voted for it. It was not a viable option. What we have presented is a good option.

The conference report, as I said, will save Social Security surpluses for Social Security. It keeps to the contract we have with our seniors and puts the ''trust'' back in the Social Security trust fund. I look forward to working with Chairman DOMENICI and, I hope, with colleagues on both sides of the aisle, to create a formal lockbox to enforce this approach.

At a time when tax revenues are at their highest level since World War II, and income taxes are at an all-time high relative to our gross domestic product, the President proposed not to reduce taxes, but to increase them. The President's budget requested increased revenues $82 billion over the next 5 years.

That is 80 different revenue raisers, 80 different increases in taxes or fees or revenues. The conference report which we have before us today goes in the opposite direction by permitting Congress to fashion responsible tax policy. We could leave in the pockets of the people who do the work, who create the jobs, who create the products, the goods and services, some $778 billion between 2000 and 2009.

I have my ideas on how we need a flatter, simpler, fairer tax that will encourage economic development, but that is not going to be debated until we get around to the actual tax provisions.

I think, however, that all taxpayers should welcome the news as they work on their tax forms today and tomorrow that there is a hope there might be a little less taxes to pay in future years. It is also important to note that not a dime of that tax relief will come at the expense of Social Security. All of it will be funded from the non-Social Security portion of the surplus.

Let me cite one specific example of where this conference report makes a significant improvement over the President's budget. On a specific program that is of great concern to me, to the people of my State of Missouri, and I believe to people throughout the country, people who are concerned about a healthy environment, who want to see clean water, who want to clean up the wastewater that could carry pollution, that could carry damaging and dangerous illnesses that despoil our natural environments and put us at risk of waterborne diseases, the President proposed to whack $550 million out of the Clean Water State Revolving Loan Fund.

This program is not a very trendy one, it is not an environmental boutique program that sounds good in a press release, but it affects Missourians whether they drink water, whether they swim, or whether they fish. It means in the future that citizens in every State of the Nation can expect cleaner water. The funding is imperative for public health protection, for environmental protection, and economic growth.

During the Budget Committee markup of the budget resolution, I said these cuts would not stand. Chairman DOMENICI was able to restore a good chunk of the President's cuts, and I thank him for that. But in this conference report, I am hopeful we can restore even more of this crucial funding.

The conference report puts an additional $1.1 billion in the overall funding category for natural resources and environment for 2000. I will be working to try to get a good part of that for the State revolving funds. That is money that goes back to the people who are building the facilities, who are operating the facilities, who have had hands dirtied cleaning up the wastewater in this country and assuring that we have safe drinking water.

As chairman of the appropriations subcommittee that handles the EPA budget, I am confident that the additional funding will be a crucial resource in restoring the funds the President slashed.

Mr. President, I am encouraged that as our constituents finish their tax returns and pay off their taxes, we do not have to be ashamed of how we will be using the money they worked so hard to provide their Government. In fact, we are going to be letting them keep a bigger portion of their money through tax relief in the future. We will protect our children and our grandchildren from the debts that come from excessive spending. We will keep our promises to retirees who depend on Social Security—all of this signed, sealed, and delivered by the April 15 deadline.

This budget will put the trust back in Social Security. If there is any surplus remaining, we can give needed tax relief to working families. It will say that we need to rescue Medicare by making the structural changes in it that are needed, not by putting in the pot more IOUs that will be future debt burdens on our children.

We also made a commitment to reform education, to put decisionmaking back in the hands of parents, teachers and local schools.

We are able to have this debate about what to do with the surplus because we have some good things going for us in this country. Our overall economic activity is good. We have relatively low unemployment. We have steady growth. We have a stock market, for those people who are interested, that has gone out of sight. Why is that so? First, I think a sound monetary policy. We have had good monetary policy. We have kept inflation under control. We have avoided the hidden tax of inflation.

Secondly, after fighting long and hard, this Congress, through its majority, has gotten the President to accept the discipline on spending, to put caps on spending so that ''if we don't got it, we ain't gonna spend it,'' to put it in the vernacular. We have caps that keep spending under control. That means, like most Americans, we will not be spending money we do not have.

Congress and the President have to sit down and decide what our priorities are going to be, to take care of priorities without saying yes to every spending opportunity that comes along. It is going to take some tough decisions, and many of those tough decisions are still coming down the pike. But you tell a family that has to live within their budget that we have to make tough choices, and they will tell you, ''So, what's new? What's different between what we have to do and what every American family has to do?'' We have to establish that discipline.

Now is not the time to abandon the discipline and go back to the old ways of runaway spending. It seemed easy in the past to spend money that we did not have, to run up the debt, but when you think about it, we were running up the debt on our children's and our grandchildren's credit cards. That debt was building up for them to pay in the future, and it had a tremendously harmful impact on our Nation's economy. Poor fiscal discipline was holding our economy back.

With the Federal Government's budget under control, with sound monetary policy, with a promise that we are going to allow the taxpayers to keep more of their money that is not needed for the work of the Government, we have the conditions to allow the strong, free market economy to continue to grow, to create jobs, to create wealth, and to provide for the families of America, for the individuals who work hard and who are the people we are to serve in this Government.

Mr. President, I am proud to have worked with Senator DOMENICI. I appreciate his leadership. I hope that my colleagues will vote on both sides of this aisle for the budget so that we can get about the business of developing spending plans that comply with the

discipline of a balanced budget, one that augers well for the future of this country.

I yield the floor and reserve the remainder of my time.

Mr. ASHCROFT. Mr. President, I commend the chairman of the Senate Budget Committee for the decisions made in this conference report that will protect the Social Security trust funds. First, it will be an honor for me to vote for this budget resolution which, for the first time in 30 years, balances the Federal budget and does so without using the Social Security surplus. Second, this budget further protects Social Security by creating a point of order against future congressional budgets which use Social Security surpluses to pay for budget deficits of the federal government.

These are great first steps to take to protect Social Security. Americans who have devoted a lifetime of working and paying their Social Security taxes deserve to have their Social Security reserved for nothing but their Social Security. That has not happened in recent years. Without reform, this practice of raiding Social Security would continue. In fact, President Clinton's budget for next year proposed using $158 billion of the Social Security Trust Fund to finance new government spending. We must stop these raids on Social Security.

The point of order included in this conference report is similar to legislation I have introduced with the chairman of the Senate Budget Committee. The Ashcroft-Domenici bill writes into law the Social Security protection point of order. This conference report puts the point of order in the House and Senate rules for this year and next, the maximum amount of time allowed under House rules. This is a wise decision, and the right step to take now. Because a budget resolution does not become law, the only option available to the budget conferees to protect Social Security was to amend House and Senate rules. I support this action.

Later this year I will seek Senate passage of my bill to put this point of order into law, to make it permanent and to strengthen it by requiring that it can only be waived in the Senate with 60 votes, a super majority. I will also support the efforts by Senators DOMENICI and ABRAHAM to win passage of their Social Security lockbox bill which uses the debt limit as an enforcement mechanism to make sure neither the President nor Congress can use Social Security to finance new deficits.

I am also pleased that the conferees included in the final bill a resolution I offered and the Senate passed expressing the Sense of the Senate that the government should not invest the Social Security Trust Funds in the stock market. The President has proposed investing as much as $700 billion of the surplus in the stock market. This is an unwise gamble to take in my view, in the view of the Senate and, in light of its inclusion in this conference report, the Congress of the United States.

Mr. DOMENICI. Mr. President, I say to the Senator from Missouri, I appreciate your leadership in protecting Social Security. After the President's budget was released and it proposed to raid $158 billion from the Social Security trust funds, you told me that Congress needed to protect Social Security. You were right. If memory serves me correctly, you introduced the first bill in the Senate this year to protect Social Security by using a point of order mechanism. I was pleased to be your first cosponsor. The inclusion in this conference report of the point of order is the first step to protect Social Security. I look forward to working with you, Senator ABRAHAM and other Senators in putting into law, not just the House and Senate rules, provisions that will further protect the Social Security trust funds.

Mr. LOTT. I join Senator DOMENICI in thanking the Senator from Missouri for his leadership on Social Security. I recall a lengthy letter Senator ASHCROFT sent me earlier this year advocating that walling off Social Security should be the top budget priority for this Congress. I also remember the bill he introduced earlier this year creating the Social Security point of order that is similar to the one in the conference report and his advocacy during Senate debate and when the bill was in conference for the final bill to include the point of order. With passage of this budget which, for the first time in 30 years, balances the budget without using Social Security and puts procedures in place to protect Social Security in the future, the Senate has made protecting Social Security a high priority. I commend Senator ASHCROFT for his efforts in protecting Social Security.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The majority leader.

ORDER OF PROCEDURE—S. 767

Mr. LOTT. Mr. President, this is an important time with a lot of very serious matters before the Senate. Obviously, we are going to be working on the budget resolution. But also, we are very much concerned about what is happening in the Balkans, we are concerned about what is happening in Kosovo, we are concerned about the impact that that is having in Macedonia and the Montenegro area, as well as countries that are not as directly impacted from a standpoint of refugees, but the impact on Albania, which obviously is housing a number of refugees, and even countries such as Romania are being affected by what we see happening there.

I think it is important that we work together in a bipartisan way to express our support for our troops, to express our support and appreciation for countries that are dealing with this influx of refugees and providing haven and humanitarian assistance working with international organizations, with military representation that has been trying to deal with this tremendous influx of refugees.

We are going to work over the next 24 hours to see if we can come together with an agreement on a bipartisan resolution expressing our appreciation and recognition for the outstanding work that is being done by our men and women of the military, by all the organizations that are helping with the refugees and for the countries that are dealing with a tremendous burden right now. But I think we should begin here at home also.

Mr. DODD. Will the leader yield to me on that point?

Mr. LOTT. Yes.

Mr. DODD. I thank the leader for those comments. It is very, very helpful, particularly coming from our leader. People who watch these floor proceedings should take note that it was a very important statement he just made. I believe he expresses the feelings of all of us here. Whatever other differences there may be, I think there is a deep sense of appreciation first and foremost for our own men and women in uniform; secondly, for the organizations that are trying to do a good job.

I particularly commend him for his comments regarding these front-line states of Montenegro, which is showing great courage in light of some very difficult pressures; Albania, which is so poor—I think about $600 a year is the annual earnings of the people—Macedonia, about $1,300 a year, a small country with almost 200,000 refugees now. And particularly he mentions Romania and Bulgaria, which is very important as well.

This ought to be heartening news to these governments and to the people of these countries that it has not gone unnoticed in our country what a tremendous job they are doing handling a problem they did not ask for, flooded by a sea of humanity that needs a lot of help. We are deeply grateful to them. And I am hopeful the leader is right. I certainly want to work with him and anyone else who is interested to see if we can put some language together which would enjoy unanimous backing by all of our colleagues, to speak with one strong, solid voice about how much we appreciate their efforts, the efforts of our service men and women, and the common determination to end this crisis and get these people back to Kosovo.

So I thank him.

Mr. LOTT. Mr. President, I thank the Senator from Connecticut. I always enjoy working with him. He is absolutely right in repeating the need for us to express our appreciation to our military men and women and to continue our commitment to the humanitarian effort that is underway and express our appreciation to the front-line states that are there dealing with this problem and the cost of the problem in a very serious way. We will work to see

if we can express that appreciation and concern.

But I want to emphasize that we have our own military men and women who are doing a magnificent job. All of our Senators and House Members who have gone to the region, who have gone to Brussels and have gone to Aviano or been in Albania or Macedonia, have come back saying what a magnificent job our military men and women have been doing.

But it has gone now beyond our active-duty pilots and men and women who are involved in the exercise there. It now involves Reserve unit members, National Guard, volunteers. We have Air Guard members that are now flying the refueling aircraft that are helping in that effort. And they have been called up unexpectedly with very little notice.

Now you have spouses that are in the region that did not have time to file their income tax return, and tomorrow is the infamous day. Tomorrow is April 15. And like so many Americans, I will file my return tomorrow and send my check along with the return, which is a very unhappy situation. But we have military men and women who are doing their duty for their country that were unexpectedly, and on very short notice, called up. And you have their spouses now scrambling, trying to perhaps deal with filing their income tax returns tomorrow, the 15th.

We have legislation now moving through the House that has been through the Ways and Means Committee that will be coming to the Senate later on today or tomorrow, and we have legislation that has been prepared in the Senate now that would give, I believe, a 60-day extension on filing returns to our military men and women that have been called up for this service to our country.

There may be some other provisions that have been cited, too, that should be outlined. It exempts U.S. troops serving in the Yugoslavia theater from being taxed on the hazardous duty pay. It grants our troops a 180-day filing extension on their 1998 income tax returns after their return from duty in the combat zone designated by the President and exempts our troops from the 3-percent excise tax levied on long distance telephone calls, which I am sure they are making now to assure their families that they are in the area and they are safe and they are doing their job. So it is more than just a 60-day extension.

I think it is the right thing to do. It is the fair thing to do. And it is important we do it today and make it clear that we are going to complete this action when the House bill comes over. That may be later on today or tomorrow. But if we do not make it clear that we are going to do it today, and if we do not get it done tomorrow, these families are going to be under the duress of either not filing on time, as the law requires, or asking for an extension, which a lot of Americans are hesitant to do.

So I think it is important that we prepare the way to get this legislation completed today, or not later than tomorrow, and make it clear to the families of our service men and women that are in the zone that they are going to have these benefits and this extension of time.

In that vein, then, I do have a unanimous consent request that we have been trying to get cleared, I hope we can get cleared, because we need to do this. And then we can get this behind us and we can move on to another resolution.

So I ask unanimous consent that——

Mr. DODD. Before you do that——

Mr. LOTT. I would withhold.

Mr. DODD. Can I make a suggestion? There is one Member, I think, who has some questions they may want to raise—let me put it in those terms—before you propound it. I would personally prefer if you could hold up for a couple minutes until they get here. Maybe we can work something out with them.

Mr. LOTT. All right.

Mr. DODD. Other than that, I have been asked, on behalf of someone, to raise an objection. I prefer they were here to make their case if that is what they want to do. So if maybe we can wait 5 minutes.

Mr. LOTT. If we don't wait just a minute, you would have to object, and you prefer not to object; is that it?

Mr. DODD. You just hit it right on the head.

Mr. LOTT. I would certainly be prepared to honor that. Again, I hope we could work this out. I am worried on this, like I am on the other language we have been working on. We have a lot of very bright Senators that can come up with some wonderful amendments and it could go on endlessly and we could get into some very controversial amendments. No Senator—no Senator—would object to what is in S. 767 or the bill that will be coming over from the House.

Mr. DODD. I think most of us are cosponsors.

Mr. LOTT. Nobody would object to that. Therefore, we want to lock it in. There may be other issues Senators would like to object to. I would like to say to them, there will be other bills, there will be other ways. It will give us time to focus on something that would be an expression of our appreciation and our commitment to be of assistance to not only our military men and women that are there in the area but to those that are dealing on the international basis with humanitarian needs for these front-line states.

I think we can do both. But as is usually the case, you need to do one and then the other. And so I am trying to find a way to achieve both of those.

Mr. DODD. If the leader would yield further, I appreciate him showing some patience here. This is, I think, a very good idea. By the way, I am a cosponsor of the proposal here to do this for our service men and women. I had the pleasure of being with a group of them last Friday and Saturday at Ramstein Air Force Base and flew with a crew on a C–130, a 4-hour flight from Germany down to Macedonia. And they were terrific young men and women. In the cockpit were men and women. The navigator was a woman. There were two pilots, the engineers, the crew.

Mr. LOTT. Was that Reserve or National Guard duty?

Mr. DODD. These are permanent, regular Army and Air Force people.

Mr. LOTT. Permanent, regular duty.

Mr. DODD. They do a fabulous job. And I think it is one way of saying to them how much we appreciate what they are doing. I guess by executive order, I gather, the President has issued some orders on this as well.

Mr. LOTT. The President has expressed his desire to do this. He made that commitment, I believe, in Louisiana. Was it Barksdale Air Force Base? And he has taken some action, some executive order, but he cannot, by executive order, do what we are doing. It takes a change in the law or a revision in the law in order for these things to occur. So it is a supplement to, in addition to, what he has already done by executive order.

I yield, if I might, if I still have the floor, to Senator COVERDELL.

Mr. COVERDELL. First, I associate myself with the remarks of the leader and the Senator from Connecticut on Macedonia, Albania, Bulgaria, and Romania. We have only begun to assess the impact. You can see on television what is happening in Macedonia and Albania. But you can't see it in Romania and Bulgaria. It is very important, and we are attentive and appreciative to these second-tier states that are affected by these actions.

The point I want to make, Mr. Leader, on this issue that you just addressed, is that the clock runs out. There is no other issue we are talking about, including the one we all share on Macedonia, that has a time clock over its head.

If this could be done tonight, tomorrow is the 15th, we send immediate comfort to these thousands of families scrambling, as all of America is, by tomorrow. We ought not to leave another night lingering of question and unknown measures for all these families. It ought to be settled tonight.

There is not another issue I have heard talked about here that has that kind of deadline on it and a discomfort ramification. This is comfort for the families that we all think of every minute of every day now, and it really ought to be apart from some of these other things.

I appreciate the Senator from Connecticut recognizing that, and I wanted to say so.

Mr. LOTT. Mr. President, if I could describe this unanimous consent, what it will do is provide for an hour of debate equally divided, of course, so that Members could comment on the actual content in S. 767. This is the critical

part. It will also say, this unanimous consent agreement, that when the House language comes over, then the House bill would be read for a third time and a vote on passage of the House bill, without any intervening language, motion or debate. So it in effect locks in the guarantee that this is going to be done by tomorrow. Our people will have that guarantee by the Senate by this unanimous consent agreement tonight. That is what I would like to do.

If it would be helpful to the Senator from Connecticut, I do not know if other Senators are seeking recognition now, we could wait just a moment more. I will notify the Senate that I would be prepared to make this unanimous consent request as soon as we can get further Senators on the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ABRAHAM). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—S. 767

Mr. LOTT. Mr. President, I ask unanimous consent that at a time to be determined by the majority leader, the Senate proceed to the consideration of Calendar No. 90, S. 767, under the following limitations: 1 hour of debate on the bill equally divided in the usual form; that no amendments to the Senate bill are in order.

I further ask that at the conclusion or yielding back of time, the bill be placed back on the calendar; that then the House bill, which is the text of H.R. 1376 as printed in the RECORD, following consent, be read a third time and a vote occur on passage, all without any intervening action, motion or debate.

If I could explain, before the Chair rules on this, this is the bill that would provide relief for our military men and women who are now—many of them—unexpectedly on short notice serving in the zone where the bombing is occurring, to have these tax benefits and lock this in so that they know, today, that they will be able to count on that change.

That is my request.

The PRESIDING OFFICER. Is there objection?

Mrs. BOXER. Reserving the right to object, and I do not plan to object, I want to have an opportunity to let the Senate know I have been trying to work with my friends to get a very straightforward sense of the Senate attached to the Senate bill that would simply say that the armed services would do everything in their power to ensure that where there is a child of a military couple, that the husband and wife are not deployed into a combat zone. This is something that we have done in the past—during the gulf war—after we found out that, indeed, we did have a mom and dad in a combat zone together. I think it is very appropriate, as we give benefits to our brave men and women, that we protect the children at the same time.

As I understand it, we are going to discuss the Coverdell bill, but we will actually pass the House bill. I ask my leader if that is, in fact, the case? If there was a Senate bill, I would object, because I would like the opportunity to have this particular Senator's amendment included, but understanding that it will be the House bill, I won't stand in the way. Do I have the assurance that the vote will be on the House bill?

Mr. LOTT. That is correct.

Mrs. BOXER. Then I will not object.

I look forward to working with my friends to ensure that we can protect the children of our brave men and women in the armed services.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. I am happy to yield to the Senator from Georgia.

Mr. COVERDELL. I want to respond briefly to the Senator from California. Of course, the question has been answered. Frankly, I have personal sympathy for the language in your proposal. The Senator from California understands the complexities of this institution as well as anybody. It is being run through the committee of jurisdiction. I don't know what their response will be. I want to make a point there is a clock ticking. Nothing else we are talking about has a finite conclusion, which was why I wanted to do what we could do to get this done, so that the comfort—I think yours relates to comfort, too—can be settled for all the families because they are busily trying to comply with this tonight. I think this sends a message to all of those troops, their spouses, and their Nation that this is, indeed, going to happen.

Mrs. BOXER. If my friend will yield, I appreciate that. I am fully supportive of the legislation. I look forward to voting for the legislation.

I am only saying as we look to the financial burden of our men and women in uniform and as we look at these refugees and the way those kids look at their parents, it is no different from our families here when there is a disruption in family life.

I look forward to working with my friend to see that we can at some future time, very soon—because it could happen soon; they are talking about calling up the Reserves now in the Air Force—that we would protect those children and those families. We don't want to have a child go through the trauma of losing a mother and father in a combat zone. We don't have to do that.

I thank the Senator very much for his cooperation. I look forward to working with him on this matter.

MORNING BUSINESS

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. 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. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TAXES

Mr. DORGAN. Mr. President, today is April 14 and tomorrow is April 15. That means tomorrow there will be a good many Americans who will finish their tax return preparation, go to the post office and drop it in the mailbox in order to get an April 15 date stamped on it to comply with the tax laws in this country. It is never a pleasant thing, and I know most people grit their teeth and wring their hands about the responsibility of having to file income tax returns. But most Americans do that because they know that we have needs and obligations in this country to pay for a defense establishment, to pay for roads, to pay for schools—to pay for the cost of civilization, in effect.

However, not everybody pays their fair share of U.S. income taxes, not everybody pays their way. Today, I am releasing a United States General Accounting Office report that was done at my request. This GAO report, which I hope Members of the House and Senate will read, has some rather startling conclusions in it. At about the time most Americans will file their tax return and pay the tax bill that they owe, this GAO report says there are plenty of special interests in this country that don't pay anything—earn a lot of money, but don't pay any taxes. They are not taxpayers. Let me describe what this GAO report says. The GAO report says that 67 percent of the foreign controlled corporations doing business in the United States—67 percent—pay no U.S. income taxes at all. Zero in Federal income taxes. In the first half of this decade, the General Accounting Office says that the percent of foreign-based corporations doing business here and paying no U.S. income taxes has ranged from 67 percent to 74 percent. The GAO report also shows that U.S. controlled companies fared little better.

Now, that represents all corporations filing a U.S. tax return. Let's just deal with large corporations. That is, corporations defined by the GAO as having at least $250 million in assets, or $50 million or more in sales; that is a large

company. About 30 percent of both the large foreign controlled and U.S. controlled corporations doing business this country paid no U.S. income taxes—despite having more than $1 trillion in sales here in 1995, the latest year for which statistics are available.

In 1995, the large foreign controlled corporations that did pay some U.S. income taxes on the profits they made—and some did, the General Accounting Office says they paid taxes at a rate that was just about one-half of the rate paid by the large U.S. corporations paying federal income taxes on their profits here.

Now, I bring this to the floor of the Senate simply to say this: There is still substantial tax avoidance in this country, and it is not tax avoidance by working folks, by people who get up in the morning and go to work at a job for 8 or 10 hours a day; they aren't avoiding their tax responsibilities, because they can't. They must file tax returns. They have withholding on their wages and they must meet their citizenship requirements in this country.

As we near April 15, one day away, and the American people are filing tax returns, it is reasonable for them to ask, when they hear what is within the cover of this GAO report, why do they not see some of the largest economic interests that make hundreds of millions of dollars, and in some cases billions of dollars—why don't they see those economic interests as taxpayers in this country?

The GAO, some while ago, and other reports, said that one automobile maker, a foreign car maker, sold $3.4 billion worth of automobiles in this country and paid zero in Federal income taxes. The Presiding Officer is from a State that would care about that, the State that makes more cars, I suspect, than any other State in our country, where most major car manufacturers are located. So how, one would ask, could a foreign company come in and sell $3.4 billion worth of automobiles and say that ''we want all the advantages and to enjoy all the opportunities the American marketplace can give us, but we don't want to become taxpayers in your country''? How does that happen? Because we have a tax law, in my opinion, that deals with international corporations that do business all around the world in a way that allows them to jump through massive tax loopholes and, as this report says, hundreds of billions of dollars and more of sales in this country and then claim to the U.S. Government that they don't owe one penny in income taxes.

There is something fundamentally wrong with that system. I am going to come to the floor to speak later about what causes all this and what we can do about it. But I did want to disclose the GAO report today that says this problem isn't getting better. They did this report for me 4 years ago. I asked them to renew it and update it. They have done that. The report says this problem isn't getting better. What we have is, according to some folks, $10 billion, $20 billion, $30 billion—and one report estimates $35 billion—in taxes that should be paid to the Federal Government by these international corporations, but that is in fact not paid.

The only way you can retain a tax system of the type we have in this country is to have voluntary compliance—that is, to have most people complying because they know they have a responsibility to do so. People will not voluntarily comply with a tax system that they think is unfair. It certainly is unfair to those working families in this country, who make $25,000, $35,000, $55,000, $75,000 a year and work hard and send their kids to school and pay their bills and stretch budgets to make ends meet, and at the end of the year they have to file a tax return and pay the Federal income taxes. It is not fair to them and it certainly erodes their confidence in this country and in the tax system to see some of the largest international corporations doing business in America saying, ''We want all the advantages of being able to do that, except we don't want to be a taxpayer.''

I say to those corporations, if you get in trouble, whose Navy are you going to ask for to bail you out? I know the answer and so do you. If you are going to do business here and make profits in this country, you have a responsibility to help pay for that Navy and the many other things we do in this country that make it a wonderful place in which to live.

I might just mention some of the ways in which these companies avoid paying taxes, just because some people might wonder how this happens. It happens through massive tax avoidance schemes called ''transfer pricing.'' A foreign corporation decides to do business in the United States. It sets up a wholly-owned subsidiary. It manufactures in a foreign country, ships it to this country, and then either overcharges or undercharges itself, depending on which way the product is going, in order to make sure there is no profit shown in this country from its activities in the United States. The result of gaming that system and preventing the tax collectors at the IRS from seeing what they really made is that they are able to cart off their profits from this country and avoid paying any taxes at all.

On April 15, tax day, every American ought to scream at the Congress and the tax collection agency to say that we ought to fix this and we ought to do it soon. How do we fix it? Well, it is interesting that even at a time when GAO is doing this report that shows we have massive tax avoidance through transfer pricing—even at this time, this problem is getting worse because Congress, at virtually every opportunity, the kind of folks who think about these things are slipping little things into bills every chance they get to make this problem worse. They just did it last fall in a revenue bill with a juicy little tax break worth a couple hundred million dollars. With no debate and no hearings, they just stuck it in the middle of that bill. It added to the proposition that more companies will do business, make profits here and pay no taxes here. We have a responsibility to fix that.

So I appreciate the work the GAO has done. I intend to encourage them to keep doing this work to show us who is paying taxes and who isn't. Guess what? The working American families are paying taxes. They don't have any choice. They may not like it, but they understand the advantages of living in this country and what we must pay for for ourselves and our children—defense, schools, roads and more.

If the working families in this country voluntarily comply with this tax law—and they do—then I suggest it is time to ask some of the largest international corporations selling brand names that every single one of us knows to start doing the same thing.

I am going to bring a report to the floor in the coming days that talks about transfer pricing in ways that everybody will understand. I will talk about corporations selling to themselves radial tires for $2,570 and a tooth brush for $172. Why would companies sell a tooth brush for $172 to themselves? So they can soak profits in one direction or another and prevent the Federal Government in this country from taxing their profits. There are massive schemes of tax avoidance. How about a piano for $50? Sound good? I am going to talk about the kind of tax avoidance schemes that goes on as a result of this transfer pricing, which results, by the way, in this kind of study, which says, in conclusion, the largest international corporations in this country—yes, domestic corporations doing business overseas and foreign corporations doing business here are involved in massive tax avoidance. We have a responsibility to the American people to stop it. This is not rocket science. It is simply standing up to the largest economic interests, to say to them you have the same responsibility in this country as individual taxpayers.

You have the same responsibility in this country as the average working family has, and that is, you do business here, you profit from this system, you have a responsibility to contribute, to pay taxes. When you do not do it, we ought to change the law and certainly improve enforcement and make sure you do do it, because that is the fair way to make sure a tax system works for everybody.

Mr. President, with that I will be back on a succeeding day to talk more about transfer pricing. But I wanted to bring to the attention of my colleagues and others the GAO report that is released today that describes what I think is a rather dismal conclusion about massive tax avoidance by some of the largest taxpayers in the world, doing business in this country, making

substantial profits, and avoiding the responsibility of paying their fair share of Federal income taxes.

Mr. President, I yield the floor.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Tuesday, April 13, 1999, the Federal debt stood at $5,666,223,263,670.85 (Five trillion, six hundred sixty-six billion, two hundred twenty-three million, two hundred sixty-three thousand, six hundred seventy dollars and eighty-five cents).

One year ago, April 13, 1998, the Federal debt stood at $5,545,139,000,000 (Five trillion, five hundred forty-five billion, one hundred thirty-nine million).

Five years ago, April 13, 1994, the Federal debt stood at $4,567,992,000,000 (Four trillion, five hundred sixty-seven billion, nine hundred ninety-two million).

Ten years ago, April 13, 1989, the Federal debt stood at $2,771,862,000,000 (Two trillion, seven hundred seventy-one billion, eight hundred sixty-two million).

Fifteen years ago, April 13, 1984, the Federal debt stood at $1,486,811,000,000 (One trillion, four hundred eighty-six billion, eight hundred eleven million) which reflects a debt increase of more than $4 trillion—$4,179,412,263,670.85 (Four trillion, one hundred seventy-nine billion, four hundred twelve million, two hundred sixty-three thousand, six hundred seventy dollars and eighty-five cents) during the past 15 years.

TRIBUTE TO ELIZABETH K. BUNCH

Mr. STEVENS. Mr. President, tomorrow, April 15, marks the last day of Senate service for Elizabeth K. Bunch. I have known Betty since 1987, when she worked as a professional staff member for me when I was on the Rules Committee and was ranking member. I thank her, on behalf of the entire Senate, for her many years of service.

She was born and grew up in Laramie, WY. After raising a family and having a career working as the assistant to the dean of the graduate school at the University of Wyoming, Betty came to Washington in 1977.

In her first year here, Betty was the special assistant to then newly elected Senator Malcolm Wallop, a good friend. Although she intended to stay in Washington for only 1 year, Betty spent 10 years working as an office manager and special assistant for our distinguished former colleague.

In 1987, Betty moved to the Rules Committee where she worked for me in so many important committee responsibilities, including overseeing information technology initiatives.

In 1991, Betty joined the staff of the Sergeant at Arms. There she was first the ''ombudsman'' for the Senate Computer Center, and then the coordinator for the consolidation of Sergeant at Arms offices in the Postal Square Building. Betty became the liaison between Postal Square and the Superintendent's office. She also formed the SAA Safety Office and did the FEMA coordination, the Federal Emergency Management Agency coordination, new Senator transition coordination planning, all maintenance coordination, and the multitude of necessary supporting operations for the Sergeant at Arm's employees. She served for five Sergeants at Arms.

The Senate and all its employees who serve our great institution owe Betty Bunch a debt of gratitude. I am very proud to have worked with her. I know my colleagues join me in wishing her a wonderful retirement.

FAIRNESS FOR LEGAL IMMIGRANTS ACT OF 1999

Mr. KENNEDY. Mr. President, I urge my Senate colleagues to support the Fairness for Legal Immigrants Act in order to restore the benefits unfairly eliminated by the 1996 welfare law.

In 1996, Congress passed a so-called welfare reform law that drastically restricted the ability of legal immigrants to participate in public assistance programs. For the first time in history, legal immigrants were cut off from most federal aid. The law barred them from food stamps, SSI, and other benefits. It banned them for 5 years from AFDC, Medicaid, and other programs and gave states the option to permanently ban them from these programs.

These provisions have had a devastating effect on immigrant families. Elderly and disabled immigrants were notified that they would be turned out of nursing homes or cut off from disability payments. Some even took their own lives, rather than burden their families. Far too many human tragedies have resulted from the law.

Fortunately, many Members of Congress realized that the provisions had gone too far, and we passed legislation in the past two years to restore benefits for many. The Balanced Budget Act of 1997 and the Agricultural Research Act of 1998 restored eligibility for Medicaid, SSI and Food Stamps for hundreds of thousands of legal immigrants.

Nevertheless, many immigrants who came here legally are still suffering from restrictive provisions that remain in effect. The Fairness for Legal Immigrants Act is needed to bring back this safety net for immigrants who fall on hard times, especially those who are in great need, such as pregnant women, children, the elderly, the disabled, the poor, and victims of abuse.

The Act will permit states to provide Medicaid to all eligible legal immigrant pregnant women and children. It will permit states to extend Medicaid to ''medically needy'' legal immigrants who are disabled but not on SSI. It will permit states to cover legal immigrant children under CHIP, if they are also providing Medicaid coverage for legal immigrant children.

For legal immigrants who arrived before August 1996, the Act will restore SSI eligibility for those who are elderly and poor, but not disabled by SSI standards. It will also restore food stamp eligibility to all legal immigrants who have not yet had their eligibility restored, primarily parents of poor children.

For legal immigrants who arrived after August 1996, the Act will restore SSI eligibility for those who become disabled after reaching the United States. Finally, the Act will exempt post-August 1996 legal immigrants who are victims of domestic or elder abuse from the five-year ban on Medicaid and welfare assistance, and restore their eligibility for SSI and food stamps.

These reforms are essential in order to fulfill our obligation to those who legally entered our country. Many of them are family members of American citizens. They play by the rules, pay their taxes, and deserve a fair chance to become citizens and build new lives for themselves and their families in America.

I urge the Senate to support this important legislation, and I look forward to its early enactment.

TRIBUTE TO JAMES Q. CANNON

Mr. HATCH. Mr. President, I rise today to recognize and pay tribute to James Q. Cannon, a fellow Utahn who has served as a distinguished leader in the health care quality movement for over twenty-five years.

Those of us who know Jamie recognize his tireless efforts to ensure that the thousands of seniors, the underprivileged, and other vulnerable citizens receive the highest quality medical care possible.

As President and Chief Executive Officer of HealthInsight, a community-based quality improvement organization in Utah and Nevada, Mr. Cannon has dedicated his life's work to fostering collaboration and continuous learning among health care providers, policy makers, consumer, and business leaders.

These efforts have enabled physicians and other health care professionals to respond more effectively and humanely to the many needs of their patients and have helped the best in health care science and research to become part of the usual practice of medicine.

Jamie Cannon's vision and pioneer spirit have assisted in bringing hundreds of people together annually to learn, discuss, and implement community-wide health care quality improvement strategies. His commitment to improving the delivery of health care has been a driving force behind countless successful efforts in our communities to prevent unnecessary illness, to reduce complications associated with chronic disease, to improve care delivery processes and outcomes, to simplify health care administration, and to develop sound, supportive government policies.

Over the years, these successes have touched in one way or another, virtually all aspects and settings in

health care—from government policy development to evaluations of program effectiveness, from pediatric care to end-of-life care, and from hospitals to physician offices.

In addition to his service to the people of Utah and Nevada, Jamie has led and supported initiatives to evaluate and improve the quality of medical care delivered to all Americans. He has served as a member of the board of directors of the American Health Quality Association, an association representing a national network of organizations and individuals striving to improve the health care delivered in every state in our nation.

Mr. Cannon has also chaired numerous committees and task forces at the national level, providing leadership and direction to other health business executives committed to improving the quality of clinical medicine.

In addition to providing a legacy of health care quality leadership regionally and nationally, Jamie has also influenced the lives of many others in the community. He is a devoted husband, father of ten children, son and brother. Throughout his life, Jamie has also given generously of his time to those in need through lay service in his church.

Jamie's genuine care and concern for others is apparent in every interaction. His boundless optimism and belief in human goodness engenders trust, rekindles hope, and nurtures vision in all those around him.

Mr. Cannon's leadership and service are respected and admired by his peers, employers, business associates, friends and neighbors, and family. I am proud to know Jamie. He deserves the recognition and appreciation of Congress, the Nation, and particularly the citizens of Utah and Nevada.

With honor and pride I ask my colleagues to join me today in recognizing and expressing appreciation to James Q. Cannon for his many contributions to quality health care in our country.

WORK INCENTIVES IMPROVEMENT ACT

Mr. REED. Mr. President, I rise today to highlight the concerns of some of my constituents who are participating in an adult basic education program conducted by the ARC of Northern Rhode Island.

Earlier in this session, John Mullaly, on behalf of his classmates, wrote to me to express his concerns regarding the use of the word ''handicapped''.

Mr. President, individuals who live with disabilities are one of the nation's great untapped resources. They have much to contribute, and they deserve to be fully integrated into every aspect of society. I am proud that so many of my colleagues share this point of view and that 70 senators have joined in cosponsoring S. 331, the Work Incentives Improvement Act, legislation that allows individuals with disabilities to join the workforce while maintaining their health benefits under Medicare or Medicaid.

As we debate this and other related legislation in the Senate, I hope that my colleagues will also consider the vocabulary we use. Mr. Mullaly and his classmates have suggested that we replace the term ''handicapped'' with the phrase ''persons with physical/mental challenges''. Mr. President, I ask unanimous consent that the text of Mr. Mullaly's letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE ARC OF NORTHERN RHODE ISLAND,
February 2, 1999.

Senator JACK REED,
Providence, RI.

DEAR SENATOR JACK REED: We are students of Adult Basic Education at the ARC of Northern Rhode Island. We believe that everyone should be treated equally and be given the chance to be the best that he or she can be. No one should suffer discrimination. We know you agree with this. We are trying to educate the general public and we need your help.

We are trying to tell them that it discriminates against us to refer to us as ''handicapped''. It is not an appropriate word because it puts a stigma on us and a limit as to what we can do. It is incredible what we can do and we would prefer to be referred to as persons with physical/mental challenges. We will take the challenge! That term gives us inspiration to meet our goals. What are our goals? To be the best we can be, to give others love, kindness, and inspiration. Also, to protect the rights of others like us, and to educate the public.

Will you help us? Will you work towards using the new terminology on signs in public places? We would also like suggestions from you on how we can help bring this about and protect the integrity of all concerned.

Sincerely,

JOHN MULLALY, SPOKESPERSON,
Adult Basic Education Classes.

WATER RESOURCES DEVELOPMENT ACT OF 1999

Mr. CHAFEE. Mr. President, on March 23, 1999, the Committee on Environment and Public Works filed S. 507, the Water Resources Development Act of 1999, accompanied by Senate Report 106–34. At that time, the analysis prepared by the Congressional Budget Office was not available, and therefore was not printed with the report. The analysis subsequently has been received by the committee and I now ask unanimous consent, pursuant to section 403 of the Congressional Budget and Impoundment Act, it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, April 14, 1999.

Hon. JOHN H. CHAFEE,
Chairman, Committee on Environment and Public Works, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 507, the Water Resources Development Act of 1999.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Victoria Heid Hall (for the effects on outer continental shelf receipts) and Gary Brown (for all other federal costs), both of whom can be reached at 226–2860, and Marjorie Miller (for the state and local impact), who can be reached at 225–3220.

Sincerely,

DAN L. CRIPPEN,
Director.

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

S. 507—Water Resources Development Act of 1999

Summary: S. 507 would authorize the appropriation of about $2.3 billion (in 1999 dollars) over the 2000–2009 period for the Secretary of Army, acting through the Army Corps of Engineers, to conduct studies and undertake specified projects and programs for flood control, port development, inland navigation, storm damage reduction, and environmental restoration. Adjusting for anticipated inflation, CBO estimates that implementing the bill would require appropriations of $2.5 billion over that period. The bill also would authorize:

Prepayment or waiver of amounts owed to the federal government;

Spending a portion of the fees collected at Corps recreation sites;

Free use of sand, gravel, and shell resources from the outer continental shelf (OCS) at eligible projects by state and local governments; and

Sale of specified federal lands in Washington and Oklahoma.

CBO estimates that implementing S. 507 would result in additional outlays of about $1.9 billion over the 2000–2004 period, assuming the appropriation of the necessary amounts. The remaining amounts authorized by the bill would be spent after 2004. Enacting the bill would affect direct spending; therefore, pay-as-you-go procedures would apply. CBO estimates that enacting S. 507 would reduce direct spending by $18 million in 2000 and would result in a net increase in direct spending of $6 million over the 2000–2004 period.

S. 507 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA). State and local governments would likely incur some costs as a result of the bill's enactment, but these costs would be voluntary.

Estimated cost to the Federal Government: The estimated budgetary impact of S. 507 is shown in the following table. For constructing, operating, and maintaining projects that are already authorized, CBO estimates that the Corps will need about $4 billion annually over the 2000–2004 period (roughly the level appropriated in 1999). The table shows the estimates of additional spending necessary to implement the bill. The costs of this legislation fall primarily within budget function 300 (natural resources and environment).

	By fiscal years, in millions of dollars—				
	2000	2001	2002	2003	2004
CHANGES IN SPENDING SUBJECT TO APPROPRIATION					
Estimated Authorization Level	478	558	485	321	185
Estimated Outlays	239	446	510	414	278
CHANGES IN DIRECT SPENDING					
Estimated Budget Authority	−18	6	6	6	6
Estimated Outlays	−18	6	6	6	6

Basis of estimate: For the purpose of this estimate, CBO assumes that S. 507 will be enacted by the end of fiscal year 1999 and that all amounts estimated to be authorized by the bill will be appropriated for each fiscal year.

Spending subject to appropriation

Estimates of annual budget authority needed to meet design and construction schedules were provided by the Corps. CBO adjusted the estimates to reflect the impact of anticipated inflation during the time between authorization and appropriation. Estimated outlays are based on historical spending rates for activities of the Corps.

Direct spending

Prepayments and Waivers of Payments. S. 507 would authorize the state of Oklahoma to pay the present value of its outstanding obligation to the United States for water supply. CBO estimates that, if the bill is enacted, a prepayment of about $20 million would be made in 2000 and that payments forgone would be about $2 million a year over the 2000–2033 period. The bill would authorize the Corps to waive payments from the Waurika Project Master Conservancy District and the cities of Chesapeake, Virginia, and Moorefield, West Virginia, for other projects. CBO estimates that under current law, payments from these entities would total less than $500,000 annually over the 2000–2031 period.

Spending of Recreation Fees. S. 507 would authorize the Corps to retain and spend each year any recreation fees in excess of $34 million. At present, all recreation fees are deposited as offsetting receipts in the Treasury and are unavailable for spending unless appropriated. By allowing the Corps to spend receipts in excess of $34 million, this provision creates the possibility of new direct spending. CBO's baseline projection of receipts is $36 million a year. Allowing for the possibilities that receipts could be either more or less than that projected level, we estimated that the expected value of additional spending from enacting this provision is about $3 million a year.

Using Outer Continental Shelf Sand and Gravel. S. 507 would amend the Outer Continental Shelf Lands Act to allow nonfederal entities to use—without charge—sand, gravel, and shell resources from the outer continental shelf for shore restoration and protection programs and certain other construction projects if such projects are subject to an agreement with the Corps. Under current law, the Department of the Interior (DOI) cannot charge other federal agencies for the use of these OCS resources. Section 211 would extend free use of the resources to nonfederal interests, including state and local governments, for the type of projects specified in the bill. Based on information from DOI, CBO estimates that exempting these projects from fees for OCS sand, gravel, and shell resources would result in forgone receipts of about $1 million each year. Proceeds from the sale of this material are recorded as offsetting receipts to the Treasury; thus a loss of these receipts would increase direct spending.

Sales of Land. S. 507 would direct the Corps to sell at fair market value land that was acquired for the Candy Lake Project in Osage County, Oklahoma. The land was acquired in the mid 1970s at a total cost of about $2 million. Accounting for inflation, CBO estimates the current value of the land at about $4 million. CBO anticipates that the lands could be sold in fiscal year 2000. Annual lease payments and other revenues accruing to the federal government from these lands are not significant.

CBO anticipates that sale proceeds would be counted for pay-as-you-go purposes. Under the Balanced Budget Act, proceeds from nonroutine asset sales (sales that are not authorized under current law) may be counted for pay-as-you-go scorekeeping only if the sale would entail no financial cost to the government.

S. 507 also would direct the Corps to transfer lands located in Clarkston, Washington, to the Port of Clarkston. The Port would not be required to pay for the lands as long as they are used for recreation purposes. The fair market value of the lands are estimated at slightly less than $2 million. Based on information provided by the Corps, CBO anticipates that the lands would continue to be used for recreation purposes after conveyance and that no consideration would be required. The Port currently leases the lands from the United States without cost.

Pay-as-you-go considerations: The Balanced Budget and Emergency Deficit Control Act sets up pay-as-you-go procedures for legislation affecting direct spending or receipts. The net changes in outlays that are subject to pay-as-you-go procedures are shown in the following table. (The bill would not affect governmental receipts.) For the purposes of enforcing pay-as-you-go procedures, only the effects in the current year, the budget year, and the succeeding four years are counted.

	By fiscal years, in millions of dollars—										
	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Changes in outlays	0	−18	6	6	6	6	6	6	6	6	6
Changes in receipts	Not applicable										

Estimated impact act on State, local, and tribal governments: S. 507 contains no intergovernmental mandates as defined in UMRA. State and local governments that choose to participate in water resources development projects and programs carried out by the Corps would incur costs as described below. In addition, some state and local governments would benefit from provisions in this bill that would alter their obligations to make payments to the federal government and order transfers of land.

Authorizations of new projects

CBO estimates that nonfederal entities (primarily state and local governments) that choose to participate in the projects authorized by this bill would spend about $1.3 billion during fiscal years 2000 through 2011 to help construct these projects. These estimates are based on information provided by the Corps. I addition to these costs, nonfederal entities would pay for the operation and maintenance of many of the projects after they are constructed.

Changes in cost-sharing policies

S. 507 would make a number of changes to federal laws that specify the share of water resources project costs borne by state and local governments. Section 202 would increase the nonfederal share or recurring costs associated with new coastal shore protection projects from 35 percent to 50 percent. This change would not affect the construction of these projects. Some state and local governments would find it easier to satisfy matching requirements for specific projects as a result of provisions in S. 507 that would allow additional in-kind contributions or expand the range of expenditures counted towards the required match. Other provisions in the bill would expand the opportunities for state and local governments to participate in water resources projects.

S. 507 includes several provisions that would alter the repayment obligations of specific state and local governments, either by allowing the prepayment of amounts owed or by waiving amounts owed under current law.

New programs

S. 507 would authorize several new programs that would assist state and local governments. Specifically, the bill would authorize total appropriations of $75 million for fiscal years 2000 and 2001 for a program to reduce flood hazards and $30 million for the same period for activities to protect and enhance fish and wildlife habitat of the Missouri River and the middle Mississippi River. State and local governments choosing to participate in these programs would have to provide 35 percent of the initial cost of any funded project and all the subsequent operation and maintenance costs. The bill also would authorize a program of technical assistance for the purpose of developing and evaluating measures to keep fish from entering irrigation systems. State and local participants in this program would be required to contribute 50 percent of the cost of such assistance.

State and local governments would benefit from a provision in S. 507 that would allow them to negotiate agreements with DOI to use sand, gravel, and shell resources from the outer continental shelf for eligible projects at no charge.

Conveyances

S. 507 would allow the state of Oklahoma and the Port of Clarkston, Washington, to take title to land and facilities now owned by the federal government. Both could be required to pay the costs necessary to complete these conveyances, should they choose to take the property. The conveyances would be voluntary on the part of these governments.

Estimated impact on the private sector: This bill contains no new private-sector mandates as defined in UMRA.

Estimate prepared by: Federal Costs: OCS receipts—Victoria Heid Hall. All other costs—Gary Brown. Impact on State, Local, and Tribal Governments: Majorie Miller.

Estimate approved by: Paul N. Van de Water, Assistant Director for Budget Analysis.

FIRST FAMILY PLEDGE CAMPAIGN

Mr. KENNEDY. Mr. President, today marks the completion of a year-long public education effort called the First Family Pledge Campaign to increase awareness of the need for organ donation and to increase the number of people willing to be organ donors.

The campaign has focused primarily on the need to discuss organ transplantation within the family. Open family discussion is essential to ensure that each person's commitment to become an organ donor is understood and honored by family members. As part of that campaign, my wife Vicky and I agreed to become organ donors, and to discuss the issue in our family.

The campaign for organ donation has been an excellent opportunity to recognize the success of organ transplantation in saving lives, and Congress should be proud that it has helped to

support this achievement. Fourteen years ago, we created the National Organ Transplant Program. Our goal was to do all we can to see that organ failure is not a death sentence and make it possible for many more Americans to return to good health. We have had significant success. More than 20,000 Americans—men, women and children—now receive life-saving organ transplants each year. But more needs to be done.

Too many Americans die while waiting for organ transplantation. More than 60,000 Americans are waiting for organ transplantation. Every day, 55 of those people have an organ transplant. And every day, 10 others die because they did not have timely access to an organ. While there are differences of opinion about how an organ distribution system should be designed, it is clear that the overriding problem is a shortage in the availability of healthy organs.

In 1997, there were more than 9,000 organ donors. Nearly 4,000 of those donors were living relatives who were willing and eligible to give an organ—a kidney or part of a liver—to a family member in need. But transplantation of this type is not an option for many in need.

Each year, approximately 5,000 persons donate organs upon death. These acts of generosity are saving the lives of countless others. Transplantation of a cornea can restore sight. Transplantation of a kidney means life without dialysis. And transplantation of a heart, lung or liver means the difference between life and death. Studies show that more than 10,000 individuals each year could become organ donors after their death, and some estimates are as high as 15,000 each year.

The reasons that an individual does not become an organ donor vary. In some cases, the donation may conflict with religious or personal beliefs. But in far too many cases, the reason is simply lack of awareness of the need, or misunderstanding of the process.

In building the national organ donation and transplantation system, we have taken great care to ensure that individuals and families are not coerced into decisions to donate their organs. We have a strong shared commitment to respect personal and religious beliefs. Congress has made it illegal for organs to be sold—another measure to ensure freedom of choice. The Secretary of HHS has proposed a rule to encourage donation by training hospital personnel to explain the process. This rule, which I support, specifies that only trained hospital personnel are permitted to approach families of potential organ donors. But the most effective measure to increase organ donation is open discussion, long before a time of crisis. Families need to explore their beliefs and opinions, make personal commitments, and have an opportunity to honor the beliefs and commitments of loved ones who die.

In closing, I commend the First Family Pledge Campaign for all it has done to encourage and support these important efforts. Congress must continue to pursue legislation and policies to assure that all Americans in need have access to life-saving transplantation. Adequate funding is essential to support these services. We need to be sure that the distribution system is fair and effective. And we need to continue our nationwide efforts to educate the public about the need for and value of organ donation.

MESSAGES FROM THE HOUSE

At 11:53 a.m., a message from the House of Representatives, delivered by Mr. Hanrahan, 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. 46. An act to provide for a national medal for public safety officers who act with extraordinary valor above and beyond the call of duty.

H.R. 769. An act to amend the Trademark Act of 1946 to provide for the registration and protection of trademarks used in commerce, in order to carry out provisions of certain international conventions, and for other purposes.

H.R. 1143. An act to establish a program to provide assistance for programs of credit and other financial services for microenterprises in developing countries, and for other purposes.

H.R. 1189. An act to make technical corrections in title 17, United States Code, and other laws.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 35. Concurrent resolution congratulating the State of Qatar and its citizens for their commitment to democratic ideals and women's suffrage on the occasion of Qatar's historic elections of a central municipal council on March 8, 1999.

At 2:07 p.m., a message from the House of Representatives, delivered by one of its reading clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the resolution (H. Con. Res. 68) establishing the congressional budget for the United States Government for fiscal year 2000 and setting forth appropriate budgetary levels for each of fiscal years 2001 through 2009.

MEASURES REFERRED

The following bills were read the first and second times by unanimous consent and referred as indicated:

H.R. 46. An act to provide for a national medal for public safety officers who act with extraordinary valor above and beyond the call of duty; to the Committee on the Judiciary.

H.R. 769. An act to amend the Trademark Act of 1946 to provide for the registration and protection of trademarks used in commerce, in order to carry out provisions of certain international conventions, and for other purposes; to the Committee on the Judiciary.

H.R. 1143. An act to establish a program to provide assistance for programs of credit and other financial services for microenterprises in developing countries, and for other purposes; to the Committee on Foreign Relations.

H.R. 1189. An act to make technical corrections in title 17, United States Code, and other laws; to the Committee on the Judiciary.

The following concurrent resolution was read and referred as indicated:

H. Con. Res. 35. Concurrent resolution congratulating the State of Qatar and its citizens for their commitment to democratic ideals and women's suffrage on the occasion of Qatar's historic elections of a central municipal council on March 8, 1999; to the Committee on Foreign Relations.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of committees were submitted:

By Mr. HELMS, from the Committee on Foreign Relations:

Diane Edith Watson, of California, to be Ambassador Extraordinary and Plenipoteniary of the United States of America to the Federal States of Micronesia.

Nominee: Diane E. Watson.

Post: Ambassador to the Federated States of Micronesia.

Nominated: January 4, 1999.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, and donee:

1. Self: (see Attachment).
2. Spouse: None.
3. Children and Spouses Names: None.
4. Parents Names: Dorothy Watson/None: William Allen Watson/''Deceased.''
5. Grandparents Names: Lyle and Belle O'Neal/''Deceased''; William and Edith Watson/''Deceased.''
6. Brothers and Spouses Names: William Watson/None; Chatera Watson/None.
7. Sisters and Spouses Names: Barbara Coleman/None; Patsy Bradfield/None; David Bradfield/None.
8. Political Contributions:

State Senator Diane Watson Schedule of Political Contributions—1994, 1995, 1996, 1997 and 1998

Date and payee	Amount
1994:	
Kay Ciniceros	$500
California Democratic Caucus	2,000
California Democratic Party	174
Legislative Black Caucus	500
California Democratic Party	400
Valerie Lynn Shaw	200
Friends of Gwen Moore	1,000
David Roberti	1,000
Cewaer	500
Senate Victory Campaign	300
Congressional Black Caucus	230
Dorothy Ehrhart Morrison	500
Democratic National Committee	200
Paulette Riley Irons	200
Margelo Farrand	500
Sandy Hester	200
Ralph Dills	1,000
Art Torres	1,000
Hollywood Womens Pac	250
Golden State Victory	300

State Senator Diane Watson Schedule of Political Contributions—1994, 1995, 1996, 1997 and 1998—Continued

Date and payee	Amount
Delaine Eastin	1,000
Total	10,954
1995:	
Legislative Black Caucus	500
State of California Moretti Funds	500
Friends of Paul Horcher	1,000
Friends of Lois Hill Hale	1,000
California Now	350
California Democratic Party	129
Democratic National Convention	200
California Democratic Committee	300
Democratic National Committee	100
Lois Hill Hale	1,000
U.N. 50 Committee	125
Mary Landrieu	1,500
Willie Brown for Mayor	500
Barbara Lee for Senate	309
Congressional Black Women LDF	1,000
Barbara Lee for Senate	500
Dezzie Wood	500
California Democratic Victory Fund	300
Total	9,813
1996:	
California Democratic Party	300
California Democratic Party	150

(The above nomination was reported with the recommendation that she be confirmed, subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. KERRY (for himself, Mr. BOND, Mr. HARKIN, Mr. BINGAMAN, Mr. LEVIN, Mr. ENZI, Mr. KENNEDY, Mr. DOMENICI, Mr. ABRAHAM, Mr. SARBANES, Mr. AKAKA, Mr. EDWARDS, Mrs. FEINSTEIN, Ms. LANDRIEU, Mrs. BOXER, Mr. CLELAND, Mr. KOHL, Mr. WELLSTONE, Mr. BURNS, and Mr. LEAHY):

S. 791. A bill to amend the Small Business Act with respect to the women's business center program; to the Committee on Small Business.

By Mr. DASCHLE (for Mr. MOYNIHAN (for himself, Mr. GRAHAM, Mr. KENNEDY, Mr. DURBIN, Mr. WELLSTONE, Mrs. FEINSTEIN, and Mr. LEAHY)):

S. 792. A bill to amend title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to provide States with the option to allow legal immigrant pregnant women, children, and blind or disabled medically needy individuals to be eligible for medical assistance under the medicaid program, and for other purposes; to the Committee on Finance.

By Mrs. BOXER:

S. 793. A bill to amend the Child Abuse Prevention and Treatment Act to require States receiving funds under section 106 of such Act to have in effect a State law providing for a criminal penalty on an individual who fails to report witnessing another individual engaging in sexual abuse of a child; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. FEINSTEIN (for herself and Ms. SNOWE):

S. 794. A bill entitled the ''Hospital Length of Stay Act of 1999''; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MCCAIN (for himself, Mr. HOLLINGS, Mr. FRIST, Mr. BURNS, and Mr. BREAUX):

S. 795. A bill to amend the Fastener Quality Act to strengthen the protection against the sale of mismarked, misrepresented, and counterfeit fasteners and eliminate unnecessary requirements, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. DOMENICI (for himself, Mr. WELLSTONE, Mr. CHAFEE, Mr. SPECTER, Mr. REID, Mr. SARBANES, and Mr. KENNEDY):

S. 796. A bill to provide for full parity with respect to health insurance coverage for certain severe biologically-based mental illnesses and to prohibit limits on the number of mental illness-related hospital days and outpatient visits that are covered for all mental illnesses; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ASHCROFT:

S. 797. A bill to apply the Foreign Corrupt Practices Act of 1977 to the International Olympic Committee; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MCCAIN (for himself, Mr. BURNS, Mr. WYDEN, Mr. LEAHY, Mr. ABRAHAM, and Mr. KERRY):

S. 798. A bill to promote electronic commerce by encouraging and facilitating the use of encryption in interstate commerce consistent with the protection of national security, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CAMPBELL:

S. 799. A bill to amend the Internal Revenue Code of 1986 to modify the tax brackets, eliminate the marriage penalty, allow individuals a deduction for amounts paid for insurance for medical care, increase contribution limits for individual retirement plans and pensions, and for other purposes; to the Committee on Finance.

By Mr. BURNS (for himself, Mr. MCCAIN, Mr. DORGAN, and Mr. WYDEN):

S. 800. A bill to promote and enhance public safety through the use of 9–1–1 as the universal emergency assistance number, further deployment of wireless 9–1–1 service, support of States in upgrading 9–1–1 capabilities and related functions, encouragement of construction and operation of seamless, ubiquitous, and reliable networks for personal wireless services, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SANTORUM:

S. 801. A bill to amend the Internal Revenue Code of 1986 to reduce the tax on beer to its pre-1991 level; to the Committee on Finance.

By Mr. SANTORUM (for himself, Mr. CHAFEE, Mr. GREGG, Mr. FEINGOLD, Mr. DEWINE, Mr. BROWNBACK, Mr. SPECTER, and Ms. COLLINS):

S. 802. A bill to provide for a gradual reduction in the loan rate for peanuts, to repeal peanut quotas for the 2002 and subsequent crops, and to require the Secretary of Agriculture to purchase peanuts and peanut products for nutrition programs only at the world market price; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. MCCAIN (for himself and Mr. WYDEN):

S. 803. A bill to make the International Olympic Committee subject to the Foreign Corrupt Practices Act of 1977, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. ROCKEFELLER (for himself and Mr. FRIST):

S. 804. A bill to improve the ability of Federal agencies to license Federally-owned inventions; to the Committee on Commerce, Science, and Transportation.

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 and Mr. LUGAR):

S. Res. 76. A resolution to commend the Purdue University women's basketball team on winning the 1999 National Collegiate Athletic Association women's basketball championship; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KERRY (for himself, Mr. BOND, Mr. HARKIN, Mr. BINGAMAN, Mr. LEVIN, Mr. ENZI, Mr. KENNEDY, Mr. DOMENICI, Mr. ABRAHAM, Mr. SARBANES, Mr. AKAKA, Mr. EDWARDS, Mrs. FEINSTEIN, Ms. LANDRIEU, Mrs. BOXER, Mr. CLELAND, Mr. KOHL, Mr. WELLSTONE, Mr. BURNS, and Mr. LEAHY):

S. 791. A bill to amend the Small Business Act with respect to the women's business center program; to the Committee on Small Business.

WOMEN'S BUSINESS CENTERS SUSTAINABILITY ACT OF 1999

Mr. KERRY. Mr. President, I come to the floor today to introduce the Women's Business Centers Sustainability Act of 1999, and I do so on behalf of myself and Senators BOND, HARKIN, BINGAMAN, LEVIN, ENZI, DOMENICI, ABRAHAM, SARBANES, AKAKA, KENNEDY, EDWARDS, FEINSTEIN, LANDRIEU, BOXER, CLELAND, KOHL, WELLSTONE, BURNS, and LEAHY.

As the title suggests, this bill addresses the funding constraints that are making it increasingly difficult for our women's business centers to sustain the level of services that they currently provide and, in some instances, to literally keep the doors open.

Some colleagues may ask the question, What is the Women's Business Center Program? The Small Business Administration started the Women's Business Center Program which provides 5-year grants matched by non-Federal dollars to private sector organizations so that they can establish business training centers for women. Depending on the needs of the community being served, the centers teach women the basic principles of finance, management, and marketing, as well as specialized topics such as how to get a government contract or how to start a home-based business.

These business centers are located in rural, urban, and suburban areas, and they direct much of their training and counseling assistance towards socially

and economically disadvantaged women.

I might add, Mr. President, of all the changes in the social structure of the United States or in the marketplace in the last years, none has been more profound than the significant numbers of women entering the marketplace. As more and more women enter the marketplace and they assume roles as principal breadwinners or sole breadwinners within some families, it is more and more important that they have the capacity to participate fully in the economy and not be relegated simply to entry-level jobs.

Congress started this program in 1988 in response to hearings that revealed the Federal Government was not meeting the needs of women entrepreneurs and that there were very little other mechanisms for entry-level women entrepreneurs. Women faced particular discrimination in access to credit and capital, and they were shut out of many government contracts and had very little access to the kind of business assistance that they needed to compete in the marketplace. We have really come a long way since that first beginning. There are now 59 centers in 36 States, the District of Columbia, and Puerto Rico.

In addition to increasing self-sufficiency among women, the women's business centers have strengthened women business ownership overall and encouraged local job creation.

The numbers really tell a remarkable story, Mr. President. In 1998, women-owned businesses made up more than one-third of the 23 million small businesses in the United States. They have accounted for some $3 trillion in annual revenues to the economy, and they employed one out of every four workers in the United States.

Still, according to the data from the 1998 Women's Economic Summit, women-owned businesses account for only 18 percent of all small business gross receipts, and they are dramatically underrepresented in the Nation's two most lucrative markets—corporate buying and government contracting.

This really underscores significantly the problem that I talked about a moment ago of entry-level jobs and of the nature of the small, entrepreneurial, home-grown, cottage-industry-type businesses that women begin with, which often could be grown significantly into larger businesses but for the lack of credit, the lack of available marketing skills, and the lack of management skills. Clearly, the need for women's business centers continues, and this is no time for us to diminish or to dismantle the infrastructure that the federal government has invested in for the past decade.

Addressing the special needs of women-owned businesses serves not just the entrepreneurs, but it serves the overall strength of communities, as well as the economy of the whole of our country. Women's business centers help increase the growth, not just of women's businesses, but also of the large network of support businesses that are linked and affiliated with them, as well as, obviously, the general economy and the local community associated with those businesses.

There are many extraordinarily run centers around the country. Let me highlight two of them—one in New Mexico and one in Massachusetts. I know my colleagues, Senators BINGAMAN and DOMENICI, are particularly proud of the one in their home State. I am very proud of one in Massachusetts which has been a model women's business center. It is the Center of Women & Enterprise in Boston. Since 1995, that center has served more than 2,000 women from more than 100 cities and towns in eastern Massachusetts. Of the women it serves every year, 60 percent are low-income, 70 percent are single, and 32 percent are women of color.

Andrea Silbert is the tireless executive director of that center. She has effectively raised money, forged partnerships, and designed thorough training and mentoring programs to help women entrepreneurs.

When the Boston women's business center trains an entrepreneur, that entrepreneur then knows how to approach a lender for a loan, knows how to manage her business, and understands the ins and outs and hows and whys of marketing.

But notwithstanding the success of these several women's business centers, the fact is that a number of them around the country are facing increased difficulty in raising the required matching funds.

There are some people who think the centers should charge higher fees. And they might think so, until you examine the makeup of the people who are being reached by the centers. We were privileged to have a person by the name of Agnes Noonan, who has spent the last 8 years as the executive director of WESST Corporation, the women's business center in Albuquerque, NM, testify before us in the Small Business Committee. As she testified in March, during her first couple of years running the center, her view was that there was a very simple way to deal with the problem of raising money, and that was to do a better job of marketing the center's services to women who could afford to pay higher fees. That would increase the center's income, and it would reduce its reliance on public dollars.

But the problem is that the minute you do that, you start redirecting the energy and focus of the center away from the people who most benefit from it. And that is precisely what she told us as a practitioner. She said:

> Though [such a] strategy may have made economic sense, it conflicted directly with our mission of serving low-income women. . . . If we were to target our services to women who could afford to pay market consulting and training rates, then we would clearly not be addressing the needs of low-income women in New Mexico.

She also gave us important information about the realities of fundraising:

> Nationally, only six percent of foundation money is earmarked for women, and only a tiny portion of that goes to women's economic development.

So as she said to us, the executive directors of women's business centers are very experienced fundraisers. Lori Smith of the WBC in Oklahoma City said before the House Small Business Committee that she thought she could sell sand in the desert. She viewed herself as good a fundraiser and as good a salesperson as there is, but she also said that competition for foundation- and private-sector dollars has become so intense and those dollars so much scarcer with each year that Government funding has diminished. And they do not have anywhere to turn.

In addition to that, bank mergers are occurring, as we know, at an increased rate around the country. And those mergers are further exacerbating the situation because the banks have been a primary source of funds for many of these centers.

Take the example of the recently announced bank merger in Boston of Fleet Bank and BankBoston. Those banks separately have been very generous to the women's business center in Boston. Their combined contribution came to $150,000. But we have serious concerns that their full support continue, and not reduce as we have seen in other States, where the merged institutions rarely give the same amount of money as the two or three, or whatever number, that the prior institutions contributed. So we have seen a drying up of some of the funding sources, I might add, not just for the women's business centers but for a host of charitable institutions that rely on those contributions.

So for many of the centers, they now have the added specter of losing their annual base of money. We need to guarantee that we do not add to that ominous cloud by having the base that came from the SBA also disappear at the same time when they come to the end of the original 5-year grant cycle. That money is their basic bread and butter, it is their ability to stay alive, as well as the indispensable ingredient of leveraging for additional fundraising dollars.

I believe, and the colleagues who have joined me in introducing this legislation believe, that it is essential for us to find a fair way to let the women's business centers recompete for their base funding. That is competition; it is not entitlement.

So here is how the legislation we introduce gets us there.

First, it allows the women's business centers which have completed a funding term to compete for another 5 years of Federal funding, which, under current policy, would be up to $150,000 per year. The recompetition standards would be higher than those needed for centers applying for funds for their initial 5-year funding term. This recognizes that more experienced centers ought to be able to perform well from

the beginning of their second term funding; they have been through the learning curve. And I believe this additional Federal funding is necessary to counteract the adverse impact of bank and corporate mergers I mentioned previously.

Second, my bill will raise the authorization of appropriations for fiscal year 2000 and fiscal year 2001 for women's business center funding from $11 million to $12 million per year. It will also reserve 40 percent of those appropriations for recompetition grants.

I believe that increasing the authorization to $12 million is entirely consistent with the legislation which our committee passed last year, and it would ensure that there would be adequate funding to preserve effective, established centers and to help fund new centers in States that do not have one.

Mr. President, I thank those colleagues who have joined me in this effort. I hope additional colleagues will join in support of this legislation and we can rapidly pass it. It should not be contentious. We are not talking about vast sums of money, but we are talking about an extraordinary amount of leverage for a very small investment.

I think that in most States in this country my colleagues will agree with me that opening the doors of opportunity to full business ownership and participation, particularly to those who have been disadvantaged for various reasons, is of enormous importance to the longer term economic well-being of our country. And when I say ''well-being,'' I am not just talking about the bottom line in terms of the return on investment to those businesses, I am talking, obviously, about the enormous importance of strengthening families, strengthening communities, and eliminating the vestiges of discrimination that remain against women in terms of their full economic participation in the Nation.

I ask unanimous consent that the full text of the Women's Business Centers Sustainability Act be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 791

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 ''Women's Business Centers Sustainability Act of 1999''.

SEC. 2. WOMEN'S BUSINESS CENTER PROGRAM.

(a) IN GENERAL.—Section 29 of the Small Business Act (15 U.S.C. 656) is amended by adding at the end the following:

''(*l*) ELIGIBILITY FOR ADDITIONAL ASSISTANCE.—

''(1) IN GENERAL.—Subject to paragraph (2), a private organization that has received financial assistance under this section pursuant to a grant, contract, or cooperative agreement, and that is in the final year of a 5-year project or that has completed a project financed under this section (or any predecessor to this section), may apply for financial assistance for an additional 5-year project under this section.

''(2) CONDITIONS FOR PARTICIPATION.—Notwithstanding any other provision of this section, as a condition of receiving financial assistance authorized by this subsection, an organization described in paragraph (1)—

''(A) shall meet such requirements as the Administration shall establish to promote the viability and success of the program under this section, in addition to the requirements set forth in this section; and

''(B) shall agree to obtain, after its application has been approved and notice of award has been issued, cash contributions from non-Federal sources for each year of additional program participation in an amount equal to 1 non-Federal dollar for each Federal dollar.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 29(k) of the Small Business Act (15 U.S.C. 656(k)) is amended by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—There is authorized to be appropriated $12,000,000 for each of fiscal years 2000 and 2001 to carry out the projects authorized under this section, of which, in each fiscal year, not more than 40 percent may be used to carry out projects funded under subsection (*l*).''.

Mr. LEVIN. Mr. President, I am pleased to be an original cosponsor of the Women's Business Centers Sustainability Act of 1999. This legislation will strengthen SBA's women's business centers in Michigan and across the Nation which help entrepreneurs start and maintain successful businesses by providing such things as start-up help and financial expertise to women-owned businesses. This legislation will allow those women's business centers that are already successfully participating in the program to recompete for Federal funding after their initial funding term expires.

Under this legislation, the recompetition standards would be set higher than those used for centers applying for their initial five-year funding term. The ability of established and successful women's business development centers to continue to compete for Federal funding means that critical resources will continue to be made available for women-owned businesses for such purposes as training and obtaining business financing.

Women-owned businesses are the fastest growing sector of small businesses in America and provide innumerable jobs and resources to the state of Michigan. Michigan has two women's business centers, the Center for Empowerment and Economic Development (CEED) in Ann Arbor and the Grand Rapids Opportunities for Women (GROW) in Grand Rapids. We also have Project Invest in Traverse City which is a women's business center affiliate. In addition, a Center is currently being set up in Detroit.

These Michigan programs offer women a comprehensive package of business education and training, start-up financing, technical assistance, peer group support and access to community and government supportive resources such as child care. Michigan's women's business centers are supportive of this legislation and believe it is necessary in order for them to continue to be able to offer the current levels of services and support to Michigan's women-owned businesses.

I am pleased that Congress has recognized the importance of funding the women's business center program. In 1997, Congress enacted legislation to make the 1991 pilot project a permanent part of the Small Business Administration programs available to help entrepreneurs start and maintain successful business. It also doubled the annual funding of the women's business centers and extended the funding period from 3 to 5 years. And just this year, Congress enacted legislation to change the non-Federal and Federal funding ratio requirements and it again increased the annual authorization level from $8 million to $11 million.

The legislation being introduced today by my colleague from Massachusetts, Mr. KERRY, in addition to allowing existing women's business centers to compete for additional Federal funding, will also increase the authorized appropriations for fiscal year 2000 and fiscal year 2001 from $11 million to $12 million for this program.

Mr. KENNEDY. I strongly support the Women's Business Centers Sustainability Act of 1999. Its goal is to provide disadvantaged women with the opportunity to obtain the training and counseling necessary to become successful small business owners.

Today, the Nation's entrepreneurial spirit is thriving. Small business has become the engine that drives the economy. America's 23 million small businesses employ more than 50 percent of the private workforce, generate more than half of the nation's gross domestic product, and are the principal source of new jobs in the U.S. economy. The increase in the number of small businesses owned by women has significantly contributed to the overall success of small business.

Between 1987 and 1996, the number of women-owned firms has grown by78 percent. Employment in women-owned firms more than doubled from 1987 to 1992, compared to an increase of 38 percent in employment by all firms. For women-owned companies with 100 or more workers, employment has increased by 158 percent—more than twice the rate for all U.S. firms of similar size. Women entrepreneurs are taking their firms into the global marketplace at the same rate as all U.S. business owners.

Today, women are starting new firms at twice the rate of all other business and own nearly 40 percent of all firms in the United States. These 8 million firms employ 18.5 million people—one in every five U.S. workers—and contribute $2.3 trillion to the economy. The Small Business Administration has created programs, such as the women's business centers, which have been very effective in promoting woman business ownership. We must ensure that these programs continue to receive strong support in Congress.

The Women's Business Centers Sustainability Act of 1999 will provide the

funds necessary to continue this successful program. It will allow women's business centers that have completed five year funding to apply for additional funding, and it will also increase the authorization for FY 2000 and FY 2001 from $11 million to $12 million a year. Our goal is to help sustain existing centers, while continuing to create new centers.

I urge all of my colleagues to support this important legislation, and I look forward to its early enactment.

Mr. ABRAHAM. Mr. President, I rise for the second year in a row as an original co-sponsor of legislation increasing the authorization for the Small Business Administration women's business center program. These centers provide important management, marketing, and financial advice to women-owned small businesses.

Mr. President, this program finances a number of very important initiatives at the state and local levels; measures that have proven crucial to women struggling to enter the job world and to start their own businesses. These initiatives have changed the lives of a significant number of women in Michigan and throughout the United States.

For example, two women's business centers in Michigan are leading the way toward preparing and advancing women in the business field. Ann Arbor's Women's Initiative for Self-Employment, or WISE, program provides low-income women with the tools and resources they need to begin and expand businesses. The WISE program also provides a comprehensive package of business training, personal development workshops, credit counseling, start-up and expansion financing, business counseling and mentoring. In addition, Grand Rapids' Opportunities for Women, or GROW, provides career counseling and training for women in western Michigan. GROW provides essential job preparedness with basic business training and assistance in obtaining more specialized instruction.

Mr. President, I salute the good people at WISE and GROW for their hard work in helping the women of Michigan. These programs create and expand business opportunities, fight against poverty, increase incomes, stabilize families, develop skills, and spark community renewal. If we are to maintain and increase revitalization of troubled areas and the empowerment of women we must continue to provide targeted funding for these types of assistance programs.

For these reasons, I support the Women's Business Centers Sustainability Act of 1999. Because the Small Business Administration's women's business centers program makes it possible for women to build productive lives for themselves and their families, I believe it deserves the increased funding it needs to expand its services. I urge my colleagues to support this important bill.

By Mr. DASCHLE (for Mr. MOYNIHAN (for himself, Mr. GRAHAM, Mr. KENNEDY, Mr. DURBIN, Mr. WELLSTONE, Mrs. FEINSTEIN, and Mr. LEAHY)):

S. 792. A bill to amend title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to provide States with the option to allow legal immigrant pregnant women, children, and blind or disabled medically needy individuals to be eligible for medical assistance under the medicaid program, and for other purposes.

THE FAIRNESS FOR LEGAL IMMIGRANTS ACT OF 1999

Mr. MOYNIHAN. Mr. President, today, I am introducing the Fairness for Legal Immigrants Act of 1999, a bill to restore to legal immigrants eligibility for a number of safety net benefits denied to them by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. I am glad to be joined by my colleagues Senators GRAHAM, KENNEDY, DURBIN, FEINSTEIN, WELLSTONE, and LEAHY.

The provisions of the 1996 law concerning legal immigrants were based on the false premise that such immigrants are a burden to us all. On the contrary. A recent comprehensive study by the National Academy of Sciences concluded that immigration actually benefits the U.S. economy. In fact, the study found that the average legal immigrant contributes $1,800 more in taxes than he or she receives in government benefits.

Many Americans may not realize this, but legal immigrants pay income and payroll taxes. And without continued legal immigration, the long-term financial condition of Social Security and Medicare would be worsened. It is in our interest to see that these immigrant families have healthy children, enough to eat, and support if they become disabled. And it is not merely wise, it is just. These immigrants have come here under the rules we have established and they have abided by those rules. If harm should befall them, it is right to extend a hand.

The Fairness for Legal Immigrants Act contains several provisions. First, it would permit states to provide Medicaid coverage to poor legal immigrant pregnant women and children, as well as coverage under the new Child Health insurance program (CHIP) for legal immigrant children, whenever they arrive in the United States. Under current law, states are not allowed to extend such health care coverage—which is so important for the development of healthy children—to families who have come to the U.S. after August 22, 1996, until the families have been here for five years. Five years is a very long time in the life of a child. It is common knowledge, emphasized by recent research, that access to health care is essential for early childhood development. We should, at a minimum, permit states to extend coverage to all poor legal immigrant children, no matter when they have arrived here. This builds upon our recent achievements in promoting health care for children—legal immigrant children should not be neglected in these efforts.

The bill also permits states to restore Medicaid coverage to certain legal immigrants in nursing homes. These individuals would be eligible for states' ''medically needy'' Medicaid coverage if they were citizens, having ''spent down'' their income and assets in nursing homes to the point of destitution. Several states continue to pay nursing homes for these frail seniors without federal support. We should do our share to care for them.

Next, the bill restores Supplemental Security Income (SSI) eligibility for legal immigrants who have come to the U.S. after August 22, 1996, and have since then, unfortunately, become disabled. While it would be preferable to restore full SSI eligibility for these legal immigrants, at this time we propose only that the disabled be again eligible for SSI, because they are the population most in need. A modicum of a safety net. We have made great strides in assisting the disabled in this country in recent years. We should not then, deliberately, refuse aid to individuals who have come to our nation lawfully and then suffered a disability. The bill also completes the process, begun in the Balanced Budget Act of 1997, of restoring SSI eligibility to elderly pre-1996 legal immigrants.

Fourth, since the 1996 welfare law was enacted we have been successful in restoring a limited amount of food stamp eligibility for the most vulnerable legal immigrants—children, the disabled, the elderly. A Physicians for Human Rights survey in 1998 found that almost 80 percent of immigrant households suffered from limited or uncertain availability of nutritious foods, and that immigrant households reported ''severe hunger'' at a rate more than 10 times that of the general population. While this survey was conducted before the limited restoration of food stamp eligibility in 1998, it suggests the magnitude of the hunger problem among legal immigrants. We need to do more, and this bill restores food stamp eligibility to all legal immigrants who were in the U.S. prior to the 1996 enactment of the welfare law.

Finally, there is another vulnerable immigrant population for which we need to do more: victims of domestic violence. The 1996 welfare law put severe limits on the assistance which can be provided to non-citizens suffering from domestic abuse, particularly if they came to the U.S. after August 22, 1996. This legislation will expand the circumstances under which immigrant victims of domestic violence are eligible for Medicaid and TANF assistance, and restores eligibility for food stamps and SSI. These programs provide essential resources to break the economic dependence on a violent relationship. It also ensures that elderly legal immigrants who are abused by their children can obtain access to these benefits as well.

Mr. President, simple decency requires us to continue to provide a

measure of a safety net to legal immigrant families. I urge the enactment of this legislation to ensure that we do so.

I ask unanimous consent that the full text of the legislation and a summary of it be included in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 792

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 ''Fairness for Legal Immigrants Act of 1999''.

SEC. 2. OPTIONAL ELIGIBILITY OF CERTAIN ALIEN PREGNANT WOMEN AND CHILDREN FOR MEDICAID.

(a) IN GENERAL.—Subtitle A of title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1611-1614) is amended by adding at the end the following:

''SEC. 405. OPTIONAL ELIGIBILITY OF CERTAIN ALIENS FOR MEDICAID.

''(a) OPTIONAL MEDICAID ELIGIBILITY FOR CERTAIN ALIENS.—A State may elect to waive (through an amendment to its State plan under title XIX of the Social Security Act) the application of sections 401(a), 402(b), 403, and 421 with respect to eligibility for medical assistance under the program defined in section 402(b)(3)(C) (relating to the medicaid program) of aliens who are lawfully residing in the United States (including battered aliens described in section 431(c)), within any or all (or any combination) of the following categories of individuals:

''(1) PREGNANT WOMEN.—Women during pregnancy (and during the 60-day period beginning on the last day of the pregnancy).

''(2) CHILDREN.—Children (as defined under such plan), including optional targeted low-income children described in section 1905(u)(2)(B).''.

(b) APPLICABILITY OF AFFIDAVITS OF SUPPORT.—Section 213A(a) of the Immigration and Nationality Act (8 U.S.C. 1183a(a)) is amended by adding at the end the following:

''(4) INAPPLICABILITY TO BENEFITS PROVIDED UNDER A STATE WAIVER.—For purposes of this section, the term 'means-tested public benefits' does not include benefits provided pursuant to a State election and waiver described in section 405 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.''.

(c) CONFORMING AMENDMENTS.—

(1) Section 401(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1611(a)) is amended by inserting ''and section 405'' after ''subsection (b)''.

(2) Section 402(b)(1) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(b)(1)) is amended by inserting '', section 405,'' after ''403''.

(3) Section 403(a) of such Act (8 U.S.C. 1613(a)) is amended by inserting ''section 405 and'' after ''provided in''.

(4) Section 421(a) of such Act (8 U.S.C. 1631(a)) is amended by inserting ''except as provided in section 405,'' after ''Notwithstanding any other provision of law,''.

(5) Section 1903(v)(1) of the Social Security Act (42 U.S.C. 1396b(v)(1)) is amended by inserting ''and except as permitted under a waiver described in section 405(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996,'' after ''paragraph (2),''.

(d) RETROACTIVITY OF EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1611 et seq.), except that the amendment made by subsection (b) shall apply as if included in the enactment of section 551(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208).

SEC. 3. OPTIONAL ELIGIBILITY OF IMMIGRANT CHILDREN FOR SCHIP.

(a) IN GENERAL.—Section 405 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, as added by section 2(a), is amended—

(1) in the heading, by inserting ''**AND SCHIP**'' before the period; and

(2) by adding at the end the following new subsection:

''(b) OPTIONAL SCHIP ELIGIBILITY FOR CERTAIN ALIENS.—

''(1) IN GENERAL.—Subject to paragraph (2), a State may also elect to waive the application of sections 401(a), 402(b), 403, and 421 with respect to eligibility of children for child health assistance under the State child health plan of the State under title XXI of the Social Security Act (42 U.S.C. 1397aa et seq.), but only with respect to children who are lawfully residing in the United States (including children who are battered aliens described in section 431(c)).

''(2) REQUIREMENT FOR ELECTION.—A waiver under this subsection may only be in effect for a period in which the State has in effect an election under subsection (a) with respect to the category of individuals described in subsection (a)(2) (relating to children).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies to child health assistance for coverage provided for periods beginning on or after October 1, 1997.

SEC. 4. OPTIONAL ELIGIBILITY OF CERTAIN MEDICALLY NEEDY ALIENS FOR MEDICAID.

(a) OPTIONAL ELIGIBILITY OF CERTAIN ALIENS WHO ARE BLIND OR DISABLED MEDICALLY NEEDY ADMITTED AFTER AUGUST 22, 1996.—

(1) IN GENERAL.—Section 405(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, as added by section 2(a), is amended by adding at the end the following:

''(3) CERTAIN BLIND OR DISABLED MEDICALLY NEEDY.—Individuals who are considered blind or disabled under section 1614(a) of the Social Security Act (42 U.S.C. 1382c(a))) and who, but for sections 401(a), 402(b) and 403 (except as waived under this subsection), would be eligible for medical assistance under clause (ii)(IV) of section 1902(a)(10)(A) of the Social Security Act (42 U.S.C. 1396a(a)(10)(A)), or would be eligible for such assistance under any other clause of that section of that Act because the individual, if enrolled in the program under title XVI of the Social Security Act, would receive supplemental security income benefits or a State supplementary payment under that title.''.

(2) RETROACTIVITY OF EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect as if included in the enactment of title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1611 et seq.).

(b) OPTIONAL ELIGIBILITY OF MEDICALLY NEEDY ALIENS REQUIRING A CERTAIN LEVEL OF CARE.—

(1) IN GENERAL.—Section 405 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, as added by section 2(a) and as amended by section 3(a) and subsection (a), is further amended by adding at the end the following new subsection:

''(c) OPTIONAL ELIGIBILITY FOR MEDICALLY NEEDY ALIENS REQUIRING A CERTAIN LEVEL OF CARE.—A State may also elect to waive the application of sections 401(a), 402(b), and 421 with respect to eligibility for medical assistance under the program defined in section 402(b)(3)(C) (relating to the medicaid program) of aliens who—

''(1) were lawfully residing in the United States on August 22, 1996; and

''(2) are residents of a nursing facility (as defined in section 1919(a) of the Social Security Act (42 U.S.C. 1396r(a)), or require the level of care provided in a such a facility or in an intermediate care facility, the cost of which could be reimbursed under the State plan under title XIX of that Act.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect as if included in the enactment of title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1611 et seq.).

SEC. 5. ELIGIBILITY OF CERTAIN ALIENS FOR SSI.

(a) AGED ALIENS LAWFULLY RESIDING IN THE UNITED STATES ON AUGUST 22, 1996.—Section 402(a)(2) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(a)(2)) is amended by adding at the end the following:

''(L) SSI EXCEPTION FOR AGED ALIENS LAWFULLY RESIDING IN THE UNITED STATES ON AUGUST 22, 1996.—With respect to eligibility for the program defined in paragraph (3)(A), paragraph (1) shall not apply to any individual who was lawfully residing in the United States on August 22, 1996, and has attained age 65.''.

(b) BLIND OR DISABLED QUALIFIED ALIENS WHO ENTERED THE UNITED STATES AFTER AUGUST 22, 1996.—

(1) IN GENERAL.—Section 402(a)(2) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(a)(2)), as amended by subsection (a), is amended by adding at the end the following:

''(M) SSI EXCEPTION FOR BLIND OR DISABLED QUALIFIED ALIENS WHO ENTERED THE UNITED STATES AFTER AUGUST 22, 1996.—With respect to eligibility for the program defined in paragraph (3)(A), paragraph (1) and section 421 shall not apply to any individual who entered the United States on or after August 22, 1996 with a status within the meaning of the term 'qualified alien', and became blind or disabled (within the meaning of section 1614(a) of the Social Security Act (42 U.S.C. 1382c(a))) after the date of such entry.''.

(2) EXCEPTION FROM 5-YEAR BAN.—Section 403(b) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613(b)) is amended by adding at the end the following:

''(3) CERTAIN BLIND OR DISABLED ALIENS.—An alien described in section 402(a)(2)(M), but only with respect to the programs specified in subsections (a)(3)(A) and (b)(3)(C) of section 402 (and, with respect to such programs, section 421 shall not apply to such an alien).''.

(3) CONFORMING AMENDMENT.—Section 421(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1631(a)), as amended by section 2(c)(4), is amended by inserting '', section 402(a)(2)(M), and section 403(b)(3)'' after section ''405''.

(4) ENFORCEMENT OF AFFIDAVITS OF SUPPORT.—For provisions relating to the enforcement of affidavits of support in cases of individuals made eligible for benefits under the amendment made by paragraph (1), see section 213A of the Immigration and Nationality Act (8 U.S.C. 1183a).

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) are effective with respect to benefits payable for months after the month in which this Act is enacted, but only on the basis of applications filed on or after the date of enactment of this Act.

SEC. 6. ELIGIBILITY OF LEGAL IMMIGRANTS FOR FOOD STAMPS.

(a) IN GENERAL.—Section 402(a)(2) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(a)(2)), as amended by section 5(b)(1), is amended by adding at the end the following:

''(N) FOOD STAMP EXCEPTION FOR ALIENS LAWFULLY RESIDING IN THE UNITED STATES ON AUGUST 22, 1996.—With respect to eligibility for benefits for the specified Federal program described in paragraph (3)(B), paragraph (1) shall not apply to an individual who was lawfully residing in the United States on August 22, 1996.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies to benefits under the food stamp program, as defined in section 3(h) of the Food Stamp Act of 1977 (7 U.S.C. 2012(h)) for months beginning at least 30 days after the date of enactment of this Act.

SEC. 7. ELIGIBILITY OF LEGAL IMMIGRANTS SUFFERING FROM DOMESTIC ABUSE.

(a) EXEMPTION FROM SSI AND FOOD STAMPS BAN.—Section 402(a)(2) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(a)(2)), as amended by section 6(a), is amended by adding at the end the following:

''(O) BATTERED IMMIGRANTS.—With respect to eligibility for benefits for a specified Federal program (as defined in paragraph (3)), paragraph (1) shall not apply to any individual described in section 431(c).''.

(b) EXEMPTION FROM 5-YEAR BAN.—Section 403(b) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613(b)), as amended by section 5(b)(2), is amended by adding at the end the following:

''(4) BATTERED IMMIGRANTS.—An alien described in section 431(c).''.

(c) EXPANSION OF DEFINITION OF BATTERED IMMIGRANTS.—

(1) IN GENERAL.—Section 431(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(c)) is amended—

(A) in paragraphs (1)(A), (2)(A), and (3)(A) by inserting '' or the benefits to be provided would alleviate the harm from such battery or cruelty or would enable the alien to avoid such battery or cruelty in the future'' before the semicolon; and

(B) in the matter following paragraph (3), by inserting '' and for determining whether the benefits to be provided under a specific Federal, State, or local program would alleviate the harm from such battery or extreme cruelty or would enable the alien to avoid such battery or extreme cruelty in the future'' before the period.

(2) CONFORMING AMENDMENT REGARDING SPONSOR DEEMING.—Section 421(f)(1) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1631(f)(1)) is amended—

(A) in subparagraph (A), by inserting ''or would alleviate the harm from such battery or cruelty, or would enable the alien to avoid such battery or cruelty in the future'' before the semicolon; and

(B) in subparagraph (B), by inserting ''or would alleviate the harm from such battery or cruelty, or would enable the alien to avoid such battery or cruelty in the future'' before the period.

(d) CONFORMING DEFINITION OF ''FAMILY'' USED IN LAWS GRANTING FEDERAL PUBLIC BENEFIT ACCESS FOR BATTERED IMMIGRANTS TO STATE FAMILY LAW.—Section 431(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(c)) is amended—

(1) in paragraph (1)(A), by striking ''by a spouse or a parent, or by a member of the spouse or parent's family residing in the same household as the alien and the spouse or parent consented to, or acquiesced in, such battery or cruelty,'' and inserting ''by a spouse, parent, son, or daughter, or by any individual having a relationship with the alien covered by the civil or criminal domestic violence statutes of the State or Indian country where the alien resides, or the State or Indian country in which the alien, the alien's child, or the alien child's parents received a protection order, or by any individual against whom the alien could obtain a protection order,''; and

(2) in paragraph (2)(A), by striking ''by a spouse or parent of the alien (without the active participation of the alien in the battery or cruelty), or by a member of the spouse or parent's family residing in the same household as the alien and the spouse or parent consented or acquiesced to such battery or cruelty,'' and inserting ''by a spouse, parent, son, or daughter of the alien (without the active participation of alien in the battery or cruelty) or by any individual having a relationship with the alien covered by the civil or criminal domestic violence statutes of the State or Indian county where the alien resides, or the State or Indian country in which the alien, the alien's child, or the alien child's parent received a protection order, or by any individual against whom the alien could obtain a protection order,''.

(e) EFFECTIVE DATE.—The amendments made by this section apply to Federal means-tested public benefits provided on or after the date of enactment of this Act.

FAIRNESS FOR LEGAL IMMIGRANTS ACT OF 1999

I. HEALTH COVERAGE

Medicaid

Permits states to cover all eligible legal immigrant pregnant women and children, including those who have arrived in the U.S. after August 22, 1996. (Currently, states must wait five years before extending such coverage to legal immigrants coming to the U.S. since August 22, 1996.)

Permits states to extend coverage to certain ''medically needy'' disabled legal immigrants not receiving SSI.

Children's Health Insurance Program (CHIP)

Permits states to cover legal immigrant children under CHIP. States can cover CHIP children under either the expanded Medicaid option or separate CHIP program. However, to choose this CHIP option states must have first taken up the option to cover poor legal immigrant children under the regular (non-CHIP) Medicaid program. Under current law, legal immigrant children are ineligible for CHIP.

II. SSI

For pre-August 1996 legal immigrants, restores SSI eligibility for those who are elderly and poor but not disabled by SSI standards. This returns pre-August 1996 elderly legal immigrants to the same SSI eligibility status as citizens.

For post-August 1996 legal immigrants, restores SSI eligibility for those who become disabled after entering the country. Currently, such recent immigrants are ineligible for SSI.

III. FOOD STAMPS

Restores eligibility for all pre-August 1996 legal immigrants.

IV. OTHER PROVISIONS

For post-August 1996 legal immigrants suffering from domestic abuse, expands the exemption from the five-year ban on receiving Medicaid and TANF. It also restores their eligibility for SSI and food stamps. Victims of elder abuse are also covered.

Mr. GRAHAM. Mr. President, I rise today, along with Senators MOYNIHAN, KENNEDY, DURBIN, FEINSTEIN, WELLSTONE, and LEAHY to introduce the Fairness to Legal Immigrants Act of 1999. I commend my colleagues in the Senate and the House of Representatives, who are also introducing this legislation today, for their efforts to restore benefits to legal immigrants.

This legislation includes several provisions which restore important health, disability and nutrition benefits to additional categories of legal immigrants. These benefits would improve the lives of many of our most vulnerable, such as pregnant women and children, the elderly and the disabled.

One of the provisions in this proposal would grant states the option to provide health care coverage to legal immigrant children through Medicaid and the State Children's Health Insurance Program (SCHIP)—in essence eliminating the arbitrary designation of August 22, 1996, as the cutoff date for benefits eligibility to children. The welfare reform legislation passed in 1996 prohibits states from covering these immigrant children during their first five years in the United States. This has serious consequences.

Children without health insurance do not get important care for preventable diseases. Many uninsured children are hospitalized for acute asthma attacks that could have been prevented, or suffer from permanent hearing loss from untreated ear infections. Without adequate health care, common illnesses can turn into life-long crippling diseases, whereas appropriate treatment and care can help children with diseases like diabetes live relatively normal lives. A lack of adequate medical care will also hinder the social and educational development of children, as children who are sick and left untreated are less ready to learn.

In addition to allowing extended coverage of legal immigrant children, this initiative aims to provide Medicaid to pregnant women and disabled immigrants regardless of whether they participate in Social Security's Supplemental Security Income program. States would also become eligible for reimbursement of costs associated with providing institutional care for some elderly and disabled immigrants.

Another important issue addressed by this legislation is the exemption allowing legal immigrants who are victims of domestic abuse to receive assistance. At present, victims of domestic violence are restricted from receiving benefits during their first five years in the United States. These individuals are most vulnerable and should not be subjected to staying in a bad situation due to lack of resources.

In this legislation we attempt to diminish the arbitrary cutoff date used in the 1996 welfare law to determine the eligibility of legal immigrants to benefits they desperately need. Our nation was built by people who came to our shores seeking opportunity and a better life, and America has greatly

benefitted from the talent, resourcefulness, determination, and work ethic of many generations of legal immigrants. Time and time again, they have restored our faith in the American Dream. We should not discriminate between these important members of our community based on nothing more than an arbitrary date.

I hope that with the help of my colleagues in Congress we will be able to rectify the discrimination suffered by individuals who have legally entered our country, who pay taxes, who serve in the military, and who add to the fabric of this nation. As our nation enters what promises to be a dynamic century, the United States needs a prudent, fair immigration policy to ensure that avenues of refuge and opportunity remain open for those seeking freedom, justice, and a better life.

Mr. LEAHY. Mr. President, I am proud to join Senator MOYNIHAN as an original cosponsor of the Fairness for Legal Immigrants Act of 1999. This bill takes the next, important step toward restoring benefits to legal immigrants.

Legal immigrants are people in our communities who are in this country legally. They pay taxes and they contribute to our economy and society. Many of our parents, or grandparents, were legal immigrants themselves. The 1996 welfare reform law forced this group to lose their eligibility for various programs, including food stamps, Medicaid and SSI. More than 900,000 legal immigrants—including hundreds of thousands of children and elderly individuals—were cut from the Food Stamp Program alone, with nothing to abate their hunger.

In the years since the passage of the welfare reform act, Congress has correctly realized that many of the cuts went too far, and slowly benefits are being restored. For instance, the 1997 Balanced Budget Act restored SSI and Medicaid benefits to a narrow class of immigrants, refugees and asylees.

Last Congress, I worked hard to include $818 million in the Agricultural Research, Extension, and Education Reauthorization Act to restore food stamp benefits for thousands of legal immigrants. This legislation restored food stamps to legal immigrants who are disabled or elderly, or who later become disabled, and who resided in the United States prior to August 22, 1996. That law also increased food stamp eligibility time limits—from 5 years to 7 years—for refugees and asylees who came to this country to avoid persecution. Hmong refugees who aided U.S. military efforts in Southeast Asia were also covered, as were children residing in the United States prior to August 22, 1996.

Though the Agriculture Research Act restored food stamp eligibility to children of legal immigrants, many of these children are not receiving food stamps and are experiencing alarming instances of hunger. In its recent report entitled ''Who is Leaving the Food Stamp Program? An Analysis of Caseload Changes from 1994 to 1997,'' the U.S. Department of Agriculture reported that participation among children living with parents who are legal immigrants fell significantly faster than children living with native-born parents. It appears that restrictions on adult legal immigrants deterred the participation of their children. That is a disturbing development that must be rectified, and the legislation we are introducing today would go a long way toward making the situation right by restoring food stamp eligibility to all legal immigrants.

The Fairness for Legal Immigrants Act of 1999 would also address the medical needs of legal immigrants. This bill will permit states to offer Medicaid coverage to all eligible legal immigrant pregnant women and children, as well as certain ''medically needy'' disabled legal immigrants. This legislation would also restore SSI eligibility to elderly and poor legal immigrants who were in this country prior to passage of the welfare reform law.

Under current law, legal immigrants who suffer from domestic or elder abuse must wait 5 years to receive Medicaid, TANF, SSI and food stamp benefits if they entered the United States after August 1996. The Fairness for Legal Immigrants Act of 1999 would amend this law so that these victims would not have to wait to receive assistance.

I am proud to cosponsor the Fairness for Legal Immigrants Act of 1999. It is a needed bill that will help fill some of the continuing gaps left by the welfare reform law. I look forward to working with Senator MOYNIHAN and all members of the Senate to restore Medicaid, SSI, and food stamp benefits to legal immigrants in need.

By Mr. MCCAIN (for himself, Mr. HOLLINGS, Mr. FRIST, Mr. BURNS, and Mr. BREAUX):

S. 795. A bill to amend the Fastener Quality Act to strengthen the protection against the sale of mismarked, misrepresented, and counterfeit fasteners and eliminate unnecessary requirements, and for other purposes; to the Committee on Commerce, Science, and Transportation.

THE FASTENER QUALITY ACT AMENDMENTS ACT OF 1999

Mr. MCCAIN. Mr. President, I rise to introduce the Fastener Quality Act Amendments Act of 1999. This bill represents major revisions to the original Fastener Quality Act as passed in 1990.

Every year billions of special high-strength bolts, screws, and other fasteners are sold in the United States which carry grade identification markings. The markings indicate that the fasteners conform to specifications set by consensus standards organizations. These grade-marked fasteners are used in critical applications like aircraft, automobiles, and highway bridges where failure of a fastener could jeopardize public safety.

In 1998, the Congress passed legislation (P.L. 105–234) delaying implementation of the Fastener Quality Act to allow the Secretary of Commerce to conduct a review of changes in fastener manufacturing processes and the existence of other regulatory programs covering fasteners. The review was submitted to the Congress on February 24, 1999, in coordination with several other Federal agencies which have public safety responsibilities including the Defense Industrial Supply Center, the National Highway Traffic Safety Administration, the Federal Aviation Administration, and National Aeronautics and Space Administration.

This bill reflects the findings and recommendations of that report. The bill's content further represents discussions between both the Senate Commerce Committee and the House Science Committee, the Department of Commerce, and private industry representatives. Mr. President, let me note that if these revisions to the Fastener Quality Act are not implemented into law by June 24 of this year, the Secretary of Commerce will have no other choice but to implement the Act as originally passed in 1990. Therefore, several of the nation's key industries may be brought to a halt due to lack of certified fasteners. The impact of such a slow down would be disastrous both economically and in terms of continuous flow of products and services to maintain our current way of life.

The bill defines fasteners as ''a metallic screw, nut, bolt, or stud having internal or external threads, with a nominal diameter of one-fourth inch or greater, or a load-indicating washer, that is through-hardened or represented as meeting through-hardening, and that is grade identification marked or represented as meeting a consensus standard that requires grade identification marking.'' This definition substantially reduces the scope of covered fasteners under the Act.

The bill also establishes a hotline in which the public may notify the Department of Commerce of alleged violations of the Fastener Quality Act. It requires record keeping for a period of five years, instead of the previous ten years, via both traditional and electronic means.

To address current inventory concerns, the Act will be applicable only to fasteners fabricated 180 days after the enactment of this bill.

Furthermore, in cases of fasteners manufactured to a consensus standard or standards that require end-of-line testing, the testing is to be performed by an accredited laboratory. This accredited laboratory requirement shall not take effect until two years after enactment of this Act.

Therefore, I, along with my co-sponsors, urge the members of this body to support this bill and to provide the needed legislation which will allow several key industries in this country continuous operation in a safe and responsible manner.

By Mr. DOMENICI (for himself, Mr. WELLSTONE, Mr. CHAFEE,

Mr. SPECTER, Mr. REID, Mr. SARBANES, and Mr. KENNEDY):

S. 796. A bill to provide for full parity with respect to health insurance coverage for certain severe biologically-based mental illnesses and to prohibit limits on the number of mental illness-related hospital days and outpatient visits that are covered for all mental illnesses; to the Committee on Health, Education, Labor, and Pensions.

MENTAL HEALTH EQUITABLE TREATMENT ACT OF 1999

Mr. DOMENICI. Mr. President, today I rise with great pleasure to introduce the Mental Health Equitable Treatment Act of 1999. I also thank Senator WELLSTONE, my cosponsor, and the other Senators who have already joined me in an effort to make this case. This will say to the insurance companies and the businesses of America, unless they have 25 or fewer employees, their insurance coverage of their employees and their employees' families, if there is going to be mental illness or mental disease coverage, they will have to, as to severe illnesses, have coverage with full parity. As to other mental illnesses, they will have to stop trying to get around the parity law by cutting some of the copays and the like. This will prohibit that.

Essentially, we are going to take a piece of America that is currently discriminated against in health care because those Americans do not have a disease that is a disease of the heart but have a disease of the brain. We now can define it sufficiently that there is no reason to cover one and not the other, and in the process we will stop discriminating against about 10 million American families.

Mr. President, I rise today with great pleasure and excitement to introduce the Mental Health Equitable Treatment Act of 1999. I would also like to thank Senator WELLSTONE for once again joining me to cosponsor this important piece of legislation.

The human brain is the organ of the mind and just like the other organs of our body, it is subject to illness. And just as illnesses to our other organs require treatment, so too do illnesses of the brain.

Medical science is in an era where we can accurately diagnose mental illnesses and treat those afflicted so they can be productive. I would ask then, why with this evidence would we not cover these individuals and treat their illnesses like any other disease?

We should not. So, I would submit there should not be a difference in the coverage provided by insurance companies for mental health benefits and medical benefits.

The introduction of this bill marks a historic opportunity for us to take the next step toward mental health parity. As my colleagues know, this is an issue I have a long involvement with and I would like to begin with a few observations.

I believe that we have made great strides in providing parity for the coverage of mental illness. However, mental illness continues to exact a heavy toll on many, many lives.

Even though we know so much more about mental illness, it can still bring devastating consequences to those it touches; their families, their friends, and their loved ones. These individuals and families not only deal with the societal prejudices and suspicions hanging on from the past, but they also must contend with unequal insurance coverage.

I would submit the Mental Health Parity Act of 1996 is a good first start, but the act is also not working. While there may be adherence to the letter of the law, there are certainly violations of the spirit of the law. For instance, ways are being found around the law by placing limits on the number of covered hospital days and outpatient visits.

That is why I believe it is time for a change.

Some will immediately say we cannot afford it or that inclusion of this treatment will cost too much. But, I would first direct them to the results of the Mental Health Parity Act of 1996. That law contains a provision allowing companies to no longer comply if their costs increase by more than 1 percent.

And do you know how many companies have opted out because their costs have increased by more than 1 percent? Only four companies out of all the companies throughout the country.

Mr. President, with that in mind I would like to share a couple of facts about mental illness with my colleagues:

Within the developed world, including the United States, 4 of the 10 leading causes of disability for individuals over the age of 5 are mental disorders.

In the order of prevalence the disorders are major depression, schizophrenia, bipolar disorder, and obsessive compulsive disorder.

Disability always has a cost and the direct cost to the United States per year for respiratory disease is $99 billion, cardiovascular disease is $160 billion, and finally $148 billion for mental illness.

One in every five people—more than 40 million adults—in this Nation will be afflicted by some type of mental illness.

Nearly 7.5 million children and adolescents, or 12 percent, suffer from one or more mental disorders.

Schizophrenia alone is 50 times more common than cystic fibrosis, 60 times more common than muscular dystrophy and will strike between 2 and 3 million Americans.

Let us also look at the efficacy of treatment for individuals suffering from certain mental illnesses, especially when compared with the success rates of treatments for other physical ailments. For a long time, many who are in this field—especially on the insurance side—have behaved as if you get far better results for angioplasty then you do for treatments for bipolar illness.

Treatment for bipolar disorders—this is, those disorders characterized by extreme lows and extreme highs—have an 80-percent success rate if you get treatment, both medicine and care. Schizophrenia, the most dreaded of mental illnesses, has a 60-percent success rate in the United States today if treated properly. Major depression has a 65-percent success rate.

Let's compare those success rates to several important surgical procedures that everybody thinks we ought to be doing: Angioplasty has a 41-percent success rate; atherectomy has a 52-percent success rate.

I would now like to take a minute to discuss the Mental Health Equitable Treatment Act of 1999. The bill seeks a very simple goal: (1) provide full parity for severe biologically based mental illnesses; (2) prohibit limits on the number of covered hospital days and outpatient visits; and (3) eliminate the Mental Health Parity Act's sunset provision.

The bill would provide full parity for the following mental illnesses: schizophrenia, bipolar disorder, major depression, obsessive compulsive and severe panic disorders, posttraumatic stress disorder, autism, and other severe and disability mental disorders.

Like the Mental Health Parity Act of 1996, the bill does not require a health plan to provide coverage for alcohol and substance abuse benefits. Moreover, the bill does not mandate the coverage of mental health benefits, rather the bill only applies if the plan already provides coverage for mental health benefits.

In conclusion, the bill expands full parity to those suffering from a severe biologically based mental illness and it closes a loophole in the Mental Health Parity Act of 1996 by prohibiting limits on the number of covered hospital days and outpatient visits and I would urge my colleagues to support this important piece of legislation.

Mr. President, I ask unanimous consent that the text of the bill and additional material be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 796

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 ''Mental Health Equitable Treatment Act of 1999''.

SEC. 2. AMENDMENTS TO THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.

(a) IN GENERAL.—Section 712 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1185a) is amended—

(1) in subsection (a), by adding at the end the following:

''(3) HOSPITAL DAY AND OUTPATIENT VISIT LIMITS.—In the case of a group health plan (or health insurance coverage offered in connection with such a plan) that provides both

medical and surgical benefits and mental health benefits—

''(A) NO INPATIENT LIMITS.—If the plan or coverage does not include a limit on the number of days of coverage provided for inpatient hospital stays in connection with covered medical and surgical benefits, the plan or coverage may not impose any limit on inpatient hospital stays for mental health benefits.

''(B) CERTAIN INPATIENT LIMITS.—If the plan or coverage includes a limit on the number of days of coverage provided for inpatient hospital stays in connection with certain covered medical and surgical benefits, the plan or coverage may impose comparable limits on inpatient hospital stays for mental health benefits.

''(C) NO OUTPATIENT LIMITS.—If the plan or coverage does not include a limit on the number of outpatient visits in connection with covered medical and surgical benefits, the plan or coverage may not impose any limit on the number of outpatient visits for mental health benefits.

''(D) CERTAIN OUTPATIENT LIMITS.—If the plan or coverage includes a limit on the number of outpatient visits in connection with certain covered medical and surgical benefits, the plan or coverage may impose comparable limits on the number of outpatient visits for mental health benefits.

''(4) SEVERE MENTAL ILLNESS.—In the case of a group health plan (or health insurance coverage offered in connection with such a plan) that provides medical and surgical benefits and mental health benefits, such plan or coverage shall not impose any limitations on the coverage of benefits for severe biologically-based mental illnesses unless comparable limitations are imposed on medical and surgical benefits.'';

(2) by striking subsection (b) and inserting the following:

''(b) CONSTRUCTION.—

''(1) IN GENERAL.—Nothing in this section shall be construed—

''(A) as requiring a group health plan (or health insurance coverage offered in connection with such a plan) to provide any mental health benefits; or

''(B) in the case of a group health plan (or health insurance coverage offered in connection with such a plan) that provides mental health benefits, as affecting the terms and conditions (including cost sharing and requirements relating to medical necessity) relating to the amount, duration, or scope of mental health benefits under the plan or coverage, except as specifically provided in subsection (a) (in regard to parity in the imposition of aggregate lifetime limits and annual limits and limits on inpatient stays or outpatient visits for mental health benefits).

''(2) CARE, TREATMENT, AND DELIVERY OF SERVICES.—Nothing in this subpart shall be construed to prohibit the provision of care or treatment, or delivery of services, relating to mental health services, by qualified health professionals within their scope of practice as licensed or certified by the appropriate State or jurisdiction.'';

(3) in subsection (c)—

(A) by striking paragraph (2); and

(B) in paragraph (1)—

(i) by striking subparagraphs (A) and (B) and inserting the following:

''(A) IN GENERAL.—This section shall not apply to any group health plan (and group health insurance coverage offered in connection with a group health plan) for any plan year of any employer who employed an average of at least 2 but not more than 25 employees on business days during the preceding calendar year.'';

(ii) by redesignating subparagraphs (A) and (C) as paragraphs (1) and (2), respectively, and realigning the margins accordingly; and

(iii) in paragraph (2) (as so redesignated), by redesignating clauses (i) through (iii) as subparagraphs (A) through (C), respectively;

(4) in subsection (e), by adding at the end the following:

''(5) SEVERE BIOLOGICALLY-BASED MENTAL ILLNESS.—The term 'severe biologically-based mental illness' means an illness that medical science in conjunction with the Diagnostic and Statistical Manual of Mental Disorders (DSM IV) affirms as biologically based and severe, including schizophrenia, bipolar disorder, major depression, obsessive compulsive and panic disorders, posttraumatic stress disorder, autism, and other severe and disabling mental disorders such as anorexia nervosa and attention-deficit/hyper activity disorder.''; and

(5) by striking subsection (f).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to plan years beginning on or after January 1, 2000.

SEC. 3. AMENDMENTS TO THE PUBLIC HEALTH SERVICE ACT RELATING TO THE GROUP MARKET.

(a) IN GENERAL.—Section 2705 of the Public Health Service Act (42 U.S.C. 300gg-5) is amended—

(1) in subsection (a), by adding at the end the following:

''(3) HOSPITAL DAY AND OUTPATIENT VISIT LIMITS.—In the case of a group health plan (or health insurance coverage offered in connection with such a plan) that provides both medical and surgical benefits and mental health benefits—

''(A) NO INPATIENT LIMITS.—If the plan or coverage does not include a limit on the number of days of coverage provided for inpatient hospital stays in connection with covered medical and surgical benefits, the plan or coverage may not impose any limit on inpatient hospital stays for mental health benefits.

''(B) CERTAIN INPATIENT LIMITS.—If the plan or coverage includes a limit on the number of days of coverage provided for inpatient hospital stays in connection with certain covered medical and surgical benefits, the plan or coverage may impose comparable limits on inpatient hospital stays for mental health benefits.

''(C) NO OUTPATIENT LIMITS.—If the plan or coverage does not include a limit on the number of outpatient visits in connection with covered medical and surgical benefits, the plan or coverage may not impose any limit on the number of outpatient visits for mental health benefits.

''(D) CERTAIN OUTPATIENT LIMITS.—If the plan or coverage includes a limit on the number of outpatient visits in connection with certain covered medical and surgical benefits, the plan or coverage may impose comparable limits on the number of outpatient visits for mental health benefits.

''(4) SEVERE MENTAL ILLNESS.—In the case of a group health plan (or health insurance coverage offered in connection with such a plan) that provides medical and surgical benefits and mental health benefits, such plan or coverage shall not impose any limitations on the coverage of benefits for severe biologically-based mental illnesses unless comparable limitations are imposed on medical and surgical benefits.'';

(2) by striking subsection (b) and inserting the following:

''(b) CONSTRUCTION.—

''(1) IN GENERAL.—Nothing in this section shall be construed—

''(A) as requiring a group health plan (or health insurance coverage offered in connection with such a plan) to provide any mental health benefits; or

''(B) in the case of a group health plan (or health insurance coverage offered in connection with such a plan) that provides mental health benefits, as affecting the terms and conditions (including cost sharing and requirements relating to medical necessity) relating to the amount, duration, or scope of mental health benefits under the plan or coverage, except as specifically provided in subsection (a) (in regard to parity in the imposition of aggregate lifetime limits and annual limits and limits on inpatient stays or outpatient visits for mental health benefits).

''(2) CARE, TREATMENT, AND DELIVERY OF SERVICES.—Nothing in this part shall be construed to prohibit the provision of care or treatment, or delivery of services, relating to mental health services, by qualified health professionals within their scope of practice as licensed or certified by the appropriate State or jurisdiction.'';

(3) by striking subsection (c) and inserting the following:

''(c) EXEMPTION.—This section shall not apply to any group health plan (and group health insurance coverage offered in connection with a group health plan) for any plan year of any employer who employed an average of at least 2 but not more than 25 employees on business days during the preceding calendar year.'';

(4) in subsection (e), by adding at the end the following:

''(5) SEVERE BIOLOGICALLY-BASED MENTAL ILLNESS.—The term 'severe biologically-based mental illness' means an illness that medical science in conjunction with the Diagnostic and Statistical Manual of Mental Disorders (DSM IV) affirms as biologically based and severe, including schizophrenia, bipolar disorder, major depression, obsessive compulsive and panic disorders, posttraumatic stress disorder, autism, and other severe and disabling mental disorders such as anorexia nervosa and attention-deficit/hyper activity disorder.''; and

(5) by striking subsection (f).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to plan years beginning on or after January 1, 2000.

SEC. 4. PREEMPTION.

Nothing in the amendments made by this Act shall be construed to preempt any provision of State law that provides protections to enrollees that are greater than the protections provided under such amendments.

MENTAL HEALTH EQUITABLE TREATMENT ACT OF 1999—SUMMARY

The Bill seeks to ensure greater parity in the coverage of mental health benefits by prohibiting limits on the number of covered hospital days and outpatient visits for all mental illnesses and providing full parity for specified severe adult and child mental illnesses.

The Bill only applies to group health plans already providing mental health benefits.

PROHIBITION ON DAY AND VISIT LIMITS FOR ALL MENTAL ILLNESSES

Expands the Mental Health Parity Act of 1996 (MHPA) to include parity for the number of covered hospital days and outpatient visits for all mental illnesses.

FULL PARITY FOR SEVERE BIOLOGICALLY-BASED MENTAL ILLNESSES

Provides full parity for the following severe biologically-based mental illnesses: schizophrenia, bipolar disorder, major depression, obsessive compulsive and severe panic disorders, post traumatic stress disorder, autism, and other severe and disabling mental disorders such as, anorexia nervosa and attention-deficit/hyperactivity disorder.

The term ''severe biologically-based mental illness'' means the above illnesses as defined by current medical science in conjunction with the Diagnostic and Statistical Manual of Mental Disorders (DSM IV).

REQUIREMENTS AND EXEMPTIONS

Elimination of the September 30, 2001 sunset provision in the MHPA.

Like the MHPA the bill does not require plans to provide coverage for benefits relating to alcohol and drug abuse.

There is a small business exemption for companies with 25 or fewer employees.

Mr. WELLSTONE. Mr. President, today I rise to introduce the Mental Health Equitable Treatment Act of 1999, a bit that will ensure that private health insurance companies provide the same level of coverage for mental illness as they do for other diseases. This bill will be a major step toward ending the discrimination against people who suffer from mental illness.

For too long, mental illness has been stigmatized, or viewed as a character flaw, rather than as the serious disease that it is. A cloak of secrecy has surrounded this disease, and people with mental illness are often ashamed and afraid to seek treatment, for fear that they will be seen as admitting a weakness in character. We have all seen portrayals of mentally ill people as somehow different, as dangerous, or as frightening. Such stereotypes only reinforce the biases against people with mental illness. Can you imagine this type of portrayal of someone who has a cardiac problem, or who happens to carry a gene that predisposes them to diabetes?

Although mental health research has well-established the biological, genetic, and behavioral components of many of the forms of serious mental illness, the illness is still stigmatized as somehow less important or serious than other illnesses. Too often, we try to push the problem away, deny coverage, or blame those with the illness for having the illness. We forget that someone with mental illness can look just like the person we see in the mirror, or the person who is sitting next to us on a plane. It can be our mother, or brother, or son, or daughter. It can be one of us. We have all known someone with a serious mental illness, within our families or our circle of friends, or in public life. Many people have courageously come forward to speak about their personal experiences with their illness, to help us all understand better the effects of this illness on a person's life, and I commend them for their courage.

The statistics concerning mental illness, and the state of health care coverage for adults and children with this disease are startling, and disturbing.

One severe mental illness affecting millions of Americans is major depression. The National Institute of Mental Health, a NIH research institute, within the U.S. Department of Health and Human Services, describes serious depression as a critical public health problem. More than 18 million people in the United States will suffer from a depressive illness this year, and many will be unnecessarily incapacitated for weeks or months, because their illness goes untreated. The cost to the Nation in 1990 was estimated to be between $30–$44 billion. The suffering of depressed people and their families is immeasurable.

Depressive disorders are not the normal ups and downs everyone experiences. They are illnesses that affect mood, body, behavior, and mind. Depressive disorders interfere with individual and family functioning. Without treatment, the person with a depressive disorder is often unable to fulfill the responsibilities of spouse or parent, worker or employer, friend or neighbor.

Available medications and psychological treatments, alone or in combination, can help 80 percent of those with depression. But without adequate treatment, future episodes of depression may continue or worsen in severity. Yet, the steady decline in the quality and breadth of health care coverage is truly disturbing.

The results of a major survey of employer-provided health plans was published in 1998 by the Hay Group, an independent benefits consulting firm. The Hay Report showed a major decline in benefits in the last decade:

Employer-provided mental health benefits decreased 54%—while benefits for general health decreased only 7%;

Even before this erosion occurred, mental health benefits made up only 6% of total medical benefits paid by employers. Today—that has been cut in half—it is down to 3%;

The number of plans restricting hospitalization for mental disorders increased by 20%;

Descriptions of benefit limits themselves are misleading. Although plans may say that they allow 30 days for hospitalization, this is rarely approved. In 1996, the average length of stay was 8½ days, down from 17 in 1991.

In 1988, most insurance plans allowed 50 therapy sessions per years. In 1997, the average number was 20.

A 1998 study published by Health Affairs found that between 1991 and 1995, HMO enrollees were twice as likely to encounter limits on psychiatric visits, and about three times as likely to have separate, and higher, copayments than for general medical health care.

No one, of course, expects coverage of any illness to cost nothing. But what we do know is that fears of spiraling costs for mental health treatment are unfounded. Studies from HHS that have examined the effects of mental health and substance abuse treatment parity have shown that full parity for these benefits would be just slightly higher than current premiums. Most reports, like the one requested by Congress from the National Advisory Mental Health Counsel, showed that when mental health coverage is managed, either moderately or tightly, that premium increases can be as low as 1%.

These costs are so low. And the cost of NOT treating is so high—especially when one looks at the toll that untreated mental illness takes on individuals, families, employers, corporations, social service systems, and criminal justice systems. I have seen first hand in the juvenile corrections system what happens when mental illness is criminalized, when youth with mental illness are incarcerated for exhibiting symptoms of their illness. To treat ill people as criminals is outrageous is outrageous and immoral. We must make treatment for this illness as available and as routine as treatment for any other disease. The discrimination must stop.

Our bill includes parity for hospital day and outpatient visits for all mental illnesses. Additionally, for many of the most severe adult and child mental illnesses, the bill establishes full parity, i.e., parity for copayments, deductibles, hospital day, and outpatient visit benefits. The bill also provides protection for non-physician providers, and for states with stronger parity bills; it also includes a small business exemption, and eliminates the sunset provision and the 1% exemption from the 1996 Mental Health Parity Act. Covered services include inpatient treatment; non-hospital residential treatment; outpatient treatment, including screening and assessment, medication management, individual, group and family counseling; and prevention services, including health education and individual and group counseling to encourage the reduction of risk factors for mental illness.

The Mental Health Equitable Treatment Act of 1999 provides for major improvements in coverage for mental illness by private health insurers. It does not require that mental health benefits be part of a health benefits package, but establishes a requirement for parity in coverage for those plans that offer mental health benefits. This bill goes a long way toward our bipartisan goal: that mental illness be treated like any other disease in health care coverage.

Mr. President, the Mental Health Equitable Treatment Act of 1999 is designed to take a large step toward ending the suffering of those with mental illness who have been unfairly discriminated against in their health coverage. We must end this discrimination.

Mr. CHAFEE. Mr. President, I am pleased to join my colleagues, Senators DOMENICI and WELLSTONE, in introducing the Mental Health Equitable Treatment Act of 1999, and I applaud them for their leadership on this issue. This legislation is an important step towards ensuring that people with mental illness have access to the care they need.

For too long, insurance plans have treated patients with mental illnesses differently than those with physical illnesses. However, research has proven the biological origins of mental illness. It is now time to bring coverage of mental illness into the 20th century. There is no rational basis for excluding or limiting coverage for such conditions; doing so is patently discriminatory. Enactment of the Mental Health Parity Act in 1996, which I cosponsored,

was the first step in correcting this disparity. This legislation builds upon the 1996 law by adding some important new protections.

In my home state of Rhode Island, over 28,000 people are suffering from severe mental illnesses such as schizophrenia, bipolar disorder and major depression. These disorders can be as threatening to the health of the patient as physical illnesses, such as cancer or AIDS. Discriminatory coverage restrictions or cost-sharing requirements—such as limits on the number of therapy visits or disparate co-payments—place an undue hardship on these patients at a time when they require medical care.

If left untreated, mental illnesses can result in more serious disability or even death. This legislation takes another step in helping to prevent such tragedies. I hope we one day will be able to end discrimination in the coverage of all mental illnesses. I urge my colleagues to support this measure.

By Mr. ASHCROFT:

S. 797. A bill to apply the Foreign Corrupt Practices Act of 1977 to the International Olympic Committee; to the Committee on Banking, Housing, and Urban Affairs.

INTERNATIONAL OLYMPIC COMMITTEE INTEGRITY ACT OF 1999

Mr. ASHCROFT. Mr. President, for decades Americans have watched with awe and amazement at the invigorating achievements of the world's Olympic athletes. When Gail Devers and Wendy Williams won Olympic medals, they inspired their hometown of Bridgeton, Missouri. When Nikki Ziegelmeyer won a speed skating Olympic medal, her hometown of Imperial Missouri cheered. And when Ray Armstead helped win the 4 by 400 meter relay, St. Louis was proud of its native son.

Gail, Wendy, Nikki and Ray won through sheer talent, toil and sweat. They pursued Olympic fame with honor and integrity, competed fairly, and won with dignity. Their athletic grace on the world stage helped spark dreams of future Olympic glory in young people today.

But now the Olympic torch has been dimmed, and the five Olympic rings have been tarnished by bribes and graft given to secure victory at any price. The victory pursued with moneyed vengeance was not in athletic competition. In this scandal, the Olympic athletes are the innocents, yet the scandal tarnishes their achievement. The villains at ground zero are those who decided where the games were to be played and those who hosted or will host the games. Such irony: Scandal torches the competition to host the world's most competitive and honorable games.

The facts are bleak—in their attempts to land the 2002 Olympics, leaders of the Salt Lake City Olympic Committee spent $4 million on gifts, scholarships, cash payments and other inducements for International Olympic Committee members; allegations by senior Olympic officials have raised questions about payments that may have been made to influence the selection of other Olympic cities; the Justice Department has launched a criminal investigation into payments by Salt Lake City Olympic Officials; an independent investigation conducted by former Senator George Mitchell and former White House Chief of Staff Ken Duberstein concluded that receipt of ''valuables'' by International Olympic Committee members has become ''widespread, notorious, continuous, unchecked and ingrained in the way Olympic business is done.''; and the International Olympic Committee has expelled six of its members for corruption.

Now that these problems have been exposed to the world, the question is what should be done to stop this bribery from destroying the Olympic movement.

Today, Senator MCCAIN took a step in the right direction by convening a hearing in the Senate Commerce Committee. I regret the decision by the President of the International Olympic Committee, Juan Antonio Samaranch, to not attend that hearing. And I take exception with the comments of one of the IOC witnesses who told the Associated Press, and I quote, ''What I'm afraid is that they're doing it for political advantage and not for the benefit of anybody except for themselves. They just get on a soap box and preach their righteousness.''

Well, it is crystal clear to me that Congress should, for our Olympic athletes and the hometowns they represent, use soap and scrubbing and scrutiny to clean up this mess.

Mr. President, today I am introducing legislation that is a vital step in restoring integrity to the IOC host city bidding process. The International Olympic Committee Integrity Act will expand the coverage of the Foreign Corrupt Practices Act to include the IOC. The FCPA prohibits U.S. businesses from offering bribes or kickbacks to foreign officials. The U.S. Olympic Committee has asked President Clinton to issue an executive order to cover the IOC under the FCPA. To date, the President has not done so. My bill accomplishes what the U.S. Olympic Committee has requested and that is to outlaw the gifts and payments such as those that have been made in the past to International Olympic Committee officials.

In addition, I am keeping open the option of removing the federal tax deduction that federal tax law provides for contributions made to the International Olympic Committee. I will review the testimony of IOC witnesses from today's Commerce Committee hearing before making a final decision.

In closing, Mr. President, we should give credit where it is due. When faced with a serious mistake that has been made, a test of character is whether you do the next right thing. Once the Salt Lake City problem was discovered, officials at the U.S. Olympic Committee responded quickly. The USOC asked for the Mitchell-Duberstein investigation I mentioned earlier. The USOC has implemented a series of internal and external reforms of procedures used to apply for hosting the Olympic Games. The USOC has strengthened ethics rules, and created a compliance officer to monitor U.S. bid cities. And, in the future, all honoraria received by committee members must be forfeited to the group's chief financial officer.

We have much more to do in order to restore confidence and dignity to the Olympics. I urge my colleagues to join me in support of the International Olympic Committee Integrity Act. We owe it to Gail Devers, Wendy Williams, Nikki Ziegelmeyer, Ray Armstead and all future Olympic athletes.

By Mr. MCCAIN (for himself, Mr. BURNS, Mr. WYDEN, Mr. LEAHY, Mr. ABRAHAM, and Mr. KERRY):

S. 798. A bill to promote electronic commerce by encouraging and facilitating the use of encryption in interstate commerce consistent with the protection of national security, and for other purposes; to the Committee on Commerce, Science, and Transportation.

INTRODUCTION OF THE ''PROTECT'' ACT

Mr. BURNS. Mr. President, as the Members of the Senate know, for several years I have advocated the enactment of legislation that would facilitate the use of strong encryption. Beginning in the 104th Congress, I have introduced legislation that would ensure that the private sector continues to take the lead in developing innovative products to protect the security and confidentiality of our electronic information including the ability to export such American products.

I am pleased to rise today to introduce with my Chairman, Senator MCCAIN, the PROTECT ACT of 1999 (Promote Reliable On Line Transactions To Encourage Commerce and Trade). The bill reflects a number of discussions we have had this year about the importance of encryption in the digital age to promote electronic commerce, secure our confidential business and sensitive personal information, prevent crime and protect our national security by protecting the commercial information systems and electronic networks upon which America's critical infrastructures increasingly rely. I am extremely pleased to join with him in introducing this important legislation.

While this bill differs in important respects from the PRO-CODE legislation I introduced in the previous Congress, I do think it accomplishes a number of very important objectives. Specifically, the bill:

Prohibits domestic controls;

Guarantees that American industry will continue to be able to come up with innovative products;

Immediately decontrols encryption products using key lengths of 64 bits or less;

Permits the immediate exportability of 128 bit encryption in recoverable encryption products and in all encryption products to a broad group of legitimate and responsible commercial users and to users in allied countries;

Recognizes the futility of unilateral export controls on mass market products and where there are foreign alternatives and so permits the immediate exportability of strong encryption products whenever a public-private advisory board and the Secretary of Commerce determines that they are generally available, publicly available, or available from foreign suppliers;

Directs NIST to complete establishment of the Advanced Encryption Standard with 128 bit key lengths (the DES successor) by January 1, 2002 (and ensures that it is led by the private sector and open to public comment); and

Decontrols thereafter products incorporating the AES or its equivalent.

Today, we are in a world that is characterized by the fact that nearly everyone has a computer and that those computers are, for the most part, connected to one another. In light of that fact, it is becoming more and more important to ensure that our communications over these computer networks are conducted in a secure way. It is no longer possible to say that when we move into the information age, we'll secure these networks, because we are already there. We use computers in our homes and businesses in a way that couldn't have been imagined 10 years ago, and these computers are connected through networks, making it easier to communicate than ever before. This phenomenon holds the promise of transforming life in States like Montana, where health care and state-of-the-art education can be delivered over networks to people located far away from population centers. These new technologies can improve the lives of real people, but only if the security of information that moves over these networks is safe and reliable.

The problem today is that our computer networks are not as secure as they could be; it is fairly easy for amateur hackers to break into our networks. They can intercept information; they can steal trade secrets and intellectual property; they can alter medical records; the list is endless. One solution to this, of course, is to let individuals and businesses alike to take steps to secure that information. Encryption is one technology that accomplishes that.

I am proud that today I have been able to join with Senator MCCAIN to introduce this legislation which will enable Americans to use the Internet with confidence and security.

Mr. LEAHY. Mr. President, this is the third Congress in which I have introduced and sponsored legislation to update our country's encryption policies. My objective has been to bolster the competitive edge of our Nation's high-tech companies, allow Americans to protect their online and electronically stored confidential information, trade secrets and intellectual property, and promote global electronic commerce. I am pleased to join Senators MCCAIN, WYDEN and BURNS, in this continuing effort with the ''Promote Reliable On-Line Transactions to Encourage Commerce and Trade (PROTECT) Act of 1999.''

In May 1996, I chaired a hearing on the Administration's ill-fated Clipper Chip key escrow encryption program that drove home the need for relaxed export controls on strong encryption. U.S. export controls on encryption technology were having a clear negative effect on the competitiveness of American hi-tech companies. Moreover, these controls were discouraging the use of strong encryption domestically since manufacturers generally made and marketed one product for both for export and for domestic use here. At that hearing I heard testimony about 340 foreign encryption products that were available worldwide—including for import into the United States—155 of which employed encryption in a strength that American companies were prohibited from exporting. That number has grown exponentially. As of December, 1997, there were 656 foreign encryption products available from 474 vendors in 29 different foreign countries.

American companies certainly do not enjoy a monopoly on encryption know-how. The U.S. Commerce Department's National Institute for Standard and Technology (NIST) is developing an Advanced Encryption Standard (AES) to update the U.S. Data Encryption Standard (DES), the current global encryption standard. Only 5 of the 15 AES candidate algorithms submitted to NIST for evaluation were proposed from American companies or individuals. The remaining proposals came from Australia, Canada, France, Germany, Japan, Korea, United Kingdom, Israel, Norway, and Belgium.

In the 104th Congress, I introduced encryption legislation on March 5, 1996, with Senators BURNS, Dole, MURRAY and others, to help Americans better protect their online privacy and allow American companies to compete more effectively in the global hi-tech marketplace. Specifically, the ''Encrypted Communications Privacy Act of 1996,'' S. 1587, would have relaxed export controls on strong encryption and promoted the widespread use of encryption to protect the security, confidentiality and privacy of online communications and stored electronic data. This bill would have legislatively confirmed the freedom of Americans to use and sell in the United States any encryption technology that most appropriately met their privacy and security needs. In addition, this bill would have relaxed export controls to allow the export of encryption products when comparable strength encryption was available from foreign suppliers, and encryption products that were generally available or in the public domain.

In the years since that bill was introduced, the Administration has made some positive changes in its export policies. In October 1996, the Administration allowed the export of 56-bit DES encryption by companies that agreed to develop key recovery systems. This policy was supposed to sunset in two years. I strongly criticized this policy at the time, warning that this ''sunset'' provision ''does not promote our high-tech industries overseas.'' In fact, when the time came last year to return to the old export regime that allowed the export of only 40-bit encryption, the Administration relented and continues to permit the export of 56-bit encryption, with the condition of developing encryption programs with recoverable keys.

The proposals I made in 1996 made sense then, and versions of these provisions are incorporated into the PROTECT Act today.

Specifically, the PROTECT Act would provide immediate relief by allowing the export of encryption using key lengths of up to 64 bits. In addition, stronger encryption (more than 64-bit key lengths) would be exportable under a license exception, upon determination by a new Encryption Export Advisory Board that the product or service is generally available, publicly available or a comparable product is available from a foreign supplier. This determination is subject to approval by the Secretary of Commerce and to override by the President on national security grounds.

This relief is important since the time and effort to crack 56-bit DES encryption is getting increasingly short. Indeed, earlier this year, a group of civilian computer experts broke a 56-bit encrypted message in less than 24 hours, beating a July 1998 effort that took 56 hours.

The breaking of 56-bit encryption comes as no surprise to those doing business, engaging in research, or conducting their personal affairs online. While 56-bit encryption may still serve as the global standard, this will not be the situation for much longer. 128-bit encryption is now the preferred encryption strength.

For example, in order to access online account information from the Thrift Savings Plan for Federal Employees, Members and congressional staff must use 128-bit encryption. If you use weaker encryption, a screen pops up to say ''you cannot have access to your account information because your Web browser does not have Secure Socket Layer (SSL) and 128-bit encryption (the strong U.S./Canada-only version).''

Likewise, the Department of Education has set up a Web site that allows prospective students to apply for student financial aid online. Significantly, the Education's Department

states that ''[t]o achieve maximum protection we recommend you use 128-bit encryption.''

These are just a couple examples of government agencies or associated organizations directing or urging Americans to use 128-bit encryption. We should assume that people in other countries are getting the same directions and recommendations. Unfortunately, while American companies can fill the demand for this strong encryption here, they are not permitted to sell it abroad for use by people in other countries.

Significantly, the PROTECT Act would permit the export of 128-bit (and higher) AES products by January 1, 2002. While not providing relief as quickly as I have urged in other encryption legislation, including the E-PRIVACY Act, S. 2067, in the last Congress, this bill moves in the right direction, and provides a sunset for unworkable encryption export controls. In my view, this bill would give most Internet users access to the strongest tools they need to protect their privacy starting in 2002—a long time by Net standards, but time our law enforcement and intelligence agencies say they need to address the global proliferation of strong encryption.

Encryption is a critical tool for Americans to protect their privacy and safeguard their confidential electronic information, such as credit card numbers, personal health information, or private messages, from online thieves and snoops. This is important to encourage the continued robust growth of electronic commerce. A March 1999 report of the Vermont Internet Commerce Research Project that I commissioned analyzed barriers to Internet commerce in my home State, and found that ''the strongest obstacle among consumers'' was the perceived lack of security.

Focusing on the export regime for encryption technology is only one aspect, albeit an important one, in the larger debate over how best to protect privacy in a digital and online environment. Legislation to provide encryption export relief is a start, but we also have important work to do in addressing broader privacy issues, such as establishing standards for law enforcement access to decryption assistance. I look forward to working with Senators MCCAIN, WYDEN and BURNS on passage of the PROTECT Act as well as other privacy legislation.

Mr. KERRY. Mr. President, today I join my esteemed colleagues, Senators MCCAIN, BURNS, WYDEN, LEAHY and ABRAHAM in introducing legislation that will encourage sales of US information technology products while at the same time protecting our national security interests. The Promote Reliable On-Line Transactions to Encourage Commerce and Trade (PROTECT) Act of 1999 is an important first step that recognizes that as the Internet becomes more of a presence in global commerce, there must be guarantees and assurances that business and personal information remains confidential. It also recognizes that the US companies are leaders in creating the technology that serves this vital purpose, and that these companies are integral to our growing economy.

United States information technology companies have been frustrated by what they perceive as too-stringent controls on the export of their encryption products. These controls have served a vital purpose in protecting national security interests. The realities of the marketplace and the technology sector, however, suggest that it time to loosen our grip somewhat on the export controls we impose. Although the US is the leader in producing high quality, strong encryption products, other countries also have the ability to produce comparable products. We must recognize this reality and understand that while export controls can slow the spread of encrypted products, they cannot stop it. Importantly, controls that do not recognize this reality put our software industry at a disadvantage as it tries to compete in the global market.

Nothing, of course, is more important than our national security. This legislation maintains strong guidelines to ensure that encryption technology is not sold to countries that pose a threat to our national security. It puts in place a number of reasonable checks to make certain that US encryption technology does not get into the wrong hands. At the same time, it takes into consideration that where encryption products are generally or publicly available, we should not unduly limit their sale to responsible entities in NATO, OECD or ASEAN countries. To do so would not only cause potential harm to US industry, but it could also have an unintended negative impact on our own security.

I applaud Senator MCCAIN for taking this first step towards resolving a complicated problem. As we work through this and other legislation that attempts to address the issue of encryption exports, I hope we can incorporate the best features into the strongest possible bill.

By Mr. CAMPBELL:

S. 799. A bill to amend the Internal Revenue Code of 1986 to modify the tax brackets, eliminate the marriage penalty, allow individuals a deduction for amounts paid for insurance for medical care, increase contribution limits for individual retirement plans and pensions, and for other purposes; to the Committee on Finance.

TAX RELIEF

Mr. CAMPBELL. Mr. President, today I offer an important piece of legislation. The bill I offer today, called the American Family Tax Relief Act of 1999, is a modest, but important tax relief package. This bill is important for both substantive and symbolic reasons. Substantively, this bill provides all Americans with needed tax relief. If the need for tax relief isn't yet apparent to everyone, tomorrow will remind all Americans of the need when they submit tax returns which reflect an ever larger percentage of their income going to the federal government.

This bill is also important as a symbol to the American public that Congress remains committed to the principle of a smaller federal government and lower taxes. We should not use the unusually good economic times we enjoy as an excuse to delay providing tax relief to hard-working American families. No, we should instead take this wonderful opportunity to recommit ourselves to fiscal discipline and responsibility.

We are already taking important steps in this regard by locking up the social security trust fund to ensure its solvency. We are also devoting a significant portion of the surplus to retiring publicly held debt, which will reduce the drain on federal spending for interest on this debt. The next step is to provide tax relief. This is a platform many of us have stood upon, and is therefore a pledge we must honor. If we can't provide tax cuts in good times, think how difficult it would be in bad times.

This bill I offer today has five different components: the largest component of this legislation would lower all individual income tax rates by 5%. Although this is substantially less than the 10% tax cut I have also supported, this modest reduction will more easily fit in the budget offsets after social security solvency and debt retirement have been addressed. By letting all Americans keep more of their income, they will be free to spend or save more of it. By now, we all know that the end result of this is a healthier, more robust economy.

The second component would expand the lowest income tax bracket, a targeted tax break for middle income tax payers. In addition to the 5% across the board reduction, many middle income earners would now fall into the lowest tax bracket, thereby paying even lower taxes than they would under the existing tax code.

Third, I would repeal the marriage penalty. Last year during my reelection campaign, I heard from hundreds of Coloradans asking me to repeal this offensive part of the tax code. I agree with all of them that we need a tax code that underscores the value we place on encouraging families, not one that discourages or penalizes marriage. This bill would do that.

Fourth, this bill would bring needed relief to many taxpayers by allowing the full deductibility of health insurance. Even folks who don't meet the minimum criteria needed to itemize their deductions, often single folks or lower income folks, could still deduct their health insurance. This is a critical step towards providing all Americans with health insurance coverage and reducing the cost of this critical component of modern life.

The last piece of this bill would encourage greater individual responsibility for retirement planning. By allowing a taxpayer to contribute more into an IRA without being taxed, more individuals will contribute more to their own retirement. The end result would be less reliance and less strain on Social Security and other entitlement programs. The more Congress can lead the way in weaning ourselves off of federal entitlements by encouraging individual retirement planning, the more government will shrink while increasing its efficiency.

I conclude by inviting my colleagues to take a good look at this bill and work with me on reasonable changes and to support its passage.

By Mr. BURNS (for himself, Mr. MCCAIN, Mr. DORGAN, and Mr. WYDEN):

S. 800. A bill to promote and enhance public safety through the use of 9–1–1 as the universal emergency assistance number, further deployment of wireless 9–1–1 service, support of States in upgrading 9–1–1 capabilities and related functions, encouragement of construction and operation of seamless, ubiquitous, and reliable networks for personal wireless services, and for other purposes; to the Committee on Commerce, Science, and Transportation.

E–911 ACT OF 1999

Mr. BURNS. Mr. President, I am here today to talk about some good news for a change. I want to introduce the ''E–911 Act of 1999.'' The purpose of this legislation is to improve 911. By linking some of the amazing innovations in wireless technology to 911 and medical and emergency response professionals we bring our 911 systems into the 21st century.

All kinds of technologies exist today that can greatly reduce response time to emergencies and help victims get the right kind of medical attention quickly. But right now these technologies are not connected in ways that can be used for emergencies. That's why this effort to upgrade our 911 systems across the nation is so important and necessary.

The National Highway Traffic Safety Administration has conducted studies showing that crash-to-care time for fatal accidents is about a half hour in urban areas. In rural areas, which covers most of my home state of Montana, that crash-to-care time almost doubles. On average, it takes just shy of an hour to get emergency attention to crash victims in rural areas. Almost half of the serious crash victims who do not receive care in that first hour die at the scene of the accident. That's a scary statistic.

In 1997 there were 37,280 fatal motor vehicle crashes in the United States—41,967 people died as a result. Of that number, 2,098 were children. Now obviously there is no piece of legislation that can instantly prevent these kinds of tragedies. But there are definitely things we can do to help reduce them. Upgrading our 911 response systems, which this legislation promotes, is a solid step toward preventing many horrible tragedies.

Drew Dawson, who is the director of the Montana Emergency Medical Services Bureau and the president of the National Association of State Emergency Medical Services Directors, strongly supports the Wireless Communications and Public Safety Act of 1999. He tells me that the bill will help bring better wireless 911 coverage to Montana and will enhance our statewide Trauma Care System. Mr. Dawson believes this legislation will help him and his emergency folks do their jobs better, which means it will help them save more lives than they already do.

I have to say a word about all of the good work that folks like Drew Dawson in Montana and other emergency professionals do all over the country. The United States has the most skilled and dedicated group of medical and emergency professionals in the world. We need to give them better tools. There is technology out there that can help these professionals and that can help all of us citizens, if, God forbid, we ever find ourselves in an emergency situation needing this kind of help. The E–911 Act of 1999 will help all of us and will make our emergency services even better than they are today.

Mr. President, Let me take a moment to summarize the important sections of this bill.

It makes Congressional findings and specifies the purpose of the Act. The purpose of the Act is ''to encourage and facilitate the prompt deployment throughout the United States of a seamless, ubiquitous, and reliable end-to-end infrastructure for communications, including wireless communications, to meet the Nation's public safety and other communications needs.''

It assigns to the Federal Communications Commission, and any agency or entity to which it has delegated authority under Section 251 of the Communications Act of 1934, the duty to designate the number 911 as the universal emergency telephone number within the United States for reporting an emergency to appropriate authorities and requesting assistance. The universal number would apply both to wireless and wireline telephone service. The Commission, and any agency or entity, must establish appropriate periods for geographic areas in which 911 is not in use as an emergency telephone number to transition to the use of 911.

It establishes a principle of parity between the wireless and wireline telecommunications industries in protection from liability for: (1) the provision of telephone services, including 911 and emergency warning service, and (2) the use of 911 and emergency warning service. The bill provides for wireless providers of telephone service to receive at least as much protection under Federal, State or local law from liability as local exchange companies receive in providing telephone services. States cannot impose procedural barriers, such as requiring wireless providers to file tariffs, as a condition for wireless providers to receive the substantive protection from liability for which the legislation provides. The bill also provides for users of wireless 911 service to receive at least as much protection from liability under Federal, State or local law as users of wireline 911 service receive.

It amends Section 222 of the Communications Act of 1934 (47 U.S.C. 222) to provide appropriate privacy protection for call location information concerning the user of a commercial mobile service, including such information provided by an automatic crash notification system. The provision authorizes disclosure of such information to emergency dispatch providers and emergency service personnel in order to respond to the user's call for emergency services. The provision also is intended to allow disclosure of such information to the next-of-kin or legal guardian of a person as necessary in connection with the furnishing of medical care to such person as a result of an emergency. Finally, the customer of a commercial mobile radio service may grant broader authority (for example, in the customer's written subscription agreement with the service provider) for the use of, disclosure of, or access to call location information concerning users of the customer's commercial mobile service communications instrument (e.g., the customer's wireless telephone), but the customer must grant such authority expressly and in advance of such use, disclosure or access.

It provides definitions for terms used in the legislation.

That is the long version of what this bill is about. The short version is: it's about saving lives. Mr. President, I hope all of my colleagues will join me and help pass this important legislation.

Mr. MCCAIN. Mr. President, today I am pleased to cosponsor and support the E–911 Act of 1999, which has been introduced by Senator BURNS. I commend Senator BURNS for his outstanding work on this legislation which will help build a national wireless communications system and save lives.

Mr. President, I want to make sure that Americans everywhere can dial 9–1–1 to summon prompt assistance in an emergency. When a person is seriously injured, every second counts. In fact, medical trauma and public safety professionals speak of a ''golden hour''—the first hour after serious injury when the greatest percentage of lives can be saved. The sooner that the seriously injured get medical help, the greater the chance of survival. And prompt notification to the authorities is the first critical step in getting medical assistance to the injured.

I believe that injured Americans should be able to get emergency medical assistance as quickly as possible.

Over 60 million Americans carry wireless telephones. Some of these people own them specifically for safety reasons, in order to summon help in an emergency. Others would be willing to use their phones to report emergencies to the authorities.

But in many parts of the country when a person who is seriously injured—or a frantic bystander—calls 9–1–1 on their wireless telephone, nothing happens. Although many Americans think that 9–1–1 is already a national emergency number everywhere, it isn't. There are many places in America where 9–1–1 isn't the right number to call for help. The rule in America ought to be uniform and simple—if you have an emergency wherever you are, dial 9–1–1. This bill reduces the danger of not knowing what number to call, by making 9–1–1 the universal emergency telephone number.

Mr. President, I also believe that we also need to tie our citizens through their wireless telephones to emergency medical centers, police and firefighters so that they can get lifesaving assistance even when they are too injured to make a 9–1–1 call, or can make the call but cannot give their location. This bill supports the upgrading of 9–1–1 systems so that they can deliver more information, like location and automatic crash information data which will better enable emergency services to reach those incapacitated by injury. This legislation also promotes the expansion of the areas covered by wireless telephone service, so that more people can use wireless phones in an emergency. Because if a wireless telephone isn't within range of a wireless tower, a wireless call can't go through.

Mr. President, I would like to see an America where more people in more places can call 9–1–1 and quickly get the right help in emergencies. This legislation will help reduce medical response time for millions of Americans, by helping to make sure that people can use their wireless phones to call 9–1–1 immediately and get the ambulances rolling

I look forward to working with my colleagues on the Commerce Committee on this important life-saving legislation, and I urge all my colleagues to support it.

By Mr. SANTORUM:

S. 801. A bill to amend the Internal Revenue Code of 1986 to reduce the tax on beer to its pre-1991 level; to the Committee on Finance.

REPEALING THE BEER TAX

Mr. SANTORUM. Mr. President, I rise today to introduce legislation pertaining to the federal excise tax on beer.

Many people are not aware that they pay enormous hidden taxes when they purchase any number of consumer products. The beer tax is one significant example of such a hidden tax. Bearing a disproportionate tax burden, forty-three percent of the cost of beer is comprised of both state and federal taxes.

The federal government doubled its tax on beer eight years ago. Today, though it is one of the more regressive taxes, the 100 percent beer tax increase remains as the only ''luxury tax'' enacted as part of the 1991 Omnibus Budget Reconciliation Act. While taxes on furs, jewelry, and yachts have been repealed through subsequent legislation, the federal beer tax remains in place with continued far reaching effects, including the loss of as many as 50,000 industry jobs. My legislation seeks to correct this inequity and will restore the level of federal excise tax to the pre-1991 tax rate.

Mr. President, I offer this bill as companion legislation to H.R. 1366 introduced by Representative PHIL ENGLISH.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 801

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

SECTION 1. REPEAL OF 1990 TAX INCREASE ON BEER.

(a) IN GENERAL.—Paragraph (1) of section 5051(a) of the Internal Revenue Code of 1986 (relating to imposition and rate of tax on beer) is amended by striking ''$18'' and inserting ''$9''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act.

By Mr. SANTORUM (for himself, Mr. CHAFEE, Mr. GREGG, Mr. FEINGOLD, Mr. DEWINE, Mr. BROWNBACK, Mr. SPECTER, and Ms. COLLINS):

S. 802. A bill to provide for a gradual reduction in the loan rate for peanuts, to repeal peanut quotas for the 2002 and subsequent crops, and to require the Secretary of Agriculture to purchase peanuts and peanut products for nutrition programs only at the world market price; to the Committee on Agriculture, Nutrition, and Forestry.

REFORM OF THE FEDERAL PEANUT PROGRAM

Mr. SANTORUM. Mr. President, I rise today to introduce a bill that would bring common sense reform to the federal peanut commodity program. This legislation would phase out the peanut quota program over three years, with the quota being eliminated in crop year 2002. I am joined today by several colleagues in this reform effort.

Under this legislation, the price support for peanuts that are grown for edible consumption is gradually reduced each year from the current support price of $610 per ton to $500 per ton by 2001. In the year 2002 and ensuing crop years, there would be no quotas on peanuts, and the Secretary of Agriculture would be required to make the non-recourse loan available to all peanut farmers at 85 percent of their estimated market value. This measure is consistent with the non-recourse loan programs available for other agriculture commodities.

Another component of this peanut reform bill would allow additional peanuts, those produced in excess of the farmer's quota poundage, to be used for sale to the school lunch program.

Mr. President, the federal peanut program, born in the 1930's during an era of massive change and dislocation in agriculture, is sorely out of place in today's agricultural sector. Other farm commodities are seeking new export opportunities abroad, building new markets and helping to improve our national balance of trade, however, the peanut industry is building new barriers to protect itself. The quota system stifles freedom for farmers, and it fosters a set of economic expectations that cannot be sustained without continued government intervention. Moreover, failure to reform this program costs consumers between $300–500 million annually, adding to the cost of feeding programs for low-income Americans.

In short, this program must be changed. As we have learned from changes made to other commodity programs, reform does not happen overnight. This proposal provides for a fair transition that will enable farmers and lenders to adjust their expectations to the marketplace. Following completion of the phase-out period, the peanut program will operate like most other agricultural commodities.

Mr. President, I am pleased to have many of my Senate colleagues join me today as cosponsors of this measure, including Senators CHAFEE, DEWINE, FEINGOLD, GREGG, BROWNBACK, SPECTER, and COLLINS.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 802

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

SECTION 1. REDUCTION IN LOAN RATES FOR PEANUTS.

Section 155(a) of the Agricultural Market Transition Act (7 U.S.C. 7271(a)) is amended by striking paragraph (2) and inserting the following:

''(2) LOAN RATE.—The national average quota loan rate for quota peanuts shall be as follows:

''(A) $610 per ton for the 1999 crop.

''(B) $550 per ton for the 2000 crop.

''(C) $500 per ton for the 2001 crop.''.

SEC. 2. NONRECOURSE LOANS FOR 2002 AND SUBSEQUENT CROPS OF PEANUTS.

Effective beginning with the 2002 crop of peanuts, section 155 of the Agricultural Market Transition Act (7 U.S.C. 7271) is amended to read as follows:

''SEC. 155. PEANUT PROGRAM.

''(a) IN GENERAL.—

''(1) LOANS.—The Secretary shall make nonrecourse loans available to producers of peanuts for each of the 2002 and subsequent crops of peanuts.

''(2) RATE.—In carrying out paragraph (1), the Secretary shall offer to all peanut producers nonrecourse loans at a level not less than 85 percent of the simple average price

received by producers for peanuts, as determined by the Secretary, during the marketing year for each of the immediately preceding 5 crops of peanuts, excluding the year in which the average price was the highest and the year in which the average price was the lowest during the period, but not more than $350 per ton. The loans shall be administered at no net cost to the Commodity Credit Corporation.

''(3) INSPECTION, HANDLING, OR STORAGE.—The levels of support determined under paragraph (2) shall not be reduced by any deduction for inspection, handling, or storage.

''(4) MARKETING OF PEANUTS OWNED OR CONTROLLED BY THE COMMODITY CREDIT CORPORATION.—Any peanuts owned or controlled by the Commodity Credit Corporation may be made available for domestic edible use, in accordance with regulations issued by the Secretary, so long as doing so results in no net cost to the Commodity Credit Corporation.

''(5) LOCATION AND OTHER FACTORS.—The Secretary may make adjustments for the location of peanuts and such other factors as are authorized by section 403.

''(6) ANNOUNCEMENT.—The Secretary shall announce the level of support for each crop of peanuts not later than the February 15 preceding the marketing year for which the level of support is being determined.

''(b) COMMODITY CREDIT CORPORATION.—The Secretary shall carry out the program authorized by this section through the Commodity Credit Corporation.

''(c) CROPS.—This section shall be effective for each of the 2002 and subsequent crops of peanuts.''.

SEC. 3. ELIMINATION OF PEANUT QUOTAS FOR 2002 AND SUBSEQUENT CROPS OF PEANUTS.

(a) IN GENERAL.—Part VI of subtitle B of title III of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1357 et seq.) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) DEFINITIONS.—Section 301(b) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1301(b)) is amended—

(A) in paragraph (3)(A), by striking ''corn, rice, and peanuts'' and inserting ''corn and rice'';

(B) in paragraph (6), by striking subparagraph (C);

(C) in paragraph (10)(A)—

(i) by striking ''wheat, and peanuts'' and inserting ''and wheat''; and

(ii) by striking ''; 20 per centum in the case of wheat; and 15 per centum in the case of peanuts'' and inserting ''; and 20 percent in the case of wheat'';

(D) in paragraph (13)—

(i) by striking subparagraphs (B) and (C); and

(ii) in subparagraph (G), by striking ''or peanuts'' both places it appears; and

(E) in paragraph (16)(A), by striking ''rice, and peanuts'' and inserting ''and rice''.

(2) ADMINISTRATIVE PROVISIONS.—Section 361 of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1361) is amended by striking ''peanuts,''.

(3) ADJUSTMENT OF QUOTAS.—Section 371 of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1371) is amended—

(A) in the first sentence of subsection (a), by striking ''peanuts,''; and

(B) in the first sentence of subsection (b), by striking ''peanuts''.

(4) REPORTS AND RECORDS.—Section 373 of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1373) is amended—

(A) in subsection (a), by striking the first sentence and inserting the following new sentence: ''This subsection shall apply to warehousemen, processors, and common carriers of corn, wheat, cotton, rice, or tobacco, and all ginners of cotton, all persons engaged in the business of purchasing corn, wheat, cotton, rice, or tobacco from producers, and all persons engaged in the business of redrying, prizing, or stemming tobacco for producers.''; and

(B) in subsection (b), by striking ''peanuts,''.

(5) REGULATIONS.—Section 375(a) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1375(a)) is amended by striking ''peanuts,''.

(6) EMINENT DOMAIN.—The first sentence of section 378(c) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1378(c)) is amended by striking ''cotton, tobacco, and peanuts,'' and inserting ''cotton and tobacco,''.

(c) LIABILITY.—A provision of this section or an amendment made by this section shall not affect the liability of any person under any provision of law as in effect before the application of the provision of this section or the amendment in accordance with this section.

(d) APPLICATION.—This section and the amendments made by this section shall apply beginning with the 2002 crop of peanuts.

SEC. 4. PURCHASE OF PEANUTS FOR NUTRITION PROGRAMS.

Section 14 of the National School Lunch Act (42 U.S.C. 1762a) is amended by adding at the end the following:

''(h) PURCHASE OF PEANUTS FOR NUTRITION PROGRAMS.—

''(1) DEFINITIONS.—In this subsection—

''(A) ADDITIONAL PEANUTS.—The term 'additional peanuts' has the meaning given the term in section 358–1(e) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1358–1(e)).

''(B) COVERED PROGRAM.—The term 'covered program' means—

''(i) a program established under this Act;

''(ii) a program established under the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.);

''(iii) the emergency food assistance program established under the Emergency Food Assistance Act of 1983 (7 U.S.C. 7501 et seq.);

''(iv) the food distribution program on Indian reservations established under section 4(b) of the Food Stamp Act of 1977 (7 U.S.C. 2013(b));

''(v) the commodity distribution program established under section 4 of the Agriculture and Consumer Protection Act of 1973 (Public Law 93–86; 7 U.S.C. 612c note);

''(vi) the commodity supplemental food program established under section 5 of the Agriculture and Consumer Protection Act of 1973 (Public Law 93–86; 7 U.S.C. 612c note); and

''(vii) a nutrition program carried out under part C of title III of the Older Americans Act of 1965 (42 U.S.C. 3030e et seq.).

''(2) PURCHASES.—Notwithstanding any other provision of law, in purchasing peanuts or peanut products to carry out a covered program, the Secretary shall—

''(A) purchase the peanuts or peanut products at a price that is not more than the prevailing world market price for peanuts or peanut products produced in the United States, as determined by the Secretary; and

''(B) in the case of peanut purchases, purchase only additional peanuts.

''(3) DOMESTIC EDIBLE USE.—Notwithstanding any other provision of law, additional peanuts purchased by the Secretary to carry out a covered program shall not be considered to be peanuts for domestic edible use under the Agricultural Adjustment Act of 1938 (7 U.S.C. 1281 et seq.) or Agricultural Market Transition Act (7 U.S.C. 7201 et seq.).

''(4) SUPPLY.—The Secretary shall take such actions as are necessary to ensure, to the maximum extent practicable, that an adequate supply of additional peanuts is available to carry out covered programs.

''(5) PENALTIES.—Notwithstanding any other provision of law, a person that produces additional peanuts that are sold to the Secretary, or sells additional peanuts to the Secretary, for a covered program shall not be subject to a penalty or other sanction for the production or sale of the additional peanuts.''.

By Mr. MCCAIN (for himself and Mr. WYDEN):

S. 803. A bill to make the International Olympic Committee subject to the Foreign Corrupt Practices Act of 1977, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

THE IOC REFORM ACT

Mr. MCCAIN. Mr. President, I rise today to introduce legislation that would make the International Olympic Committee subject to the Foreign Corrupt Practices Act. This legislation is in response to what I believe is a failure on the part of the International Olympic Committee (IOC) to adequately respond to corruption in the selection of cities to host the Olympic games.

This morning, I chaired a hearing of the Commerce Committee on the recent public controversies involving the Olympic bid process. As most of you know, allegations of bribes and corruption in the Salt Lake City bid process have prompted investigations by the Utah Attorney General and the Department of Justice. The purpose of the hearing was not to focus on a single investigation. Instead, the Committee examined the bid process as a whole and the reform efforts undertaken by the United States Olympic Committee (USOC) and IOC respectively.

The Committee heard testimony from the USOC, IOC and the Special Bid Oversight Commission. The Commission was appointed by the USOC to review the circumstances surrounding the selection of Salt Lake City to host the 2002 Winter Olympics. The Commission, composed of a group of highly respected individuals including our former colleague Senator Mitchell and Ken Duberstein, made a series of recommendations to reform both the USOC and the IOC. The recommendations focused on bringing transparency and accountability to both organizations.

The USOC appears to be moving forward with reform. It adopted in full the recommendations of the Commission and took responsibility for its own failure to oversee the Salt Lake City bid process. While not complete, I believe the process of reform at the USOC has begun. Unfortunately, the hearing did very little to ease my concerns about the IOC. IOC representatives expressed opposition to several of the commissions' recommendations and continues to be resistant to change. While I understand the IOC may have legitimate concerns about some of the suggested reforms, I question their commitment to reform.

This morning Senator Mitchell and the other members of the Commission agreed that Congress could and should take action to ensure that the IOC is

subject to the Foreign Corrupt Practices Act. In the United States, the Foreign Corrupt Practices Act is available to law enforcement to combat official corruption in international business transactions. Currently, IOC members are not governed by the Act because they do not generally act in the role of a foreign official. Rather, they act on behalf of the IOC, a private enterprise. My amendment includes the IOC in the definition of a Public International Organization subjecting them to the Foreign Corrupt Practices Act.

This bill should be a considered vehicle for discussion. This morning, Senator Mitchell and the Commission offered to provide the committee with further comments on possible legislative solutions to this problem. I look forward to hearing their ideas and working with them. However, based upon the recommendation of the panel this morning and the need to send a strong signal to IOC that we are serious about reform, I wanted to introduce this first step today. I know that many of my colleagues either will introduce measures as well and I look forward to working with them.

By Mr. ROCKEFELLER (for himself and Mr. FRIST):

S. 804. A bill to improve the ability of Federal agencies to license Federally-owned inventions; to the Committee on Commerce, Science, and Transportation.

TECHNOLOGY TRANSFER COMMERCIALIZATION ACT OF 1999

Mr. ROCKEFELLER. Mr. President, today I am with my colleague Senate FRIST introducing the Technology Transfer Commercialization Act of 1999. This bill would make technical changes and clarifications to the legislation which governs the transfer of intellectual property from the federal government to the private sector.

The original Technology Transfer Improvements Act (TTIA), which I was author of in 1995, allowed for easier and quicker access to intellectual property which the government owns and private industry wants. It created a win-win situation. The government gets royalties from these licenses, private industry gets the intellectual property that it needs, and Americans get jobs from the production of inventions based on this intellectual property.

This bill builds on the strong positive response from TTIA. It reduces the requirements for obtaining a non-exclusive license in order to allow as many companies and individuals as possible access to the information. It also addresses private industry's concerns about maintaining confidential information within applications.

However, this does not come at the expense of the government being able to keep control of its property. This bill also clarifies the ability of the licensing agencies to terminate a license if certain criteria are not met. Furthermore, it allows the government to consolidate intellectual property which is developed in cooperation with a private entity so that the package can be relicensed to a third party.

Technology transfer is a vital part of our national economy. It is what allows our industries to remain at the leading edge in their field. This bill clarifies and adjusts current legislation to allow for an even better working relationship between the federal government and private industry. I encourage my colleagues to support this bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 804

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 ''Technology Transfer Commercialization Act of 1999''.

SEC. 2. COOPERATIVE RESEARCH AND DEVELOPMENT AGREEMENTS.

Section 12(b)(1) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(b)(1)) is amended by inserting ''or, subject to section 209 of title 35, United States Code, may grant a license to an invention which is federally owned, for which a patent application was filed before the granting of the license, and directly within the scope of the work under the agreement,'' after ''under the agreement,''.

SEC. 3. LICENSING FEDERALLY OWNED INVENTIONS.

(a) IN GENERAL.—Section 209 of title 35, United States Code, is amended to read as follows:

''§ 209. Licensing federally owned inventions

''(a) AUTHORITY.—A Federal agency may grant an exclusive or partially exclusive license on a federally owned invention under section 207(a)(2) only if—

''(1) granting the license is a reasonable and necessary incentive to—

''(A) call forth the investment capital and expenditures needed to bring the invention to practical application; or

''(B) otherwise promote the invention's utilization by the public;

''(2) the Federal agency finds that the public will be served by the granting of the license, as indicated by the applicant's intentions, plans, and ability to bring the invention to practical application or otherwise promote the invention's utilization by the public, and that the proposed scope of exclusivity is not greater than reasonably necessary to provide the incentive for bringing the invention to practical utilization, as proposed by the applicant, or otherwise to promote the invention's utilization by the public;

''(3) the applicant makes a commitment to achieve practical utilization of the invention within a reasonable time, which may be extended by the agency upon the applicant's request and the applicant's demonstration that the refusal of such an extension would be unreasonable as specified in the license;

''(4) granting the license will not tend to substantially lessen competition or create or maintain a violation of the Federal antitrust laws; and

''(5) in the case of an invention covered by a foreign patent application or patent, the interests of the Federal Government or United States industry in foreign commerce will be enhanced.

''(b) MANUFACTURE IN UNITED STATES.—A Federal agency shall normally grant a license under section 207(a)(2) to use or sell any federally owned invention in the United States only to a licensee who agrees that any products embodying the invention or produced through the use of the invention will be manufactured substantially in the United States.

''(c) SMALL BUSINESS.—First preference for the granting of any exclusive or partially exclusive licenses under section 207(a)(2) shall be given to small business firms having equal or greater likelihood as other applicants to bring the invention to practical application within a reasonable time.

''(d) TERMS AND CONDITIONS.—Any licenses granted under section 207(a)(2) shall contain such terms and conditions as the granting agency considers appropriate. Such terms and conditions shall include provisions—

''(1) retaining a nontransferable, irrevocable, paid-up license for any Federal agency to practice the invention or have the invention practiced throughout the world by or on behalf of the Government of the United States;

''(2) requiring periodic reporting on utilization of the invention, and utilization efforts, by the licensee, but only to the extent necessary to enable the Federal agency to determine whether the terms of the license are being complied with; and

''(3) empowering the Federal agency to terminate the license in whole or in part if the agency determines that—

''(A) the licensee is not executing its commitment to achieve practical utilization of the invention, including commitments contained in any plan submitted in support of its request for a license, and the licensee cannot otherwise demonstrate to the satisfaction of the Federal agency that it has taken, or can be expected to take within a reasonable time, effective steps to achieve practical utilization of the invention;

''(B) the licensee is in breach of an agreement described in subsection (b);

''(C) termination is necessary to meet requirements for public use specified by Federal regulations issued after the date of the license, and such requirements are not reasonably satisfied by the licensee; or

''(D) the licensee has been found by a court of competent jurisdiction to have violated the federal antitrust laws in connection with its performance under the license agreement.

''(e) PUBLIC NOTICE.—No exclusive or partially exclusive license may be granted under section 207(a)(2) unless public notice of the intention to grant an exclusive or partially exclusive license on a federally owned invention has been provided in an appropriate manner at least 15 days before the license is granted, and the Federal agency has considered all comments received before the end of the comment period in response to that public notice. This subsection shall not apply to the licensing of inventions made under a cooperative research and development agreement entered into under section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a).

''(f) PLAN.—No Federal agency shall grant any license under a patent or patent application on a federally owned invention unless the person requesting the license has supplied the agency with a plan for development and/or marketing of the invention, except that any such plan may be treated by the Federal agency as commercial and financial information obtained from a person and privileged and confidential and not subject to disclosure under section 552 of title 5 of the United States Code.''.

(b) CONFORMING AMENDMENT.—The item relating to section 209 in the table of sections for chapter 18 of title 35, United States Code, is amended to read as follows:

''209. Licensing federally owned inventions.''.

SEC. 4. TECHNICAL AMENDMENTS TO BAYH-DOLE ACT.

Chapter 18 of title 35, United States Code (popularly known as the ''Bayh-Dole Act''), is amended—

(1) by amending section 202(e) to read as follows:

''(e) In any case when a Federal employee is a coinventor of any invention made with a nonprofit organization or small business firm, the Federal agency employing such coinventor may, for the purpose of consolidating rights in the invention and if it finds it would expedite the development of the invention—

''(1) license or assign whatever rights it may acquire in the subject invention to the nonprofit organization or small business firm; or

''(2) acquire any rights in the subject invention from the nonprofit organization or small business firm, but only to the extent the party from whom the rights are acquired voluntarily enters into the transaction and no other transaction under this chapter is conditioned on such acquisition.''; and

(2) in section 207(a)—

(A) in paragraph (2), by striking ''patent applications, patents, or other forms of protection obtained'' and inserting ''inventions''; and

(B) in paragraph (3), by inserting '', including acquiring rights for the Federal Government in any invention, but only to the extent the party from whom the rights are acquired voluntarily enters into the transaction, to facilitate the licensing of a federally owned invention'' after ''or through contract''.

SEC. 5. TECHNICAL AMENDMENTS TO THE STEVENSON-WYDLER TECHNOLOGY INNOVATION ACT OF 1980.

The Stevenson-Wydler Technology Innovation Act of 1980 is amended—

(1) in section 4(4) (15 U.S.C. 3703(4)), by striking ''section 6 or section 8'' and inserting ''section 7 or 9'';

(2) in section 4(6) (15 U.S.C. 3703(6)), by striking ''section 6 or section 8'' and inserting ''section 7 or 9'';

(3) in section 5(c)(11) (15 U.S.C. 3704(c)(11)), by striking ''State of local governments'' and inserting ''State or local governments'';

(4) in section 9 (15 U.S.C. 3707), by—

(A) striking ''section 6(a)'' and inserting ''section 7(a)'';

(B) striking ''section 6(b)'' and inserting ''section 7(b)''; and

(C) striking ''section 6(c)(3)'' and inserting ''section 7(c)(3)'';

(5) in section 11(e)(1) (15 U.S.C. 3710(e)(1)), by striking ''in cooperation with Federal Laboratories'' and inserting ''in cooperation with Federal laboratories'';

(6) in section 11(i) (15 U.S.C. 3710(i)), by striking ''a gift under the section'' and inserting ''a gift under this section'';

(7) in section 14 (15 U.S.C. 3710c)—

(A) in subsection (a)(1)(A)(i), by inserting '', if the inventor's or coinventor's rights are assigned to the United States'' after ''inventor or coinventors'';

(B) in subsection (a)(1)(B), by striking ''succeeding fiscal year'' and inserting ''2 succeeding fiscal years''; and

(C) in subsection (b)(2), by striking ''invention'' and inserting ''invention''; and

(8) in section 22 (15 U.S.C. 3714), by striking ''sections 11, 12, and 13'' and inserting ''sections 12, 13, and 14''.

SEC. 6. REVIEW OF COOPERATIVE RESEARCH AND DEVELOPMENT AGREEMENT PROCEDURES.

(a) REVIEW.—Within 90 days after the date of the enactment of this Act, each Federal agency with a federally funded laboratory that has in effect on that date of enactment 1 or more cooperative research and development agreements under section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a) shall report to the Committee on National Security of the National Science and Technology Council and the Congress on the general policies and procedures used by that agency to gather and consider the views of other agencies on—

(1) joint work statements under section 12(c)(5) (C) or (D) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(c)(5) (C) or (D)); or

(2) in the case of laboratories described in section 12(d)(2)(A) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(d)(2)(A)), cooperative research and development agreements under such section 12,

with respect to major proposed cooperative research and development agreements that involve critical national security technology or may have a significant impact on domestic or international competitiveness.

(b) PROCEDURES.—

(1) IN GENERAL.—Within 1 year after the date of the enactment of this Act, the Committee on National Security of the National Science and Technology Council, in conjunction with relevant Federal agencies and national laboratories, shall—

(A) determine the adequacy of existing procedures and methods for interagency coordination and awareness with respect to cooperative research and development agreements described in subsection (a); and

(B) establish and distribute to appropriate Federal agencies—

(i) specific criteria to indicate the necessity for gathering and considering the views of other agencies on joint work statements or cooperative research and development agreements as described in subsection (a); and

(ii) additional procedures, if any, for carrying out such gathering and considering of agency views with respect to cooperative research and development agreements described in subsection (a).

(2) PROCEDURE DESIGN.—Procedures established under this subsection shall be designed to the extent possible to—

(A) use or modify existing procedures;

(B) minimize burdens on Federal agencies;

(C) encourage industrial partnerships with national laboratories; and

(D) minimize delay in the approval or disapproval of joint work statements and cooperative research and development agreements.

(c) LIMITATION.—Nothing in this Act, nor any procedures established under this section shall provide to the Office of Science and Technology Policy, the National Science and Technology Council, or any Federal agency the authority to disapprove a cooperative research and development agreement or joint work statement, under section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a), of another Federal agency.

SEC. 7. INCREASED FLEXIBILITY FOR FEDERAL LABORATORY PARTNERSHIP INTERMEDIARIES.

Section 23 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3715) is amended—

(1) in subsection (a)(1) by inserting '', institutions of higher education as defined in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)), or educational institutions within the meaning of section 2194 of title 10, United States Code'' after ''small business firms''; and

(2) in subsection (c) by inserting'', institutions of higher education as defined in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)), or educational institutions within the meaning of section 2194 of title 10, United Stats Code,'' after ''small business firms''.

SEC. 8. REPORTS ON UTILIZATION OF FEDERAL TECHNOLOGY.

(a) AGENCY ACTIVITIES.—Section 11 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710) is amended—

(1) by striking the last sentence of subsection (b);

(2) by inserting after subsection (e) the following:

''(f) AGENCY REPORTS ON UTILIZATION.—

''(1) IN GENERAL.—Each Federal agency which operates or directs one or more Federal laboratories or which conducts activities under sections 207, 208, and 209 of title 35, United States Code, shall report annually to the Office of Management and Budget, as part of the agency's annual budget submission, on the activities performed by that agency and its Federal laboratories under the provisions of this section and of sections 207, 208, and 209 of title 35, United States Code.

''(2) CONTENTS.—The report shall include—

''(A) an explanation of the agency's technology transfer program for the preceding year and the agency's plans for conducting its technology transfer function for the upcoming year, including its plans for managing its intellectual property so as to advance the agency's mission and benefit the competitiveness of United States industry; and

''(B) information on technology transfer activities for the preceding year, including—

''(i) the number of patent applications filed;

''(ii) the number of patents received;

''(iii) the number of executed royalty-bearing licenses, both exclusive and non-exclusive, and the time elapsed from the date the license was requested to the date the license was issued;

''(iv) the total earned royalty income including such statistical information as the total earned royalty income of the top 1 percent, 5 percent, and 20 percent of the licenses, the range of royalty income, and the median;

''(v) the number of licenses terminated; and

''(vi) any other parameters or discussion that the agency deems relevant or unique to its practice of technology transfer.

''(3) COPY TO SECRETARY; CONGRESS.—The agency shall transmit a copy of the report to the Secretary of Commerce for inclusion in the annual report to Congress and the President as set forth in subsection (g)(2) below.

''(4) PUBLIC AVAILABILITY.—The agency is also strongly encouraged to make the required information available to the public through web sites or other electronic means.'';

(3) by striking subsection (g)(2) and inserting the following:

''(2) REPORTS.—

''(A) ANNUAL REPORT REQUIRED.—The Secretary shall submit each fiscal year, beginning one year after enactment of the Technology Transfer Commercialization Act of 1999, a summary report to the President and the Congress on the use by the agencies and the Secretary of the authorities specified in this Act and in sections 207, 208, and 209 of title 35, United States Code.

''(B) CONTENT.—The report shall—

''(i) draw upon the reports prepared by the agencies under subsection (f);

''(ii) discuss technology transfer best practices, lessons learned, and successful approaches in the licensing and transfer of technology in the context of the agencies' missions; and

''(iii) discuss the progress made toward development of useful measures of the outcomes of these programs.

''(C) PUBLIC AVAILABILITY.—The Secretary shall make the report available to the public through Internet websites or other electronic means.''; and

(4) by inserting after subsection (g) the following:

''(h) DUPLICATION OF REPORTING.—The reporting obligations imposed by this section—

''(1) are not intended to impose requirements that duplicate requirements imposed by the Government Performance and Results Act of 1993 (31 US.C. 1101 nt); and

''(2) are to be implemented in coordination with the implementation of that Act.''.

(b) ROYALTIES.—Section 14(c) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710c(c)) is amended to read as follows:

''(c) REPORTS.—At least once every 5 years, beginning one year after enactment of the Technology Transfer Commercialization Act of 1999, the Comptroller General shall transmit a report to the appropriate committee of the Senate and House of Representatives on the effectiveness of the various programs in this Act, including findings, conclusions, and recommendations for improvements in such programs.''.

Mr. FRIST. Mr. President, I rise today to support the Technology Transfer Commercialization Act of 1999.

Technology transfer is a crucial link in the process that transforms research results into commercially viable products. The federal government's involvement in technology transfer arises naturally from its desire to encourage usage and commercialization of innovations resulting from federally-funded research. However, it is through further development, refinement, and marketing by the private sector that research results become diffused throughout the economy and generate growth. The private sector's active and timely participation in this process must be strongly encouraged if our competitiveness is to be enhanced.

Patents and licensing rights play key roles in the technology transfer process in that they provide strong economic incentives to industry. Studies have shown that research funding accounts for only 25 percent of the costs associated with bringing a new product to market. Increasingly, patent ownership is used as a means to recoup the investment through the incoming royalty stream. In addition, actual experience and studies concluded that if companies do not control the results of their investments, they are less likely to engage in related research and development.

Existing legislation encourages the transfer of technologies and closer collaborations between the Federal labs and industry by allowing the industry partners to obtain title to inventions that result from these collaborations. The Stevenson-Wydler Act and subsequent amendments created a framework to facilitate cooperative and development agreement (CRADAs) between industry and the Federal labs. The Bayh-Dole Act and subsequent amendments established policies for the licensing of federally-funded inventions.

The Technology Commercialization Act of 1999 improves upon both Stevenson-Wydler and Bayh-Dole by taking into consideration the increased competition in the marketplace. Provisions include streamlining the licensing procedure, and encouraging use of the electronic media to shorten the time requirements for public notice. This is in accordance with the fast pace required for doing business today. Other provisions include clarifications of criteria for granting any license, as well as exclusive and partially exclusive licenses.

Although technology transfer is important, such transfer should not compromise national security or substantially reduce competition in the marketplace. In response to these concerns, the Act requires the Office of Science and Technology Policy to study existing practices of CRADA creation in the agencies, and issue a report outlining review procedures for the creation of certain types of CRADAs.

The Act also lays the groundwork for a better understanding of the technology transfer process. Although there is consensus on the role of technology transfer in economic growth, there are no existing measures for understanding how much technology is transferred or how well the process works. Relevant questions include is the technology that is being transferred useful or successful, and are the inventions being produced in the federal labs relevant to the marketplace. As we transition into a knowledge-based economy, the management of knowledge movement will play a key role in sustaining our competitiveness.

In summary, technology transfer is crucial to our national economic growth. Therefore, both Senator Rockefeller and I ask for your support in enhancing our competitiveness and encouraging industry to work together with our federal agencies to create the best technologies possible.

ADDITIONAL COSPONSORS

S. 101

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 101, a bill to promote trade in United States agricultural commodities, livestock, and value-added products, and to prepare for future bilateral and multilateral trade negotiations.

S. 296

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 296, a bill to provide for continuation of the Federal research investment in a fiscally sustainable way, and for other purposes.

S. 322

At the request of Mr. CAMPBELL, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 322, a bill to amend title 4, United States Code, to add the Martin Luther King Jr. holiday to the list of days on which the flag should especially be displayed.

S. 331

At the request of Mr. JEFFORDS, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. 331, a bill to amend the Social Security Act to expand the availability of health care coverage for working individuals with disabilities, to establish a Ticket to Work and Self-Sufficiency Program in the Social Security Administration to provide such individuals with meaningful opportunities to work, and for other purposes.

S. 335

At the request of Ms. COLLINS, the names of the Senator from Connecticut (Mr. DODD) and the Senator from West Virginia (Mr. ROCKEFELLER) were added as cosponsors of S. 335, a bill to amend chapter 30 of title 39, United States Code, to provide for the nonmailability of certain deceptive matter relating to games of chance, administrative procedures, orders, and civil penalties relating to such matter, and for other purposes.

S. 336

At the request of Mr. LEVIN, the name of the Senator from South Dakota (Mr. DASCHLE) was added as a cosponsor of S. 336, a bill to curb deceptive and misleading games of chance mailings, to provide Federal agencies with additional investigative tools to police such mailings, to establish additional penalties for such mailings, and for other purposes.

S. 386

At the request of Mr. GORTON, the names of the Senator from Nebraska (Mr. HAGEL), the Senator from Vermont (Mr. LEAHY), the Senator from South Dakota (Mr. DASCHLE), the Senator from Indiana (Mr. BAYH) and the Senator from Utah (Mr. BENNETT) were added as cosponsors of S. 386, a bill to amend the Internal Revenue Code of 1986 to provide for tax-exempt bond financing of certain electric facilities.

S. 398

At the request of Mr. CAMPBELL, the names of the Senator from Michigan (Mr. ABRAHAM) and the Senator from New Jersey (Mr. TORRICELLI) were added as cosponsors of S. 398, a bill to require the Secretary of the Treasury to mint coins in commemoration of Native American history and culture.

S. 425

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 425, a bill to require the approval of Congress for the imposition of any new unilateral agricultural sanction, or any new unilateral sanction with respect to medicine, medical supplies, or medical equipment, against a foreign country.

S. 459

At the request of Mr. LEAHY, his name was added as a cosponsor of S. 459, a bill to amend the Internal Revenue Code of 1986 to increase the State ceiling on private activity bonds.

S. 530

At the request of Mrs. MURRAY, her name was added as a cosponsor of S.

530, a bill to amend the Act commonly known as the ''Export Apple and Pear Act'' to limit the applicability of that Act to apples.

S. 531

At the request of Mr. ABRAHAM, the names of the Senator from North Dakota (Mr. CONRAD), the Senator from Colorado (Mr. CAMPBELL), the Senator from Minnesota (Mr. WELLSTONE), the Senator from Colorado (Mr. ALLARD), the Senator from Kentucky (Mr. BUNNING) and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of S. 531, a bill to authorize the President to award a gold medal on behalf of the Congress to Rosa Parks in recognition of her contributions to the Nation.

S. 566

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 566, a bill to amend the Agricultural Trade Act of 1978 to exempt agricultural commodities, livestock, and value-added products from unilateral economic sanctions, to prepare for future bilateral and multilateral trade negotiations affecting United States agriculture, and for other purposes.

At the request of Mr. LUGAR, the name of the Senator from Illinois (Mr. FITZGERALD) was added as a cosponsor of S. 566, supra.

S. 595

At the request of Mr. DOMENICI, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 595, a bill to amend the Internal Revenue Code of 1986 to establish a graduated response to shrinking domestic oil and gas production and surging foreign oil imports, and for other purposes.

S. 662

At the request of Mr. CHAFEE, the names of the Senator from Rhode Island (Mr. REED) and the Senator from Connecticut (Mr. DODD) were added as cosponsors of S. 662, a bill to amend title XIX of the Social Security Act to provide medical assistance for certain women screened and found to have breast or cervical cancer under a federally funded screening program.

S. 665

At the request of Mr. COVERDELL, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 665, a bill to amend the Congressional Budget and Impoundment Control Act of 1974 to prohibit the consideration of retroactive tax increases.

S. 669

At the request of Mr. COVERDELL, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 669, a bill to amend the Federal Water Pollution Control Act to ensure compliance by Federal facilities with pollution control requirements.

S. 676

At the request of Mr. CAMPBELL, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 676, a bill to locate and secure the return of Zachary Baumel, a citizen of the United States, and other Israeli soldiers missing in action.

S. 680

At the request of Mr. LEAHY, his name was added as a cosponsor of S. 680, a bill to amend the Internal Revenue Code of 1986 to permanently extend the research credit, and for other purposes.

S. 720

At the request of Mr. HELMS, the names of the Senator from Oregon (Mr. SMITH), the Senator from Indiana (Mr. LUGAR), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Ohio (Mr. DEWINE), the Senator from Arizona (Mr. MCCAIN) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 720, a bill to promote the development of a government in the Federal Republic of Yugoslavia (Serbia and Montenegro) based on democratic principles and the rule of law, and that respects internationally recognized human rights, to assist the victims of Serbian oppression, to apply measures against the Federal Republic of Yugoslavia, and for other purposes.

S. 737

At the request of Mr. CHAFEE, the names of the Senator from Virginia (Mr. ROBB), the Senator from Indiana (Mr. LUGAR) and the Senator from Delaware (Mr. BIDEN) were added as cosponsors of S. 737, a bill to amend title XIX of the Social Security Act to provide States with options for providing family planning services and supplies to women eligible for medical assistance under the medicaid program.

S. 746

At the request of Mr. LEVIN, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from Kentucky (Mr. MCCONNELL) were added as cosponsors of S. 746, a bill to provide for analysis of major rules, to promote the public's right to know the costs and benefits of major rules, and to increase the accountability of quality of Government.

S. 755

At the request of Mr. HATCH, the name of the Senator from Minnesota (Mr. GRAMS) was added as a cosponsor of S. 755, a bill to extend the period for compliance with certain ethical standards for Federal prosecutors.

S. 767

At the request of Mr. BRYAN, his name was added as a cosponsor of S. 767, a bill to amend the Internal Revenue Code of 1986 to provide a 2-month extension for the due date for filing a tax return for any member of a uniformed service on a tour of duty outside the United States for a period which includes the normal due date for such filing.

At the request of Mr. FITZGERALD, his name was added as a cosponsor of S. 767, supra.

At the request of Mr. COVERDELL, the names of the Senator from Maine (Ms. COLLINS), the Senator from Tennessee (Mr. FRIST) and the Senator from Nebraska (Mr. HAGEL) were added as cosponsors of S. 767, supra.

S. 784

At the request of Mr. ROCKEFELLER, the names of the Senator from Massachusetts (Mr. KENNEDY), the Senator from Massachusetts (Mr. KERRY) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 784, a bill to establish a demonstration project to study and provide coverage of routine patient care costs for medicare beneficiaries with cancer who are enrolled in an approved clinical trial program.

SENATE CONCURRENT RESOLUTION 12

At the request of Mrs. MURRAY, her name was added as a cosponsor of Senate Concurrent Resolution 12, a concurrent resolution requesting that the United States Postal Service issue a commemorative postage stamp honoring the 100th anniversary of the founding of the Veterans of Foreign Wars of the United States.

At the request of Ms. COLLINS, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of Senate Concurrent Resolution 12, supra.

SENATE CONCURRENT RESOLUTION 19

At the request of Mr. CAMPBELL, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of Senate Concurrent Resolution 19, a concurrent resolution concerning anti-Semitic statements made by members of the Duma of the Russian Federation.

SENATE CONCURRENT RESOLUTION 25

At the request of Mr. JEFFORDS, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of Senate Concurrent Resolution 25, a concurrent resolution urging the Congress and the President to fully fund the Federal Government's obligation under the Individuals with Disabilities Education Act.

SENATE RESOLUTION 29

At the request of Mr. ROBB, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of Senate Resolution 29, a resolution to designate the week of May 2, 1999, as ''National Correctional Officers and Employees Week''.

SENATE RESOLUTION 33

At the request of Mr. MCCAIN, the names of the Senator from Alabama (Mr. SESSIONS), the Senator from Pennsylvania (Mr. SPECTER), the Senator from Maryland (Ms. MIKULSKI), the Senator from New Mexico (Mr. DOMENICI) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of Senate Resolution 33, a resolution designating May 1999 as ''National Military Appreciation Month.''

SENATE RESOLUTION 34

At the request of Mr. TORRICELLI, the names of the Senator from Nevada (Mr. BRYAN), the Senator from New York (Mr. MOYNIHAN), the Senator from

Michigan (Mr. LEVIN), the Senator from Delaware (Mr. BIDEN), the Senator from Indiana (Mr. BAYH) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of Senate Resolution 34, a resolution designating the week beginning April 30, 1999, as ''National Youth Fitness Week.''

SENATE RESOLUTION 76—TO COMMEND THE PURDUE UNIVERSITY WOMEN'S BASKETBALL TEAM ON WINNING THE 1999 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION WOMEN'S BASKETBALL CHAMPIONSHIP

Mr. BAYH (for himself and Mr. LUGAR) submitted the following resolution; which was considered and agreed to:

S. RES. 76

Whereas the Purdue University Lady Boilermakers (Lady Boilers) won their first National Championship in the National Collegiate Athletic Association women's basketball tournament on March 28, 1999;

Whereas the Lady Boilers finished the 1998-99 season with an outstanding record, winning 34 games, including 32 consecutive victories;

Whereas the Lady Boilers proudly brought Purdue University its first ever NCAA championship in any women's sport, and did so with skill matched by grace and dignity;

Whereas the Lady Boilers claimed the first ever NCAA women's basketball championship by any member of the Big Ten Athletic Conference; and

Whereas the Lady Boilers have brought great pride and distinction to the State of Indiana: Now, therefore, be it

Resolved, That the Senate commends the Purdue University Lady Boilers basketball team for winning the National Collegiate Athletic Association women's basketball national championship.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be allowed to meet on Wednesday, April 14, 1999, at 9:30 a.m. on the investigation of Olympic scandals in room SD–106 of the Dirksen Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Wednesday, April 14, for purposes of conducting a closed full committee hearing which is scheduled to begin at 9:30 a.m. The purpose of this oversight hearing is to receive testimony on damage to the national security from Chinese espionage at DOE nuclear weapons laboratories.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. COVERDELL. Mr. President, the Finance Committee requests unanimous consent to conduct a hearing on Wednesday, April 14, 1999, beginning at 10 a.m. in room 215 Dirksen.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. COVERDELL. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee to meet on April 14, 1999, at 9:30 a.m. for a hearing on the Independent Counsel Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Senate Committee on Indian Affairs be authorized to meet during the session of the Senate on Wednesday, April 14, 1999, at 1:45 p.m. to conduct an oversight hearing on Welfare Reform in Indian Country. The hearing will be held in room 485 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, April 14, 1999, at 2 p.m. to hold a closed hearing on intelligence matters.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON INTERNATIONAL TRADE AND FINANCE

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Subcommittee on International Trade and Finance of the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Wednesday, April 14, 1999, to conduct a hearing on the ''Export Control Process''.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON IMMIGRATION

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Subcommittee on Immigration, of the Senate Judiciary Committee, be authorized to meet during the session of the Senate on Wednesday, April 14, 1999, at 10 a.m. to hold a hearing in room 226, Senate Dirksen Office Building, on: ''The Kosovo Refugee Crisis.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON READINESS AND MANAGEMENT SUPPORT

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Senate Armed Services Subcommittee on Readiness and Management Support be authorized to meet at 2 p.m. on Wednesday, April 14, 1999, in open session, to receive testimony on the status of financial management within the Department of Defense.

The PRESIDING OFFICER. Without objection, it is so ordered.

STRATEGIC SUBCOMMITTEE

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Strategic Subcommittee of the Committee on Armed Services be authorized to meet on Wednesday, April 14, 1999, at 9:30 a.m. in open session, to receive testimony on strategic nuclear forces and policy, in review of the defense authorization request for fiscal year 2000 and the Future Years Defense Program.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

NATIONAL BLUE RIBBON SCHOOL

● Mr. ABRAHAM. Mr. President, I rise today to honor a tremendous accomplishment. Middle School South in Harrison Township, Michigan, has been selected as a Michigan Exemplary School and a National Blue Ribbon School for 1997–98.

Middle School South of the L'Anse Creuse Public Schools, was one of two schools in the State of Michigan bestowed the honor of National Blue Ribbon School by the U.S. Department of Education. This selection is a tribute to the time and effort that the parents, administrators, teachers, and students have put into building an excellent learning environment. This prestigious award demonstrates what hard work and commitment can produce.

Again, congratulations to all the teachers and students at Middle School South and the entire L'Anse Creuse Public School District. This is a distinguished award, and they deserve it. I wish them continued prosperity, and many more years of success.●

HONORING DANIEL C. TWEEDALL II

● Mr. BAYH. Mr. President, I rise today to recognize the outstanding achievement of Daniel Tweedall from Evansville, Indiana. On February 28, 1999, Daniel Tweedall was announced the fifth place National winner in the 1999 Voice of Democracy Program. For his fine performance, Daniel will receive a $5,000 Scholarship Award provided by the Veterans of Foreign Wars and its Ladies Auxiliary.

A Junior at Evansville Central High School, Daniel submitted his winning audio essay script entitled, ''My Service to America'' to the Indiana Veterans of Foreign Wars Voice of Democracy contest. This beautiful essay was judged the winner from more than 1,500 entries submitted by Indiana student competitors in the 1998–1999 competition. Daniel's essay then went on to its fifth place finish in the nationwide competition. More than 80,000 students participated in this year's contest.

Daniel's moving essay described how the speech given by one of his government teachers following the drive-by shooting of the teacher's sister had inspired him to serve America as the

teacher's sister had. Daniel explained how he chose to serve America through community service in such organizations as Habitat for Humanity. Daniel wrote, ''I know that every time I help the woman next door shovel her walk when it snows, serve a hot meal at the rescue mission, or simply walk down the street and smile at someone, the flame from my already burning torch warms the heart, making them want to do more for others and believe in the youth of America.'' Daniel now hopes he will inspire others to also serve our country through military service, public office, or community service.

After graduation, Daniel plans to attend either DePauw University or the University of Notre Dame where he expects to pursue a career in medicine. Daniel is the President of his class, the vice-president of the school's speech team, and the Secretary of the school's Spanish club. In addition to Habitat for Humanity, Daniel is also involved in the Evansville Rescue Mission and Teen Power.

I commend Daniel on his tremendous accomplishment. Not only has he won a very competitive essay contest, he has also demonstrated the finest qualities of leadership, national service, and community involvement. I hope that his example will inspire others to serve our country.●

TRIBUTE TO JIM THORPE

● Mr. SANTORUM. Mr. President, I rise today to pay tribute to Jim Thorpe as he is being considered in the selection of Athlete of the Century. Pennsylvania has a historic affiliation to this great man, of whom a borough in Carbon County Pennsylvania is named for.

Jim Thorpe is the only American athlete to ever excel, as an amateur and as a professional, in three major sports; track and field, football and baseball.

As an amateur in track and field, Thorpe won the pentathlon and the decathlon at the Amateur Athletic Union's (AAU) National Championship Trials in Boston, prior to the 1912 Olympics. He went on to represent Sac, Fox Nation and the United States in the 1912 Olympic Games in Stockholm, Sweden, and became the first U.S. athlete to win the decathlon and the only athlete in the world to win both the decathlon and the pentathlon during one Olympic year. These athletic feats and the subsequent worldwide publicity helped to establish the viability of the Olympics.

Thorpe's major league baseball career consisted of playing with the New York Giants, the Cincinnati Reds and the Boston Braves, in which he ended the 1919 season with a .327 average.

His amateur football record was established while he was a student at the Carlisle Indian School in Pennsylvania and was chosen to Walter Camp's First Team All American Half-Back in 1911 and 1912. A founding father of professional football, Thorpe became the first elected president of the American Professional Football Association, now known as the National Football League. He was voted America's Greatest All-Around Male Athlete and chosen as the greatest football player of the half-century in 1950 by an Associated Press Poll of sports writers. He was also named the Greatest American Football Player in History in a 1977 national poll conducted by Sport Magazine.

Because of his outstanding sports achievements, Thorpe was inducted into the National Indian Hall of Fame, the Helms Professional Football Hall of Fame, the Professional Football Hall of Fame in Canton, Ohio, the National Track and Field Hall of Fame, and the Pennsylvania and Oklahoma Halls of Fame.

Mr. President, Jim Thorpe's immeasurable sports achievements have long been an inspiration to America's youth, as well as to the youth of Pennsylvania. I ask my colleagues to join with me in paying tribute to Jim Thorpe for his renowned accomplishments, as he is considered for Athlete of the Century in 2000.●

JOYCE CHIANG

● Mrs. BOXER. Mr. President, today I wish to acknowledge the life and passing of Joyce Chiang, the sister of a member of my staff, John Chiang. I extend my deepest condolences to all the members of Joyce's family and to the many friends who are grieving today over her loss.

A young woman of great talent and promise, Joyce touched the lives of many through her vivacious spirit and dedication to her community. She will long be remembered and greatly missed.

At the age of 28, Joyce had already demonstrated a strong commitment to public service. Most recently, she worked as an attorney for the Immigration and Naturalization Service. Prior to joining the INS, Joyce was a staff member for Congressman Howard Berman. She served as the Student Body President at Smith College, where she graduated in 1992. In her spare time, Joyce volunteered for local charities.

After Joyce disappeared one night in January, her friends and family began organizing to find her. They posted fliers, wore yellow ribbons,, and held weekly candlelight vigils for her safe return. These vigils, which were held both in Washington and in California, were attended by hundreds of people—a testament to Joyce's ability to touch people's lives in a special way. Tragically, the search for Joyce Chiang ended with the terrible news that her life had been taken.

Joyce was a young person full of energy, intelligence, and generosity. She was deeply dedicated to improving our communities and had only begun to make her contribution to our society. Her passing is a loss not only for her friends and family, but for all of us in the greater community in which she lived.●

TRIBUTE TO GEORGE R. STEPHENS

● Mr. CRAIG. Mr. President, it is with mixed emotions that I offer this congratulatory statement to George R. Stephens, a long-time GPO liaison to the Senate Republican Policy Committee, on the eve of his retirement. George has been a part of the Policy Committee family for so long that we've practically forgotten he's on a different payroll. In fact, his tenure with the Committee long precedes my service as Committee Chairman.

But, let's start at the beginning. George R. Stephens began his employment with the Government Printing Office in 1969, following in his mother's—and his grandmother's—footsteps. George's mother, Ella Stephens, joined GPO in 1950 as a ''clerk-typist.'' George's first GPO job was a Linotype operator. After a short stint in the private sector, George returned to work at GPO's headquarters for about 10 years. In January of 1981, he began his 18-year service as a GPO liaison to the U.S. Senate, assigned to the Republican Policy Committee (RPC) as a printer/proofreader. The position included aiding the RPC in publishing its Record Vote Analysis, a publication the Committee has provided continually since its inception in 1947.

George has served under four Policy Committee chairmen: John Tower of Texas; Bill Armstrong of Colorado; DON NICKLES; and now myself. It must have been a challenge for a nonpartisan federal employee to work in the single large committee room that houses the dedicated, outspoken, and decidedly opinionated RPC staff, engaged in near-constant discourse about how to solve the problems of the day. To his credit, George's professionalism and nonpartisanship never wavered, yet he is accepted as a full-fledged member of our Policy Committee family. I think it's fair to say he appreciates our party's dedication to keeping government in its place—that is, good government, but not Big Government.

George has certainly been an energetic advocate for the good government work of his employer, Congress' printer. In a letter to the editor to Roll Call in 1995 responding to that newspaper's call for increased privatization of GPO services, George wrote, ''. . . There isn't another printing company on this earth capable of producing such large jobs so quickly and with the high standards to which Members have become accustomed. Newcomers to Washington quickly learn that GPO prints and delivers the CONGRESSIONAL RECORD and the Federal Register on a daily basis. They also learn that its ability to have printed bills and other documents available within hours of their drafting is essential to the

smooth and timely operation of Senate proceedings.''

George's years of service with the GPO span an era of unprecedented growth in technology. From typewriters and hot metal typesetting, to so-called cold press, to computer desktop publishing, fiber optics, CD-Rom's and online publishing, George has witnessed truly revolutionary changes to the world of printing. However, one thing has not changed: our government's commitment to assure public access to government information. George is part of that proud tradition.

While some witnesses to a revolution turn and run in fear of the unknown, George has embraced each development along the way. His eagerness to keep up with changing technology has been an asset to our Committee, but his eagerness is not limited to technology. This is a man who loves his job. With a record that likely competes with any postman, George travels 60 miles each way every day to arrive at work on time, no matter the weather or traffic conditions. His dedication is commendable.

But George will not be remembered simply for his work as our Committee's GPO liaison. He's also an avid ham radio operator, and for 13 years has served as president of the Capitol Hill Amateur Radio Society. The club was formally established in 1969, and, at the urging of Senator Barry Goldwater of Arizona, it established a station in the Russell Senate office building. That station has been maintained on a voluntary basis, without any government funds, ever since. Over the years, the club has stood ready to provide communications in the event of a disaster, and to help connect military personnel overseas with their friends or family members. In one of its many accomplishments under George's leadership, the club in 1991 hosted a commemoration of the bicentennial of the birth of Samuel F.B. Morse, by reenacting Morse's historic 1844 message, ''What hath God wrought!'' from the Nation's Capitol to Baltimore. The telegraph instruments used for the re-enactment were loaned by the Smithsonian Institution, and because the society's members are proficient in Morse code, the re-enactment was historically accurate.

Yet, things have a way of changing. Like hot metal typesetting, ham radio is truly a phenomenon of the 20th century. The advent of the computer and the Internet age have reduced ham radio's appeal. And so now, when George goes, so too goes the Capitol Hill Amateur Radio Club. On George's last day of government service, April 30, the club will disband, the equipment will be donated to a foundation, the antenna removed from the Russell roof. The callsign ''W3USS'' will remain alive but inactive. This marks the end of a remarkable era.

So, let us look to the future. George and his wife Bea live in a little southern Maryland town called Avenue. His house is right on the water, but George doesn't own a boat. He says he's never had time for boating. Now, he's looking at buying a nice little 24-foot or 30-foot ''party boat'' so he can host friends in an occasional leisure-filled afternoon on the lower Potomac. Perhaps, after that little purchase, he won't miss us all quite so much!

In closing, on behalf of myself, and of the current and former staff of the U.S. Senate Republican Policy Committee, I wish to offer heartfelt thanks for George's many valuable years of service, and our hopes that he and his wife enjoy many happy and healthy years of retirement. We truly cannot give enough thanks to someone who has dedicated himself to making sure we Senators—literally—dot our 'i's' and cross our 't's'.●

JACKIE EBRON

● Mr. MOYNIHAN. Mr. President, this past Sunday the Queens Jewish Community Council honored an important member of the staff of the Metropolitan New York Coordinating Council on Jewish Poverty (Met Council). Her name is Jackie Ebron and she helps serve the more than 100,000 clients who are helped by this remarkable organization. Ms. Ebron, the Met Council's longest serving employee and Director of Crisis Intervention is an African-American whose exceptional service to impoverished Jewish New Yorkers was recently highlighted in New York's Jewish Week newspaper.

In the past seven years the Met Council has developed 1300 units of special needs housing for the elderly, mentally ill and the homeless; every day they provide nearly three thousand poor elderly individuals with home care services; they provide job placement to more than one thousand people a year and have trained more than 20,000 home attendants since 1993. Their food programs impact on the lives of well over 100,000 people and they also provide furniture and clothing to thousands. The Met Council's coordination of a network of two dozen Jewish Community Councils across New York City helps deliver services where they are needed in a timely and efficient manner. The Met Council is also one of the most efficient non-profit organizations today. They spend 98% of their budget on programs and services; only 2% is spent on administration.

I ask that the Jewish Week article on Jackie Ebron be printed in the RECORD.

The article follows:

[From the Jewish Week, Mar. 19, 1999]

THEY CALL HER 'MITZVAH MAMA'

(By Heather Robinson)

By the time she was 8 years old, Jackie Ebron, who is soon to become the first African-American to receive the Queens Jewish Community Council's Chesed Award, had begun helping the elderly.

Growing up in the Grant Projects on 125th Street, her family had an elderly neighbor who rarely left her apartment.

''My mother would never send me to the store that I didn't knock on this woman's door and ask, 'Do you need a loaf of bread or milk?'' recalled Ebron on a recent afternoon. ''So [the motivation to help] was with was a child.''

Ebron has channeled that motivation into more than two decades of work helping the elderly and others in need. Over the years, she has visited more than 5,000 needy homes and helped many thousands more clients over the phone. And through her work, she quickly overcame an initial prejudice: ''In my background,'' she says, ''the words Jewish and poor didn't go together. But there is a very big Jewish poor population at the poverty level or below.''

Now the director of crisis intervention services for the Metropolitan Coordinating Council on Jewish Poverty (Met Council) in Manhattan, Ebron will receive the Chesed Award on Sunday at the Third Annual Installation Breakfast of the Queens Jewish Community Council (QJCC). Shea Stadium's Diamond Club, the site of the event, will go kosher for the first time in honor of the breakfast for the QJCC, an organization representing more than 90 synagogues and Jewish organizations throughout the borough.

At the event, Ebron will share her honor with Jane Blumenstein, family violence crisis specialist for Met Council. The pair has been selected because of the extraordinary dedication they bring to their work, according to Manny Behar, executive director of the QJCC. He added that he and other officers of the QJCC chose this year's recipients, as they always do, based on character.

''We always give the award to someone who exemplifies *chesed*, which is Hebrew for acts of loving kindness, and this time, one of the people we selected happens to be African-American and non-Jewish,'' he said.

Because the QJCC and Met Council work together frequently, Behar said he has had many opportunities to observe the rare sensitivity and respect for people which Ebron—whose colleagues call her ''Mitzvah Mama''—brings to her work.

Behar recently watched Ebron provide assistance to a homeless, mentally ill man, and he admired her manner. ''The patience and understanding she showed him were absolutely inspiring,'' he recalled.

According to Peter Brest, chief operation officer at Met Council, Ebron ''combines a great and giving heart with a common sense approach to problem solving.''

While Met Council, which receives public funding, assists many needy non-Jews, it also receives private funds and specifically targets Jewish poverty. The result is that about 80 percent of Ebron's clients are Jews, a fact which is no obstacle to her dedication.

''To me it doesn't matter what race or religion you are,'' she said. ''If you are hungry or homeless, I see your need.''

A social worker for more than 25 years, Ebron, 48, grew up in Harlem, the eldest of seven children raised by a single mother. She attended Washington Irving High School in Gramercy, which was an all-girls school at the time.

After graduating, she started working at Heights Senior Citizens' Center, where her responsibilities entailed escorting elderly people to the bank and helping them with financial transactions. That was during the '70s, before direct deposit, when older people carrying social security checks were frequently targets for thieves.

That job was followed by a stint as an investigator for the mid-Bronx Senior Citizens' Council, a position that involved a large amount of what she describes as ''leg work'' to find elderly people in need.

Met Council hired her in 1977 to work on a special project arranged by a donor. In that

capacity, she made home visits to needy families, and reported what she observed to the benefactor, who then provided financial aid to the neediest cases.

After a series of other jobs, five years ago, Met Council appointed Ebron director of crisis intervention services. A supervisor of six employees, she deals directly with clients, working to provide them with assistance from Met Council and a host of additional agencies. That assistance can take many forms, such as securing job training for a young immigrant, providing funds to prevent an elderly woman from being evicted, or arranging temporary nursing help for a woman who has just given birth to multiple children. About 65 percent of her clients are elderly, 25 percent are families and the rest are young single people, Ebron said.

As an African-American woman serving the needs of a mostly Jewish population Ebron has encountered resistance on both sides of the racial and religious divide.

''I've been asked, 'How come a black woman is in charge of Jewish money?'' said Ebron, adding that she responds, '''Does it matter what I look like? What matters is I'm able to serve you to help you overcome your problem.'''

Similarly, she said, African American colleagues have questioned her choice to work for a Jewish agency.

''I'll say to them, 'My clients are Jewish. Well, I didn't know. I was so focused on the fact that they're people who need my help.' Usually when I answer that way there's no problem, no fight . . . It seems my calling is above all of that.''

Ebron, who is single and describes herself as ''married to [her] job,'' said she is gratified to work for an agency which began modestly and has since launched an array of life- and hope-sustaining programs.

''After 21 years I feel I made the right choice,'' she said.●

RECOGNITION OF THE MISSOURI INVITATIONAL CELEBRITY TURKEY HUNT

● Mr. BOND. Mr. President, I rise today to recognize the annual Missouri Invitational Celebrity Turkey Hunt sponsored by the MITCH club. This year marks the 12th anniversary of this charity event. The weekend of April 23–25, celebrities from all over the country will come to Warsaw, Missouri, to participate in the hunt. This year's participants include celebrities from many different fields including Marty Kove, who has appeared in such movies as The Karate Kid and The Rock; Ed Hearn, former Major League Baseball player; Jack Rudney, former Kansas City Chief; Dave Watson of the Oakridge Boys, and many others. Several corporate sponsors also donate time and money to this event. Following the hunt, there is an auction of items that have been donated by various celebrities, sponsors, as well as local and national wildlife artists.

The money collected from this weekend of activities is donated to various charitable organizations including Children's Mercy Hospital and local victims of natural disasters. Over the last 12 year's, more than $25,000 have been donated to Children's Mercy Hospital and over $25,000 to other local charities for a total of more than $50,000 in charitable contributions from this event.

Mr. President, I commend the MITCH club for their efforts and wish them much success in this year's event, as well as many more years of giving back to the community.●

HONORING MEDICAL LABORATORY WEEK IN INDIANA

● Mr. BAYH. Mr. President, I take the floor today to bring to the attention of my colleagues Indiana's celebration of Medical Laboratory Week.

In the world of health care, it is easy to forget that quality medical testing and exceptional patient care is a team effort. Doctors are the visible element in this complex harmony, but there is another, less visible, but equally important element involved.

Medical laboratory professionals are highly-trained health personnel who perform and evaluate those medical laboratory tests necessary to detect, diagnose, and monitor treatment of diseases. They also help to prevent diseases, while at the same time tirelessly working to develop new methods of combating them. These dedicated men and women save countless lives each day through their firm commitment to a healthier community.

Laboratory medicine is an honorable profession, in its constant and consistent dedication to the well-being of the greater community. Let us not forget that it is also an inseparable and invaluable part of health care without the often-unsung efforts of these fine people, medicine as we know it would not exist.

I therefore ask my colleagues, as well as all citizens, to join me and the State of Indiana in recognizing and supporting the vital service provided by medical laboratory professionals.●

TRIBUTE TO CORNERSTONE COLLEGE MEN'S BASKETBALL TEAM

● Mr. ABRAHAM. Mr. President. I rise today to honor the men's basketball team of Cornerstone College in Grand Rapids, Michigan, and their coach, Kim Elders. This outstanding team recently reached the pinnacle of success by winning the NAIA Division II National Championship for basketball last month.

The Golden Eagles of Cornerstone have received an honor that is reserved for only one team each year. This achievement is the product of hard work, determination, and dedication which was present throughout the Golden Eagles' season. The common focus of the team members was determined early in the pre-season as they declared themselves to be On A Mission.'' Throughout the regular season and continuing into the playoffs, Cornerstone subdued their opponents amassing an amazing record of 37 wins and only three losses, thereby earning the #1 rank in the national polls. At the national tournament in Nampa, Idaho, they proved that they deserved that rank by defeating all challengers. Their exciting season peaked at the championship game, in which Cornerstone beat the two-time defending national champion, Bethel, in an exciting overtime final.

The achievements of the basketball team will be seen by many as a way to promote the glory of sport and the excellence of Cornerstone in particular. Interestingly however, these aspects are not the focus at Cornerstone College. Rather, Cornerstone has followed its motto of Academic Excellence, Christian Commitment,'' by using basketball and their team's success as a medium to bring the Christian message to others. This being the case, the men's basketball team has not only brought a sense of pride to Cornerstone College and the greater community, but their success has been a platform for bringing the hope of Christ to all who hear about their championship.

Mr. President, the men's basketball team of Cornerstone College has shown itself to be a group of unique and talented individuals. I commend them for their dedication and hard work and honor them for the success that it has brought them. Furthermore, I commend Cornerstone College for its unique and important message and for their faithfulness in making it heard. I ask my colleagues to join me in honoring the men's basketball team of Cornerstone College for their success in becoming the 1999 NAIA national champions.●

CORRECTION TO THE RECORD

In the RECORD of April 12, 1999, the texts of S. 293 and H. Con. Res. 68 were inadvertently transposed. The material should have read as follows:

SAN JUAN COLLEGE LAND CONVEYANCE

The text of S. 293, a bill to direct the Secretaries of Agriculture and Interior to convey certain lands in San Juan County, New Mexico, to San Juan College, as passed by the Senate on March 25, 1999, follows:

S. 293

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

SECTION 1. OLD JICARILLA ADMINISTRATIVE SITE.

(a) CONVEYANCE OF PROPERTY.—Not later than one year after the date of completion of the survey referred to in subsection (b), the Secretary of the Interior shall convey to San Juan College, in Farmington, New Mexico, subject to the terms, conditions, and reservations under subsection (c), all right, title, and interest of the United States in and to a parcel of real property (including any improvements on the land) not to exceed 20 acres known as the ''Old Jicarilla Site'' located in San Juan County, New Mexico (T29N; R5W; portions of sections 29 and 30).

(b) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Interior, Secretary of Agriculture, and the President of San Juan

College. The cost of the survey shall be borne by San Juan College.

(c) TERMS, CONDITIONS, AND RESERVATIONS.—

(1) Notwithstanding exceptions of application under the Recreation and Public Purposes Act (43 U.S.C. 869(c)), consideration for the conveyance described in subsection (a) shall be—

(A) an amount that is consistent with the Bureau of Land Management special pricing program for Governmental entities under the Recreation and Public Purposes Act; and

(B) an agreement between the Secretaries of the Interior and Agriculture and San Juan College indemnifying the Government of the United States from all liability of the Government that arises from the property.

(2) The lands conveyed by this Act shall be used for educational and recreational purposes. If such lands cease to be used for such purposes, at the option of the United States, such lands will revert to the United States.

(3) The Secretary of Agriculture shall identify any reservations of rights-of-way for ingress, egress, and utilities as the Secretary deems appropriate.

(4) The conveyance described in subsection (a) shall be subject to valid existing rights.

(d) LAND WITHDRAWALS.—Public Land Order 3443, only insofar as it pertains to lands described in subsections (a) and (b), shall be revoked simultaneous with the conveyance of the property under subsection (a).

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2000

The text of H. Con. Res. 68, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2000 through 2009, as passed by the Senate on March 25, 1999, follows:

H. CON. RES. 68

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2000.

The Congress declares that this is the concurrent resolution on the budget for fiscal year 2000 and that the appropriate budgetary levels for fiscal years 2001 through 2009 are hereby set forth.

SEC. 2. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2000 through 2009:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2000: $1,408,500,000,000.
Fiscal year 2001: $1,435,300,000,000.
Fiscal year 2002: $1,456,300,000,000.
Fiscal year 2003: $1,532,600,000,000.
Fiscal year 2004: $1,584,100,000,000.
Fiscal year 2005: $1,651,000,000,000.
Fiscal year 2006: $1,684,400,000,000.
Fiscal year 2007: $1,733,200,000,000.
Fiscal year 2008: $1,802,800,000,000.
Fiscal year 2009: $1,867,500,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2000: $0.
Fiscal year 2001: −$9,800,000,000.
Fiscal year 2002: −$52,000,000,000.
Fiscal year 2003: −$30,700,000,000.
Fiscal year 2004: −$50,000,000,000.
Fiscal year 2005: −$59,900,000,000.
Fiscal year 2006: −$106,300,000,000.
Fiscal year 2007: −$138,200,000,000.
Fiscal year 2008: −$153,400,000,000.
Fiscal year 2009: −$178,200,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2000: $1,426,600,000,000.
Fiscal year 2001: $1,456,100,000,000.
Fiscal year 2002: $1,487,300,000,000.
Fiscal year 2003: $1,558,300,000,000.
Fiscal year 2004: $1,611,700,000,000.
Fiscal year 2005: $1,665,600,000,000.
Fiscal year 2006: $1,697,000,000,000.
Fiscal year 2007: $1,752,200,000,000.
Fiscal year 2008: $1,813,800,000,000.
Fiscal year 2009: $1,874,400,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2000: $1,408,100,000,000.
Fiscal year 2001: $1,435,300,000,000.
Fiscal year 2002: $1,455,100,000,000.
Fiscal year 2003: $1,532,500,000,000.
Fiscal year 2004: $1,583,900,000,000.
Fiscal year 2005: $1,638,600,000,000.
Fiscal year 2006: $1,666,400,000,000.
Fiscal year 2007: $1,715,900,000,000.
Fiscal year 2008: $1,781,200,000,000.
Fiscal year 2009: $1,841,300,000,000.

(4) SURPLUSES.—For purposes of the enforcement of this resolution, the amounts of the surpluses are as follows:

Fiscal year 2000: $400,000,000.
Fiscal year 2001: $0.
Fiscal year 2002: $1,200,000,000.
Fiscal year 2003: $100,000,000.
Fiscal year 2004: $200,000,000.
Fiscal year 2005: $12,400,000,000.
Fiscal year 2006: $18,000,000,000.
Fiscal year 2007: $17,300,000,000.
Fiscal year 2008: $21,600,000,000.
Fiscal year 2009: $26,200,000,000.

(5) PUBLIC DEBT.—The appropriate levels of the public debt are as follows:

Fiscal year 2000: $5,627,700,000,000.
Fiscal year 2001: $5,707,700,000,000.
Fiscal year 2002: $5,791,500,000,000.
Fiscal year 2003: $5,875,000,000,000.
Fiscal year 2004: $5,954,800,000,000.
Fiscal year 2005: $6,019,600,000,000.
Fiscal year 2006: $6,075,400,000,000.
Fiscal year 2007: $6,128,700,000,000.
Fiscal year 2008: $6,168,100,000,000.
Fiscal year 2009: $6,198,100,000,000.

SEC. 3. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority and budget outlays for fiscal years 2000 through 2009 for each major functional category are:

(1) National Defense (050):
Fiscal year 2000:
(A) New budget authority, $288,800,000,000.
(B) Outlays, $276,600,000,000.
Fiscal year 2001:
(A) New budget authority, $303,600,000,000.
(B) Outlays, $285,900,000,000.
Fiscal year 2002:
(A) New budget authority, $308,200,000,000.
(B) Outlays, $291,700,000,000.
Fiscal year 2003:
(A) New budget authority, $318,300,000,000.
(B) Outlays, $303,600,000,000.
Fiscal year 2004:
(A) New budget authority, $327,200,000,000.
(B) Outlays, $313,500,000,000.
Fiscal year 2005:
(A) New budget authority, $328,400,000,000.
(B) Outlays, $316,700,000,000.
Fiscal year 2006:
(A) New budget authority, $329,600,000,000.
(B) Outlays, $315,100,000,000.
Fiscal year 2007:
(A) New budget authority, $330,900,000,000.
(B) Outlays, $313,700,000,000.
Fiscal year 2008:
(A) New budget authority, $332,200,000,000.
(B) Outlays, $317,100,000,000.
Fiscal year 2009:
(A) New budget authority, $333,500,000,000.
(B) Outlays, $318,000,000,000.

(2) International Affairs (150):
Fiscal year 2000:
(A) New budget authority, $11,200,000,000.
(B) Outlays, $14,500,000,000.
Fiscal year 2001:
(A) New budget authority, $10,600,000,000.
(B) Outlays, $15,100,000,000.
Fiscal year 2002:
(A) New budget authority, $9,800,000,000.
(B) Outlays, $14,400,000,000.
Fiscal year 2003:
(A) New budget authority, $11,600,000,000.
(B) Outlays, $13,600,000,000.
Fiscal year 2004:
(A) New budget authority, $13,500,000,000.
(B) Outlays, $13,300,000,000.
Fiscal year 2005:
(A) New budget authority, $13,700,000,000.
(B) Outlays, $12,900,000,000.
Fiscal year 2006:
(A) New budget authority, $13,900,000,000.
(B) Outlays, $12,600,000,000.
Fiscal year 2007:
(A) New budget authority, $13,900,000,000.
(B) Outlays, $12,400,000,000.
Fiscal year 2008:
(A) New budget authority, $14,000,000,000.
(B) Outlays, $12,200,000,000.
Fiscal year 2009:
(A) New budget authority, $14,000,000,000
(B) Outlays, $12,100,000,000.

(3) General Science, Space, and Technology (250):
Fiscal year 2000:
(A) New budget authority, $18,000,000,000.
(B) Outlays, $18,200,000,000.
Fiscal year 2001:
(A) New budget authority, $17,900,000,000.
(B) Outlays, $17,900,000,000.
Fiscal year 2002:
(A) New budget authority, $17,900,000,000.
(B) Outlays, $17,900,000,000.
Fiscal year 2003:
(A) New budget authority, $17,900,000,000.
(B) Outlays, $17,800,000,000.
Fiscal year 2004:
(A) New budget authority, $17,900,000,000.
(B) Outlays, $17,800,000,000.
Fiscal year 2005:
(A) New budget authority, $17,900,000,000.
(B) Outlays, $17,800,000,000.
Fiscal year 2006:
(A) New budget authority, $17,900,000,000.
(B) Outlays, $17,800,000,000.
Fiscal year 2007:
(A) New budget authority, $17,900,000,000.
(B) Outlays, $17,800,000,000.
Fiscal year 2008:
(A) New budget authority, $17,900,000,000.
(B) Outlays, $17,800,000,000.
Fiscal year 2009:
(A) New budget authority, $17,900,000,000.
(B) Outlays, $17,800,000,000.

(4) Energy (270):
Fiscal year 2000:
(A) New budget authority, $0.
(B) Outlays, −$700,000,000.
Fiscal year 2001:
(A) New budget authority, −$1,400,000,000.
(B) Outlays, −$3,100,000,000.
Fiscal year 2002:
(A) New budget authority, −$200,000,000.
(B) Outlays, −$1,100,000,000.
Fiscal year 2003:
(A) New budget authority, −$100,000,000.
(B) Outlays, −$1,200,000,000.
Fiscal year 2004:
(A) New budget authority, −$300,000,000.
(B) Outlays, −$1,400,000,000.
Fiscal year 2005:
(A) New budget authority, −$400,000,000.
(B) Outlays, −$1,500,000,000.
Fiscal year 2006:
(A) New budget authority, −$500,000,000.

(B) Outlays, −$1,500,000,000.
Fiscal year 2007:
(A) New budget authority, −$500,000,000.
(B) Outlays, −$1,400,000,000.
Fiscal year 2008:
(A) New budget authority, −$200,000,000.
(B) Outlays, −$1,100,000,000.
Fiscal year 2009:
(A) New budget authority, −$100,000,000.
(B) Outlays, −$1,100,000,000.
(5) Natural Resources and Environment (300):
Fiscal year 2000:
(A) New budget authority, $22,800,000,000.
(B) Outlays, $22,600,000,000.
Fiscal year 2001:
(A) New budget authority, $22,500,000,000.
(B) Outlays, $22,000,000,000.
Fiscal year 2002:
(A) New budget authority, $22,400,000,000.
(B) Outlays, $21,400,000,000.
Fiscal year 2003:
(A) New budget authority, $22,500,000,000.
(B) Outlays, $22,600,000,000.
Fiscal year 2004:
(A) New budget authority, $23,500,000,000.
(B) Outlays, $23,500,000,000.
Fiscal year 2005:
(A) New budget authority, $23,500,000,000.
(B) Outlays, $23,400,000,000.
Fiscal year 2006:
(A) New budget authority, $23,600,000,000.
(B) Outlays, $23,500,000,000.
Fiscal year 2007:
(A) New budget authority, $23,700,000,000.
(B) Outlays, $23,400,000,000.
Fiscal year 2008:
(A) New budget authority, $23,700,000,000.
(B) Outlays, $23,400,000,000.
Fiscal year 2009:
(A) New budget authority, $24,000,000,000.
(B) Outlays, $23,700,000,000.
(6) Agriculture (350):
Fiscal year 2000:
(A) New budget authority, $14,300,000,000.
(B) Outlays, $13,200,000,000.
Fiscal year 2001:
(A) New budget authority, $13,500,000,000.
(B) Outlays, $11,300,000,000.
Fiscal year 2002:
(A) New budget authority, $11,800,000,000.
(B) Outlays, $10,000,000,000.
Fiscal year 2003:
(A) New budget authority, $12,000,000,000.
(B) Outlays, $10,300,000,000.
Fiscal year 2004:
(A) New budget authority, $12,100,000,000.
(B) Outlays, $10,500,000,000.
Fiscal year 2005:
(A) New budget authority, $10,600,000,000.
(B) Outlays, $9,900,000,000.
Fiscal year 2006:
(A) New budget authority, $10,600,000,000.
(B) Outlays, $9,100,000,000.
Fiscal year 2007:
(A) New budget authority, $10,700,000,000.
(B) Outlays, $9,100,000,000.
Fiscal year 2008:
(A) New budget authority, $10,800,000,000.
(B) Outlays, $9,200,000,000.
Fiscal year 2009:
(A) New budget authority, $10,900,000,000.
(B) Outlays, $9,200,000,000.
(7) Commerce and Housing Credit (370):
Fiscal year 2000:
(A) New budget authority, $9,900,000,000.
(B) Outlays, $4,500,000,000.
Fiscal year 2001:
(A) New budget authority, $10,600,000,000.
(B) Outlays, $5,800,000,000.
Fiscal year 2002:
(A) New budget authority, $14,500,000,000.
(B) Outlays, $10,200,000,000.
Fiscal year 2003:
(A) New budget authority, $14,500,000,000.
(B) Outlays, $10,900,000,000.
Fiscal year 2004:
(A) New budget authority, $13,900,000,000.
(B) Outlays, $10,400,000,000.
Fiscal year 2005:
(A) New budget authority, $12,700,000,000.
(B) Outlays, $9,400,000,000.
Fiscal year 2006:
(A) New budget authority, $12,600,000,000.
(B) Outlays, $9,100,000,000.
Fiscal year 2007:
(A) New budget authority, $12,700,000,000.
(B) Outlays, $8,900,000,000.
Fiscal year 2008:
(A) New budget authority, $12,600,000,000.
(B) Outlays, $8,500,000,000.
Fiscal year 2009:
(A) New budget authority, $13,400,000,000.
(B) Outlays, $8,800,000,000.
(8) Transportation (400):
Fiscal year 2000:
(A) New budget authority, $51,800,000,000.
(B) Outlays, $45,800,000,000.
Fiscal year 2001:
(A) New budget authority, $51,000,000,000.
(B) Outlays, $47,700,000,000.
Fiscal year 2002:
(A) New budget authority, $50,800,000,000.
(B) Outlays, $47,300,000,000.
Fiscal year 2003:
(A) New budget authority, $52,300,000,000.
(B) Outlays, $46,800,000,000.
Fiscal year 2004:
(A) New budget authority, $52,300,000,000.
(B) Outlays, $46,300,000,000.
Fiscal year 2005:
(A) New budget authority, $52,300,000,000.
(B) Outlays, $46,100,000,000.
Fiscal year 2006:
(A) New budget authority, $52,300,000,000.
(B) Outlays, $46,000,000,000.
Fiscal year 2007:
(A) New budget authority, $52,400,000,000.
(B) Outlays, $46,000,000,000.
Fiscal year 2008:
(A) New budget authority, $52,400,000,000.
(B) Outlays, $46,100,000,000.
Fiscal year 2009:
(A) New budget authority, $52,400,000,000.
(B) Outlays, $46,100,000,000.
(9) Community and Regional Development (450):
Fiscal year 2000:
(A) New budget authority, $7,400,000,000.
(B) Outlays, $10,700,000,000.
Fiscal year 2001:
(A) New budget authority, $5,300,000,000.
(B) Outlays, $9,100,000,000.
Fiscal year 2002:
(A) New budget authority, $5,300,000,000.
(B) Outlays, $7,000,000,000.
Fiscal year 2003:
(A) New budget authority, $5,700,000,000.
(B) Outlays, $6,100,000,000.
Fiscal year 2004:
(A) New budget authority, $5,600,000,000.
(B) Outlays, $5,500,000,000.
Fiscal year 2005:
(A) New budget authority, $5,600,000,000.
(B) Outlays, $4,800,000,000.
Fiscal year 2006:
(A) New budget authority, $5,600,000,000.
(B) Outlays, $4,500,000,000.
Fiscal year 2007:
(A) New budget authority, $5,600,000,000.
(B) Outlays, $4,400,000,000.
Fiscal year 2008:
(A) New budget authority, $5,600,000,000.
(B) Outlays, $4,300,000,000.
Fiscal year 2009:
(A) New budget authority, $5,600,000,000.
(B) Outlays, $4,300,000,000.
(10) Elementary and Secondary Education, and Vocational Education (501):
Fiscal year 2000:
(A) New budget authority, $22,000,000,000.
(B) Outlays, $20,100,000,000.
Fiscal year 2001:
(A) New budget authority, $24,100,000,000.
(B) Outlays, $21,900,000,000.
Fiscal year 2002:
(A) New budget authority, $24,500,000,000.
(B) Outlays, $22,700,000,000.
Fiscal year 2003:
(A) New budget authority, $25,900,000,000.
(B) Outlays, $24,500,000,000.
Fiscal year 2004:
(A) New budget authority, $26,900,000,000.
(B) Outlays, $25,600,000,000.
Fiscal year 2005:
(A) New budget authority, $26,900,000,000.
(B) Outlays, $26,600,000,000.
Fiscal year 2006:
(A) New budget authority, $26,900,000,000.
(B) Outlays, $26,800,000,000.
Fiscal year 2007:
(A) New budget authority, $26,900,000,000.
(B) Outlays, $26,900,000,000.
Fiscal year 2008:
(A) New budget authority, $26,900,000,000.
(B) Outlays, $26,900,000,000.
Fiscal year 2009:
(A) New budget authority, $26,900,000,000.
(B) Outlays, $26,900,000,000.
(11) Higher Education, Training, Employment, and Social Services (500, except for 501):
Fiscal year 2000:
(A) New budget authority, $43,300,000,000.
(B) Outlays, $43,500,000,000.
Fiscal year 2001:
(A) New budget authority, $41,400,000,000.
(B) Outlays, $41,900,000,000.
Fiscal year 2002:
(A) New budget authority, $41,200,000,000.
(B) Outlays, $40,900,000,000.
Fiscal year 2003:
(A) New budget authority, $42,700,000,000.
(B) Outlays, $41,900,000,000.
Fiscal year 2004:
(A) New budget authority, $43,000,000,000.
(B) Outlays, $42,300,000,000.
Fiscal year 2005:
(A) New budget authority, $43,900,000,000.
(B) Outlays, $42,900,000,000.
Fiscal year 2006:
(A) New budget authority, $44,600,000,000.
(B) Outlays, $43,700,000,000.
Fiscal year 2007:
(A) New budget authority, $45,500,000,000.
(B) Outlays, $44,500,000,000.
Fiscal year 2008:
(A) New budget authority, $46,500,000,000.
(B) Outlays, $45,500,000,000.
Fiscal year 2009:
(A) New budget authority, $46,500,000,000.
(B) Outlays, $45,500,000,000.
(12) Health (550):
Fiscal year 2000:
(A) New budget authority, $156,200,000,000.
(B) Outlays, $153,000,000,000.
Fiscal year 2001:
(A) New budget authority, $164,100,000,000.
(B) Outlays, $162,400,000,000.
Fiscal year 2002:
(A) New budget authority, $173,300,000,000.
(B) Outlays, $173,800,000,000.
Fiscal year 2003:
(A) New budget authority, $184,700,000,000.
(B) Outlays, $185,300,000,000.
Fiscal year 2004:
(A) New budget authority, $197,900,000,000.
(B) Outlays, $198,500,000,000.
Fiscal year 2005:
(A) New budget authority, $212,800,000,000.
(B) Outlays, $212,600,000,000.
Fiscal year 2006:
(A) New budget authority, $228,400,000,000.
(B) Outlays, $228,300,000,000.
Fiscal year 2007:
(A) New budget authority, $246,300,000,000.
(B) Outlays, $245,500,000,000.
Fiscal year 2008:
(A) New budget authority, $265,200,000,000.
(B) Outlays, $264,400,000,000.
Fiscal year 2009:
(A) New budget authority, $285,500,000,000.
(B) Outlays, $284,900,000,000.
(13) Medicare (570):

Fiscal year 2000:
(A) New budget authority, $208,700,000,000.
(B) Outlays, $208,700,000,000.
Fiscal year 2001:
(A) New budget authority, $222,100,000,000.
(B) Outlays, $222,300,000,000.
Fiscal year 2002:
(A) New budget authority, $230,600,000,000.
(B) Outlays, $230,200,000,000.
Fiscal year 2003:
(A) New budget authority, $250,700,000,000.
(B) Outlays, $250,900,000,000.
Fiscal year 2004:
(A) New budget authority, $268,600,000,000.
(B) Outlays, $268,700,000,000.
Fiscal year 2005:
(A) New budget authority, $295,600,000,000.
(B) Outlays, $295,200,000,000.
Fiscal year 2006:
(A) New budget authority, $306,800,000,000.
(B) Outlays, $306,900,000,000.
Fiscal year 2007:
(A) New budget authority, $337,600,000,000.
(B) Outlays, $337,800,000,000.
Fiscal year 2008:
(A) New budget authority, $365,600,000,000.
(B) Outlays, $365,200,000,000.
Fiscal year 2009:
(A) New budget authority, $394,100,000,000.
(B) Outlays, $394,200,000,000.
(14) Income Security (600):
Fiscal year 2000:
(A) New budget authority, $244,400,000,000.
(B) Outlays, $248,100,000,000.
Fiscal year 2001:
(A) New budget authority, $250,500,000,000.
(B) Outlays, $257,400,000,000.
Fiscal year 2002:
(A) New budget authority, $262,700,000,000.
(B) Outlays, $267,000,000,000.
Fiscal year 2003:
(A) New budget authority, $277,000,000,000.
(B) Outlays, $276,800,000,000.
Fiscal year 2004:
(A) New budget authority, $286,200,000,000.
(B) Outlays, $286,000,000,000.
Fiscal year 2005:
(A) New budget authority, $298,500,000,000.
(B) Outlays, $298,700,000,000.
Fiscal year 2006:
(A) New budget authority, $304,800,000,000.
(B) Outlays, $305,200,000,000.
Fiscal year 2007:
(A) New budget authority, $310,600,000,000.
(B) Outlays, $311,500,000,000.
Fiscal year 2008:
(A) New budget authority, $323,900,000,000.
(B) Outlays, $325,400,000,000.
Fiscal year 2009:
(A) New budget authority, $334,200,000,000.
(B) Outlays, $335,700,000,000.
(15) Social Security (650):
Fiscal year 2000:
(A) New budget authority, $14,200,000,000.
(B) Outlays, $14,300,000,000.
Fiscal year 2001:
(A) New budget authority, $13,800,000,000.
(B) Outlays, $13,800,000,000.
Fiscal year 2002:
(A) New budget authority, $15,600,000,000.
(B) Outlays, $15,600,000,000.
Fiscal year 2003:
(A) New budget authority, $16,300,000,000.
(B) Outlays, $16,300,000,000.
Fiscal year 2004:
(A) New budget authority, $17,100,000,000.
(B) Outlays, $17,100,000,000.
Fiscal year 2005:
(A) New budget authority, $18,000,000,000.
(B) Outlays, $17,900,000,000.
Fiscal year 2006:
(A) New budget authority, $18,900,000,000.
(B) Outlays, $18,900,000,000.
Fiscal year 2007:
(A) New budget authority, $19,900,000,000.
(B) Outlays, $19,900,000,000.
Fiscal year 2008:
(A) New budget authority, $21,000,000,000.
(B) Outlays, $21,000,000,000.
Fiscal year 2009:
(A) New budget authority, $22,200,000,000.
(B) Outlays, $22,200,000,000.
(16) Veterans Benefits and Services (700):
Fiscal year 2000:
(A) New budget authority, $44,700,000,000.
(B) Outlays, $45,100,000,000.
Fiscal year 2001:
(A) New budget authority, $44,300,000,000.
(B) Outlays, $45,000,000,000.
Fiscal year 2002:
(A) New budget authority, $44,700,000,000.
(B) Outlays, $45,100,000,000.
Fiscal year 2003:
(A) New budget authority, $45,900,000,000.
(B) Outlays, $46,400,000,000.
Fiscal year 2004:
(A) New budget authority, $46,200,000,000.
(B) Outlays, $46,700,000,000.
Fiscal year 2005:
(A) New budget authority, $48,800,000,000.
(B) Outlays, $49,300,000,000.
Fiscal year 2006:
(A) New budget authority, $47,300,000,000.
(B) Outlays, $47,800,000,000.
Fiscal year 2007:
(A) New budget authority, $47,800,000,000.
(B) Outlays, $46,200,000,000.
Fiscal year 2008:
(A) New budget authority, $48,500,000,000.
(B) Outlays, $49,000,000,000.
Fiscal year 2009:
(A) New budget authority, $49,100,000,000.
(B) Outlays, $49,700,000,000.
(17) Administration of Justice (750):
Fiscal year 2000:
(A) New budget authority, $23,400,000,000.
(B) Outlays, $25,300,000,000.
Fiscal year 2001:
(A) New budget authority, $24,700,000,000.
(B) Outlays, $25,100,000,000.
Fiscal year 2002:
(A) New budget authority, $24,700,000,000.
(B) Outlays, $24,900,000,000.
Fiscal year 2003:
(A) New budget authority, $24,600,000,000.
(B) Outlays, $24,400,000,000.
Fiscal year 2004:
(A) New budget authority, $26,200,000,000.
(B) Outlays, $26,100,000,000.
Fiscal year 2005:
(A) New budget authority, $26,300,000,000.
(B) Outlays, $26,200,000,000.
Fiscal year 2006:
(A) New budget authority, $26,400,000,000.
(B) Outlays, $26,200,000,000.
Fiscal year 2007:
(A) New budget authority, $26,400,000,000.
(B) Outlays, $26,300,000,000.
Fiscal year 2008:
(A) New budget authority, $26,500,000,000.
(B) Outlays, $26,300,000,000.
Fiscal year 2009:
(A) New budget authority, $26,500,000,000.
(B) Outlays, $26,400,000,000.
(18) General Government (800):
Fiscal year 2000:
(A) New budget authority, $12,300,000,000.
(B) Outlays, $13,500,000,000.
Fiscal year 2001:
(A) New budget authority, $11,900,000,000.
(B) Outlays, $12,600,000,000.
Fiscal year 2002:
(A) New budget authority, $12,100,000,000.
(B) Outlays, $12,300,000,000.
Fiscal year 2003:
(A) New budget authority, $12,100,000,000.
(B) Outlays, $12,200,000,000.
Fiscal year 2004:
(A) New budget authority, $12,100,000,000.
(B) Outlays, $12,200,000,000.
Fiscal year 2005:
(A) New budget authority, $12,100,000,000.
(B) Outlays, $11,900,000,000.
Fiscal year 2006:
(A) New budget authority, $12,100,000,000.
(B) Outlays, $11,800,000,000.
Fiscal year 2007:
(A) New budget authority, $12,200,000,000.
(B) Outlays, $11,900,000,000.
Fiscal year 2008:
(A) New budget authority, $12,200,000,000.
(B) Outlays, $12,100,000,000.
Fiscal year 2009:
(A) New budget authority, $12,200,000,000.
(B) Outlays, $11,900,000,000.
(19) Net Interest (900):
Fiscal year 2000:
(A) New budget authority, $275,500,000,000.
(B) Outlays, $275,500,000,000.
Fiscal year 2001:
(A) New budget authority, $271,000,000,000.
(B) Outlays, $271,000,000,000.
Fiscal year 2002:
(A) New budget authority, $267,400,000,000.
(B) Outlays, $267,400,000,000.
Fiscal year 2003:
(A) New budget authority, $265,100,000,000.
(B) Outlays, $265,100,000,000.
Fiscal year 2004:
(A) New budget authority, $263,400,000,000.
(B) Outlays, $263,400,000,000.
Fiscal year 2005:
(A) New budget authority, $261,000,000,000.
(B) Outlays, $261,000,000,000.
Fiscal year 2006:
(A) New budget authority, $258,600,000,000.
(B) Outlays, $258,600,000,000.
Fiscal year 2007:
(A) New budget authority, $257,000,000,000.
(B) Outlays, $257,000,000,000.
Fiscal year 2008:
(A) New budget authority, $254,700,000,000.
(B) Outlays, $254,700,000,000.
Fiscal year 2009:
(A) New budget authority, $252,700,000,000.
(B) Outlays, $252,700,000,000.
(20) Allowances (920):
Fiscal year 2000:
(A) New budget authority, −$8,000,000,000.
(B) Outlays, −$10,100,000,000.
Fiscal year 2001:
(A) New budget authority, −$8,500,000,000.
(B) Outlays, −$12,900,000,000.
Fiscal year 2002:
(A) New budget authority, −$6,400,000,000.
(B) Outlays, −$20,000,000,000.
Fiscal year 2003:
(A) New budget authority, −$4,400,000,000.
(B) Outlays, −$4,800,000,000.
Fiscal year 2004:
(A) New budget authority, −$4,500,000,000.
(B) Outlays, −$5,000,000,000.
Fiscal year 2005:
(A) New budget authority, −$4,500,000,000.
(B) Outlays, −$5,100,000,000.
Fiscal year 2006:
(A) New budget authority, −$4,600,000,000.
(B) Outlays, −$5,200,000,000.
Fiscal year 2007:
(A) New budget authority, −$5,200,000,000.
(B) Outlays, −$5,800,000,000.
Fiscal year 2008:
(A) New budget authority, −$5,300,000,000.
(B) Outlays, −$5,900,000,000.
Fiscal year 2009:
(A) New budget authority, −$5,300,000,000.
(B) Outlays, −$5,900,000,000.
(21) Undistributed Offsetting Receipts (950):
Fiscal year 2000:
(A) New budget authority, −$34,300,000,000.
(B) Outlays, −$34,300,000,000.
Fiscal year 2001:
(A) New budget authority, −$36,900,000,000.
(B) Outlays, −$36,900,000,000.
Fiscal year 2002:
(A) New budget authority, −$43,600,000,000.
(B) Outlays, −$43,600,000,000.
Fiscal year 2003:
(A) New budget authority, −$37,000,000,000.
(B) Outlays, −$37,000,000,000.
Fiscal year 2004:
(A) New budget authority, −$37,100,000,000.
(B) Outlays, −$37,100,000,000.
Fiscal year 2005:

(A) New budget authority, −$38,100,000,000.
(B) Outlays, −$38,100,000,000.
Fiscal year 2006:
(A) New budget authority, −$38,800,000,000.
(B) Outlays, −$38,800,000,000.
Fiscal year 2007:
(A) New budget authority, −$40,100,000,000.
(B) Outlays, −$40,100,000,000.
Fiscal year 2008:
(A) New budget authority, −$40,900,000,000.
(B) Outlays, −$40,900,000,000.
Fiscal year 2009:
(A) New budget authority, −$41,800,000,000.
(B) Outlays, −$41,800,000,000.

SEC. 4. RECONCILIATION.

Not later than September 30, 1999, the House Committee on Ways and Means shall report to the House a reconciliation bill that consists of changes in laws within its jurisdiction such that the total level of revenues is not less than: $1,408,500,000,000 in revenues for fiscal year 2000, $7,416,800,000,000 in revenues for fiscal years 2000 through 2004, and $16,155,700,000,000 in revenues for fiscal years 2000 through 2009.

SEC. 5. SAFE DEPOSIT BOX FOR SOCIAL SECURITY SURPLUSES.

(a) FINDINGS.—Congress finds that—

(1) under the Budget Enforcement Act of 1990, the social security trust funds are off-budget for purposes of the President's budget submission and the concurrent resolution on the budget;

(2) the social security trust funds have been running surpluses for 17 years;

(3) these surpluses have been used to implicitly finance the general operations of the Federal Government;

(4) in fiscal year 2000, the social security surplus will exceed $137 billion;

(5) for the first time, a concurrent resolution on the budget balances the Federal budget without counting social security surpluses; and

(6) the only way to ensure that social security surpluses are not diverted for other purposes is to balance the budget exclusive of such surpluses.

(b) POINT OF ORDER.—(1) It shall not be in order in the House of Representatives or the Senate to consider any concurrent resolution on the budget, or any amendment thereto or conference report thereon, that sets forth a deficit for any fiscal year. For purposes of this subsection, a deficit shall be the level (if any) set forth in the most recently agreed to concurrent resolution on the budget for that fiscal year pursuant to section 301(a)(3) of the Congressional Budget Act of 1974. In setting forth the deficit level pursuant to such section, that level shall not include any adjustments in aggregates that would be made pursuant to any reserve fund that provides for adjustments in allocations and aggregates for legislation that enhances retirement security or extends the solvency of the Medicare trust funds or makes such changes in the Medicare payment or benefit structure as are necessary.

(2) Paragraph (1) may be waived in the Senate only by the affirmative vote of three-fifths of the Members voting.

(c) SENSE OF THE CONGRESS.—It is the sense of the Congress that—

(1) beginning with fiscal year 2000, legislation should be enacted to require any official statement issued by the Office of Management and Budget, the Congressional Budget Office, or any other agency or instrumentality of the Government of surplus or deficit totals of the budget of the Government as submitted by the President or of the surplus or deficit totals of the congressional budget, and any description of, or reference to, such totals in any official publication or material issued by either of such offices or any other such agency or instrumentality, should exclude the outlays and receipts of the old-age, survivors, and disability insurance program under title II of the Social Security Act (including the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund) and the related provisions of the Internal Revenue Code of 1986; and

(2) legislation should be considered to augment subsection (b) by—

(A) taking such steps as may be required to safeguard the social security surpluses, such as statutory changes equivalent to the reserve fund for retirement security and Medicare set forth in section 6; or

(B) otherwise establishing a statutory limit on debt held by the public and reducing such limit by the amounts of the social security surpluses.

SEC. 6. RESERVE FUND FOR RETIREMENT SECURITY AND, AS NEEDED, MEDICARE.

(a) RETIREMENT SECURITY.—Whenever the Committee on Ways and Means of the House reports a bill, or an amendment thereto is offered, or a conference report thereon is submitted that enhances retirement security, the chairman of the Committee on the Budget may—

(1) increase the appropriate allocations for each of fiscal years 2000 through 2004 and aggregates for each of fiscal years 2000 through 2009 of new budget authority and outlays by the amount of new budget authority provided by such measure (and outlays flowing therefrom) for such fiscal year for that purpose; and

(2) reduce the revenue aggregates for each of fiscal years 2000 through 2009 by the amount of the revenue loss resulting from that measure for such fiscal year for that purpose.

(b) MEDICARE PROGRAM.—Whenever the Committee on Ways and Means or the Committee on Commerce of the House reports a bill, or an amendment thereto is offered, or a conference report thereon is submitted that extends the solvency or reforms the benefit or payment structure of the Medicare Program, including any measure in response to the National Bipartisan Commission on the Future of Medicare, the chairman of the Committee on the Budget may increase the appropriate allocations and aggregates of new budget authority and outlays by the amounts provided in that bill for that purpose.

(c) LIMITATION.—(1) The chairman of the Committee on the Budget may only make adjustments under subsection (a) or (b) if the net outlay increase plus revenue reduction resulting from any measure referred to in those subsections (including any prior adjustments made for any other such measure) for fiscal year 2000, the period of fiscal years 2000 through 2004, or the period of fiscal years 2000 through 2009 is not greater than an amount equal to the projected social security surplus for such period, as set forth in the joint explanatory statement of managers accompanying this concurrent resolution or, if published, the midsession review for fiscal year 2000 of the Director of the Congressional Budget Office. For purposes of the preceding sentence, revenue reductions shall be treated as a positive number.

(2) In the midsession review for fiscal year 2000, the Director of the Congressional Budget Office, in consultation with the Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, shall make an up-to-date estimate of the projected surpluses in the social security trust funds for fiscal year 2000, for the period of fiscal years 2000 through 2004, and for the period of fiscal years 2000 through 2009.

(3) As used in this subsection, the term ''social security trust funds'' means the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.

SEC. 7. RESERVE FUND FOR PROGRAMS AUTHORIZED UNDER THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT.

(a) IN GENERAL.—In the House, when the Committee on Appropriations reports a bill or joint resolution, or an amendment thereto is offered, or a conference report thereon is submitted that provides new budget authority for fiscal year 2000, 2001, 2002, 2003, or 2004 for programs authorized under the Individuals with Disabilities Education Act (IDEA), the chairman of the Committee on the Budget may increase the appropriate allocations and aggregates of new budget authority and outlays by an amount not to exceed the amount of new budget authority provided by that measure (and outlays flowing therefrom) for that purpose up to the maximum amount consistent with section 611(a) of the Individuals with Disabilities Education Act (20 U.S.C. 1411(a)(2)).

(b) ADJUSTMENTS.—The adjustments in outlays (and the corresponding amount of new budget authority) made under subsection (a) for any fiscal year may not exceed the amount by which an up-to-date projection of the on-budget surplus made by the Director of the Congressional Budget Office for that fiscal year exceeds the on-budget surplus for that fiscal year set forth in section 2(4) of this resolution.

(c) CBO PROJECTIONS.—Upon the request of the chairman of the Committee on the Budget of the House, the Director of the Congressional Budget Office shall make an up-to-date estimate of the projected on-budget surplus for the applicable fiscal year.

SEC. 8. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution for any measure shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

SEC. 9. UPDATED CBO PROJECTIONS.

Each calendar quarter the Director of the Congressional Budget Office shall make an up-to-date estimate of receipts, outlays and surplus (on-budget and off-budget) for the current fiscal year.

SEC. 10. SENSE OF THE CONGRESS ON THE COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM.

(a) FINDINGS.—Congress finds that—

(1) persecution of individuals on the sole ground of their religious beliefs and practices occurs in countries around the world and affects millions of lives;

(2) such persecution violates international norms of human rights, including those established in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Helsinki Accords, and the Declaration on the Elimination of all Forms of Intolerance and Discrimination Based on Religion or Belief;

(3) such persecution is abhorrent to all Americans, and our very Nation was founded on the principle of the freedom to worship according to the dictates of our conscience; and

(4) in 1998 Congress unanimously passed, and President Clinton signed into law, the

International Religious Freedom Act of 1998, which established the United States Commission on International Religious Freedom to monitor facts and circumstances of violations of religious freedom and authorized $3,000,000 to carry out the functions of the Commission for each of fiscal years 1999 and 2000.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that—

(1) this resolution assumes that $3,000,000 will be appropriated within function 150 for fiscal year 2000 for the United States Commission on International Religious Freedom to carry out its duties; and

(2) the House Committee on Appropriations is strongly urged to appropriate such amount for the Commission.

SEC. 11. SENSE OF THE HOUSE ON PROVIDING ADDITIONAL DOLLARS TO THE CLASSROOM.

(a) FINDINGS.—The House finds that—

(1) strengthening America's public schools while respecting State and local control is critically important to the future of our children and our Nation;

(2) education is a local responsibility, a State priority, and a national concern;

(3) working with the Nation's governors, parents, teachers, and principals must take place in order to strengthen public schools and foster educational excellence;

(4) the consolidation of various Federal education programs will benefit our Nation's children, parents, and teachers by sending more dollars directly to the classroom; and

(5) our Nation's children deserve an educational system that will provide opportunities to excel.

(b) SENSE OF THE HOUSE.—It is the sense of the House that—

(1) the House should enact legislation that would consolidate thirty-one Federal K–12 education programs; and

(2) the Department of Education, the States, and local educational agencies should work together to ensure that not less than 95 percent of all funds appropriated for the purpose of carrying out elementary and secondary education programs administered by the Department of Education is spent for our children in their classrooms.

SEC. 12. SENSE OF THE CONGRESS ON ASSET-BUILDING FOR THE WORKING POOR.

(a) FINDINGS.—Congress finds that—

(1) 33 percent of all American households have no or negative financial assets and 60 percent of African-American households have no or negative financial assets;

(2) 46.9 percent of all children in America live in households with no financial assets, including 40 percent of caucasian children and 75 percent of African-American children;

(3) in order to provide low-income families with more tools for empowerment, incentives which encourage asset-building should be established;

(4) across the Nation numerous small public, private, and public-private asset-building initiatives (including individual development account programs) are demonstrating success at empowering low-income workers;

(5) the Government currently provides middle and upper income Americans with hundreds of billions of dollars in tax incentives for building assets; and

(6) the Government should utilize tax laws or other measures to provide low-income Americans with incentives to work and build assets in order to escape poverty permanently.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that any changes in tax law should include provisions which encourage low-income workers and their families to save for buying their first home, starting a business, obtaining an education, or taking other measures to prepare for the future.

SEC. 13. SENSE OF THE CONGRESS ON ACCESS TO HEALTH INSURANCE AND PRESERVING HOME HEALTH SERVICES FOR ALL MEDICARE BENEFICIARIES.

(a) ACCESS TO HEALTH INSURANCE.—

(1) FINDINGS.—Congress finds that—

(A) 43.4 million Americans are currently without health insurance, and that this number is expected to rise to nearly 60 million people in the next 10 years;

(B) the cost of health insurance continues to rise, a key factor in increasing the number of uninsured; and

(C) there is a consensus that working Americans and their families and children will suffer from reduced access to health insurance.

(2) SENSE OF THE CONGRESS ON IMPROVING ACCESS TO HEALTH CARE INSURANCE.—It is the sense of the Congress that access to affordable health care coverage for all Americans is a priority of the 106th Congress.

(b) PRESERVING HOME HEALTH SERVICE FOR ALL MEDICARE BENEFICIARIES.—

(1) FINDINGS.—Congress finds that—

(A) the Balanced Budget Act of 1997 reformed Medicare home health care spending by instructing the Health Care Financing Administration to implement a prospective payment system and instituted an interim payment system to achieve savings;

(B) the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999, reformed the interim payment system to increase reimbursements to low-cost providers, added $900 million in funding, and delayed the automatic 15 percent payment reduction for one year, to October 1, 2000; and

(C) patients whose care is more extensive and expensive than the typical Medicare patient do not receive supplemental payments in the interim payment system but will receive special protection in the home health care prospective payment system.

(2) SENSE OF THE CONGRESS ON ACCESS TO HOME HEALTH CARE.—It is the sense of the Congress that—

(A) Congress recognizes the importance of home health care for seniors and disabled citizens;

(B) Congress and the Administration should work together to maintain quality care for patients whose care is more extensive and expensive than the typical Medicare patient, including the sickest and frailest Medicare beneficiaries, while home health care agencies operate in the interim payment system; and

(C) Congress and the Administration should work together to avoid the implementation of the 15 percent reduction in the interim payment system and ensure timely implementation of the prospective payment system.

SEC. 14. SENSE OF THE HOUSE ON MEDICARE PAYMENT.

(a) FINDINGS.—The House finds that—

(1) a goal of the Balanced Budget Act of 1997 was to expand options for Medicare beneficiaries under the new Medicare+Choice program;

(2) Medicare+Choice was intended to make these choices available to all Medicare beneficiaries; and unfortunately, during the first two years of the Medicare+Choice program the blended payment was not implemented, stifling health care options and continuing regional disparity among many counties across the United States; and

(3) the Balanced Budget Act of 1997 also established the National Bipartisan Commission on the Future of Medicare to develop legislative recommendations to address the long-term funding challenges facing Medicare.

(b) SENSE OF THE HOUSE.—It is the sense of the House that this resolution assumes that funding of the Medicare+Choice program is a priority for the House Committee on the Budget before financing new programs and benefits that may potentially add to the imbalance of payments and benefits in Fee-for-Service Medicare and Medicare+Choice.

SEC. 15. SENSE OF THE HOUSE ON ASSESSMENT OF WELFARE-TO-WORK PROGRAMS.

(a) IN GENERAL.—It is the sense of the House that, recognizing the need to maximize the benefit of the Welfare-to-Work Program, the Secretary of Labor should prepare a report on Welfare-to-Work Programs pursuant to section 403(a)(5) of the Social Security Act. This report should include information on the following—

(1) the extent to which the funds available under such section have been used (including the number of States that have not used any of such funds), the types of programs that have received such funds, the number of and characteristics of the recipients of assistance under such programs, the goals of such programs, the duration of such programs, the costs of such programs, any evidence of the effects of such programs on such recipients, and accounting of the total amount expended by the States from such funds, and the rate at which the Secretary expects such funds to be expended for each of the fiscal years 2000, 2001, and 2002;

(2) with regard to the unused funds allocated for Welfare-to-Work for each of fiscal years 1998 and 1999, identify areas of the Nation that have unmet needs for Welfare-to-Work initiatives; and

(3) identify possible Congressional action that may be taken to reprogram Welfare-to-Work funds from States that have not utilized previously allocated funds to places of unmet need, including those States that have rejected or otherwise not utilized prior funding.

(b) REPORT.—It is the sense of the House that, not later than January 1, 2000, the Secretary of Labor should submit to the Committee on the Budget and the Committee on Ways and Means of the House and the Committee on Finance of the Senate, in writing, the report described in subsection (a).

SEC. 16. SENSE OF THE CONGRESS ON PROVIDING HONOR GUARD SERVICES FOR VETERANS' FUNERALS.

It is the sense of the Congress that all relevant congressional committees should make every effort to provide sufficient resources so that an Honor Guard, if requested, is available for veterans' funerals.

SEC. 17. SENSE OF THE CONGRESS ON CHILD NUTRITION.

(a) FINDINGS.—Congress finds that—

(1) both Republicans and Democrats understand that an adequate diet and proper nutrition are essential to a child's general well-being;

(2) the lack of an adequate diet and proper nutrition may adversely affect a child's ability to perform up to his or her ability in school;

(3) the Government currently plays a role in funding school nutrition programs; and

(4) there is a bipartisan commitment to helping children learn.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that the Committee on Education and the Workforce and the Committee on Agriculture should examine our Nation's nutrition programs to determine if they can be improved, particularly with respect to services to low-income children.

APPOINTMENTS BY THE MAJORITY LEADER

The PRESIDING OFFICER. The Chair announces the following appointments on behalf of the majority leader:

Pursuant to provisions of section 3(b) of Public Law 105–341, the following individuals are appointed to the Women's Progress Commemoration Commission: Elaine L. Chao of Kentucky; Amy M. Holmes of Washington, DC; and Patricia C. Lamar of Mississippi.

APPOINTMENTS BY THE DEMOCRATIC LEADER

The PRESIDING OFFICER. The Chair announces the appointment of the following Senators on behalf of the Democratic Leader:

Pursuant to the provisions of Public Law 105–244, the following Senator is appointed to serve as a member of the Web-Based Education Commission: the Honorable JEFF BINGAMAN of New Mexico.

Pursuant to the provisions of Public Law 94–304, as amended by Public Law 99–7, the Chair announces the appointment as members of the Commission on Security and Cooperation in Europe: Senator FRANK R. LAUTENBERG of New Jersey; Senator BOB GRAHAM of Florida; Senator RUSSELL D. FEINGOLD of Wisconsin; and Senator CHRISTOPHER J. DODD of Connecticut.

UNANIMOUS CONSENT AGREEMENT—HOUSE CONCURRENT RESOLUTIONS 44, 47, AND 50

Mr. NICKLES. Mr. President, I ask unanimous consent that the Senate proceed, en bloc, to the consideration of the following concurrent resolutions: H. Con. Res. 44, H. Con. Res. 47, and H. Con. Res. 50.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL PEACE OFFICERS' MEMORIAL SERVICE

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A concurrent resolution (H. Con Res. 44) authorizing the use of the Capitol Grounds for the 18th annual National Peace Officers' Memorial Service.

GREATER WASHINGTON SOAP BOX DERBY

The PRESIDING OFFICER. The clerk will report the next resolution.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 47) authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.

SPECIAL OLYMPICS LAW ENFORCEMENT TORCH RUN

The PRESIDING OFFICER. The clerk will report the next resolution.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 50) authorizing the 1999 District of Columbia Special Olympics Law Enforcement Torch Run to be run through the Capitol Grounds.

Mr. NICKLES. Mr. President, I ask unanimous consent that the resolutions be agreed to, the motions to reconsider be laid upon the table, and that any statements relating to the resolutions be printed at the appropriate place in the RECORD, with the above occurring en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolutions (H. Con. Res. 44, H. Con. Res. 47, and H. Con. Res. 50) were agreed to.

ORDERS FOR THURSDAY, APRIL 15, 1999

Mr. NICKLES. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until 9:30 a.m. on Thursday, April 15. I further ask that on Thursday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved, and the Senate then resume debate on the budget resolution conference report.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. NICKLES. For the information of all Senators, the Senate will reconvene on Thursday at 9:30 a.m. and immediately begin the final 5 hours of debate on the budget resolution conference report. Therefore, Senators can expect a rollcall vote on adoption of the conference report at approximately 2 p.m., or earlier if time is yielded back. Under a previous order, the Senate may also expect a final vote on the House version of S. 767, the uniform services tax filing fairness bill. That vote is expected to occur immediately following the vote on the budget conference report.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. NICKLES. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent the Senate stand in adjournment until 9:30 a.m. tomorrow.

There being no objection, the Senate, at 6:09 p.m., adjourned until Thursday, April 15, 1999, at 9:30 a.m.

EXTENSIONS OF REMARKS

CAPITAL GAINS TAX SIMPLIFICATION ACT OF 1999

HON. WILLIAM J. COYNE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. COYNE. Mr. Speaker, today I am reintroducing the ''Capital Gains tax Simplification Act.'' As with similar legislation I introduced last year, this bill would simplify the computation of capital gains taxes for all individual taxpayers and provide modest capital gains tax reductions for millions of Americans.

As recent articles in The Wall Street Journal and Money magazine have observed, the 1040 Form's Schedule D has become very burdensome for ordinary taxpayers as they attempt to comply with the current capital gains tax law. Filling out Schedule D is disproportionately burdensome for low- and moderate-income taxpayers whose only capital gains come from investments in mutual funds and real estate investment trusts. It has been estimated that nearly half of all U.S. households now own mutual funds.

The IRS estimates that a typical taxpayer with a capital gain will spend 6 hours and 41 minutes filling out his or her 54-line Schedule D form. That is over 3 hours more than in 1994. In addition to the amount of time involved, the chances of making an error in filling out this form have increased with its increased complexity. Elimination of the 18-month holding period last year did little or nothing to eliminate the complexity of Schedule D. If nothing is done to change the tax code, the complexity of Schedule D will get even worse in 2001 and again in 2006, when additional capital gains tax rate categories will take effect; these future changes in Schedule D will make the 1998 version look simple in comparison. Finally, increasingly large numbers of taxpayers will have to fill out Schedule D twice—once for the regular tax and once for the minimum tax.

The Internal Revenue Service's new national Taxpayer Advocate, Val Oveson, agrees that capital gains simplification is needed. In his January report to Congress, he cited the capital gains reporting requirements in Schedule D as an example of unnecessary complexity faced by taxpayers with capital gains income from mutual funds.

Under the legislation that I am introducing today, the current complicated system of different capital gains tax rates would be replaced with a simple 38 percent exclusion. The bill would also change the taxation of collectibles so that any gain or loss from the sale or exchange of a collectible would be treated as a short-term capital gain or loss. Consistent with the treatment of capital gains under current law, the tax rates that apply to capital gains income for regular tax purposes would also apply for alternative minimum tax purposes.

Under my bill, low- and moderate-income taxpayers who invest through mutual funds and real estate investment trusts would no longer have to fill out even a simplified capital gain schedule. Rather than filling in 35 separate lines of information and making a number of confusing, error-prone calculations—as required under current law—they would simply total up their capital gains distributions, figure out what 62 percent of that total would be, and then write that amount on the appropriate line of their tax return form.

This bill would simplify income tax preparation for millions of Americans, and I believe that it would do so at no cost to the U.S. Treasury. While the Joint Committee on Taxation (JCT) has not yet determined the revenue impact of the bill I am introducing today, JCT estimated last year that nearly identical legislation would actually have raised revenue over a ten-year period.

Congress should act this year to make the tax code less complex—and less burdensome—for the American taxpayer. The Capital Gains Tax Simplification Act would go a long way toward achieving that goal.

Several of my colleagues on the Ways and Means Committee—including Representatives RANGEL, MATSUI, MCDERMOTT, LEWIS, and NEAL—have joined me in introducing this legislation. I urge all of my House colleagues to join us in cosponsoring this important tax simplification bill

A TRIBUTE TO DEAN PRESTON

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. MCINNIS. Mr. Speaker, I would like to take a moment to recognize the career of one of Colorado's esteemed reporters, Dean Preston (the recently retired agricultural reporter for The Pueblo Chieftain). In doing so, I would like to honor this man who, for many years, combined hard work and knowledge with his own special personal touch. An individual with so much integrity and compassion will be truly missed and difficult to replace.

Beginning his career with The Pueblo Chieftain over 28 years ago, Dean Preston learned and experienced various positions before deciding on a career as an agricultural reporter. What began as a ''gamble'' by the city editor, led Preston to an area of reporting very suitable to him. Growing up on a dry land farm in the Texas Panhandle, Preston had gained an understanding of this type of agriculture. Preston's knowledge of Colorado agriculture was second to none, however, I think all would agree that it was his dedication to the people that made him so unique. He was known to make personal visits to check on crops, regardless of the time and miles it required to get there.

During the time Dean Preston spent reporting and editing for The Pueblo Chieftain, he received several awards, one of which was ''Agriculture Champion'' given by the Colorado Cattlemen's Association. Additionally, Preston has recently received honors from the Pueblo County Farm Bureau.

After 28½ years of service to The Pueblo Chieftain, City of Pueblo, and the surrounding areas, Dean Preston begins down a new avenue in life. Few have displayed the dedication and genuine interest that Dean Preston is being honored for, thus I wish him well in his well-deserved retirement.

IN HONOR OF THE SCHOOL OF THE FUTURE AND THE CENTER FOR ETHICS AND TECHNOLOGY

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mrs. MALONEY of New York. Mr. Speaker, I rise today to pay a special tribute to The School of the Future as it celebrates the opening of the new Center for Ethics and Technology.

This innovative educational facility, located in the heart of my district, is aptly named: it does a remarkable job in preparing our city's children for the future. An astounding 98 percent of the School's graduates were accepted to colleges and major universities in 1998.

The School places an emphasis on providing students with a strong liberal arts education. It aims to produce students who are not only culturally literate, but who have well-developed analytical skills. Students are trained to examine evidence, explore alternate points of view, consider significance, understand point of view and seek connections in all of their learnings.

The new Center for Ethics and Technology strives to create a sense of balance and responsibility in our increasingly technological society. Through the use of computer technology, the Center will allow participants to expand their inter-generational dialogue toward an intercultural, international exchange.

Last month, the Center invited senior citizens, computer scientists, inner city freshman and their parents to join the Anti-Defamation League at a forum to explore how our sense of community has evolved in today's high-tech world.

This Center would not have been possible if not for the dedicated volunteer work of the Center's director, Adam Kinory; the school's teachers and principal, Kathy Rehfield-Pelles; its parent body, and volunteers from The Sol Goldman 14th Street Y of The Educational Alliance, New York Cares, and Pencil.

At a time when our public school enrollments are at record levels and those numbers are expected to climb further, we have an obligation to act now to shore up our public education system. The School of the Future is leading that journey.

Mr. Speaker, I ask that my colleagues rise with me in this tribute to The School of the Future as it strives to bring our public education

system into the next millennium. The School's important work with New York City's children is priceless. It is an honor to have the School in my district.

TRIBUTE TO COACH ROBERT ''BOB'' HUGHES

HON. MARTIN FROST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. FROST. Mr. Speaker, I rise today to congratulate and give honor to a Texas legend: Coach Robert ''Bob'' Hughes whose name is synonymous with the game of basketball. Coach Hughes has a winning reputation that stretches far beyond the great State of Texas and the mark he continues to make on the sporting culture of this great country is without argument an indelible one.

This remarkable man's career spans almost four decades. He began his career at the proud and the historic I.M. Terrell school. After the unfortunate closing of I.M. Terrell, Coach Hughes carried on his winning tradition at Paul Lawrence Dunbar High School where he continues coaching today and is an exemplar of integrity and sportsmanship. Among his many outstanding accomplishments: 19 district championships, 3 State championships, Coach of the Year 22 times. He has been featured in Sports Illustrated, and seen on the CNN. He also has more wins than any other high school coach in America at 1,120 and counting.

People in Fort Worth often associate Bob Hughes with his young Wildcat teams, but it needs to be noted that this man has been directly responsible for producing many of the fine business and community leaders who contribute so much to our city and country every day.

Congratulations Coach Hughes on the well-deserved honor you are receiving from Dunbar High. This is yet another momentous occasion in a life filled with them.

THE SIXTH ANNUAL COWBOY POETRY AND MUSIC FESTIVAL

HON. HOWARD P. "BUCK" McKEON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. McKEON. Mr. Speaker, I rise today to pay tribute to the Sixth Annual Cowboy Poetry and Music Festival that took place at the historic Melody Ranch in Santa Clarita, CA. For 4 days, cowboy enthusiasts such as myself, were entertained by local residents, as well as individuals from 22 different states and 2 foreign nations.

This ranch has a significant historical background, Mr. Speaker. Once owned by Gene Autry, the Melody Ranch was used for some of the greatest western movies featuring legendary stars such as Tom Mix, Hopalong Cassidy, Gary Cooper, John Wayne, and Ronald Reagan.

In celebration of our Western Heritage, this festival brought together communities from around the nation and around the world to my hometown to enjoy in a bygone era of cowboys, campfires, and country music. Cowboy music, poetry, and food provided everyone with what Santa Claritans know to be true, that country and western tradition are among the very best that our nation has to offer.

Whether it was the special performances at the Autry Museum of Western Heritage, the mansion of silent film star William S. Hart, or the Heritage Junction Historic Park this festival can be called nothing less than an overwhelming success. I would like to applaud the organizers, the participants, and the community as a whole for their participation in this event.

Mr. Speaker, as I end these remarks and I reflect back on the Cowboy Poetry and Music Festival, I am reminded of the end of so many of the western movies that show the cowboy riding off into the sunset. We sure hope that he returns next year to make certain that future generations never forget this indispensable history.

HONORING WEBSTER HIGH SCHOOL'S VICTORY IN THE NYS SCIENCE OLYMPIAD CHAMPIONSHIP

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mrs. SLAUGHTER. Mr. Speaker, today I would like to take a moment to call attention to the outstanding accomplishments of a dedicated team of students from the Rochester region. In March 1999, the Webster High School Science Olympiad team competed in the New York State Science Olympiad championship and finished in first place. This is the second time in 3 years that students from Webster have been victorious in this challenging and difficult competition. In addition, this year's victory is the 5th year in a row that the team has placed first or second state-wide.

The Science Olympiad focuses on confronting the critical situation of declining academic achievement in science classes nationwide. The rigorous academic competitions are dedicated towards the goals of improving the quality of science education, increasing student interest in science, and providing recognition for outstanding achievement in science education by both students and teachers. The atmosphere surrounding these events strikes a balance among science facts, concepts, skills, and applications, while simultaneously encouraging teamwork and enthusiasm. Since the first national tournament in 1985, this organization has helped to create a significant increase in student interest in science.

As members of the Student Olympiad, this group of Webster students have committed themselves to these goals. Their exemplary performance is a clear indication of their hard work and dedication, as well as an example of their commitment to academic excellence and intellectual achievement. In March they competed against 40 high schools in 25 events focusing on topics such as biology, earth science, chemistry, physics, problem solving, and technology.

It is my distinct privilege to recognize the members of the Webster High School Science Olympiad team as residents of my district. Their accomplishments create an academic standard which all students should strive to attain. I invite my colleagues to join me in congratulating the students and the coaches on their victory in the 1999 Science Olympiad New York State championship.

HOME EDUCATION

HON. ROY BLUNT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. BLUNT. Mr. Speaker, I am pleased to join the Missouri State Senate and Missouri House of Representatives in support of home education. The Missouri General Assembly has designated the first week of May as Home Education Week. Missouri is looked to as a leader nationwide in home education movement.

Home education in Missouri has enjoyed considerable success in recent years because of the tremendous support received from countless citizens who realize the significance of family participation in the education process. Home education allows parents to ensure that the positive character traits and moral values instilled in their children at home are reinforced by the educational process.

Home education is successful and history proves it. Since the founding of America many famous Americans have been home educated. That list includes George Washington, Thomas Jefferson, Booker T. Washington, Thomas Edison, Andrew Carnegie, Franklin D. Roosevelt, Mark Twain and Sandra Day O'Conner. Home education is practiced by over 4,600 citizens of Missouri.

Without hesitation, I thank each parent who is at home teaching their child the skills they will need to succeed in the competitive world we live in today. I hope that my colleagues will join me today to let you know that your efforts are generally appreciated.

HONORING MCDONALD'S RESTAURANT OWNERS FOR THEIR SCHOLARSHIP PROGRAM

HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. ROTHMAN. Mr. Speaker, I rise today to honor the nearly 200 independent McDonald's Restaurant Owners of New York, New Jersey and Connecticut for launching the Arching into Education Scholarship program. These locally owned and operated restaurants have a long-standing commitment to the communities they serve. The Arching into Education Scholarships is just the latest example of the great work our area McDonald's owners are doing. Through this program, the owners are providing $175,000 in college scholarship money to high school seniors in the New York Tri-State area. Arching Into Education encompasses three distinct scholarship programs: one offers scholarships for all students; another provides scholarships for students wishing to attend a United Negro College Fund member institution; and a third, the GospelFest Music Scholarships, awards scholarships for students interested in majoring in music.

The Tri-State McDonald's Owners have also partnered with Ronald McDonald House Charities to offer an additional $175,000 in scholarships for HACER, a scholarship program for area students of Hispanic heritage. Combined in these four scholarship programs, McDonald's owners will contribute $350,000 in college scholarships to students in the Tri-State community.

These scholarship programs are just one part of the McDonald's Owners' continuing commitment to education and the communities in which they operate. The Tri-State Owners support reading incentive programs and other initiatives for elementary school students. Additionally, they sponsor programs that teach parents the importance of immunizing young children, and instruct children on bicycle safety, helmet use, and fire safety. The Tri-State McDonald's owners also help support the great work that the Ronald McDonald House does for families of young cancer victims.

Mr. Speaker, I am proud to recognize the important contributions Tri-State McDonald's owners are making to our communities. I urge you and all Members of Congress to join me in applauding the McDonald's Restaurant Owners of New York, New Jersey and Connecticut for their continued commitment to education and dedication to programs that help ensure a successful future for our children.

TRIBUTE TO THE KATHRYN SEVERYNS DEMENT SLEEP DISORDERS CENTER

HON. GEORGE R. NETHERCUTT, JR.

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. NETHERCUTT. Mr. Speaker, I rise today to pay tribute to the Kathryn Severyns Dement Sleep Disorders Center located in Walla Walla, Washington. I was very pleased to visit the sleep clinic and recently had the honor of accepting an award on behalf of Walla Walla, Washington being recognized as the Healthy Sleep Capital of the Nation.

The Walla Walla sleep center is the result of Dr. William C. Dement's efforts to educate others on sleep awareness and its disorders. Dr. Dement is a Walla Walla native and sleep medicine pioneer. He is the director of the Stanford University Sleep Research and Clinical Programs, and was the founding President of the American Sleep Disorders Association. Dr. Dement, along with Dr. Richard Simon, Jr., director of the sleep center, and doctors Michael Bernstein, Jennings Falcon, and Eric Ball have all made sleep problems a fundamental focus of their medical practices. These doctors have become experts in the field of sleep disorders and lead the world in sleep disorder treatment.

Most people do not realize the seriousness or extent of the sleep disorders problem. Statistics show that between 50 and 100 million people in the United States have diagnosable sleep disorders. This is not just limited to adults, sleep disorders affect people of all ages. These disorders are severely underdiagnosed in children. The National Transportation Safety Board points to chronic sleep deprivation as being the leading cause of fatal and non-fatal heavy truck accidents. The estimated annual cost of untreated sleep disorders due to preventable morbidity and accidents is $100 billion.

The work the Walla Walla sleep center has done in treating and diagnosing sleep disorders is unparalleled. Compared to doctors from outlying areas, Walla Walla doctors are referring as many as six times the number of patients for sleep disorders treatment. This is mostly due to the training these doctors have received. Prior to sleep disorder training, a survey of more than 750 patient charts found that just six patients mentioned having problems sleeping, and of those, two patients were diagnosed with disorders. One year after the training, 130 to 140 people were diagnosed with sleep apnea, a treatable disorder where the sleeper repeatedly stops breathing for an instant. Between 1994 and 1998, the center saw 1,421 new patients and performed 1,711 sleep studies.

The doctors at the Walla Walla sleep center continue to make advances in sleep study research. They are responsible for training physicians throughout the area and have helped two other hospitals start sleep centers. They are also currently working with Stanford University to apply for a grant to determine whether mild sleep apnea should be treated. Everyone at the Walla Walla sleep center deserves to be recognized for their hard work and commitment to the silent epidemic of sleep disorders. Thanks to them, this serious problem is not going unnoticed, and their efforts will save lives.

TRIBUTE TO THE HONORABLE TOM BANE—DECEMBER 28, 1913–APRIL 10, 1999

HON. BRAD SHERMAN

OF CALIFORNIA

HON. HOWARD L. BERMAN

OF CALIFORNIA

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. SHERMAN. Mr. Speaker, my colleagues, Mr. BERMAN, Mr. WAXMAN, and I rise today to remember the Honorable Tom Bane who died last Saturday, April 10, 1999. Tom was not only a great legislator and politician, but also a mentor and friend.

Tom represented the San Fernando Valley in the California Legislature for 24 years, during which time he authored ground breaking legislation that improved the lives of all Californians—fighting to protect the environment, the poor, the elderly, and also working to enhance public education.

Perhaps Tom's best known legislative victory was a 1988 law mandating heavy punishment for hate crimes committed in California—the first Hate Crimes legislation passed in the United States. Tom also authored legislation that prohibited the ''cop killer'' Teflon bullet; the Tom Bane Civil Rights Act; and significant banking and savings and loan legislation. He also worked with his colleagues to co-author California's first Lemon Law, Seat-Belt Law and the Paramedic Bill.

Whether it be on the floor of the Assembly or walking through his district talking with constituents, Tom exemplified democracy at its finest. He took great pride in his friendships with members from both sides of the aisle, and played a significant leadership role as the Chairman of the powerful Assembly Rules Committee. And even late in his political career, Tom often walked his district during campaigns instead of relying on focus groups and advertisements to rally support—that type of grass roots accessibility is the way democracy is supposed to work.

Tom's vision, leadership and tenacity were an inspiration to all who knew him. He dedicated his career to enriching every aspect of our lives and our communities—making our streets safer from criminals, improving the quality of education received by our children, and ensuring that as a society we would not tolerate crimes committee because of race, religion or gender.

Our thoughts are with Tom's wife Marlene, their children Bruce, Lisa and Neil; and grandchildren Ryan, Eric, Shai, Dean, Ziv, Evan, Paul and Adriadne.

Mr. Speaker, distinguished colleagues, please join us in remembering a great friend and outstanding man, a true mensch, Tom Bane.

A TRIBUTE TO DR. PAUL SALMEN

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. McINNIS. Mr. Speaker, I would like to take this moment to recognize the career of one of Colorado's fine physicians and outstanding individuals, Dr. Paul Salmen. In doing so, I would like to pay tribute to a man who has shown, time and again, that it pays to give a little back to the community. In our Community Dr. Paul Salmen is fondly referred to as Dr. Paul.

Dr. Paul Salmen is a long time resident of Glenwood Springs, Colorado, who has made a large impact on his community. Aside from his contributions as a physician, Dr. Salmen takes time out of his day to get involved with many local organizations such as Healthy Beginnings, the Youth Recovery Center, Glenwood Medical Associates, the Sunlight Mountain Resorts Ski Patrol and the Pediatric Crisis Committee. In addition to the many organizations in which Dr. Paul Salmen is active, he still finds time to extend his knowledge to the youth as a coach for swimming, volleyball and basketball. He also participates as a soccer and basketball referee.

Those who are privileged to know Dr. Paul Salmen know he is well liked and respected by the community. Given his moral character and all the areas that Dr. Salmen dedicates time to, it is no wonder that he was chosen as the recipient of the ''1998 Garfield County-Wide Humanitarian Service Award.''

I have known Dr. Salmen and his wife Nancy Reinisch (who in her own right is a bright star in our community) for years. I have deep respect for the caring they have for people. Dr. Paul and Nancy have dedicated their lives so that other peoples are improved. The Salmens succeed with the tools of compassion, knowledge, advocacy, and dedication.

Individuals such as Dr. Paul Salmen, who volunteers his time to a good cause, are a rare breed. Dr. Paul is a model citizen. Fellow

citizens and patients have gained immensely by knowing Dr. Paul Salmen and for that we owe him a debt of gratitude.

IN HONOR OF SISTER PAT MYER

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mrs. MALONEY of New York. Mr. Speaker, I rise today to pay a special tribute to Sister Pat Myer upon her departure from the Convent of the Sacred Heart in Manhattan for Albany where she will continue her lifelong dedication to helping others.

For decades, Sister Pat has been one of the main rocks of leadership in the East Harlem community, an area that I had the honor to represent as a member of the New York City Council. When a neighborhood crisis arose, Sister Pat, in her quiet and dignified manner, worked to solve the problem. She would peacefully direct a solution to any situation.

Although one would most often find Sister Pat at the Convent of the Sacred Heart on East 91st Street, where she served as a school administrator. One was just as likely to find her out in East Harlem working with the community.

Sister Pat Myer was always at the heart of the important movements in the community, whether it was fighting crime or drugs or simply improving the neighborhood. Among her many endeavors, Sister Pat helped facilitate a Tactical Narcotics Team in the neighborhood, helped to save Metropolitan Hospital from severe cutbacks, fought zoning laws to prevent the destruction of the East Harlem neighborhood, and led the great fight to ''Save the Tenements,'' East Harlem's important affordable housing.

An East Harlem resident since 1976, Sister Pat's active involvement in the community came in many different forms. For five years she served as the chair of the Pleasant Village Block Association. She established a neighborhood watch program and helped to shut down places of ill repute. These efforts earned Sister Pat a Snap Award from the City of New York.

Her community work did not end there. She chaired the Economic Development Committee of Community Board Eleven; she was involved with the Little Sisters of the Assumption Health Center; she worked on the Big Picture Committee, which looked at East Harlem's larger problems; and she became active with the Neighborhood Advisory Committee's Department of Youth and Community Development where she helped to secure federal funding for community projects.

Sister Pat Myer's efforts have made the East Harlem neighborhood a better place to live. The people of Albany should feel blessed to have a woman like Sister Pat in their midst.

I will miss the phone calls I used to receive from Sister Pat whenever she saw a problem arising in the community. She reached out to anyone who needed help and made a difference in their lives.

Mr. Speaker, I am honored to bring to your attention the outstanding work of Sister Pat Myer. It has truly been an honor to work with such a dedicated and caring woman over the years. Her unwavering dedication to make her community a better place will always be felt and appreciated. East Harlem and New York City will greatly miss the special touch of Sister Pat Myer.

TRIBUTE TO PROFESSOR ALLAN SAXE

HON. MARTIN FROST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. FROST. Mr. Speaker, I rise today to congratulate one of Arlington, Texas's most civic-minded residents. Professor Allan Saxe was honored Saturday as Meals on Wheels of Tarrant County's Volunteer of the Year. Allan has been delivering meals to the elderly for 20 years, but that is just the beginning of his charitable activities.

Over the years, Allan has selflessly given away hundreds of thousands of dollars to community causes throughout Arlington. Whether it's the Saxe Museum or one of the two baseball fields that bare his name, you can't go far in the Arlington area without coming upon something honoring Allan's good works. There are so many things named after Allan in Arlington that even her says he can't keep track of them all.

Allan has taught political science at the University of Texas at Arlington for many years. He has a strong attachment to the city and adds great color to our community. He is a regular columnist for the Star Telegram, and his opinionated columns often invoke intense responses from readers. Allan is also widely known for giving away much of what he has to charity, including all of a very large inheritance.

This latest honor confirms Allan's status North Texas benefactor, both in terms of his time and money. Allan is simply one of those people that every community wishes they had more of. I am pleased to call him a friend, and am pleased to have him in my Congressional District.

Allan, congratulations on being named Meals on Wheels of Tarrant County's Volunteer of the Year. This is another great honor in a life full of them.

GEORGE L. PLUMLEE WRITES AN ESSAY WORTH READING

HON. BOB STUMP

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. STUMP. Mr. Speaker, it is my pleasure to commend to my colleagues an essay authored by my constituent George L. Plumlee, a senior at Parker High School in Parker, AZ. George was the first place district winner of the Veterans of Foreign Wars Voice of Democracy Competition. His essay on the contest theme of ''My Service to America'' reminds us that our freedoms are not to be taken for granted, and that freedom is something we all must work for each day. Service to America means that we must be personally responsible for the protection and perpetuation of our freedoms that make America strong. Every person can make a contribution in even the smallest of ways to continue fighting for the freedoms we all enjoy. I commend George's essay to my colleagues attention.

''MY SERVICE TO AMERICA'' 1998–99 VFW VOICE OF DEMOCRACY SCHOLARSHIP COMPETITION

I am very proud and thankful to be an American living in the United States. To me, having the right to be an American should be earned, or at the least, nurtured and contributed to on a constant basis. If we expect our country to remain strong and free, I believe all Americans should contribute some type of service to America. I see ''My Service to America'' as a daily effort to support the country that I love, and the country that gives back to me all the wonderful gifts it does, such as freedom. Freedom is the most previous thing a man can have. America's freedom has been hard won by the sacrifice of its many veterans, and stays free because they are still there doing their duty, rain or shine, day or night, everyday.

As individual citizens if we do not contribute to our country, I believe it will eventually weaken and not be the strong country it has been for so long. I feel there are many ways I can give ''My Service to America''. If I cannot serve in the armed forces of our country, there are still many ways to support and contribute to make my America function and stay strong. Through out my first 12 years of school I have been active in not only school activities, but have volunteered many times to serve the community with civic and charitable functions. America is a big country, and has a lot going on, but I believe it all starts with the common citizen living in Little Town, U.S.A. If a person does not bother to vote, they are giving up a right that has been earned in blood and lives. It is apparent in so many countries around the world today what happens, or does not happen when you have the right to vote as a free people. Without the right to vote and decide your own destiny, every part of your daily life is controlled by only one person or a small group of people. If educators do not give their very best in educating our children, we will not have properly prepared citizens to become our educators and leaders of tomorrow. Even mechanics and bus drives are important for the same reasons. What makes our system work is everybody doing their share of supporting our way of life even in the smallest of ways.

When I was younger I did not give much thought to all the freedoms we have in America, and how we got or kept them. I was just a kid running around having fund. Then I remember my dad started telling me how and why we are free, and how so many Americans sacrificed so much for our country. I am being honest when I say I used to get so tired of Dad preaching this to me so many times. But Dad had, and was doing his duty to his country by being a Master Sergeant in the United States Marines, and by passing on to me the values that make America what it is today. I am extremely proud of my dad for many reasons. Today when I see many people not doing their share to support America, it reminds me of when I was a little kid, just running around having fun. All Americans need to be educated and informed on a regular basis why we are free, and what it means to be an American and the responsibilities that entails. I believe my dad has served his country in every possible way. Because of my dad, when I see our flag flying, or hear the National Anthem, my pride and emotions start to swell. When I see our flag flying it is not just a piece of material with a pattern on it. It is the symbol of our country and stands for all the sacrifices made by our veterans to keep us free. In movies or on TV when I see all the white crosses at Arlington National Cemetery, or American

flags on grave markers in common cemeteries, I am reminded of why we are free. Those brave and honored Americans gave the ultimate ''See to America''.

PERSONAL EXPLANATION

HON. JULIA CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Ms. CARSON. Mr. Speaker, I was unavoidably absent on Monday, April 12, 1999, and Tuesday, April 13, 1999, attending a family funeral, and as a result, missed rollcall votes 78 through 82. Had I been present, I would have voted ''yes'' on rollcall vote 78, ''yes'' on rollcall vote 79, ''yes'' on rollcall 80, ''yes'' or rollcall 81, and ''yes'' on rollcall 82.

HONORING HOUSTON POLICE DEPARTMENT OFFICER VONDA HIGGINS

HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. BENTSEN. Mr. Speaker, I rise to honor Houston Police Department Officer Vonda Higgins, who is being honored as the Honorary Chairlady of the Top Ladies of Distinction on April 10, 1999. Officer Higgins is certainly deserving of this honor.

Mr. Speaker, police officers across the country show courage and bravery everyday. Vonda Higgins displayed this courage as an undercover narcotics officer protecting Houstonians from the evils of drugs. For five years she worked in this role to stop criminals from dealing drugs and ruining lives and neighborhoods. Vonda Higgins loved her work and was passionate about her work.

On February 4, 1998, Officer Higgins was working to stop drug dealers from overrunning an area on Bellaire Boulevard where children played, Buddhists worshipped, and families lived. On that day, while trying to apprehend a criminal, Officer Higgins was shot by an assailant. The bullet entered her neck and paralyzed her. She is now in a wheelchair.

Mr. Speaker, Vonda Higgins now faces a new challenge in life. She is facing that challenge with the same dignity, courage, passion, and integrity that she displayed while on the job. She is supported by loving parents and a new dog, ''Latin,'' named after a fellow police officer.

Fortunately, the perpetrator of this despicable act of cowardice was charged and sentenced to 24 years in prison. The effects of Vonda Higgins and the efforts of the Houston Police Department have stopped the scourge of deadly drugs into the area on far west Bellaire Boulevard. Instead of criminals and needles, flags and balloons fly in front of the landscaped entrance of the Arbor Daily Ashford.

Mr. Speaker, Vonda Higgins is an inspiration to all of us working to make this world a better and safer place for our children and our neighbors. We wish her Godspeed as she recovers from this terrible tragedy. We wish her the best and with hard work and determined prayers, we know she will overcome.

IN MEMORY OF THE LATE PAUL WILLIAM TANNER

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. VISCLOSKY. Mr. Speaker, northwest Indiana lost an outstanding citizen last month. Paul William Tanner, Sr., who devoted his life to our county, passed away on March 10, 1999.

Throughout his life, Mr. Tanner served as an exceptional example of a good American. As a United States Army World War II veteran of the North African campaign against General Rommel, Mr. Tanner demonstrated the enduring qualities of loyalty, honor, devotion, and service to our country.

While serving in the Armed Forces during World War II, he suffered shrapnel wounds and was captured by the Germans. Following his capture, he was forced to march to Tunis, the capital of Tunisia, from where he was flown to Italy, where he remained for about a month. During his stay in Italy, he was fed one small bowl of cabbage daily. From Italy, he was forced to march to various countries, including Austria and Germany. As a prisoner of war, Mr. Tanner was required to work on a farm thrashing barley, and while performing this difficult manual labor, he inhaled thick dust which weakened his lungs. He contracted tuberculosis, which led to a lifelong debilitating battle with bronchitis and emphysema. After gaining his freedom and returning to the United States, Mr. Tanner completed his college education and became a public school teacher. His weakened lungs forced him to take an early retirement and led to his eventual death at the age of 76.

Mr. Speaker and my distinguished colleagues, I ask you to join me in commending Mr. Paul William Tanner, Sr., for his dedication to this country. His family and friends can be proud of his strong devotion and service to the United States. He will be missed by all who loved him.

H.R. 1285, THE CANCER SCREENING COVERAGE ACT OF 1999

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mrs. MALONEY of New York. Mr. Speaker, I rise today to discuss a very important bi-partisan piece of health legislation—H.R. 1285, The Cancer Screening Coverage Act of 1999 (CASCA). This bill was recently introduced by myself and Representative SUE KELLY. It provides coverage for cancer screening to private insurance patients.

Cancer is extremely prevalent in the United States. It is the second leading cause of death in the United States and, according to the Centers for Disease Control, almost half of these deaths are among women. One out of every 4 deaths is from cancer. The American Cancer Society has said that approximately 563,100 Americans will die from this disease this year. That's 1,500 cancer-related deaths per day. Everyone is at risk. Men have a 1 in 2 lifetime risk of developing or dying from cancer and women have a 1 in 3 lifetime risk. Those are pretty high odds.

Cancer also costs both individuals and our society a great deal. The National Institutes of Health has estimated that cancer has an annual lost productivity cost due to premature death of $59 billion.

Since 1990, approximately 5 million people have died from cancer. In this day and age, getting diagnosed with cancer is not necessarily a death sentence. Treatments are being improved every day and the overall survival rate has increased dramatically in the last decade. However, according to the American Cancer Society, treatments are most effective if cancer is caught at an early stage. Early detection has been a particular problem for minorities. Cancers among African Americans are more frequently diagnosed after the cancer has metastasized.

The first step that needs to be taken to reduce the number of cancer related deaths is to increase access to screening exams in the private sector. We have already increased access for those over 65. In 1997, Congress gave Medicare patients many of the same benefits that are included in my bill. Americans under the age of 65 deserve this same benefit.

Cancer screening and early detection offer many benefits. Screening is the search for disease in persons who do not have symptoms or who do not recognize that they have the disease. Early detection can extend life, reduce treatment, and improve cancer patients' quality of life. When conducted regularly by a health care professional, screening examinations can result in the detection of cancers of the breast, colon, rectum, cervix, and prostate at earlier stages, when treatment is most likely to be successful. More than forty percent of all cancer cases occur in these screening-accessible cancer sites.

Another benefit is that screening tools allow for the detection of cancer in its early form, when treatment costs are less expensive. With an increased availability of screening, the economic and social costs of cancer are kept to a minimum. We know that cancer screening and early detection not only improve the chance of survival and quality of life but also save money. For example, patients diagnosed through colon cancer screenings at a cost of $125–$300 have a 90% chance of survival. Yet, if a patient is not diagnosed until symptoms are apparent, the chance of survival drops to 8% and care during the remaining 4–5 years of life can cost up to $100,000. Similarly, the initial cost of treating rectal cancer that is detected early is about $5,700. This is approximately 75% less than the estimated $30,000–$40,000 that it costs to initially treat rectal cancer that is detected further in its development. As a society, we can't afford not to screen.

Mr. Speaker, I would like to read into the record a statement by a woman who spoke about her own life saving experience with cancer screening at a press conference I recently held in New York City on this bill. This woman had the most advanced form of pre-invasive cervical cancer. If she had waited only a little longer for her screening, it may have been too late.

''Hi, my name is Theresa Nygard. I am someone who knows first hand the benefit of cancer screening tests. In November 1991, nine months after the birth of my second child,

I received the news that my Pap smear showed an irregularity. I had gone for a regular check-up, suspecting nothing, and came away with the news that I had what is called a 'level three displasia,' or a 'carcinoma in situ.' When my doctor, Dr. Goldstein, called to deliver the news, we immediately scheduled an in-office laser surgery for him to remove the cancerous tissues (that same day). In retrospect, this potentially devastating bit of news was almost rendered a non-event. I had the surgery, and beyond some lingering anxiety about having 'missed a bullet,' my life continued as if nothing had happened. In fact something very significant did happen—my life was saved.''

''I know how lucky I am. When I was nineteen I lost my mother to ovarian cancer. I saw what cancer can do. To a person's health and vigor, to their family and friends. When I put my experience in the context of that knowledge I am incredibly thankful that this absolutely routine testing saved me from my own ignorance. I had never thought to fear cervical cancer. Since my mother's death I have been concerned (maybe even obsessed) with fears of contracting ovarian cancer, but I had never even thought of the danger of cervical cancer. I had specifically sought out Dr. Goldstein because I had heard that he was an expert on ovarian cancer detection. I thought I was being vigilant, but in fact I was simply lucky. Lucky that this form of cancer screening test was conducted as a routine part of my regular exam and lucky that my mother's experience has at least taught me to assume nothing about my health. I had no clue, no symptom, no ache or pain that would have compelled me to make a special appointment in 1991. Only because this testing had become a routine part of my life was my condition rendered a completely curable 'non-event.' I wish that this could have been so for my mother, as I wish it were so for all women faced with this sort of discovery.''

Another woman, Lee Ann Taylor, also shared her story about cervical cancer screening at the New York City press conference. I would also like her statement placed into the RECORD.

''Hi—my name is Lee Ann Taylor and I would like to briefly explain how pre-cancer screening tests or preventive care has helped me lead a normal life.''

''I have been a patient of Dr. Goldstein for over 10 years. With Dr. Goldstein's guidance and recommendation I have diligently followed a regimen of annual PAP tests are now semi-annual tests. During these years there has been a number of times when abnormal cells have been detected in early stages.''

''My family also has a history of breast cancer. Once again annual mammograms and now at the age of 40 and over, a semi-annual sonogram test is recommended for women with a family history of breast cancer.''

''For me, these annual/semi-annual pre-cancer screening tests have detected abnormal cell changes in such early stages that only minor procedures had to be performed to correct the problem.''

''I strongly believe that pre-cancer screening tests are absolutely necessary and have helped me lead a normal active life. I have two beautiful healthy children and I want to think that I am doing everything that I can to prevent any unnecessary risk to my health and to my family's health.''

Mr. Speaker, most insurance companies provide coverage for some cancer screening. The problem is that coverage is very inconsistent and plans do not always provide coverage for the appropriate type of screening test given a person's risk level. For example, some New York City health plans have made mammographies available, but would deny coverage for a colonoscopy to a woman with a family history of colorectal cancer.

Studies have shown that there is a direct correlation between the utilization of preventive services and the level of service provided by health insurance coverage. The more comprehensive an individual's health insurance coverage is, including cancer screening, the more likely that the person will use these important preventive services. Health insurance, covered items and services, deductibles, coinsurance, and other co-payments all affect care seeking behavior.

My bill assures that all individuals with health insurance are guaranteed coverage for important cancer screening tools used for the detection of breast, cervical, colorectal, and prostate cancers. Science has shown that the screening exams contained in my bill are effective. If a physician and patient have decided that a patient would benefit from a screening exam, insurance companies should not deny access to this exam. This bill will saves lives and lower the cost of treating cancer by increasing the rates of early detection.

Mr. Speaker, I would like to share the following facts and statistics on these four cancers with you and my colleagues.

Breast cancer is the second most common cause of cancer-related deaths among American women. This type of cancer also strikes men. The American Cancer Society has estimated that there will be 175,000 new invasive cases of breast cancer in 1999 among women and about 1,300 new cases among men. 43,700 people will die of breast cancer in this year. Regular mammography screening has been shown to reduce breast cancer mortality significantly by at least 30% in women aged 50 and older. Recent scientific evidence has also shown that women in their 40s also benefit from regular mammography.

My bill provides annual mammograms for women ages 40 and over and for women under 40 who are at high risk of developing breast cancer. Annual clinical breast exams will also be provided for women ages 40 and over and for women between the ages of 20 and 40 who are at high risk of developing cancer and every three years for women in the 20 to 40 age group who are at normal to moderate risk.

An estimated 4,800 women will die from cervical cancer this year. When detected at an early stage, invasive cervical cancer is one of the most successfully treatable cancers. The five year survival rate for localized cancer, cervical cancer that is detected in the early stage, is 91%. According to the CDC, the costs of diagnosis, treatment, and follow-up associated with early stages of cervical cancer are $4,359, whereas the same costs for late, invasive cervical cancer are more than triple that amount. CASCA ensures that women ages 18 and over and women who are under age 18 and are or have been sexually active will have coverage for annual pap tests and pelvic exams.

Colorectal cancer is the third leading cause of cancer-related deaths in the United States. While colorectal cancer is often thought of as a men's disease, women are almost equally affected by it. Early detection is essential for survival of colorectal cancer. When colorectal cancers are detected in an early, localized stage, the 5-year relative survival rate is 91%; however, only 37% of colorectal cancers are currently discovered at that stage.

There are several tests that can be used to screen for colorectal cancer. Only a physician can determine in consultation with the patient which test is appropriate. My bill ensures coverage for the appropriate test for men and women ages 50 and those under 50 who are at high risk for an annual screening fecal-occult blood test and a screening flexible sigmoidoscopy every four years or a screening barium enema. Because science has demonstrated the effectiveness of colonoscopy in detecting colon cancer throughout the entire colon, coverage for this exam is ensured for men and women at high risk in any age group.

In the past five years, more than 20,000 American men lost their lives to prostate cancer. About one in four prostate cancer cases strikes a man under the age of 65. The number of men in their 40s and 50s who are battling prostate cancer is increasing, and clinicians around the country report seeing more aggressive forms of the disease in younger men. African American men are diagnosed with prostate cancer 35% more frequently than Caucasians and are more than twice as likely to die of the disease. In fact, prostate cancer is the second leading cause of death among this group. Last year, the American Cancer Society reported a 23% rise in the prostate cancer death rate over a twenty year period. CASCA ensures coverage for annual digital rectal examination and/or annual prostate-specific antigen blood tests for men ages 50 and over. This specific provision is supported by not only the American Cancer Society, but also the American Urological Association.

The provisions in CASCA are based on the latest scientific knowledge and have been shown to be effective in reducing cancer mortality. The bill is based on the guidelines of the American Cancer Society and follows the Medicare cancer screening benefits as provided by the Balanced Budget Act of 1997.

The following 28 organizations have endorsed CASCA: The American Cancer Society, American Society of Clinical Oncologists, Society of Gynecologic Oncologists, Association of Reproductive Health Professionals, American Urological Association, American College of Obstetricians & Gynecologists, American Medical Women's Association, Cancer Research Foundation of America, American Public Health Association, American Society of Colon & Rectal Surgeons, American Nurses Association, National Alliance of Nurse Practitioners, American College of Nurse Practitioners, American Society of Reproductive Medicine, Cancer Care, Inc., Susan G. Komen Breast Cancer Foundation, Cure for Lymphoma Foundation, National Alliance of Breast Cancer Organizations, National Patient Advocate Foundation, National Coalition for Cancer Survivorship, Oncology Nursing Society, North American Brain Tumor Coalition, American College of Gastroenterology, Y–ME National Breast Cancer Organization, Alliance for Lung Cancer Advocacy, Support & Education, the Center for Patient Advocacy, the Kidney Cancer Association, and the National Cervical Cancer Coalition.

''The Cancer Screening Coverage Act of 1999'' is an important first step to ensuring that the goals of reducing cancer mortality and incidence, as well as improving the quality of life for all cancer patients, are met. Mr. Speaker, I hope my colleagues will join me in taking this opportunity to save almost 150,000 Americans a year.

INTRODUCTION OF LEGISLATION

HON. JIM McCRERY

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. McCRERY. Mr. Speaker, once again, I am introducing legislation to remedy a problem brought to my attention by the U.S. utility industry involving the taxation of foreign operations of U.S. electric and gas utilities. These firms were prohibited for many years from doing business abroad until the National Energy Policy Act (NEPA), enacted in 1992, removed that prohibition. With passage of NEPA, and as some foreign governments began privatizing their national utilities and increasing energy demands necessitated the construction of new facilities to fulfill the new capacity, U.S. utilities began to make foreign investments. Since 1992, U.S. utility companies have made significant investments in utility operations in the United Kingdom, Australia, Eastern Europe, and South America.

Foreign utilities are particularly attractive investments from a U.S. viewpoint. They are not ''runaway plants'', but rather stimulate job creation in the U.S. in design, architecture, engineering, construction and heavy equipment manufacturing. When the subsidiary of an U.S. utility builds generating plants, transmission lines, or distribution facilities to serve its foreign customers, these most often come from U.S. suppliers. Given that the U.S. energy market is mature, overseas investments are a good way for U.S. utilities to diversify and grow, to the benefit of their employees and their shareholders.

Unfortunately, the Internal Revenue Code penalizes these investments by subjecting them to double taxation. Under the foreign tax credit rules, the interest expense of a U.S. person is allocated in part to its foreign operations based on the theory of the ''fungibility of money.'' The allocation formula in Internal Revenue Code section 864 requires U.S. domestic interest expense to be allocated based on the value of the company's foreign and domestic assets. If a firm has mature (depreciated) U.S. assets and newly acquired overseas assets, like many U.S. utilities, a disproportionate amount of U.S. interest expense will be allocated abroad. The result is a very high effective tax rate on that foreign investment and a loss of U.S. foreign tax credits. Rather than face this double tax penalty, some U.S. utilities have actually chosen not to invest overseas and others have pulled back from their initial investments.

One solution to this problem is found in the legislation that I am introducing today. Our remedy is to exempt the debt associated with a regulated U.S. utility business (the furnishing and sale of electricity or natural gas) from the interest allocation rules of Internal Revenue Code section 864. The proposal would allocate and apportion interest expense attributable to qualified infrastructure solely to sources within the United States. ''Qualified infrastructure indebtedness'' would be defined as debt incurred in a corporation's trade or business of furnishing or selling electricity or natural gas in the United States. Further, the rates for such furnishing or sale of electrical energy must be regulated or set by the Federal Government, a State, the District of Columbia or a political subdivision thereof.

I am also aware that my colleagues on the Committee on Ways and Means, Congressmen HOUGHTON and LEVIN, together with Senators HATCH and BAUCUS, have been leading a multiyear effort to reform the international tax laws. I am a strong supporter of that effort, which is intended in part to rectify the disconnect between our Nation's favorable trade laws and our tax laws, which too often penalize American firms wanting to expand into foreign markets. The problem of interest allocation has not yet been addressed in the Houghton-Levin legislation, but I strongly urge that this provision be included in any foreign tax reform bill introduced in the next Congress. Further, because the process of getting legislation enacted into law properly involves consultation with Treasury, the affected industry, and the bar, we encourage those with subject matter expertise in this area to review our bill. I believe my bill reflects the best thinking now available on how to address this serious problem, but we are certain that further reflection will yield even better for U.S. utilities attempting to invest overseas.

IN RECOGNITION OF KICK BUTTS DAY

HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. KING. Mr. Speaker, I rise today to recognize McKenna Elementary School in Massapequa, New York, for their participation in the national anti-smoking campaign, ''Kick Butts Day.'' This truly motivational program has been diligently organized by the students of this elementary school.

As we all know, young people are easy targets for the tobacco industry and this is evidenced by the increase in teen smoking throughout the nation. Smoking hurts young people's physical well-being. It can be associated with poor overall health and can lead to more severe conditions if continued. Many children are pressured into smoking. The younger a child begins smoking, the more likely he is to become strongly addicted to nicotine. Nicotine is a drug that causes cancer, heart disease and emphysema. Statistics show that teens who smoke are more likely than nonsmokers to use alcohol, marijuana, and cocaine. Children are only putting themselves at risk by starting to smoke.

Again, it is important to recognize all the schools throughout the nation participating in ''Kick Butts Day.'' Mr. Speaker, I would especially like to commend Principal John Gleason and all the staff and students of McKenna Elementary School in Massapequa, New York for their outstanding work promoting their message: ''Don't start smoking! If you smoke, stop!''

A TRIBUTE TO JUSTO RODRIGUEZ SANTOS

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. DIAZ-BALART. Mr. Speaker, a great poet, Dr. Justo Rodriguez Santos, recently passed away in New York.

Dr. Rodriguez Santos was a man of extraordinary talent and sensitivity whose commitment to democracy and his fellow man will be enormously missed. Born in Santiago, Cuba in 1915, he received his doctorate in philosophy and literature from the University of Havana. His writings capture the human experience and demonstrate the triumph of the human spirit. Through his poetry and writings, he communicated his vision of the world with grace and flair. His wisdom and generous spirit will live on in the poems he left for us. He was a great Cuban who will always be remembered as a lover of freedom.

I am privileged to personally know Mari R. Ichaso and Leon Ichaso, the very talented daughter and son of Dr. Rodriguez Santos. I send them and Dr. Rodriguez Santos' widow, Mrs. Antonia Ichaso Rodriguez, my sympathy and deep affection of this difficult time.

Below is the obituary from the New York Times, dated April 13, 1999, that details further the life of this great Cuban poet.

JUSTO RODRIGUEZ SANTOS, 83, EXPATRIATE CUBAN POET

(By Nick Ravo)

NEW YORK.—Justo Rodriguez Santos, a Cuban poet who became disenchanted with Fidel Castro in the 1960s, exiled himself from his native land and became an advertising executive in the United States, died on Wednesday at St. Luke's-Roosevelt Hospital Center in Manhattan. He was 83.

Rodriguez Santos was a minor member of Origenes, a prominent group of writers and painters founded by the poet Jose Lezema Lima in the 1930s and loosely linked to the American poet Wallace Stevens. The name Origenes was a play on words, meaning both origins and a church father; the group's work was strongly influenced by the Roman Catholic faith. Origenes was also the name the artists chose for an influential literary magazine they published from 1944 to 1954.

''It was a very important journal in the history of Latin American culture,'' said Roberto Gonzalez Echevarria, a professor of Hispanic and comparative literature at Yale University.

Rodriguez Santos was born in Santiago, Cuba, on Sept. 28, 1915, and moved to Havana at an early age. He earned a degree at the University of La Salle in Havana and a doctorate in philosophy and literature from the University of Havana. He also worked in television and radio in Cuba.

His books of poetry include ''Luz Cautiva'' (''Captive Light,'' 1936), ''La Belleza Que el Cielo No Amortaja'' (''The Beauty the Sky Will Not Shroud,'' 1950), ''El Diapason del Ventisquero'' (''Echoes of a Whirlwind,'' 1976), Los Naipes Conjurados y las Operas del Sueno'' (''The Conjured Cards and the Operas of Dreams,'' 1979 and 1989).

He also wrote a nonfiction account of the Cuban revolution, ''The Moncada Epic: Poetry of History,'' in 1963.

''It was translated into several languages, and it was a favorite of Mao's,'' said Rodriguez Santos' daughter, Mari Rodriguez Ichaso of Manhattan.

After the Cuban revolution in 1959, Rodriguez Santos wanted to stay in Cuba, although his wife and children left in 1963. In 1967, though, after a disheatening trip to China, he asked permission to emigrate.

''He was very in favor of democracy and felt betrayed by what he felt were the excess of the revolution,'' Ms. Rodriguez Ichaso said.

Instead of receiving permission to leave, he was sent to a work on a tobacco farm, his books were withdrawn from library shelves and he was banned from the Cuban Writers Union.

''They converted him into a nonentity, a nonperson,'' Ms. Rodriguez Ichaso said.

A year later and ailing, Rodriguez Santos was permitted to leave Cuba and settled in New York. In 1972, he was hired as director of advertising for Goya Foods in Secaucus, NJ. He retired from Goya in 1991.

Besides his daughter, he is survived by his wife, Antonia Ichaso Rodriguez, and a son, Leon Ichaso, of New York.

HONORING THE CONSUL GENERAL OF JAPAN, TATSUO TANAKA

HON. KAREN McCARTHY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Ms. MCCARTHY of Missouri. Mr. Speaker, I rise today to recognize the retiring Consul General of Japan in Kansas City, Missouri, Mr. Tatsuo Tanaka. He has served Japan in the capacity of Consul General for 3 years, and has served his country in numerous capacities for more than thirty years. Throughout his tenure, he has worked successfully toward strengthening the bonds between the United States and Japan. Mr. Tanaka has forged strong ties between Missouri's fifth district and Japan, and his presence will be missed, although I am positive that his good work will continue.

Mr. Tanaka served in the Ministry of Foreign Affairs since 1962. He has worked in Pakistan, Bonn, and the United States to develop Japan's relationship with these countries. Mr. Tanaka has also done extensive research on the development of electronic money and the implications and benefits of the uses of e-money. Although he represents Japan and Japan's specific interests throughout the world, he is committed to recognizing the importance of international relations and the emergence of a global economy.

The Consulate General of Japan at Kansas City was established in 1979 and serves Iowa, Kansas, Missouri, Nebraska, North Dakota, and South Dakota. Its mission is to foster exchanges between Japan and this region in a variety of consular, commercial, cultural, and educational areas, and to assist Japanese and U.S.-Japan interests in this region. The United States-Japan conference last year held in my district helped to solidify the relationships between American and Japanese businesses.

My district has close ties with Japan. For instance, three Kansas City area companies have a strong presence in Japan: Butler Japan, Inc., AMC Entertainment, Inc., and Farmland Industries, Inc. Butler Japan markets construction products and services of Butler Construction Company. Since October 1989, Butler Japan has sold many industrial type buildings to Japanese companies, such as Honda, Mitsubishi, Mitsui and Com., Sanyo, Sony, Toshiba, and Toyota. AMC Entertainment launched its export of theaters to Japan in April 1996 in Mr. Tanaka's hometown of Fukuoka, Japan. AMC's project in Japan has been a tremendous success. Farmland Industries, the largest farmer owned cooperative in North America, began doing business with Japan in 1987. This company now supplies pork, beef, grain, and fertilizer products to the Japanese market. Mr. Tanaka's work to build Japan-U.S. relations in the midwest has definitely contributed to the success of these American business ventures.

Mr. Tanaka has also worked to increase the amount of cultural and educational exchange between the United States and Japan. An example of his success in this area is the growth of the Japanese Exchange and Teaching (JET) program. The JET program hires college graduates to teach English in Japanese schools. Currently, there are approximately 2500 American college graduates working in English education and international understanding throughout Japan.

Although Tatsuo Tanaka will be leaving the Kansas City area, I know that we will continue our friendship. I benefitted greatly from his wisdom and guidance when I served my U.S.-Japan Society Fellowship in Japan and also have appreciated he and his wife Eri Tanaka's hospitality on many occasions.

I also welcome a continued relationship with the office of the Consul General, as well as a continued partnership between the Fifth District and Japan.

IN HONOR OF THE LATE BRIAN THOMAS MOORE

HON. DOUG OSE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. OSE. Mr. Speaker, I rise today to pay tribute to a young man I came to know some years ago. Brian Thomas Moore was a ten year old boy when I first met him. He had joined a boys soccer team that I was coaching. Brian quickly prove to be feisty, competitive and competent in the game of soccer and the game of life. He was a pleasure to have on the team.

I never met Brian's father, who died of cancer when Brian was quite young. I am told that he was a real gentleman, taking a steady interest in Brian's development and the growth of Brian's many friends. His influence with Brian manifested itself every day of Brian's life. Over time, the father's influence came to fruition with a fine young man as the end product.

Brian suffered from a bout with cancer in his teens. Brian never told me of the illness; he just carried on with life as it was given to him. Over time, Brian came to be one of the top soccer players in the Sacramento metropolitan area, dominating games from end to end and side to side. Eventually, I had the pleasure of playing alongside my former player, watching with fascination as his skills came to exceed mine, his determination came to dominate mine, and his desire to overcome resulted in victory after victory after victory. These were great days in his life and mine, having the pleasure of seeing a young man mature into a fine adult, a tremendous role model for those older and younger, and steady influence on his many friends.

Brian's mother succumbed to cancer during his ongoing illness. She was good people. I remember her attending virtually every one of Brian's games as a young man. She would bring Brian and his friends to the game, root them on, celebrate their victory and console them in defeat. She was a great mom, like so many other great moms.

I learned of Brian's relapse with cancer the night of my primary victory. Brian never lost faith in his ability to overcome the illness, hoping against fate that science and medicine would create a cure. In the end, the hopes were in vain. On Friday night, April 9, 1999, Brian succumbed to the pneumonia that came with a depressed immune system resulting from chemotherapy. At 10:00 am this morning, Brian Thomas Moore was laid to rest.

I keep in my mind's eye a picture of my friend, fleet afoot, racing down the field for the ball in some game of momentary importance. I see him reach the ball first and fire it into the net for victory. He turns, having raised his arms in triumph, and his friends race to him to celebrate. It is a moment of pure joy and satisfaction. This is the mind's eye picture I keep of my friend. I miss him already.

CONGRATULATIONS TO BROOKVILLE HIGH SCHOOL WRESTLING TEAM

HON. JOHN E. PETERSON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. PETERSON of Pennsylvania. Mr. Speaker, I rise today in honor of the Brookville High School wrestling team—the 1999 Pennsylvania AA State Champions. In addition to their state title, the Raiders won the PIAA West Regional Dual Championship, the District IX Dual Championship, and the District IX Tournament Championship while amassing a dual meet record of 18–1. However, the program's victories on the mat were exceeded only by their inspirational drive to succeed in the face of seemingly insurmountable obstacles.

I followed the emotional roller coaster ride that was the Brookville wrestling program over the past few years, and admire the commitment to achievement they maintained when similar obstacles may have defeated others. In January of last year, beloved Head Coach Len Ferraro passed away. A Brookville native, Coach Ferraro wrestled for Brookville High and later returned to the coaching staff in 1984 and took over head coach duties in 1993. Still healing from the loss of their coach, a dear friend of the program, Andrew Lentvorsky, was lost four weeks later. Grandfather to team senior Adam Steele, ''Pap''—as the gang called him—drove the boys to tournaments since their elementary days. Yet another tragedy occurred the following month with the passing of team senior Michael Lee Park. Despite suffering such emotional devastation in only a few short months, these young men managed to hold steadfast to Coach Ferraro's ultimate goal of delivering a State Championship to Brookville High.

Nurturing his young wrestlers from any early age, Coach Ferraro developed an ever-improving wrestling program thirsting for a state

title. His boys got that chance this year with the inaugural PIAA Dual Meet State Championships. Lead by Head Coach Thad Turner and Assistant Coaches Roland Reitz and Matthew Smith, the Raiders sought inspiration from senior Keith Ferraro, whose strength exhibited after the loss of his father is nothing short of heroic. Other seniors include Matt Geer, Jason Gilligan, Jason McKinney, Jeremy Reitz, Randy Stout, and B.J. Thomas. The junior team members are Casey Belfiore, James Bishop, Brad Cieleski, B.J. Darr, Garrett Hurd, Emil Johnson, Jeff McLaughlin, Eric Painter, and Clint Puller; along with sophomores Rudy Bullers, Gian DeLoia, Trevor Doust, Joel Hammond, Mark Himes, Mike Miller, Josh Sammons, and Justin Steiner; as well as freshman Nick Neil.

For Brookville High School, the 1999 wrestling season demonstrates not only greatness of body and mind, but also perseverance of spirit. Mr. Speaker, as their classmates and community celebrate their inspiring accomplishments today back in Pennsylvania, I ask you to join me in thanking the young men and coaches of the Brookville Raider wrestling team for showing us all that even the shadow of adversity, continued belief in a unifying goal will bring shinning success.

MEDICARE ANTI-FRAUD EFFORTS: HOSPITALS BACKING OFF UP-CODING

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. STARK. Mr. Speaker, for the past 14 years, hospitals have been up-coding their Medicare bills. Each year, the ''complexity'' of the cases that hospitals treat is said to increase. Like grade creep in a school, the way patients' illnesses are graded in a hospital gradually creeps upwards, and the taxpayer and Medicare pay more and more.

Last year, for the first time, the ''complexity'' of the cases declined.

As the following memo makes clear, this has something to do with the Administration's fight against waste, fraud, and abuse in Medicare and in the well-publicized case against Columbia-HCA.

Taxpayers and Medicare beneficiaries should congratulate HCFA, the HHS Inspector General, and Justice for their efforts. Vigilance against fraud is a major reason that the life of the Medicare hospital trust fund has just been extended from 2008 to 2015.

Date: November 19, 1998
From: Office of the Actuary
Subject: Analysis of PPS Hospital Case-Mix Change between 1997 and 1998

The prospective payment system, PPS, uses diagnosis related groups, DRG's, as the basis of payment. Each DRG is assigned a relative weight which is used in the payment formula. Average case-mix is the discharge-weighted mean of all the DRG relative weights. We have monitored changes in case-mix since the beginning of PPS in FY 1984. From FY 1983 through FY 1997, case-mix increased every year. FY 1998 is the first year we have measured a decrease in case-mix.

Based on information available through October 1998, we have measured a change in PPS hospital case-mix in FY 1998 of -0.74 percent. When we receive further updates for FY 1998, we estimate that the final measure of the FY 1998 case-mix increase will be in the neighborhood of -0.5 percent. Since FY 1998 is the first year that case-mix has decreased under PPS, I have undertaken a study of the reasons for this decrease. My study found the following:

As is usually the case, some DRG's contributed to an increase in case-mix while others contributed to a decrease.

The new DRG's for back and neck procedures increased case-mix 0.05 percent.

The redefinition of DRG 116 in combination with DRG 112 increased case-mix 0.59 percent.

The change in coding of pneumonia cases decreased case-mix 0.23 percent.

DRG's in complex-noncomplex pairs decreased case-mix 0.82 percent.

Non-pair DRG's decreased case-mix 0.27 percent.

While assessing cause-and-effect is always difficult, I believe that some of the decrease in case-mix is likely to be attributable to certain efforts to combat fraud and abuse. The Department of Justice investigation of the Hospital Corporation of America, subsequent indictments, and the possibility of triple damages may have prompted hospitals to code diagnoses less aggressively—resulting in fewer complex cases. Similarly, the inspector general's investigation of pneumonia cases may have caused the significant shift of admissions from the more expensive respiratory infections DRG's to the simple pneumonia DRG's. HIPAA provides continuing funding for fraud investigations, which may have a continuing impact on increases in case-mix.

THE TAX FREEDOM RESOLUTION

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. SAM JOHNSON of Texas. Mr. Speaker, today I have introduced the ''Tax Freedom Resolution'', H.J. Res. —, that will repeal the 16th amendment to the Constitution. This resolution will reverse one of the most destructive amendments to the U.S. Constitution and deny Congress the ability to lay and collect taxes on income.

I believe that the 16th amendment has created a system that is economically destructive, impossibly complex, overly intrusive, unprincipled, dishonest, unfair, and inefficient. Now is the time for us to restore freedom to the American taxpayer.

The tax Freedom Resolution is the first step to do just that. It will encourage an open, honest and constructive debate about why our current tax structure has failed and what we can expect in a new system.

You may ask why we need to repeal the 16th amendment. The answer is quite simple. The current system cannot be fixed. It has already undergone 32 major revisions and 400 minor ones in the past 40 years. Each time the revisions has been made the system becomes more and more complicated and unfair.

The IRS has hundreds and hundreds of different tax forms, plus countless more to explain how to fill out these forms. The original Tax Code had 11,400 words in it. Today it has well over 7 million words.

Our current system also discourages savings and investment while hampering economic growth. Complying with the Federal Tax Code costs taxpayers more than $250 billion each year. In 1991, the Tax Foundation reported that small corporations spent a minimum of $382 in compliance costs for every $100 they paid in income taxes.

In addition, several economists have said that replacing the current tax system will cause interest rates to go down and savings and capital investment to increase.

Right now, we have a system that stiffles opportunity by picking winners and losers. It's a system in which Washington, DC, decides what is best for the American people instead of letting the people decide what is best for America.

The Federal Government simply takes too much money out of people's pockets. As recently as 1982, Americans paid only 19.9 percent of their income in taxes. New data reveals that in 1998. Americans paid 35.4 percent of their income in taxes—the highest level in history and increasing each year. In fact, Tax Freedom Day 1998 was May 10th, which means that Americans are working, on average 129 days before paying off their total tax bill. We must stop this confiscatory trend.

By embracing the principles of FREEDOM, we can create a system that is Fair and simple, that Reduces the federal bureaucracy, that Encourages savings and investment, that is Efficient, that Drives the economy, that creates Opportunity for all, and that puts More money in American pockets.

Fundamental and comprehensive tax reform will be one of the most profound and liberating changes our nation experiences. It is time for all of us—whether you support a flat tax, a consumption tax, a value-added tax, or a national sales tax—to come together and focus on our common goal: Replacing the current system. The Tax Freedom Resolution gives us the chance to do just that and at the same time restore FREEDOM to the American taxpayer.

BATTLESHIP RESOLUTION

HON. SONNY CALLAHAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. CALLAHAN. Mr. Speaker, the esteemed crew of the battleship U.S.S. *Alabama* will hold their annual reunion in the city of Mobile, Alabama, during the third week in April. I would like to take this opportunity to express to these men the undying appreciation which their fellow Americans share for their proud service to our nation and the world.

The U.S.S. *Alabama*, a South Dakota class battleship, was built in the Norfolk Naval Shipyard in Portsmouth, Virginia. Following her commission on August 16, 1942, she was dispatched to the North Atlantic Ocean, where she and her crew proudly assisted the British Fleet in protecting convoys on the treacherous ''Murmansk Run,'' which carried them from England through the North Sea to Russia, and brought the defending fleet into conflict with German warships and aircraft in occupied Norway.

After completing her service with the British Fleet, the U.S.S. *Alabama* was transferred to the Pacific Fleet. Her charge on the Eastern Front of the War was to provide invaluable support to U.S. ground troops, enabling them

to successfully take the Caroline, Gilbert, Marianas, Marshall, and Philippine Islands, as well as Palau, New Guinea and Okinawa from the Japanese.

The distinguished service of the crew of the U.S.S. *Alabama* includes numerous proud honors and achievements.

During the Battle of the Philippine Sea, her radar was the first to detect the approach of enemy bombers, 476 of which were downed by the American fighters and fleet gunners. During her tenure in the American Fleet, the U.S.S. *Alabama* was directly responsible for the elimination of 22 Japanese airplanes.

By the time of the Japanese surrender, she had earned the American Service Medal, the European-African-Middle Eastern Medal, the Asiatic-Pacific Campaign Medal with 9 Battle Stars, the Philippine Republic Presidential Unit Citation, the Philippine Liberation Ribbon, the World War II Victory Medal, and the Navy Occupation Service Medal.

Her crew had proven themselves among the most courageous of the Allied fighting men, having faced the most fearsome opposition that the Axis forces had to offer as they defended the world against both Asian and European tyranny. In honor of these heroic Americans, I introduced H. Res. 123, which would immortalize their gallant contribution to liberty in our nation and the world.

RESOLUTION

Recognizing and honoring the crewmembers of the U.S.S. ALABAMA (BB–60) and the U.S.S. ALABAMA Crewmen's Association.

Whereas the U.S.S. ALABAMA (BB–60) was a South Dakota class battleship that served first in the North Atlantic and then in the Pacific Fleet during World War II;

Whereas in the course of World War II, the crewmembers of the U.S.S. ALABAMA directly shot down 22 enemy aircraft;

Whereas the crewmembers of the U.S.S. ALABAMA earned the American Service Medal, the European-African-Middle Eastern Medal, the Asiatic-Pacific Campaign Medal with 9 Battle Stars, the Philippine Republic Presidential Unit Citation, the Philippine Liberation Ribbon, the World War II Victory Medal, and the Naval Occupation Service Medal;

Whereas the crewmembers of the U.S.S. ALABAMA were a courageous group, braving both the Arctic chill and the Pacific heat to help defend the Nation against enemy oppression;

Whereas many former crewmembers of the U.S.S. ALABAMA belong to the U.S.S. ALABAMA Crewmen's Association;

Whereas each year the former crewmembers participate in an annual reunion to celebrate their shared service, memories, and friendship; and

Whereas more than 100 former crewmembers, along with family and friends, are expected to participate in the next reunion, which will be held from April 15 to 18, 1999, aboard the U.S.S. ALABAMA at the Battleship Memorial Park in Mobile, Alabama; Now, therefore, be it

Resolved, That the House of Representatives recognizes and honors the crewmembers of the U.S.S. ALABAMA (BB–60) and the U.S.S. ALABAMA Crewmen's Association for their valuable contributions to victory and peace in World War II and to the security and prosperity of the Nation.

Mr. Speaker, the valuable contributions to victory and peace in World War II made by the crewmen of the U.S.S. *Alabama* are exemplary of the tenacity which has made the United States the proud world leader it is today. I ask that you join me in honoring these brave Americans, and in thanking them for their sacrifices and dedication.

EXPOSING RACISM

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. THOMPSON of Mississippi. Mr. Speaker, In my continuing efforts to document and expose racism in America, I submit the following articles into the CONGRESSIONAL RECORD.

[From the New York Times, Feb. 24, 1999]

MAN SENTENCED TO 20 YEARS IN LOUISIANA HATE CRIME

GRETNA, LA.—A white man convicted of a hate crime for trying to torch two cars belonging to black motorists has been sentenced to the maximum of 20 years in prison.

Prosecutors said it was the first trial involving Louisiana's hate crime law.

Frank Palermo, 32, was convicted in December of two counts of a hate crime and of dousing the vehicles with gasoline. He was sentenced Monday by State District Judge Walter Rothschild, who told Palermo, ''You were out to get these people because of their race.''

One of the cars had a small child in it. The cars didn't burn because it was raining at the time of the incident last September.

Authorities said, Palermo and his younger brother, Patrick, encountered the blacks working on a stalled car along an expressway in Harvey, a New Orleans suburb. Witnesses testified the Palermos became involved in a shouting match with one driver, and then fistfights broke out. Racial slurs were used, authorities said.

Frank Palermo got a baseball bat and broke windows in one car, then grabbed a gas can and poured fuel on it and another car that had a crying child strapped inside, witnesses said. They said the brothers tried to ignite the gas but the rain kept it from burning, and the brothers then fled.

The younger brother received the minimum sentence of three years in prison. He had been acquitted of the hate crime count but convicted of helping put gasoline on the cars.

The hate crime law, passed in 1997, allows a judge to add up to five extra years to a felony sentence if it is found that the actions stemmed from hatred because of race, age, gender, sexual orientation, national origin or membership in an organization.

[From the New York times, February 24, 1999]

JURY CONVICTS MAN OF CROSS-BURNING AT HOME OF INTERRACIAL COUPLE

VIRGINIA BEACH, VA.—A teen-ager was convicted today of attempting to burn a cross on the lawn of an interracial couple but was acquitted of a conspiracy charge.

The Circuit Court jury deliberated about three hours over two days on the case against Richard J. Elliott, 19, who lives next door to the couple in a rural neighborhood near the North Carolina state line.

Elliott stood quietly as the verdict was read. He faces up to five years in prison and a $2,500 fine on the charge of attempting to burn a cross with the intent to intimidate.

Elliott was one of three white teen-agers arrested in the burning of a cross last May on the law of James and Susan Jubilee.

Jonathan S. O'Mara, 19, of Virginia Beach, pleaded guilty Monday to felony charges of conspiracy and attempting to burn a cross with the intent to intimidate. Under a plea agreement, O'Mara has the right to appeal.

A 17-year-old boy has agreed to plead guilty to the same charges in juvenile court and testified against Elliott. In exchange, he will not be sentenced as an adult.

Jubilee, who is black, said he moved from Los Angeles back to Virginia to get away from big-city crime and raise his sons in a more peaceful environment.

About four months after moving into his new house, Jubilee awoke to find a wooden cross in his front yard with a burned spot in the middle.

Jubilee testified that as he pulled out of his driveway the morning of May 3, he saw a cross about 20 feet from his home.

''I took a double take, because I couldn't believe what I really saw,'' Jubilee said.

Enraged, he broke the 4-by-2-foot cross over his knee. He said his anger then turned to fear that the cross might be a warning of violence to come.

The 17-year-old testified that O'Mara and Elliott attended a party at his home the night of May 2 and that all three drank a lot of beer. There, Elliott allegedly expressed anger at Jubilee for complaining about a shooting range that Elliott and his father had in their back yard.

''He wanted to get back at them,'' the boy said:

Elliott suggested they burn a cross, so the three of them built a cross in the boy's garage, the boy said.

O'Mara is to be sentenced April 26. He faces up to 10 years in prison and a $5,000 fine.

Kevin Martingayle, O'Mara's attorney, said outside the courtroom that his client is not a racist.

''He's ignorant and he was drunk but he's not a racist,'' he said.

ABA POLL SAYS 47 PERCENT OF AMERICANS DOUBT RACIAL FAIRNESS OF COURTS

(By Richard Carelli)

WASHINGTON (AP).—Too many Americans believe the nation's courts do not provide equal justice for racial minorities, the American Bar Association's president said, as the group released a poll showing nearly half of Americans feel that way.

''This is a very serious problem we . . . cannot afford to ignore,'' Little Rock, Ark., lawyer Philip Anderson said Tuesday. ''We are concerned that the current perception of bias will eventually erode confidence in our system of justice.''

Of 1,000 people surveyed by telephone in August, 47 percent said they strongly disagreed with a statement that ''the courts treat all ethnic and racial groups the same.'' Only 39 percent agreed with the statement, and 14 percent voiced no view.

Asked whether courts treat men and women alike, 55 percent said yes, 30 percent said no, and 15 percent expressed no view.

Anderson noted that another recent ABA poll indicated great disagreement between white and black lawyers over the justice system's racial fairness.

''This raises the obvious question that if people believe the justice system is tainted with bias, how long can they expect the courts to remedy bias elsewhere in our society?'' Anderson said, ''Right now, the high degree of confidence in the courts exists side by side with the perception of bias in the courts. As the minority populations increase in America, will the perception of bias increase?''

He said the 350,000-member ABA ''will intensify our efforts to eradicate gender and racial bias in our courts.''

The poll released Tuesday contains some seemingly inconsistent findings. For example, most people—51 percent—believe the justice system ''needs a complete overhaul,''

but 80 percent also believe America's system is the world's best.

A large majority of Americans, 78 percent, also voiced confidence in the jury system.

''Those numbers are high, and we can feel good about them,'' Anderson said.

Among the poll's other findings: 90 percent believe wealthy people and companies often wear down their opponents by dragging out legal proceedings; 77 percent say it costs too much to go to court; 27 percent believe the best lawyers are selected to serve as judges.

Anderson said the poll indicates most Americans need and want to know more about the justice system. One tool, he said, could be increasing public access to the nation's courtrooms by televising more proceedings.

''I cannot think of a better civics lesson than . . . to be able to see and hear every argument before the Supreme Court of the United States,'' Anderson said. ''One television camera in the Supreme Court will educate more people more effectively in one morning than the traditional methods can reach in one year.''

All federal court proceedings currently are closed to radio and television coverage.

The poll has margin of error of plus or minus 3 percentage points.

[From the Dallas Morning News]

PROGRAM HELPS YOUNG PEOPLE SHED TATTOOS AND THE LIFE THEY REPRESENT

(By Veronica Alaniz)

FORT WORTH, TEXAS.—Robert Barton's hands and arms are covered with marks of hatred, each painfully etched into his skin when he was in his early teens.

Tattoos that he once wore with pride are now shameful reminders of a life that Barton, 19, says he has left behind. But with the help of a nonprofit program the emblems of racism are beginning to fade from his body.

When they are finally gone, thanks to laser surgery provided at no cost by a Fort Worth doctor, Barton said, he will know that his new life has really begun.

''At the time, I thought it was the right thing to do,'' Barton said of the designs traced across his forearms, wrists and knuckles. ''Now, it just doesn't make any sense. I want them gone. They don't mean anything to me now.''

Getting rid of the unwanted tattoos and the shame that comes with them is Michael Bumagin's mission.

Since returning to Fort Worth a little more than a year ago, Bumagin, 57, has volunteered his time and expertise to help those with little means remove ugly reminders of their past.

''These kids have been in bad situations—gangs, broken homes. Some of them have been on the street. They've had a hard life,'' said the doctor, who has his own plastic surgery practice. ''These tattoos are going to keep them from succeeding in life. They make it hard for them to get jobs, even in the most entry-level positions.''

That is one of the reasons Jessica Cross, 21, wants the Tasmanian devil cartoon character above her right breast removed.

''If you have a tattoo, I think a lot of people think you're a bad person,'' said Cross. ''Everybody looks at you, and I can see what they're thinking.''

Barton said that feeling is all too familiar to him, and he'll be glad when he doesn't have to hide his hands in his pants pockets in shame.

''People see this stuff on me and slap a label on me and write me off,'' Barton said. ''But this (tattoo removal) is going to open up a lot of doors for me and give me a lot of opportunity.''

Every other month, young people such as Cross and Barton come by the dozens to wait for their turn with Bumagin.

Some hear about the service, administered by the Boys & Girls Club of Greater Fort Worth, by word-of-mouth. Others are referred by their local police departments, school counselors or probation officers.

In return for what many recipients call a life-changing service, the patients perform four hours of community service for each treatment. They call it a more than fair trade.

Gary Grossman, an Arlington Independent School District counselor, works with students in alternative programs and refers some to the tattoo removal program. He call Bumagin's work a godsend.

''Erasing those marks off their bodies is symbolic,'' Grossman said. ''It's a way of leaving their past behind, a way to start a fresh, new, clean life. But for many, it's beyond their financial ability.''

Bumagin said hearing his patients' stories is why he keeps doing the work.

''The kids benefit, the community benefits, and I get the feel-goods,'' he said.

But the program couldn't exist with Bumagin alone. Donations pay for rental of the laser machine and other supplies.

Cross, who paid $50 for her tattoo while she was in high school, said that when she first looked into having it removed, the $2,500 estimates she was given were prohibitive.

''I thought I was going to have to live with it forever,'' she said.

Danielle Lessard said she, too, was floored by the cost of losing her tattoo—a 2-inch-high tribute to her ex-boyfriend's gang name etched on her right hip.

When Lessard found out about Bumagin's work from the Fort Worth Police Department's gang unit, she jumped at the opportunity. She said that though her tattoo is not readily noticeable, its presence haunts her.

''Stupid. That's all I can say. I was 15, and it was a home job,'' said Lessard, now 18 and a Tarrant County Junior College student. ''Since I'm not in that stuff anymore and I'm not in that environment, I don't want that stuff on my body.''

Israel Villareal, 23, who got the first of several gang tattoos when he was 13, said he wants them gone so they won't influence his three children.

''I don't want my little kids growing up seeing them and thinking it's OK,'' he said.

Removing the tattoos takes far more time—and often hurts more—than getting them.

After her first treatment in January, Lessard said she wasn't expecting it to be so painful.

''Oh my gosh, this is stinging real bad,'' she said as she squirmed in her seat.

Bumagin said the pain comes from the particles of pigment that, when touched by the laser, explode through the skin.

The treatments cause redness, swelling and sometimes bleeding, but the symptoms disappear in a few hours. He said the pain decreases with each treatment as the tattoo fades, and the number of treatments varies by tattoo.

When Angela Acua showed up for her treatment last month, she was very apprehensive.

''I'm scared. What if it hurts?'' she asked the doctor. After whimpering through the few minutes that it took to zap her tattoos, Acua turned to her boyfriend and gave him some advice.

''It hurt,'' she said. ''Don't ever put anything on you.''

NATIONAL KICK BUTTS DAY 1999

HON. STEVEN T. KUYKENDALL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. KUYKENDALL. Mr. Speaker, I rise today to express my support for a nationwide initiative that encourages the reduction of teen smoking. Teen smoking reached an all-time high in 1997 with roughly 4.5 million kids between the ages of 12–17 using some type of tobacco product. Each day some 3,000 young people start smoking; one third of these kids will die too young because they smoked. If that wasn't enough, approximately 400,000 Americans die each year from cigarette smoking.

To counter these alarming statistics and to provide greater awareness about the dangers of smoking, The Campaign for Tobacco Free Kids chose April 14 as the National Youth Movement to ''Kick Butts.'' The goal of National Kick Butts Day is to encourage our teens to take a stand against tobacco products and fight for healthier futures for themselves and their peers.

I have spent my entire public career trying to prevent youth smoking. I support the objective of National Kick Butts Day. I urge all of my colleagues to join me and show their support for this serious and necessary campaign.

BREAUX-THOMAS PLAN IS NO CURE FOR MEDICARE

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Ms. SCHAKOWSKY. Mr. Speaker, thirty-nine million senior citizens and persons with disabilities on Medicare are relying on Congress to do the right thing. They are counting on Congress to save Medicare, a program that continues to improve the quality of life for millions of people. But they are certainly not counting on Congress to privatize Medicare and turn over the program to for-profit HMOs and insurance companies. The Bipartisan Commission on the Future of Medicare debated such a plan. And that is the reason why the Commission did not have enough votes to make a formal recommendation to Congress. The Commission's proposal would have been a disaster for seniors and persons with disabilities and a boon for the HMOs and insurance industry.

My recent remarks printed in the Chicago Sun-Times follow:

The Bipartisan Commission on the Future of Medicare nearly approved a plan to save Medicare. But a fundamental consideration was strangely missing from the proposal by Medicare Commission Chair Senator John Breaux (D–LA) and co-chair Representative Bill Thomas (R–CA): the detrimental effect this plan would have on the millions of seniors and persons with disabilities who rely on Medicare.

The simple fact is that the proposal nearly passed by the Medicare Commission is a disaster. It is a disaster for seniors and persons with disabilities.

By far the majority of the proposed ''savings'' under the Breaux-Thomas plan would

come from pushing seniors and persons with disabilities into HMOs and increasing costs to those who want to stay in traditional Medicare.

Under this plan, Medicare beneficiaries who wish to remain with their own doctors would pay higher premiums (as much as $1200 a year). Many seniors, who already pay more than 20% of their income for health care, would face even greater cost-sharing when they need home health and other services. And despite the problems older persons face in finding affordable insurance, the proposal would shut 65 and 66 year olds out of Medicare.

Members of the Medicare Commission who supported the Breaux-Thomas plan seem to have faith in a managed care industry that cuts corners on care, reduces benefits, and threatens to pull out of Medicare altogether unless participants pay significantly higher premiums. Those of us who oppose turning Medicare over to the HMOs respectfully disagree. Privatizing Medicare and handing over the medical well-being of millions of senior citizens to for-profit managed care corporations is not what President Lyndon Baines Johnson and Congress envisioned back in 1965. HMOs are not the answer. They are the problem.

As a member of the Democratic Task Force on Medicare, I join with many of my colleagues and experts in the field of health care to support the President's proposal to use 15 percent of the budget surplus to shore up Medicare. This will ensure the program's solvency until the year 2027. We also believe that Medicare is in need of improvement and that seniors deserve increased benefits. That is why we also support seniors' access to affordable prescription drugs and long term care, and a reduction in out-of-pocket expenses.

Medicare participants now have the peace of mind of knowing that health care decisions are made on the basis of sound medical science and not on the financial needs of stockholders and managers. But turning over Medicare to the HMOs is a radical step backward that will only harm seniors living on fixed incomes. If this plan is adopted, seniors will receive fewer benefits, marginal care, and will face rising costs. The Breaux-Thomas proposal is not the answer.

THANK YOU, MAYOR COX

HON. ED BRYANT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. BRYANT. Mr. Speaker, the residents of Collierville, TN, will be seeing an historic change in their home this year. Collierville Mayor Herman Wright Cox has decided to step down after serving the residents of this West Tennessee city for 40 years.

Mayor Cox began his career in public service in 1959, first as a city alderman until 1965 when he was elected vice mayor for the city. Then in 1975, he was elected for the first time as mayor.

Since that time, Mayor Cox and the rest of Collierville has seen enormous growth within the community from small businesses to large corporations making the city their home and employing so many Collierville residents.

But aside from the business and industry in the region, the community has made monumental strides in providing a variety of community-based parks and recreation facilities, such as the Collierville Community Center, the Harrell Performing Arts Theater, Powell Road Park, W.C. Johnson Park, Suggs Park, and the renovation of the town square and the greenbelt walkways.

Mayor Cox also ensured the community a state of the art police station, an award-winning police department, new fire stations and a highly qualified fire department.

Mayor Cox's legacy also includes the prestigious 3-star rating and designation for the town, which speaks volumes of the work he has done for this city.

I commend Mayor Cox for his outstanding contribution to the community, which has thrived under his administration. It is a great loss to the community to have him out of the mayor's office, but it is comforting to know that we can always find him at his service station office if we ever need advice or some guidance as Collierville continues to grow.

TRIBUTE TO CHERYL SETO

HON. GARY G. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. GARY MILLER of California. Mr. Speaker, I rise today to honor seven young women in my district who have earned the Girl Scout Gold Award, the highest award in Girl Scouting.

The Gold Award requires the greatest achievement in career exploration, service to other people, and acquisition of skills. This award is a strong reflection of these youngsters' ability to set goals, to put value into action, to plan, and to relate to the needs of the community.

I wish to recognize Cheryl Seto of Troop 286 in Placentia, CA.

Mr. Speaker, I also wish to congratulate and thank Karin Carlson, Director of Program Services for the Girl Scout Council of Orange County for notifying of their achievements. On behalf of the people of the 41st Congressional District of California, let me say that we are all proud of you.

INTERNET ENGINEERING

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. GOODLATTE. Mr. Speaker, I rise today as co-chairman of the bipartisan Congressional Internet Caucus to recognize a major step taken last week to develop the growing Internet economy of the United States.

In my home state of Virginia, just a few hours from the United States Capitol, the University of Virginia took the first step last week toward developing America's most technologically advanced Internet Engineering curriculum.

As we all know, high-tech and the Internet are a major part of the economic growth we have enjoyed these last few years. Over the next five years high-tech will create 1.8 million new jobs in the U.S.—1.8 million.

Because of an innovative public/private partnership, and thanks to the generosity of Cisco Systems and MCI/Worldcom, which have just donated over $1 million in new equipment to the University, UVA is now creating VINT-Lab, the premier high-tech training facility of its kind.

You see, Mr. Speaker, the thing about creating nearly two million new, high-tech jobs is that no good comes of it unless there's qualified people to fill them. What the folks at UVA and Cisco are trying to do is make sure that the young people of today are prepared to build the economy of tomorrow.

I think we'll be seeing a lot more public/private partnerships like this in the future, and as co-chairman of the Internet Caucus, I will certainly be working to promote them.

PUBLIC SAFETY OFFICER MEDAL OF VALOR ACT OF 1999

SPEECH OF

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 13, 1999

Mr. CASTLE. Mr. Speaker, I rise today in support of H.R. 46, the ''Public Safety Officer Medal of Valor Act.'' Our nation's firefighters, enforcement officers, and other emergency services personnel put themselves at risk every day to assure the safety of the general public. Just as our military personnel are recognized for extraordinary acts of valor in the effort to preserve peace abroad, so should our domestic safety officers be recognized for their bravery above and beyond the call of duty.

Last year, Members of Congress witnessed an extraordinary act of valor as Capitol Hill police officers gave their lives defending the Halls of Congress from a gunman intent on shooting his way into Congress. It was a potent reminder of the risks every public safety officer face each and every day. I never will forget that sacrifice and by supporting this legislation I hope to draw more attention to sacrifices of the hundreds of thousands of public safety officers that serve our country.

In Delaware, I am particularly proud of the work of our firefighters because most of them serve the state voluntarily. Likewise, Delaware's police officers often find themselves squarely in the sights of a criminal's handgun, which prompted me to support legislation to provide all of Delaware's police force with bulletproof vests.

Again, I urge every Member to come together and support the ''Public Safety Officer Medal of Valor Act.'' It symbolizes honor and recognition that is long past due.

A TRIBUTE TO THE MEMBERS OF THE DAYTON-SOEHLKE-OHLHORST POST # 5350 OF THE VETERANS OF FOREIGN WARS IN QUOGUE, NEW YORK

HON. MICHAEL P. FORBES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. FORBES. Mr. Speaker, I rise today to pay tribute to the members of the Dayton-Soehlke-Ohlhorst Post #5350 of the Veterans of Foreign Wars in Quogue, Long Island as they celebrate the 53rd Anniversary of the Post's founding.

Established by a small group of veterans who helped lead America to victory in World War I and World War II, the Dayton-Soehlke-Ohlhorst Post #5350 was officially chartered in mid-1946, and was named in honor of the first veterans to die in combat from Westhampton Beach, Quogue and East Quogue—the three communities that made up the bulk of the Post's membership.

During Dayton-Soehlke-Ohlhorst Post #5350's 53-year lifespan, many changes have come to this area of Long Island. What remains unchanged is the devotion that the Post's members possess for our great Nation and their comrades-in-arms. The Post meets regularly on the fourth Thursday of each month, and during the course of the year hosts a number of family-oriented activities. And it goes without saying that the Post members take great pride in honoring their fallen comrades and America's war veterans during every Memorial Day and Veterans Day observance.

Yet, Mr. Speaker, Post #5350 continues to look for new members whose passion and faith in America has never wavered. Indeed, the Post intends to expand its membership not only with the veterans of WWII, Korea and Vietnam, but also veterans of conflicts in Lebanon, Grenada, Panama, the Persian Gulf, and Somalia. One of those veterans is the current Post Commander, Arma ''Ham'' Andon, a true patriot and selfless public servant who I am proud to call my dear friend.

As citizens of this free and prosperous Nation, all Americans owe our war veterans a tremendous debt of gratitude for the sacrifices they endured and the efforts they made on our behalf. That is why, Mr. Speaker, I ask my colleagues in the House of Representatives to join me on this 53rd anniversary in saluting Dayton-Soehlke-Ohlhorst Post #5350 of the Veterans of Foreign Wars and all of its members for all they do for our veterans and for all they've done for America.

INDIVIDUAL TAX SIMPLIFICATION ACT OF 1999

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. NEAL of Massachusetts. Mr. Speaker, today I am introducing the Individual Tax Simplificaiton Act of 1999, and invite all my colleagues to join me in sponsoring this legislation.

It is fitting that this bill on tax simplification is being introduced on the day before April 15th. At this time of year, simplification is on everyone's mind—and wish list. While it may not fulfill everyone's wish, this bill will eliminate approximately 200 lines from tax forms, schedules and worksheets. My bill generally does this in a revenue neutral manner, and without moving money between economic income groups. As we all know, no more so than at this time of the year, the tax code is terribly complex, and has become dramatically more complex for average taxpayers during the past four years.

A skeptic might argue that there is no constituency for simplification, but that is changing. A recent poll by ICR found that 66 percent said the federal tax system is too complicated. Three years ago slightly less than half agreed.

I believe that with a little compromise, we can enact significant tax simplification. That is why I have made sure this bill is essentially revenue neutral, so it contains no tax increase. And that is why the bill does not try to change the tax burden between economic income groups. This is not an attack on the wealthy, nor anyone else. As with any change in the tax law, there are some winners and losers—but I want to stress that this is incidental to the objective of the bil—which is simplification that benefits us all.

The bill has three parts. The first is based on legislation I introduced last year and introduced again earlier this year regarding nonrefundable personal credits. The second part simplifies the taxation of capital gains. The third part repeals two hidden marginal tax rate on high income individuals, and repeals the individual minimum tax.

TITLE I—SIMPLIFICATION RELATING TO NONREFUNDABLE PERSONAL CREDITS

In recent years, much tax relief has been given to taxpayers in the form of nonrefundable credits, like the two education credits and the child credit. These credits are not usable against the alternative minimum tax. That means that more and more individuals will lose all or part of these credits, and will have to fill out the extremely complicated AMT form. Congress recognized this problem last year by enacting my proposal to waive this for the 1998 tax year.

The other problem with nonrefundable credits is that the phase out provisions vary from credit to credit, causing unnecessary complexity. In addition, the same additional dollar of income can result in a reduction in more than one nonrefundable credit.

It is fundamentally wrong to promise the American public tax relief, then take all or part of it away in a backhanded manner. This fundamentally flawed policy, enacted in 1997, will get worse each and every year as more American families find themselves to be AMT taxpayers simply because of the impact of inflation, or because of their desire to take advantage of the tax relief we have promised them. Not only that, this situation will also get worse an additional nonrefundable credits are approved by Congress, such as the President's proposals to assist taxpayers with long-term care needs, and the disabled workers tax credit.

The bill addresses both concerns. First, it permanently waives the minimum tax limitations on nonrefundable credits, and on the refundable portion of the family (or child) credit which has the same problem with the AMT as nonrefundable credits. Second, the bill creates a single phase out range for the adoption credit, the family credit, and the education credits, replacing the current three phase out ranges.

This part of the bill is paid for by reducing the income limitation on the family credit from $110,000 to $85,000 on a joint return, and from $75,000 to $58,000 for a single individual. This provides a slight increase in the income limits on the educaiton credits and the adoption credit, so about 85 percent of all families will be unaffected or receive tax reductions under this trade off.

TITLE II—SIMPLIFICATION OF CAPITAL GAINS TAX

The second title of this bill is, essentially, Mr. Coyne's capital gains proposal from last year. Under current law, there are 5 different tax rates for long term capital gains, and a 54 line tax form that must be endured. Moreover, this part of the tax code is already scheduled to get worse because additional rates will take affect under current law in 2001 and 2006.

The solution is clear. Replace this jumble of rates and forms with a simple 38 percent exclusion. Not only will this result in tremendous simplification (eliminating 36 of the 54 lines), but more than 97 percent of individuals would be eligible for modest capital gains tax reductions. This section of the bill pays for itself.

TITLE III—REPEAL OF CERTAIN HIDDEN MARGINAL RATE INCREASES, AND OF THE INDIVIDUAL MINIMUM TAX

The third title of the bill repeals the hidden marginal rate increases in current law, and repeals the individual minimum tax. Most of my colleagues understand the phrases, PEP and Pease. Under current law, itemized deductions are gradually reduced by 3 percent of adjusted gross income above approximately $124,000. This is known as the Pease provision. In addition, personal exemptions are phased out for incomes between approximately $187,000 and $309,000. This is PEP. If we did not hide the effect of these provisions of current law, more people would know that these provisions result in hidden marginal rate increases. These marginal rate increases begin at almost 1 percent for incomes above $124,000, and increases for those with incomes above $187,000 by about .78 percent for each dependent. The important point here is that current law has a hidden marginal rate increase, which gets worse as families grow larger.

The second part of this title is complete repeal of the individual minimum tax. The minimum tax was intended to make sure that wealthy individuals did not overuse certain tax benefits and unfairly reduce their tax burden. It no longer accomplishes that goal. Most of the significant business related provisions have already been repealed. Since the AMT is not adjusted for inflation, more and more middle and upper middle income taxpayers are falling into the AMT. This is not what was intended, especially when you note that what pushes taxpayers into the AMT now, more often than not, are State and local income and property taxes, personal exemptions, and the nonrefundable credits. I repeat, this is not what Congress was trying to accomplish when the AMT was passed.

My suggestion is to repeal it for individuals, and substitute a simple tax on adjusted gross income, and an increase in the current floor on miscellaneous itemized deductions. The current hidden tax is dropped, and is paid for with an explicit tax on the same individuals. They get simplification, and we convert a deceptive practice into an open one.

Specifically, the replacement tax begins at 1 percent for adjusted gross incomes in excess of $120,000 on a joint return, and increases to 2.08 percent for income greater than $150,000, which is where the minimum tax exemption begins to phase out. The bill would also increase the floor on miscellaneous itemized deductions to 4 percent for adjusted gross incomes greater than $100,000.

CONCLUSION

Ironically, this simplification proposal must be complex, because it mirrors our current law. I want, therefore, to focus on what is important.

This bill provides fairly dramatic simplification of the individual tax system.

It eliminates approximately 200 lines on tax forms, schedules and worksheets.

It is basically revenue neutral, so it can be accomplished during a year when there is no non-Social Security budget surplus to fund tax cuts.

It does not attempt to shift money between income groups. The philosophy behind the bill is that those who benefit from tax simplification of the current code should offset any revenue loss involved.

I have put the bill together this way to make this philosophy clear. While some families will be phased out of the child credit, the revenue raised is invested in other similar families for AMT relief and for increases in the adoption and education credits.

The capital gains section of the bill is paid for internally to that section, so those who realize capital gains will have their current tax liability adjusted up or down slightly in order to achieve the simplification contained in the bill.

Finally, those adversely affected by the hidden marginal rate increase of current law that worsens as a family gets larger, will have simplification and some relief offset by other better off taxpayers within their own economic group.

It is estimated that this tax filing season will see 51 percent of individuals using tax return preparers, and that 16 percent will use computer software to prepare their return. Only about ⅓ of individuals actually fill out their own forms. There is no excuse for that reality, and we should do something about it. Given the lack of resources to write a major tax bill, the reality that no one wants to pay for simplification no matter how much they support the goal, and the need to resolve the solvency issues surrounding Social Security and Medicare, I think the opportunity exists this year to solve some of the problems that bother all our constituents during this tax filing season in the manner that I have suggested. I am introducing this legislation to get this discussion going, and I hope it will be seriously considered by all parties.

HONORING OPPORTUNITIES FOR A BETTER TOMORROW ON THEIR 15TH ANNIVERSARY

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Ms. VELÁZQUEZ. Mr. Speaker, I rise today to honor Opportunities for a Better Tomorrow, and its Executive Director Sister Mary Franciscus as they celebrate their 15th Anniversary.

We are at the dawn of the 21st Century. As we look ahead there are many challenges that will face Americans in the new millennium. And while these challenges hold many opportunities and great possibility, the rewards will only be realized if people have the skills and the training they need to compete and succeed. That's why I applaud Opportunities for a Better Tomorrow, and its Executive Director, Sister Mary Franciscus.

For the past fifteen years, Opportunities for a Better Tomorrow, has been committed to the education and training of individuals throughout Brooklyn. This organization has helped thousands of people receive the skills they need to join the workforce. The training programs and educational services they offer have provided countless people with access not only to work, but have given them a chance to live the American Dream. The importance of this effort cannot be understated.

Opportunities for a Better Tomorrow, is one of the best examples of community activism in New York. The organization is consistently rated as one of New York's top employment agencies, and the reason for that is simple: they are not just an employment agency, but they are an organization that is deeply committed to the community and committed to the people who live and work there. Opportunities for a Better Tomorrow develops people into proficient, accountable and skilled professionals. And a graduate of the Opportunities for a Better Tomorrow program becomes a well-rounded individual, who learns self-respect and self-esteem which many times they otherwise might not have.

In a highly competitive, highly technological time such as this, people must be highly skilled. Opportunities for a Better Tomorrow gives people a chance to develop the skills that they otherwise might not have. For thousands of people throughout Brooklyn, Opportunities for a Better Tomorrow has provided the key to open doors of opportunity.

For these reasons, I would like my colleagues to join me in applauding Sister Mary Franciscus and the leadership and membership of Opportunities for a Better Tomorrow. The success of the program is directly linked to the dedication, and quality of its leaders and teachers. I congratulate them on the celebration of their 15th Anniversary and wish them the best of luck for the next 15 and beyond.

TRIBUTE TO MARCIE KASPER

HON. GARY G. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. GARY MILLER of California. Mr. Speaker, I rise today to honor seven young women in my district who have earned the Girl Scout Gold Award, the highest award in Girl Scouting.

The Gold Award requires the greatest achievement in career exploration, service to other people, and acquisition of skills. This award is a strong reflection of these youngsters' ability to set goals, to put value into action, to plan, and to relate to the needs of the community.

I wish to recognize Marcie Kasper of Troop 330 in Yorba Linda, CA.

Mr. Speaker, I also wish to congratulate and thank Karin Carlson, Director of Program Services for the Girl Scout Council of Orange County for notifying of their achievements. On behalf of the people of the 41st Congressional District of California, let me say that we are all proud of you.

A TRIBUTE TO HAROLD SHWERDT

HON. MICHAEL P. FORBES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. FORBES. Mr. Speaker, I rise today in this hallowed chamber to pay tribute to Mr. Harold Shwerdt, who will be presented with a Life Membership by the Griswold Terry Glover Post No. 803 of the American Legion. This honor is well deserved and acknowledges the tremendous sacrifices Mr. Schwerdt has made for both our country and our community.

The Life Membership will be given to Mr. Shwerdt on April 28, 1999 at the American Legion banquet. The Life Membership is the highest honor the American Legion can bestow on its members. Mr. Shwerdt has long been an active member of the Griswold Terry Glover Post No. 803 of the American Legion, which holds their meetings in Southold, Long Island.

Mr. Shwerdt's first, and most important sacrifice, was to our nation. He is a World War II Veteran who put his life on the line to end injustice around the world. During the war, Harold spent time in a German prisoner of war camp. For 2 years, Harold was a German prisoner. Before his capture, Harold was a well-decorated fighter. He served as Flight Engineer for a United States B–17 bomber. It was in his plane that he was shot down and eventually captured. For his service to protect freedom alone, Mr. Shwerdt deserves our highest recognition.

After the war, Harold joined this post of the American Legion. It is here that Harold's hard work and determination paid huge dividends. His countless hours of devotion to assist others have helped both his American Legion post and the less fortunate members of our community. In his group, he helped to organize and strengthen both their Color Guard and their Bingo Team. In our community, Harold has been active with the Association for the Help of Retarded Children. He has also spent a countless number of hours helping Senior Citizens, Disabled Veterans and the St. Partick's Roman Catholic Church.

Mr. Speaker, I ask my colleagues in the House of Representatives to join me and the American Legion in honoring Mr. Shwerdt for his invaluable contributions to our community. Here on Eastern Long Island, we have the utmost respect for both our veterans and volunteers, and we are privileged to have Mr. Harold Shwerdt in our community. Thankfully, his service and generosity to our community will never go unnoticed.

TRIBUTE TO JACK SELVIAN ON RECEIVING A PURPLE HEART

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. RADANOVICH. Mr. Speaker, I rise today to pay tribute to Corporal Jack Selvian on receiving a Purple Heart. Jack served the Far East Air Service Command of the United States Air Force in World War II.

The initial liberation of the Philippine Islands from Japanese occupation, operation RENO, began on October 20, 1944, on Leyte Island. The primary purpose of the Leyte campaign was to establish Allied air and logistic bases to support subsequent operations. On October 20, 1944, after two hour naval bombardment, assault waves of four divisions landed between Dulag and Tacloban and quickly secured beachheads. Tacloban was October 24, and an air base was established. Leyte was

never provided the major Allied air fields envisioned, but its seizure had other, more important results. By electing to fight a decisive battle at Leyte, the Japanese had committed their fleet and a major part of their air arm, both suffering crippling losses.

Jack Selvian, Corporal United States Air Corps was wounded in the line of duty, while serving at Tacloban Air Base on Leyte Island. Jack was working near the flight line next to stacked aircraft engines, stacked two and three high. After dusk, work was being done under the illumination of artificial light, a Japanese fighter performed a low altitude bombardment in an attempt to destroy the stacked engines. There was a space of 6 inches between the crates, and debris was blown through this gap hitting Jack in the left wrist and the left knee. Jack was later released from duty on December 24, 1945. After four years away from his family, he left the U.S. Air Corps with an Honorable Discharge, yet no one ever submitted his name to receive the Purple Heart. The records have been corrected and Jack will receive the Purple Heart on January 2, 1999. This honor will be bestowed 54 years after being earned.

Jack was born in Fresno on June 21, 1921, and upon his return from the war he married the former Violet Shumavon, the couple have been married for 51 years. They have two daughters, Susan Millard and Betty Gross, and have been blessed with five grandchildren. Jack and Paul Shumavon were proprietors of a grocery store for 20 years, and later co-owned the Chestnut Avenue Disposal Site. More recently Jack has been involved in farming grapes for raisin production.

Mr. Speaker, I rise today to pay tribute to Jack Selvian, Corporal, United States Air Force. I urge my colleagues to join me in wishing Jack Selvian best wishes for the future and sincerest thanks for his wartime sacrifice.

HONORING DOROTHY T. LEGGETT

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. TOWNS. Mr. Speaker, I rise today to honor Ms. Dorothy T. Leggett for her tireless contributions to the Brooklyn community.

Born and raised in Brooklyn, Dorothy Leggett has truly made an indelible mark in her community. Throughout her tenure in the community, Dorothy has striven to create numerous opportunities for all. As President of the National Council of Negro Women, Brooklyn Section, she introduced many new programs including the recognition of Black men who positively contribute to the Brooklyn community. Later, she unselfishly devoted herself to numerous organizations such as Mary McLeod Bethune Day Care Center, where she served on the Board of Directors for over twenty years; Church Women Untied, where she served as past Secretary; Community Planning Board #3; Caribbean American Chamber of Commerce; and the Unity Democratic Club.

Dorothy is truly a Renaissance woman! As a former Executive of Brownsville Multi-Service Center, she currently owns her own business, Hats Galore, on Nostrand Avenue. She also serves as Vice-President of the Chauncey Street Block Association, a community group that she helped reorganize.

Despite her numerous activities, Dorothy has raised two daughters, Doranne and Carmen. She has also bee blessed with four beautiful grandchildren, David, Patrick, Chantel and Darylyn.

Mr. Speaker, it is with great pride that I ask my colleagues to join me in saluting Dorothy T. Leggett for her tireless and unwavering service to the community.

IN HONOR OF ST. ROCCO PARISH

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. KUCINICH. Mr. Speaker, I rise today to recognize the 75th anniversary of the Holy Family Sodality of St. Rocco Parish in Cleveland, Ohio.

The church was established in 1924 and one of the first acts of the founding Pastor, Father Sante Gattuso, was to institute the Sodality. Today, it is the largest organization in the Parish. Including the new members to be initiated this weekend, the membership numbers 225 people. Most of the members are second and third generation members and a few are even fourth generation members.

The members of the Sodality have made invaluable contributions to the Parish. Because of their efforts, church activities, dinners, and the annual St. Rocco Festival are always well-attended and very successful. The success of these events is essential to the financial stability of the church and the school, so the help of the members of the Sodality is invaluable.

In addition to participating in religious functions and helping at church activities, members also visit the sick and shut-in members of the parish, pray the Rosary at the funeral home for deceased members and accompany them to the cemetery after the funeral mass. Every year, the members fill two buses to make a pilgrimage to the Shrine of Our Lady of Lourdes.

My fellow colleagues, please join me in honoring the ministry of love and service provided by the Holy Family Sodality of St. Rocco Parish.

WOMEN BUSINESS OWNERS IN SOUTH DAKOTA

HON. JOHN R. THUNE

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. THUNE. Mr. Speaker, I rise today in recognition of the 24,000 women business owners in South Dakota. Within the last decade, the number of women-owned businesses in South Dakota has grown by over 65%, and their annual revenue has increased by 237%. In fact, women owned firms currently account for 35% of all South Dakota firms, and generate over 14% of the state's business sales.

Additionally, I would like to recognize one of South Dakotas most prominent women's business advocates, Dr. Sandra Christenson. Dr. Christenson is the president of Heartland Paper Company in Sioux Falls, South Dakota. Heartland Paper Company is a family owned wholesaler of printing paper, packaging supplies, food service disposables, maintenance supplies, dilution control systems, and janitorial equipment. First founded in 1908, Christenson assumed the presidency of Heartland Paper Company in 1989.

Born and raised in Sioux Falls, Dr. Christenson is currently a member of the National Women's Business Council, the Congressional advisory panel that works with Congress and the President to promote the growth of women owned businesses. Dr. Christenson has been a prominent member of the South Dakota business community for 20 years. She has also been an active member of her industry and community serving on the advisory boards of the National School Supply Association, the National Paper Trades Association, the United Way, and South Dakotans for the Arts.

In closing, Mr. Speaker, I believe that women-owned businesses have played an integral role in the economic well being of South Dakota and the nation. As such, I strongly encourage my colleagues to actively support the women business owners in their districts.

SIKHS OBSERVE 300TH BAISAKHI BY MARCHING FOR FREEDOM

HON. JOHN T. DOOLITTLE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. DOOLITTLE. Mr. Speaker, I would like to take this opportunity to join some of my colleagues in wishing a happy 300th Baisakhi Day to the Sikh Nation. The contributions that Sikhs have made to American life have been significant. They have added to almost every walk of American life.

On April 10, the Sikhs marched in celebration of the 300th Baisakhi anniversary of the day of the last of the 10 Gurus, Guru Gobind Singh, initiated the Khalsa Panth. I understand that it was a glorious event for the Sikh nation, and I would like to congratulate the Sikhs of America and my friend Dr. Gurmit Singh Aulakh, who was the march coordinator, on its success.

I understand that the parade looked like a sea of saffron (the Sikh color of freedom) as it moved from the Lincoln Memorial to the Capitol and that the grounds outside here on the West Front were filled with over 40,000 enthusiastic Sikhs. It must have been something to see!

It is appropriate that the march began at the memorial to Abraham Lincoln, issuer of the Emancipation Proclamation. The Sikh Nation struggles for their freedom, as instructed by the Sikh Gurus. Sikhs are instructed to oppose tyranny wherever it occurs.

The Sikhs are a proud people, and justifiably so. They are a people dedicated to living a holy life, working hard, sharing with those in need, and to the equality of all people and freedom for everyone. Unfortunately, in their own homeland, Sikhs do not enjoy freedom. They have been subjected to tyranny. The Indian Government has also oppressed other minorities, such as Christians, Muslims, and Dalits (the so-called ''untouchables''). Yet India proudly proclaims itself a democracy.

We cannot make India behave like a truly democratic country, but we can apply pressure by withholding aid and by publicly declaring our support for a democratic vote in Punjab, Khalistan, and other Indian states on the subject of self-determination. If India is truly democratic, this is the way it should settle these issues.

The Governors of New Jersey and Texas have declared the ''Year of the Khalsa.'' Numerous Members of Congress from both parties have saluted the Sikhs on this historic anniversary. The new Mayor of Washington, D.C. sent congratulatory remarks. As Sikhs move into their fourth century, they should celebrate their next anniversary in freedom in their own sovereign, independent country. Let us honor their history and their struggle by supporting their effort to be free.

I would like to add Mayor Williams' letter of congratulations to the RECORD.

CONGRATULATIONS, COUNCIL OF KHALISTAN—''RECOGNIZE YE ALL THE HUMAN RACE AS ONE''

300TH ANNIVERSARY, APRIL 10, 1999

As Mayor of the District of Columbia, it is my distinct pleasure to extend warm greetings and congratulations to the members, guest and friends of the Council of Khalistan as you celebrate your 300th Anniversary of the initiation of the Khalsa Panth.

This is a significant milestone in the history of the Sikh Nation as you celebrate this Vaisaakhee Day. Sikhism is the youngest of the world's religion, and it is humility and service to mankind that are regarded as most important. Religion plays an important role in our daily lives, and you are to be commended for your efforts to provide spiritual enhancement to your membership, service to the community and commitment to the principles of peace, progress, dignity, integrity, human rights and justice for all.

On behalf of the residents of the District of Columbia, thank you for making a difference in our lives and best wishes in your quest for holy fulfillment.

ANTHONY A. WILLIAMS,
Mayor, District of Columbia.

PERSONAL EXPLANATION

HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. ADERHOLT. Mr. Speaker, due to my wife having a medical procedure in Alabama, I was unable to cast rollcall votes on April 13, 1999. Had I been present I would have voted ''aye'' on rollcall No. 81, H.R. 46 the Public Safety Officer Medal of Valor Act; and I would have voted ''aye'' on rollcall No. 82. H. Con. Res. 35 commending the people of Qatar for recent elections and commitment to the principles of democracy.

TRIBUTE TO TERESA JACKSON

HON. GARY G. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. GARY MILLER of California. Mr. Speaker, I rise today to honor seven young women in my district who have earned the Girl Scout Gold Award, the highest award in Girl Scouting.

The Gold Award requires the greatest achievement in career exploration, service to other people, and acquisition of skills. This award is a strong reflection of these youngsters' ability to set goals, to put value into action, to plan, and to relate to the needs of the community.

I wish to recognize Teresa Jackson of Troop 1325 in Anaheim, CA.

Mr. Speaker, I also wish to congratulate and thank Karin Carlson, Director of Program Services for the Girl Scout Council of Orange County for notifying of their achievements. On behalf of the people of the 41st Congressional District of California, let me say that we are all proud of you.

IN HONOR OF OHIO TRAILS AND GREENWAYS DAY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. KUCINICH. Mr. Speaker, I rise today to celebrate Ohio Trails and Greenways Day on Tuesday, April 20, 1999, and the work of the Ohio Field Office of Rails-to-Trails Conservancy.

Rails-to-Trails Conservancy's Ohio Field Office (RTC-Ohio) has three main goals: awareness, potential and sharing. RTC strives to promote awareness of trial and greenway projects in local communities, surrounding regions and throughout the state. The organization also seeks to explore the possibilities that trail and greenway projects offer to both transportation and recreation opportunities for the citizens of Ohio and visitors to the state. Their third goal is to create an atmosphere where information about trails and greenways is easily understood and accessible by everyone.

RTC has completed over 300 miles of rail-trail and is currently working on over 500 additional miles. In recognition of the importance of conservation and the efforts of RTC Ohio Governor Taft will officially declare April 20, 1999 at Ohio Trails and Greenways Day.

I am pleased to join in celebration of Ohio Trails and Greenways Day and wish the Rails-to-Trails Conservancy continued success in their environmental protection efforts.

HONORING PEGGY HASKINS

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. TOWNS. Mr. Speaker, I rise today to honor Ms. Peggy Haskins for her tireless contributions to the Brooklyn community.

Although she was born in Tams, West Virginia, Peggy Haskins has truly made an indelible mark in Brooklyn, New York. From her volunteer work with the Society for Seaman's Foster children where she teaches arts and crafts to I.S. 364 and P.S. 346 where she provides classroom and yearbook support, Peggy Haskins unselfishly shares her time and energy.

As the youngest of 11 children born to Louis and Sarah, Peggy's family spirit has also benefited the Women's Caucus for Congressman Edolphus Towns. She is a loyal, committed and inspiring member who prefers being in the background rather than in the forefront.

Peggy's concern for the Brooklyn community-at-large is also apparent in her professional life. She presently works for the New York City Board of Education. She is also working closely with her mentor, Dr. Ivan Bodis-Wollner, M.D., D.Sc., Director of Parkinson Disease and Related Disorders at Kings County Hospital Center. Peggy has degrees from both Chubb Institute and Kingsborough Community College.

Despite her numerous activities, Peggy maintains quality time with her 14-year-old son, Adam, and enjoys worshiping at St. Paul's Community Baptist Church.

Mr. Speaker, it is with great pride that I ask my colleagues to join me in saluting Peggy Haskins for her tireless and unwavering service to the community.

TRIBUTE TO LARRY SHEHADEY

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. RADANOVICH. Mr. Speaker, I rise today to pay tribute to Larry Shehadey for receiving a Lifetime Achievement Award at the Institute of Family Business conference. Mr. Shehadey is in his 50th year with Producers Dairy Foods, Inc.

Larry Shehadey, 91, remains chairman of the board for the Fresno based Producers Dairy Foods which has a full line of dairy products, fruit punches and orange juices. Producers Dairy was not Larry Shehadey's first career. He began a successful soap business and sold it to Safeway, Shehadey then bought half interest in Producers as an investment. He became general manager and began controlling the company. Today Larry Shehadey presides over a family business that expanded from 25 to 300 employees, sells milk products from Eureka to Santa Barbara, operates a chain of convenience stores and farms 7,000 acres of land on the west side of the Valley that provides feed for the company's 7,000 head of cattle.

Producers is capable of milking 2,500 cows, twice a day. Shehadey is proud to be one of the few remaining locally owned independent businesses in the Central Valley. He has served on many dairy boards, including the Dairy council of California; Dairy Institute of California as president, California Growers Association; and The All Star Dairy Association, where he held the position of charter member.

Larry Shehadey was married for 63 years to wife Elayne, who passed away recently, and has two sons, Richard and John and eight grandchildren. Richard, president of Producers, runs the company with his father.

Mr. Speaker, I rise today to congratulate Larry Shehadey on his Lifetime Achievement Award. Mr. Shehadey's service to the community is commendable. I urge my colleagues to join me in wishing Larry many more years of continued success.

TRIBUTE TO RUTH ZEMLOCK

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. McINNIS. Mr. Speaker, I would like to take a moment to recognize one of Colorado's exceptional citizens, Ruth Zemlock. In doing so, I would like to pay tribute to a woman who has shown, time and again, that it pays to give a little back to the community.

Ruth Zemlock is a resident of Colorado who has made a large impact on her community through her genuine care for others. Above and beyond being a model citizen, Ruth contributes her time as a volunteer at the Valley View Hospital in Glenwood Springs. For the last 14 years, Ruth Zemlock has given more than 11,000 hours of her time to the hospital. In recognition of her contributions to the community Ruth Zemlock has recently been awarded the ''1998 Senior Volunteer Service Award'' in Garfield county. Obviously, this is a fitting award for such a fantastic public servant.

It is said by those how are privileged to know her, that Ruth Zemlock is a delightful lady who dedicates her senior years to making the lives of others a little bit better. Ruth is obviously a women with a warm heart who, selflessly, gives to those in need.

Individuals such as Ruth, who volunteer their time to a good cause, are a rare breed. Fellow citizens have gained immensely by knowing Ruth Zemlock, and for that we owe her a debt of gratitude.

TRIBUTE TO THE LATE JAMES McCLURE CLARKE

HON. CHARLES H. TAYLOR

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. TAYLOR of North Carolina. Mr. Speaker, I rise today to pay tribute to our former colleague James McClure Clarke of Fairview, North Carolina who passed away last night. Although we were of different political parties and had our differences, James Clarke was a distinguished politician and, at all times, a gentleman.

Originally from Manchester, Vermont, Congressman Clarke graduated from Princeton University in 1939. He served as a Naval officer in the Pacific Theater during World War II from 1942–1945. Upon returning from the war, he began a lifetime of public service to the people of Western North Carolina, service that included the role of senior editor of the Asheville Citizen-Times from 1961–1969 and eight years on the Buncombe County School Board. He served with distinction two terms in the North Carolina House of Representatives from 1977–1980, and one term in the state Senate from 1981–1982. He represented North Carolina's 11th District in the U.S. House of Representatives from 1983–1985 and again from 1987–1989.

Congressman Clarke set a standard of service for the people of North Carolina to which every future member who has the privilege to represent them will be held. In every aspect of his professional and personal life, Congressman Clarke exhibited a gentility that is rarely seen in politics today. We will all certainly miss him. My prayers and those of everyone in Western North Carolina are with the Clarke family.

INTRODUCTION OF H.R. 1400 ''BOND PRICE COMPETITION IMPROVEMENT ACT OF 1999''

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. MARKEY. Mr. Speaker, I am pleased to join with Representatives BLILEY, DINGELL, OXLEY, TOWNS and several other Members of the Subcommittee on Finance and Hazardous Materials in introducing aimed at improving price competition in the nation's bond markets.

Price Transparency, or the dissemination of market quotation and transaction information, is of critical importance to investors in our nation's securities markets. Experience has shown that price transparency produces several important benefits. It can help to improve the liquidity and efficiency of a market by assuring that comprehensive price and trading information is disseminated to as many market participants as possible, so that the market price of securities will move more quickly to reelect the underlying economic value of the security. In addition, price transparency provides investors with greater protection from abuses by reducing the disparity of information that may exist between market ''insiders'' and ''outsiders'' and providing public investors with more equal access to information that is available to primary and other dealers.

With equal access to pricing information, investors in stocks or bonds can better evaluate the quality of execution and the value of their securities. This information is particularly useful for investors evaluating prices for less actively traded securities, where bid-asked spreads may be wider. Such data also can encourage competition among dealers and assist regulators in discovering possible manipulation, fraudulent mark-ups, or other wrongful conduct, or in determining the state of the market at any point in time.

In 1975, the Congress directed the SEC to facilitate the creation of a National Market System for qualified securities. When the Congress enacted that legislation, it did not limit its application merely to stocks but to all securities—including debt securities. In fact, the only type of securities that were not included were so-called ''exempt securities''—Treasury bonds, government agency securities, and municipal securities. At the time this legislation passed, there were many in the broker-dealer community who opposed it. But some 24 years later the Dow Jones Industrial Average has topped the 10,000 mark, and all observers agree that our stock markets are much more efficient and more liquid in large part due to their increased transparency. However, over the years the SEC has not made much use of the powers Congress granted it in this area to bring transparency to the corporate bond market.

The legislation we are introducing today would direct the SEC to use the authorities Congress granted it back in 1975 to issue rules or take such other actions as may be necessary or appropriate, to improve price transparency in the corporate bond market. Specifically, H.R. 1400 would mandate that the SEC assure the prompt, accurate, reliable, and fair collection, processing, distribution, and publication of transaction information in the corporate debt market. This would specifically include, but not be limited to, last sale information. The SEC is directed to assure that such information is made available to all exchange members, broker-dealers, securities information processors, and all other persons. In determining the rules or other actions to take under the subsection, the SEC is directed to take into consideration, among other factors, private sector systems for the collection and distribution of transaction information on corporate debt securities. Finally, the bill provides for a study by the General Accounting Office of measures needed to further improve price transparency.

I support this initiative because I believe that bond investors deserve to get full access to the type of market information that will better enable them to determine whether they are getting the best price for their buy and sell orders. I know that Chairman Levitt has already taken some preliminary steps to move the industry forward in this area, and that as a result of his leadership, the NASD is currently considering rule changes which would create transparency and audit trail systems for the corporate bond market. In addition, I understand that the bond dealers have also stepped in with a plan to make certain market information available. I welcome each of these initiatives, and would suggest that the legislation we are introducing today should be seen as complementing them by underscoring the determination of the Congress that effective and comprehensive action will be taken in this area.

I urge my colleagues to support this bill as it moves through the legislative process.

TRIBUTE TO LESLIE ELLINGSON

HON. GARY G. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. GARY MILLER of California. Mr. Speaker, I rise today to honor seven young women in my district who have earned the Girl Scout Gold Award, the highest award in Girl Scouting.

The Gold Award requires the greatest achievement in career exploration, service to other people, and acquisition of skills. This award is a strong reflection of these youngsters' ability to set goals, to put value into action, to plan, and to relate to the needs of the community.

I wish to recognize Leslie Ellingson of Troop 286 in Placentia, CA.

Mr. Speaker, I also wish to congratulate and thank Karin Carlson, Director of Program Services for the Girl Scout Council of Orange County for notifying of their achievements. On behalf of the people of the 41st Congressional District of California, let me say that we are all proud of you.

IN MEMORY OF DON ROBERTSON

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. KUCINICH. Mr. Speaker, I rise today to honor the memory of a gifted writer, Don Robertson.

A Cleveland native, Mr. Robertson attended Harvard University and Western Reserve University. After serving in the army, he began his professional journalism career as a copy editor for the Plain Dealer. Robertson was the author of 19 novels, many of which were set in Ohio and revolved around major historical events. His best known books include ''The Greatest Thing Since Sliced Bread,'' ''Praise the Human Season'' and Paradise Falls.''

Robertson also used his journalistic talents to write scripts for the television soap opera ''The Edge of Night,'' movie and theater critiques for WKYC Channel 3 and to serve as editor for Houston City Magazine. He was also a columnist for the Cleveland Press and worked for the Cleveland Magazine.

Robertson's journalistic endeavors included being a features writer for the Cleveland News and a radio and television talk show host. He had shows on WERE Radio, WVIZ Channel 25 and Channel 61.

Robertson received numerous accolates for his writing. In 1991, he was presented the Mark Twain Award from the Society for the Study of Midwestern Literature, which is given to a writer whose work continues in the tradition established by Twain. He was inducted into the Press Club of Cleveland Hall of Fame in 1992. In addition, he was the recipient of a Lifetime Achievement Award from the Cleveland chapter of the Society of Professional Journalists.

My fellow colleagues, please join me in honoring the memory of a talented writer, Don Robertson.

SALUTING INTERFAITH MEDICAL CENTER—BROOKLYN, NEW YORK'S REACH AND READ PROGRAM

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. TOWNS. Mr. Speaker, I rise today to salute the Interfaith Medical Center (IMC)—Brooklyn, New York's Reach Out and Read Program. Reach Out and Read is a Pediatric early literacy program developed at Boston City Hospital in 1989 by a collaboration of pediatricians and early childhood educators. The Reach Out and Read program makes literacy a part of pediatric care, by having pediatricians in the out-patient setting encouraging parents to read aloud to their children, and by giving their patients (between the ages of 6 months and 5 years) books to take home with them.

Pediatricians are trained to counsel parents about the importance of reading with young children, offering age-appropriate tips and encouragement. Volunteer readers are in the clinic to read aloud to children as they wait for their appointments, thereby encouraging to learn to love books!

Through Reach Out and Read, every child starts school with a home library of at least 10 beautiful children's books, and parents are helped to understand that reading aloud is the most important thing they can do to help their children learn to love books.

Interfaith Medical Center in Brooklyn, New York has been working to begin its Reach Out and Read program for the past 15 months. On Monday, April 12, 1999, Interfaith officially opened its program in the Pediatrics clinic at their St. John's site. Presently, over 7,000 books have been obtained through grants and donation. Interfaith is prepared to keep this program going for many years * * * in addition to working toward expanding it into all of their community clinics. Mr. Speaker, please join me in saluting Interfaith Medical Center for its unwavering commitment to preparing our children for a bright future.

AMERICA'S WILDERNESS ACT

HON. JAMES V. HANSEN

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. HANSEN. Mr. Speaker, today I have introduced ''America's Wilderness Protection Act.'' As many know, I have been an advocate of wilderness for many years. For example, I have introduced legislation to designate wilderness in the beautiful red rock areas of Southern Utah in each of the last several Congresses. I was also instrumental in the passage of the Utah Forest Service Wilderness Act of 1984 a bill that designated almost a million acres of Wilderness in the State of Utah.

As a wilderness advocate I have become increasingly concerned about a particular issue that makes wilderness legislation extremely difficult to pass. The issue I refer to is wilderness studies.

The Federal Land Policy and Management Act of 1976 created something called a ''Wilderness Study Area.'' Lands that became Wilderness Study Areas pursuant to FLPMA were studied by the Interior Department to determine whether they qualified for Wilderness designation.

Unfortunately, FLPMA failed to provide for the release of Wilderness Study Areas. Thus Wilderness Study Areas, absent Congressional action, would be studied in perpetuity—even after the actual study, done by the Interior Department, was finished.

The perpetual study of an area for wilderness suitability is clearly not in the public interest:

The biggest problem is that it hinders the designation of wilderness. Because Wilderness Study Areas are managed almost as if they were already wilderness, there is no incentive to make the sometimes politically difficult decisions to actually make them wilderness. Also, because the Interior Department's wilderness studies invariably decide that certain parts of Wilderness Study Areas do not qualify for wilderness, fringe environmental groups often oppose any resolution to the issue, preferring perpetual Wilderness Study Area status over actual wilderness designation.

We need to reach a conclusion on this issue. Areas that qualify as wilderness should be designated as wilderness, and areas that don't should be released.

This bill would protect millions of acres of Wilderness throughout the country by directing that wilderness studies be completed within ten years. It would force Congress to decide the issue and finally designate wilderness.

I urge my colleagues to co-sponsor and support ''America's Wilderness Protection Act'' and protect America's wilderness.

UNITED BAY CITY CREDIT UNION: SUNSHINE FOR A RAINY DAY

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. BARCIA. Mr. Speaker, our nation's history is filled with examples of neighbors, friends, and coworkers coming together to help one another weather the bad times that life has in store for each of us. The members of the United Bay City Credit Union are an outstanding illustration of how bad times can be used to create good times. It was now fifty years ago that the employees of Bay City Chevrolet were ending a 110-day strike. They decided to each pool together a $5 contribution to help provide a resource for their coworkers who needed help to recover from a tough time, help that may be there in future years for those taking the wise step to invest in their own future by supporting the future of others.

On April 20, 1949, the Chevrolet Employees Federal Credit Union was chartered. The subscribers to the organization certificate were Perely W. Bennett, Harry Vink, Richard E. Jane, Robert W. Kennedy, Chester S. Sosnowski, Harold McDougald, and Joseph M. Douponce. They took the first steps that resulted in George Reif as the first treasurer, and a portfolio that included 88 loans, 209 members, and bank balance of $410.89 in 1950. That small effort has resulted in a financial institution that today boasts more than 20,000 members, assets in millions of dollars, and more than 100 companies that serve as partners with the Credit Union.

The history of this facility is enlightening. In 1954 an office was set up with a worker who was paid $31.25 per week to run the office. In 1955, the name was changed to United Bay City Federal Credit Union. In 1959, members with four years of seniority could borrow up to a maximum of $500. Branch officers were added over the years. Automated teller machines were added until now there are five. A phone access line was installed to make financial transactions even easier. And the same Credit Union that once limited loans to $500 today offers a Master Money/Check Card. To those who took the risk in 1949, today's services would probably have been considered too phenomenal to have even been thought of as dreams.

But even with these changes brought on by advances in technology, by competition, and by consumer demand, United Bay City Credit Union remains true to its original purpose: to provide a safe haven for hard-earned dollars, to offer responsible credit to make life's needs more manageable and life's opportunities more obtainable, to combine limited resources in a fashion that offer limitless options.

Mr. Speaker, I urge you and all your colleagues to join me in wishing Charlie Booth,

Linda Meyer, the excellent staff and all of the members of United Bay City Credit Union a most joyous 50th anniversary, with many more successful ones to come.

HONORING LOU MATARAZZO AND RON DEVITO

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. ACKERMAN. Mr. Speaker, I rise in honor of Lou Matarazzo, president of the New York City Patrolmen's Benevolent Association, and Ron Devito, 2nd vice-president of the New York City Patrolmen's Benevolent Association. They are being honored on April 15, 1999, at the Terrace in the Park in Flushing Meadows, NY, on the occasion of their retirement. Their leadership in the New York City Policy Department and as officers of the PBA is truly inspirational to all New Yorkers.

Well known for his devotion to his fellow officers and for being ready, willing and able to help a colleague in need, under any circumstances. Matarazzo has combined a hands-on approach with a thorough knowledge of police and human affairs. He began his career in law enforcement as a rookie patrolman in 1964. In 1969, he was elected a PBA delegate from the 108 Precinct and held that position for 9 years, serving on both the Negotiating and the ''Cop of the Month'' Committees. In 1977, he was elected the PBA Queens Trustee and soon began serving as chairman of the board of trustees and chairman of the Law Committee. In February 1991, he became the PBA Recording Secretary and in June 1991, he was elected treasurer. He has held his current position as PBA president since 1995.

Matarazzo served as a member of the Police Pension Board, and is an expert in the field of disabilities. He is also a member of many civic and police groups, including the Columbia Association, of which he was a recent ''Man of the Year.'' He has been cited for excellence by the Police Honor Legion, the New York Shields, the Nassau County Shields and the Holy Name Society. Currently, he serves as Chairman of the Public Employees Conference in New York States, which has over one million members.

A resident of Nassau County, Matarazzo has been married to his wife, Fran, for 36 years. Together they have 5 children and 6 grandchildren.

A 42-years veteran police officer, Ron Devito has been a PBA delegate since 1972. He joined the force in 1957 and was assigned to the 103rd precinct where he worked in uniform for 20 years, before being elected to the Executive Board of the Policeman's Benevolent Association.

In 1977, he was elected as the Financial Secretary for Queens County, Treasurer, and then 2nd Vice President of the PBA. During his time with the PBA, Devito has served on the Pension Board, the Tellers Committee; was an original member of the Committee on Political Action; was director of the ''Cop of the Month'' Committee and served as the Chairman of the Board of Directors Executive Board.

Devito has been awarded one exceptional Merit Citation, two Meritorious Police Citations, four excellent Police Citations and the Nassau Shields ''Cop of the Month'' Award.

A former sergeant in the U.S. Marine Corps, Devito is marred to the former Patricia Guinan. They have three children and three grandchildren.

Mr. Speaker, I ask my colleagues to join with me in honoring these two outstanding men.

ARGENTINA'S DEMOCRACY FACES STRUGGLES

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. TOWNS. Mr. Speaker, I rise today to share with you my concern towards the struggles that a young democracy in Latin America is facing. I am referring to Argentina and its questioned judicial system, still so tainted by the memories of past dictatorships. I would like to talk to you about a small Buenos Aires based non-governmental organization that has to bear the harassment and persecution of a corrupt judiciary. I hope that after I share with you my concerns you will then be in a better position to discharge our responsibility of expressing some words of caution to our citizens and U.S. based corporations that are considering whether to make investments in Argentina.

On February 1st, President Clinton responded to a missive in a salvo of bipartisan letters from colleagues legislators concerning the Buenos Aires Yoga School case. Clinton began his response by observing: ''I share your commitment to the protection and enforcement of human rights in Argentina and around the world.'' Our U.S. president then went on to note that: ''Our embassy in Buenos Aires has been closely monitoring this matter [the BAYS case] for the past several years, and has raised it on several occasions with appropriate officials in the Argentine Ministry of Justice. Like other cases in the Argentine judicial system, this case has taken too long to resolve. While I agree that we cannot intervene in the Argentine judicial process, we will continue to follow the case and urge the Argentine government to resolve it as expeditiously as possible.''

The BAYS case has been high on my agenda and that of many of our colleagues for much of the past year where we have expressed our unease over the treatment of this Argentine group. Many of our colleagues, in order to seek justice for BAYS, have sent letters to President Menem calling for his intervention—never receiving an answer, the case has achieved significant leverage among us, U.S. policy makers, as an important component in the hemispheric policy formulations.

Clinton's letter about BAYS's plight pointedly referred to this highly controversial case. One which was initiated over six years before when faculty and students of the Yoga school became a chosen target for Argentina's notoriously flawed judiciary vindictiveness of several relatives from BAYS members. The philosophical and culturally-centered educational institution was accused of ''sexual corruption of adults'' and has attracted unprecedented prosecutorial and judicial misconduct from Argentine authorities since then. Almost all outside observers who have examined the case considered it unfathomable why so much negative energy has been dissipated against such a small group which, in fact, has won considerable renown abroad for its artistic accomplishments and social programs. One compelling explanation is that the case has triggered a bundle of latent and overt ultramontaine, neo-Nazi and deep-seated anti-Semitic strains lying just below the surface of Argentina's historic memory, which may be fundamental to why this largely Jewish organization of 300 members has been subjected to its extraordinarily protracted ordeal. In the playing out of the case, it was also shown that the indignation of the Argentine media—to much of which venality is no stranger—is highly selective and that the press, in this case, has been revealed as a lapdog of the political establishment. It has not shown itself as a forensic lion when it came to confronting the slavishly purchased performance of the country's court system in general, and its outrageous behavior regarding the BAYS saga, where under-the-table subventions must have become the rule in forcing the prolongation of this case.

Over much of the past six years, members of BAYS have been experiencing unrelenting harassment at the hands of Argentine judicial authorities, including totally unjustified and violent illegal searches of their homes and offices, imprisonment of innocent members, the hectoring of their children, and the seizure of their personal property which to this day has not been returned. All this has transpired even though no compelling incriminating evidence has been presented by the prosecution against the Yoga School, the statute of limitations has since expired, and the Argentine Supreme Court has nullified the original charges. Some of the prosecutors and judges engaged in hounding the BAYS systematically have engaged in unprofessional behavior, which at times has included resorting to the use of scurrilous anti-Semitic remarks made in public settings—enough to result in the first judge being impeached by the national legislature. In this case, reputably, justice has been for sale.

The BAYS affair provides a telling example of the corrosive role that corruption may have played in the form of payoffs to court personnel overseeing such cases as the one involving BAYS, from several wealthy and alienated relatives of BAYS members. Even one of the more controversial judges involved in the case is ready to acknowledge that the alienated relatives have a psychological, if not neurotic need to establish that it was the organization rather than themselves who had generated their family's personal travails. In fact, a close examination of each of these plaintiffs conduct reveals that in a number of these cases, much of the social anomie brought on by intrafamily strife existed even before the founding of the organization. The harassment of the BAYS also provides an insight into the role played by an extremist ideology in Argentina's tainted judicial system, and how little has changed since the era of military rule beginning in the 1970's, when government authorities murdered, with impunity, upwards of 20,000 innocent civilians in the country. Many of the judges now on the bench were appointed to their relatively lucrative positions at that time, with their modus operandi still reflecting the low standing that people of their political persuasion traditionally have accorded

to democratic practices, judicial guarantees and the notion of civil rectitude in public office.

My concern continues to grow as each week brings even more disturbing developments in the case. We are disappointed that Justice Minister Dr. Raul Granillo Ocampo's assurances, made while he was ambassador to the United States, have not been followed up on. Despite the July 1997 rulings of the Court of Cassation confirming the earlier decision of the Supreme Court condemning the actions of the judicial authorities, the lower courts have refused to cease their continuous penal persecution.

The three documents from the Court of Appeals, Chamber VI on March 2, 1999, revoked the dismissals ordered by the lower court and ignored the decision by the Court of Cassation. The Appelante written by Carlos Alberto Elbert, Luis Ameghino Escobar and Carlos Alberto Gonzalez ordered the continuation of an investigation which has long exceeded its statute of limitations. If we add to this the lack of legal controls and malevolent obsession to persecute by the State Attorney's office the opening of a new case with the identical charges which originated the BAYS case in 1993 the denial of the right to a fair trial for the defendants, and the continuance of the processes already declared null, the picture becomes very alarming.

We have shown our concern and wish to help strengthen Argentina's democracy, but we seem to be ignored by the country's authorities. For me this is yet another opportunity to depict a number of disturbing instances where injustice has been done; where the courts have served as a persecutor of the human spirit, rather than its defendant. Let our citizens be aware of this situation, let us take care of our interests—both in the economic and the humanitarian field—and let's hope that this can break the silence that rests over this serious matter of a group of philosophers that have the admirable strength to keep on wishing to live in a democracy, like we do.

IN HONOR OF MADELINE CAIN, MAYOR, CITY OF LAKEWOOD

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. KUCINICH. Mr. Speaker, I rise today to honor the achievements and contributions of Madeline Cain, Mayor of the City of Lakewood, Ohio.

As the first woman mayor of Lakewood, Cain has focused her efforts on developing an effective economic development strategy, controlling costs, preserving high quality and safety services and protecting the residential character of the community. Cain initiated the ''Mayor's Night Out'' program to bring government and community members together. This program includes a door to door visit by the Mayor and an informal gathering of neighbors and city officials at the home of a host resident. Other achievements include the creation of the Economic Development Fund to encourage private investment in the community, protect and create jobs, and prevent the deterioration of commercial and industrial areas.

Cain also served as a member of the Ohio House of Representatives, where she authored one of the nation's first anti-stalking laws and sponsored various bills regarding children and the disabled. While in the House of Representatives, Cain also served in leadership of the Ohio House Democratic Caucus as Chair of Policy and Research.

Mayor Cain is also active with a number of organizations, including serving as a member of the Board of Trustees for Lakewood Hospital and the Advisory Board of Malachi House (a home for terminally ill homeless).

My fellow colleagues, please join me in honoring the accomplishments of a dedicated public official, Mayor Madeline A. Cain. Her work is greatly appreciated by her constituents and I wish her continued success.

TRIBUTE TO GINA CASANOVA

HON. GARY G. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. GARY MILLER of California. Mr. Speaker, I rise today to honor seven young women in my district who have earned the Girl Scout Gold Award, the highest award in Girl Scouting.

The Gold Award requires the greatest achievement in career exploration, service to other people, and acquisition of skills. This award is a strong reflection of these youngsters' ability to set goals, to put value into action, to plan, and to relate to the needs of the community.

I wish to recognize Gina Casanova of Troop 439 in Brea, CA.

Mr. Speaker, I also wish to congratulate and thank Karin Carlson, Director of Program Services for the Girl Scout Council of Orange County for notifying me of their achievements. On behalf of the people of the 41st Congressional District of California, let me say that we are all proud of you.

SETON HALL VOLUNTEERS—MAKING A DIFFERENCE

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. PAYNE. Mr. Speaker, as National Volunteer Week approaches, it is with great pride that I rise to commend a dedicated group of individuals from my alma mater, Seton Hall University, who are making a real difference in lives every day—on campus, in their local community, and internationally. Known as the Division of Volunteer Efforts (DOVE), this volunteer service component of Campus Ministry is actively engaged in the promotion of social justice.

DOVE volunteers work to ensure that graduates of Seton Hall, in addition to being well-educated academically, also develop a keen awareness of social problems and a compassionate approach to resolving them.

Putting their faith into action, members of DOVE, which include Seton Hall graduates, undergraduates, staff and faculty, number 2,000 strong and contribute an average of 10,000 hours of service each academic year.

DOVE is involved in a wide range of volunteer activities, including Adopt a Grandparent Month; American Red Cross Disaster Response Team; Tutoring for English as a Second Language; visits to hospitals, soup kitchens and community food banks; Carnival of Fun and Camp Fatima for the mentally and physically disabled; New Jersey Special Olympics; SHU 500; Day of Community Service; AIDS Walkathon and Softball Tournament; and The Literacy Volunteers of America. DOVE is also involved in a number of mentoring programs to address the needs of at-risk youth; efforts to aid victims of natural disasters; and an international service project for the Republic of Trinidad and Tobago.

Mr. Speaker, I know my colleagues here in the House of Representatives join me in sending the members of DOVE our congratulations on their outstanding community service and our very best wishes for continued success in their important mission.

THE TERRORIST ELIMINATION ACT OF 1999

HON. BOB BARR

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. BARR of Georgia. Mr. Speaker, I rise today to introduce the Terrorist Elimination Act of 1999 that would end a decades old ban on U.S. government involvement in killing foreign military and terrorist leaders.

The ban has been in place since the late 1970s by Executive Orders, and the legislation I am introducing, would nullify the provisions of several Executive Orders that created the ban.

In several recent cases, the United States has committed extensive force to operations designed to remove a handful of elite political rulers, or military or terrorist leaders. This was our basic military goal in strikes directed at Libya, Iraq, and other sites in the Middle East and North Africa in recent years. It also appears to be the motivation behind American involvement against Slodoban Milosevic's forces in the former Yugoslavia.

It is dishonest, costly and dangerous to use massive military force to remove those leaders who threaten American lives, commit terrorist acts or war crimes, or who destabilize regions of the world. Our federal government should never put the lives of our troops at risk when there is an alternative method of accomplishing the same goals.

Terrorists leaders or war criminals should rarely be directly targeted, and any such steps should only be considered after very careful and comprehensive consideration involving our military, intelligence, and policy leaders. However, when a foreign dictator or terrorist leader threatens the lives of Americans, I believe it is entirely appropriate for us to remove that threat by any means necessary, without arbitrarily limiting our options.

Mr. Speaker I wrote to President Bill Clinton with regard to this issue on August 24, 1998. Below is a copy of the letter I sent to the President:

August 24, 1998.

In re assassination ban.

Hon. WILLIAM J. CLINTON,
President of the United States, The White House, Washington, DC.

DEAR MR. PRESIDENT: Ever since the Ford Administration, the Executive branch has

operated under a wide-ranging and ambiguous ban on ''assassination.'' Most recently, the ban was reiterated in Executive Order 12333, which states that, ''[n]o person employed or acting on behalf of the United States government shall engage in, or conspire to engage in, assassination.''

As you know, the debate about what does and does not constitute ''assassination'' remains unsettled. However, the practical result of this ban is that United States forces are allowed to bomb military targets, hoping to kill terrorist leaders collaterally, but are prevented from designing surgical strikes for that purpose or working with others to do so.

I urge you to consider lifting this ban and designing a new system so that the threat posed by individuals proven to be directly responsible for the deaths of American citizens—such as Osama bin Laden or Saddam Hussein—can be eliminated in cases where it is simply impossible to capture them by ordinary means. I firmly believe such a system should be put into place, and that it should also include strong and effective safeguards against abuse, such as a requirement for limited consultation with Congress.

Taking action against a foreign leader posing a direct threat to our armed forces or civilian citizens is a power you already possess under the Constitution as commander-in-chief. Arbitrarily, and somewhat disingenuously purporting to deny a President such a power by Executive Order reduces credibility and hampers your role as commander-in-chief.

As the threat posed to American citizens by terrorist organizations continues to grow, it is important we use every tool at hand to block those who would destroy our lives and property from doing so. While final removal of terrorist leaders is a draconian measure that should be used only sparingly, there are, unfortunately, cases where it is clearly warranted. I believe we should fashion a mechanism for making such action possible, and would welcome the opportunity to work with you in that endeavor.

With kind regards, I am,

Very truly yours,

BOB BARR,
Member of Congress.

At this time the Administration has not revoked these Executive Orders. So in turn I am introducing this legislation.

Mr. Speaker, I ask my colleagues to join me in supporting the Terrorist Elimination Act of 1999.

A TRIBUTE TO CORKY ROW

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. FRANK of Massachusetts. Mr. Speaker, I recently received a letter from Mae Greeley of Fall River, Massachusetts, enclosing an article that had been written by James Holland, a former resident of the city. Mr. Holland's article is a warm reminiscence of what life was like in that neighborhood decades ago, and presents an excellent picture of American urban history. I agree with Mrs. Greeley that it is the kind of reminiscence that ought to be shared so that people get an understanding of the positive aspects of our urban history, and I ask that the article be printed here.

First of all, it was a place with a rich ethnic heritage—the first American home of many immigrants from that part of Ireland from which the name Corky Row derives.

I recall at an early age being told proudly by relatives and older neighbors that a certain person who became a priest, or a judge, or a doctor, or other prominent member of the community once lived in this tenement (they were never called apartments) on Branch Street or was born in that house on Third Street. Most of these successful men and women were reared in large families by hard-working parents, living side-by-side with others of the same cultural background without the social problems prevalent today.

Corky Row meant to me St. Mary's Cathedral, the veritable soul of the neighborhood! Most of the boys and girls received their early training in the parish school where the values inculcated in the home were reinforced and codified by the Sisters of Mercy. I recall the streams of men, women and children, who literally poured out of their yards on Sunday mornings to fill the church at the hourly Masses as the bells from the lofty tower sent forth their familiar sounds up and down the street.

It meant going to South Park to aspire for the parish baseball team in the then flourishing and highly competitive Catholic League. The team was then under the dedicated tutelage of the young Reverend Francis McCarthy and was made up of such talented players as Billy Sullivan, Eddie Callahan and Jimmy Padden.

Or it meant practicing basketball with a peach basket nailed to my Uncle Jerry's barn on Fourth Street with fellows like Ted Devitt, because someday you might be asked to play for St. Mary's under the hart twins just as Ray Greeley and Tommy Sullivan were then doing.

It meant spending endless hours on Saturday afternoon playing ''peggy ball,'' truly a Depression game, which required the lusty swing to try to drive it over the north fence of the Davenport School yard.

It also meant belonging to a ''gang,'' being accepted by ''the guys'' such as Mike Kearns and Jeff O'Brien. This meant being allowed to ''hang around'' the corner with them, not to molest or harass others, but just to be together to enjoy the banter and the camaraderie which such gatherings provided.

I recall that a certain unwritten code of conduct prevailed among the gang and you were accepted if you complied.

Corky Row meant for me personally a very special place with a peculiarly warm neighborhood feeling. The house where I lived at the southeast corner of Fourth and Branch streets was in a yard with two others—10 tenements in all. The door to each was as open to me as my own—baked beans from Maggie Sullivan every Saturday, homemade rolls from Julia Devitte, rich fudge from Esther Harrington.

I visited one of these tenements daily as a boy because they always had the Boston Post which I would read, spread out on the kitchen floor in front of the Glenwood coal range—the front room was always closed off, of course, in the winter.

And on the first floor of our house at 486 Fourth St. lived my Uncle Jerry and Aunt Be, who were like second parents to me. Jerry was a familiar figure in Corky Row as he drove or rode his spirited horse through this high-density neighborhood.

It meant a place of family stability. Seldom, if ever, did I hear of a divorce or separation in those days. The same families, it seemed, occupied the same tenements forever. Even today as I ride through Fourth and Fifth streets, I can recall the names of the families who lived in certain tenements so many years ago.

These lessons were translated into political action in the form of youthful parades through the streets of the neighborhood in behalf of Jeff O'Brien's father—Representative James A. O'Brien, Sr., then of Second Street.

Corky Row meant the Davenports Schoolyard, now the Griffin Playground, with its superb softball league and teams from every corner of the neighborhood—Corky Rows, Davenports, Mitchells, Hodnetts, Levin's pets, Trojans, etc. Nightly, young and old would gather in and around the school yard to watch such great players as ''Red'' McGuinness, George Newberry, Johnny Cabral, Mark Bell and Tom Harrington, to name but a few.

It meant the proximity to South Park and the old Grid League on Sunday afternoons, where the two keenest rivals were the Royals of Mark Sullivan from the corner of Fifth and Branch and the Corky Rows of Joe DePaola from Third and Branch to blocks away.

It meant playing touch football on the cinder-like surface of the Davenport School yard where two complete passes in a row made a first down and where players like Henry Paul and George Bolger made it awfully difficult to complete one. Or, it meant playing the game on Branch Street when there were only two players around, with the curbs forming the sidelines and the Fourth and Fifth Street intersections being the end zones.

It meant playing marbles, ''pickers,'' we called them, with Eddie Myles under the street pickers—most of them formerly mine.

It meant all the kids in the neighborhood sliding down Third Street in the winter when sometimes you could make it from Lyon to Rodman Street if the surface was good and icy. Of course, you had to get out of the way of the ''bulltops'' steered by one of the big guys seated bravely on the front with an ice skate for a rudder.

I could go on and on with similar recollections of the joys of growing up in Corky Row. I often ask myself what made it such a happy place? The answer has to be—the people.

There was, in a word, a neighborhood spirit evidenced by pride in the achievement of friends and concern for their adversity and sorrow. Remember the wakes and funerals? But they are a story in themselves.

The women standing at the gates talking or going to St. Mary's on ''rosary nights'' greeted you by your first name. The older men, many of who belonged to the Corky Row Club, were always ready to encourage you in your athletic or scholastic pursuits. It was, in a way, like belonging to a very large family.

When you returned from the show at the Capitol or Plaza Theaters, or from a walk ''down street,'' as we always called Main Street, and when you turned the corner of Fourth and Morgan streets and saw the closely packed houses, and as you hurried to get to the game whatever it might be, then going on in the school yard, there was a feeling of being home and with your own—you were back it Corky Row.

TRIBUTE TO TOM MORELLI

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. McINNIS. Mr. Speaker, I would like to take a moment to recognize one of Colorado's exceptional volunteer fire fighters, Tom Morelli. In doing so, I would like to pay tribute to a man who has shown, time and again, that it pays to give a little back to the community.

Tom Morelli is a resident of Colorado who has made a large impact on his community

through his generous contributions. Aside from being a model citizen, Mr. Morelli contributes his time as a volunteer firefighter in Glenwood Springs. Tom Morelli responded to 447 calls in 1998. In recognition of his many years of dedicated public-service, he has recently been awarded the ''1998 Adult Humanitarian Volunteer of the Year Award'' in Garfield County. This award given to special volunteers, who give their time and energy to the community.

It is said by those who are privileged to know him, that Tom Morelli is a quiet and modest man who would rather be fighting fires than accepting awards. In my view, this makes him all the more deserving of this award—he has truly earned it.

Individuals such as Tom Morelli, who volunteer their time to a good cause, are a rare breed. Fellow citizens have gained immensely by knowing Tom Morelli, and for that we owe him a debt of gratitude.

DAN QUAYLE: A HOOSIER CANDIDATE

HON. MARK E. SOUDER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. SOUDER. Mr. Speaker, today is a proud day for Northeast Indiana. One of our own, former Vice President Dan Quayle came home to Huntington to announce his campaign for President of the United States.

In Huntington, we are proud of the Dan Quayle Museum, the only museum in the United States devoted to Vice Presidents. In Indiana, we have had many Vice Presidents—in addition to Dan Quayle, Thomas Marshall, Thomas Hendricks, Charles Fairbanks, and Schuyler Colfax are Hoosier Vice Presidents.

While William Henry Harrison, who was a Territorial Governor based in Vincennes before Indiana was a state; and his cousin Benjamin Harrison, who lived in Indianapolis at the time of his election. And there's Abraham Lincoln. We Hoosiers say that Indiana made Lincoln and then Lincoln made Illinois.

But Dan Quayle will be our first really Hoosier President. And I'm proud he's from my district, and I'm honored to hold the same congressional seat he did.

My friend Mike Perkins wrote the following article in the Ft. Wayne Journal-Gazette that summarizes our feelings.

[From the Ft. Wayne Journal-Gazette, April 11, 1999]

WHY QUAYLE ALWAYS RETURNS

(By Mike Perkins)

A few minutes after noon Wednesday, Dan Quayle will step to the microphone in a packed gymnasium at Huntington North High School and make history by announcing he is a candidate for president of the United States.

It will be a big story on a national basis and a very big story for the small town of Huntington, the place Dan Quayle still considers his hometown.

As it first did in the summer of 1988, the national media spotlight will again fall on the community. It will focus on the place, the people and the attitudes that helped shape Dan Quayle. That's one of the reasons he's coming back here on such an important day in his life.

While we've hardly used to such attention, it can't be quite as bewildering as it was in August 1988, when Huntington became, for a day or two, the center of the political universe.

When George Bush surprised nearly everyone by naming Dan Quayle his running mate on the Republican ticket, editors, producers and reporters everywhere scrambled to find Huntington on their Indiana maps. There they hoped to find people who could help them unravel the mystery of just who this Quayle fellow was.

What the reporters discovered when they got here was that Dan Quayle was anything but a mystery to the people of Huntington. His family had lived here for years. He'd graduated from high school here, spent a few summers at home during college, then moved back to Huntington with his wife, Marilyn, after law school. He went to work at his family's newspaper—where I am employed—and he and Marilyn even hung out a Quayle & Quayle law shingle on the second floor of the newspaper building. They bought a house, settled in and began a family. They made friends they're still on a first-name basis with. Small-town life agreed with them.

As did big-time politics.

The Quayles moved from Huntington not long after Dan Quayle took his oath as a member of the House of Representatives in 1977. The Quayles have not spent more than a few days at a time in Huntington since then. Dan Quayle last voted at his Huntington Precinct 1A polling place in 1992. He has returned a few times since for ceremonies and fund-raisers.

It is significant that Dan Quayle, who lives in Phoenix after calling Indianapolis home, chooses to return to Huntington for Wednesday's announcement. There's no strategic reason to do so. He does not need to work against a rural Midwest backdrop; he'll be spending much of the coming year in towns smaller than Huntington as he stumps through Iowa. He does not need to curry votes; Huntington County and all of Indiana have been kind to him that way over the years, and the Republican nomination should be decided by the time the Indiana primary rolls around in May 2000.

Dan Quayle is coming back to Huntington because his successful journeys always seem to start from here. In 1976, as a political unknown, he launched his first campaign for Congress from the Huntington College student union. He returned there in 1980 to announce his ambitions for the Senate. He and George Bush began their quest for the White House in 1988 from the south steps of the Huntington County Courthouse.

Dan Quayle was not supposed to have a prayer against the popular J. Edward Roush in 1976. But he won. Birch Bayh was thought to be all but unbeatable when the 1980 campaign began. Quayle beat him. George Bush had to overcome Michael Dukakis' early lead while Dan Quayle stood up under a withering media barrage in the fateful first weeks of the 1988 campaign. And they won.

Quayle is not the early favorite for the Republican nomination in 2000. Sound familiar?

Dan Quayle knows he can expect a warm reception from the people in his hometown. Community pride in having sent a congressman, senator, then vice president into the political arena transcends party affiliation for most people in Huntington County. Even those who disagree with Dan Quayle's politics can admire the man behind the issues and the way he reflects their values and their beliefs.

In large part Wednesday's rally will be a local production. Hundreds of volunteers have been mobilized. Work has been under way for weeks. The person at the eye of the organizational hurricane is Marj Hiner, co-owner of a Huntington trucking company. She has been a volunteer for Dan Quayle since his earliest House campaigns and she passed her trial by fire when she helped put together the 1988 Bush-Quayle rally on three days' notice.

Quayle knows Hiner and the Huntington County people she has enlisted to help. He trust them to play a pivotal role in a watershed event in his political career. Quayle's friendships, as well as his roots, run deep here.

It's impossible to know where Dan Quayle's personal journey will take him in the months and year to come.

In political terms he's still a young man, likely to be a force in the Republican Party for many years to come. His path might not often lead him back to Huntington, but when he does return he'll be welcomed with kind words and understanding hearts.

You shouldn't expect anything less when you come home.

INTRODUCTION OF THE JAMES GUELFF BODY ARMOR ACT OF 1999 AND THE BODY ARMOR RESTRICTION ACT OF 1999

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. STUPAK. Mr. Speaker, I rise today to introduce two bills to take body armor out of the hands of criminals and give law enforcement greater access to body armor.

My first bill is entitled the James Guelff Body Armor Act of 1999, and is named for San Francisco Police Officer James Guelff, who was killed in 1994 by a gunman wearing a bulletproof vest and a Kevlar helmet. More than one hundred officers of the San Francisco Police Department were called to the residential area where the gunman fired in excess of 200 rounds of ammunition. Several officers actually ran out of ammunition in their attempt to stop the heavily-protected gunman.

This bill criminalizes the use of body armor in conjunction with another crime, prohibits the purchase or possession of body armor by violent felons, and enables Federal agencies to donate surplus body armor to local law enforcement officers. This bill will begin to address the imbalance between the numbers of criminals who posses body armor and law enforcement officers, who do not posses body armor. Today, nearly 25% of all local law enforcement officers are not issued body armor. The FBI, DEA, ATF, INS, and U.S. Marshals are just a few of the federal agencies that have surplus body armor and would be able to donate it to local jurisdictions.

My second bill, titled the Body Armor Restriction Act of 1999, prohibits the mail order sale of body armor. I introduced this bill in the 104th and 105th Congresses and hope we can pass it this year to keep body armor out of the hands of criminals. I have heard from law enforcement officers all across America about the increasing occurrences of drug dealers and other suspects possessing body armor. Criminal elements are being transformed into unstoppable ''terminators'' with virtually no fear of police and other crime fighters. These heavily-protected criminals are capable of unleashing total devastation on civilians and police officers alike, and the increasing availability of body armor in the wrong

hands forecasts a future of greater danger to America, greater danger to the American people and growing threats to our institutions.

As a former law enforcement officer, I know all too well the challenges confronting those who serve to protect public safety and fight crime. We have all seen vivid television footage of ''shoot outs'' between criminals and law enforcement. For example, just two years ago, a botched bank robbery in California was captured and displayed on national television. This gun battle highlighted how body armor gives criminals an unfair advantage during gun fights with police. Eleven police officers and six civilians were injured in that 20 minute gunfight with the Los Angeles Police Department. Thousands of rounds were fired by the two criminals, both of whom were wearing full protective body armor. Witnesses from the crime scene reported that the bullets fired from the police officers 9mm guns ''bounced off'' the bank robbers, and mushroomed as they fell to the ground.

I urge my colleagues to support and cosponsor both the James Guelff Body Armor Act of 1999 and the Body Armor Restriction Act of 1999. They both take another step toward making our streets safer for America and for our law enforcement community. Let's quickly pass these bills and prevent these kinds of gunfights form happening in the future.

TRIBUTE TO LIZETTE BROWN

HON. GARY G. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. GARY MILLER of California. Mr. Speaker, I rise today to honor seven young women in my district who have earned the Girl Scout Gold Award, the highest award in Girl Scouting.

The Gold Award requires the greatest achievement in career exploration, service to other people, and acquisition of skills. This award is a strong reflection of these youngsters' ability to set goals, to put value into action, to plan, and to relate to the needs of the community.

I wish to recognize Lizette Brown of Troop 286 in Placentia, CA.

Mr. Speaker, I also wish to congratulate and thank Karin Carlson, Director of Program Services for the Girl Scout Council of Orange County for notifying me of their achievements. On behalf of the people of the 41st Congressional District of California, let me say that we are all proud of you.

TRIBUTE TO HENRY AND RITA JALETTE

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mrs. MORELLA. Mr. Speaker, Henry and Rita Jalette will celebrate their 50th wedding anniversary on June 11, 1999. They were married in Woonsocket, Rhode Island at St. Charles Borromeo Catholic Church.

Mr. and Mrs. Jalette are long-time residents of Montgomery County, Maryland. Mr. Jalette worked as an Administrative Law Judge with the National Labor Relations Board until his retirement in 1982. They are both active in their church and community, with Mr. Jalette serving on the board of Mother of God Community in Gaithersburg, Maryland. Mrs. Jalette has always been, and still is a full-time mother for all of her children, grandchildren, and great grandchildren.

Henry and Rita have six caring children: Joan Pritchard, Claire Dant, Michael Jalette, Henry Jalette, Joyce Shotts and Connie Kirby. They also have 14 grandchildren, and two great grandchildren.

I wish to extend my sincerest congratulations to Henry and Rita and to read a message from their children: ''We are extremely proud of this milestone in our parent's lives. We want to take this time to honor them and thank them for being role models of real love and for always being there for us. Thanks Mom and Dad!''

TRIBUTE TO MINNESOTA STUDENTS FOR OPERATION DAY'S WORK

HON. JIM RAMSTAD

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. RAMSTAD. Mr. Speaker, I rise today to bring attention to an important program called Operation Day's Work and to the hard work of members of a ninth grade class at St. Louis Park High School in Minnesota who are implementing this excellent program in our country to help those less fortunate than themselves.

Operation Day's Work is a youth-operated fund-raising program started in Norway 35 years ago. Last year alone, the hard work of student in Norway generated $3,000,000 in grants for those in need.

I'm pleased that this fantastic program has moved across the ocean to the U.S. to eight enlightened high schools, including St. Louis Park High School in Minnesota.

These motivated ninth graders have committed the time and energy to start and organize this program. They have decided to volunteer a full day to work at area businesses, doing odd jobs and other work. In exchange, their employers will donate the wages earned by these students to an important livestock training and responsibility plan for Haitian youths. The Haitian families will receive dairy products and eventually return one offspring of the goat to the program, which will then be awarded to another youth.

Mr. Speaker, I was fortunate to meet with four students who are working on the program during the recent district work period. Their motivation, commitment and generosity of spirit were truly impressive.

Charles Warthington, Zvi Geffen, Ashley Ericson, Elizabeth Stapleton and their classmates deserve to be honored here on the House floor for their vigorous efforts on behalf of those who are less fortunate through Operation Day's Work.

I also want to pay tribute to Kristin King Stapleton, a good friend of mine who's also a newspaper columnist and highly respected advocate for people in need, for her role as parent advisor.

I hope all Americans will support the important efforts of Operation Day's Work.

AN APPROPRIATE CLARIFICATION

HON. NORMAN D. DICKS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. DICKS. Mr. Speaker, in December, a group of Microsoft's competitors and their consultants convened a briefing for congressional staff here on Capitol Hill. I was alarmed to learn recently that they used the occasion to allege that Microsoft's software posed a national security risk, and I want to take this opportunity to set the record straight. At this time when the Justice Department is pursuing Microsoft in federal court over alleged antitrust violations, there has been a lot of misinformation promulgated by the company's competitors, and I believe it is appropriate to provide a clarification.

In this instance, reference was made to an incident on the Navy's Aegis cruiser, U.S.S. *Yorktown*, in which the vessel's computers crashed, leaving the ship dead in the water. The allegation was made during this congressional briefing that the computers' operating system, Microsoft Windows NT, was the cause of the outage.

This allegation was false, and the Navy had conceded publicly at least one month before this briefing that human error, not Windows NT, caused the failure.

Mr. Speaker, while I am concerned that this incident happened at all, I commend the Navy for quickly pinpointing the problem, accepting responsibility, and taking action to prevent a recurrence. What concerns me more at this point are the specious, deceptive and irresponsible accusations which Microsoft's competitors are clearly willing to make to congressional staff and the public.

Lately, Mr. Speaker, Members of Congress have seen media reports about accusations against Microsoft and proposals to break up the company or force it to relinquish its intellectual property. Much of this attention has been generated or fueled by this same group of the company's competitors. At this point I would like to urge my colleagues and their staffs to be careful, to listen to such discussions with a skeptical ear, and to seek out both sides when such allegations are made.

And for the RECORD, Mr. Speaker, I would like to insert a copy of an article from the trade publication, Government Computer News, published November 9, 1998—more than a month before the congressional staff briefing was held. The story details the Navy's investigation and the full story behind the human error that caused the U.S.S. *Yorktown*'s computer problem.

NAVY: CALIBRATION FLAW CRASHED YORKTOWN LAN

(By Gregory Slabodkin, GCN Staff)

Pascagoula, Miss.—Human error, not Microsoft Windows NT, was the cause of a LAN failure aboard the Aegis cruiser USS Yorktown that left the Smart Ship dead in the water for nearly three hours last fall during maneuvers near Cape Charles, Va., Navy officials said.

The Yorktown last September suffered an engineering LAN casualty when a petty officer calibrating a fuel valve entered a zero into a shipboard database, officials said. The resulting database overload caused the ship's LAN, including 27 dual 200–MHz Pentium Pro miniature remote terminal units, to crash, they said.

The petty officer, who has since left the Navy, fed the bad data into the Remote Data Base Manager, a Standard Monitoring Control System application. SMCS, developed by Canadian Aviation Electronics Inc. of Toronto, allows sailors to monitor the ship's engineering and propulsion plant for potential casualties.

The system provides troubleshooting data and normally indicates whether a valve is open or closed without requiring calibration. But something went wrong.

''There was a problem in that this one valve was closed, but SMCS wasn't indicating it as such,'' said Cmdr. Eric Sweigard, the Yorktown's commanding officer. ''So this petty officer stared playing with the data.

''This was the only time it occurred, and since then there have been some changes made to prevent it from happening again,'' he said.

SMCS managers are now aware of the problem of entering zero into database fields and are trained to bypass a bad data field and change the value if such a problem were to occurs again, Sweigard said.

''Now that we know what can happen, we've realized how to bring the system back quickly,'' Petty Officer 1st Class Phillip Cramer said. ''All we have to do is change the zero to any number, and everything comes right back up.''

The Yorktown was not towed into port as a result of this incident, Sweigard said. The ship restored the LAN in about two hours as it made its way to the Naval base at Norfolk, VA., under its own power, he said.

''It's not something that we desire, but ships do go dead in the water,'' Sweigard said. ''People sometimes make mistakes and systems break. The trick is we have trained our crew to react to those situations.''

The Office of the Navy's Chief Information Officer is conducting a detailed inquiry of the Yorktown incident, Navy officials said. A report from the Navy CIO is expected later this month, officials said.

POINT OF NO RETURN

Regardless of who or what was at fault for the Yorktown LAN failure, the stakes for the Navy are high. The service plans to install Smart Ship technology on all its cruisers.

The Navy selected NT 4.0 as the standard operating system aboard the Yorktown for its reliability, functionality, low cost and ease of integration, said Lt. Danny Bethel, Yorktown's electronics material officer. NT runs the Yorktown's integrated bridge, engineering, condition assessment and damage control systems.

The Yorktown uses dual 200-MIIz Pentium Pro systems from Intergraph Corp. of Huntsville, Ala., to run NT over a fiber-optic, asynchronous transfer mode LAN. Shipboard users can access computers from 15 locations so that the Yorktown can be driven from virtually anywhere on the ship.

The Navy has reduced the Yorktown's crew from about 350 sailors to 307 personnel by adopting new policies and procedures, as well as through the use of commercial products, Sweigard said.

The Navy's Western Hemisphere Group will begin installing Smart Ship technologies aboard the USS Ticonderoga and USS Thomas S. Gates early next year, said Lt. Danny Hernandez, public affairs officer for the group in Mayport, Fla.

Smart Ship was the brainchild of Adm. Jeremy Boorda, the late chief of Naval operations who wanted to save money by reducing personnel aboard Navy ships while maintaining safety.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, April 15, 1999 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

APRIL 20

9:30 a.m.
Energy and Natural Resources
To hold hearings on S. 25, to provide Coastal Impact Assistance to State and local governments, to amend the Outer Continental Shelf Lands Act Amendments of 1978, the Land and Water Conservation Fund Act of 1965, the Urban Park and Recreation Recovery Act, and the Federal Aid in Wildlife Restoration Act (commonly referred to as the Pittman-Robertson Act) to establish a fund to meet the outdoor conservation and recreation needs of the American people; S. 446, to provide for the permanent protection of the resources of the United States in the year 2000 and beyond; and S. 532, to provide increased funding for the Land and Water Conservation Fund and Urban Parks and Recreation Recovery Programs, to resume the funding of the State grants program of the Land and Water Conservation Fund, and to provide for the acquisition and development of conservation and recreation facilities and programs in urban areas.
SD–366

Indian Affairs
To hold oversight hearings on the implementation of the Native American Graves Protection and Repatration Act.
SR–485

Environment and Public Works
To hold hearings on the nomination of George T. Frampton, Jr., of the District of Columbia, to be a Member of the Council on Environmental Quality.
SD–406

Foreign Relations
To hold hearings to examine the current and growing missile threats to the United States.
SD–562

10 a.m.
Judiciary
To hold hearings on S.J. Res. 14, proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States.
SD–226

10:30 a.m.
Governmental Affairs
To hold hearings on the nominations of Eric T. Washington, to be an Associate Judge of the District of Columbia Court of Appeals; Stephen H. Glickman, to be an Associate Judge of the District of Columbia Court of Appeals; and Hiram E. Puig-Lugo, to be an Associate Judge of the Superior Court of the District of Columbia.
SD–342

2 p.m.
Judiciary
Youth Violence Subcommittee
Technology, Terrorism, and Government Information Subcommittee
To hold joint hearings on domestic preparedness in the next generation.
SD–226

Foreign Relations
To hold hearings to examine NATO's 50th anniversary summit.
SD–562

2:30 p.m.
Armed Services
Emerging Threats and Capabilities Subcommittee
To hold hearings on proposed legislation authorizing funds for fiscal year 2000 for the Department of Defense, focusing on the science and technology program and the Future Years Defense Program.
SR–222

APRIL 21

9:30 a.m.
Indian Affairs
To hold hearings on S. 401, to provide for business development and trade promotion for native Americans, and for other purposes.
SR–485

Energy and Natural Resources
Business meeting to consider pending calendar business.
SD–366

Commerce, Science, and Transportation
To hold hearings on issues relating to telecommunications and internet access.
SR–253

Armed Services
Readiness and Management Support Subcommittee
To hold hearings on the readiness of the United States Navy and Marines operating forces.
SR–222

10 a.m.
Governmental Affairs
To hold hearings on S. 746, to provide for analysis of major rules, to promote the public's right to know the costs and benefits of major rules, and to increase the accountability of quality of Government.
SD–342

Foreign Relations
Business meeting to markup proposed legilation for fiscal year 2000–2001 for foreign assistance programs.
SD–562

1 p.m.
Judiciary
Constitution, Federalism, and Property Rights Subcommittee
Business meeting to consider S.J. Res. 14, proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States.
SD–226

2 p.m.
Energy and Natural Resources
Forests and Public Land Management Subcommittee
To hold oversight hearings to review the Memorandum of Understanding signed by multiple agencies regarding the Lewis and Clark bicentennial celebration.
SD–366

United States Senate Caucus on International Narcotics Control
To hold hearings on the threat of corruption to United States Law Enforcement along the Southwest border.
SH–216

Commerce, Science, and Transportation
Science, Technology, and Space Subcommittee
To hold hearings on proposed legislation authorizing funds for fiscal year 2000 for Technology Administration, Department of Commerce.
SR–253

APRIL 22

9:30 a.m.
Commerce, Science, and Transportation
To hold hearings to examine boxing industry regulations.
SR–253

10 a.m.
Governmental Affairs
To hold hearings on S. 59, to provide Government-wide accounting of regulatory costs and benefits, and other regulatory reform legislation.
SD–342

Banking, Housing, and Urban Affairs
International Trade and Finance Subcommittee
Economic Policy Subcommittee
To hold joint hearings on issues relating to the official dollarization in emerging-market countries.
SD–538

2 p.m.
Energy and Natural Resources
National Parks, Historic Preservation, and Recreation Subcommittee
To hold hearings on S. 441, to amend the National Trails System Act to designate the route of the War of 1812 British invasion of Maryland and Washington, District of Columbia, and the route of the American defense, for study for potential addition to the national trails system; S. 548, to establish the Fallen Timbers Battlefield and Fort Miamis National Historical Site in the State of Ohio; S. 581, to protect the Paoli and Brandywine Battlefields in Pennsylvania, to authorize a Valley Forge Museum of the American Revolution at Valley Forge National Historical Park; and S. 700, to amend the National Trails System Act to designate the Ala Kahakai Trail as a National Historic Trail.
SD–366

APRIL 27

9:30 a.m.

Energy and Natural Resources

To resume hearings on S. 25, to provide Coastal Impact Assistance to State and local governments, to amend the Outer Continental Shelf Lands Act Amendments of 1978, the Land and Water Conservation Fund Act of 1965, the Urban Park and Recreation Recovery Act, and the Federal Aid in Wildlife Restoration Act (commonly referred to as the Pittman-Robertson Act) to establish a fund to meet the outdoor conservation and recreation needs of the American people; S. 446, to provide for the permanent protection of the resources of the United States in the year 2000 and beyond; and S. 532, to provide increased funding for the Land and Water Conservation Fund and Urban Parks and Recreation Recovery Programs, to resume the funding of the State grants program of the Land and Water Conservation Fund, and to provide for the acquisition and development of conservation and recreation facilities and programs in urban areas.

SD–366

APRIL 28

9:30 a.m.

Indian Affairs

To hold oversight hearings on Bureau of Indian Affairs capacity and mission.

SR–485

2 p.m.

Energy and Natural Resources

Forests and Public Land Management Subcommittee

To hold hearings on S. 415, to protect the permanent trust funds of the State of Arizona from erosion due to inflation and modify the basis on which distributions are made from those funds; and S. 607, reauthorize and amend the National Geologic Mapping Act of 1992.

SD–366

APRIL 29

9:30 a.m.

Appropriations

Interior Subcommittee

Energy and Natural Resources

National Parks, Historic Preservation, and Recreation Subcommittee

To hold joint oversight hearings to review the report of the Government Accounting Office on the Everglades National Park Restoration Project.

SD–366

Environment and Public Works

Transportation and Infrastructure Subcommittee

To hold hearings on project delivery and streamlining of the Transportation Equity Act for the 21st Century.

SD–406

MAY 4

9:30 a.m.

Energy and Natural Resources

To resume hearings on S. 25, to provide Coastal Impact Assistance to State and local governments, to amend the Outer Continental Shelf Lands Act Amendments of 1978, the Land and Water Conservation Fund Act of 1965, the Urban Park and Recreation Recovery Act, and the Federal Aid in Wildlife Restoration Act (commonly referred to as the Pittman-Robertson Act) to establish a fund to meet the outdoor conservation and recreation needs of the American people; S. 446, to provide for the permanent protection of the resources of the United States in the year 2000 and beyond; and S. 532, to provide increased funding for the Land and Water Conservation Fund and Urban Parks and Recreation Recovery Programs, to resume the funding of the State grants program of the Land and Water Conservation Fund, and to provide for the acquisition and development of conservation and recreation facilities and programs in urban areas.

SD–366

Indian Affairs

To hold oversight hearings on Census 2000, implementation in Indian Country.

SR–485

MAY 5

9:30 a.m.

Indian Affairs

To hold oversight hearings on Tribal Priority Allocations and Contract Support Costs Report.

SR–485

MAY 6

9:30 a.m.

Energy and Natural Resources

To hold hearings to examine the results of the December 1998 plebiscite on Puerto Rico.

SH–216

MAY 12

9:30 a.m.

Indian Affairs

To hold oversight hearings on HUB zones implementation.

SR–485

MAY 19

9:30 a.m.

Indian Affairs

To hold hearings on S. 614, to provide for regulatory reform in order to encourage investment, business, and economic development with respect to activities conducted on Indian lands.

SR–485

SEPTEMBER 28

9:30 a.m.

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the American Legion.

345 Cannon Building

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S3667–S3724

Measures Introduced: Fourteen bills and one resolution were introduced, as follows: S. 791–804, and S. Res. 76. **Page S3695**

Measures Passed:

Commending Purdue University Women's Basketball Team: Senate agreed to S. Res. 76, to commend the Purdue University women's basketball team on winning the 1999 National Collegiate Athletic Association women's basketball championship. **Pages S3669–70**

Use of Capitol Grounds/National Peace Officers' Memorial Service: Senate agreed to H. Con. Res. 44, authorizing the use of the Capitol Grounds for the 18th annual National Peace Officers' Memorial Service. **Page S3724**

Use of Capitol Grounds/Greater Washington Soap Box Derby: Senate agreed to H. Con. Res. 47, authorizing the use of the Capitol grounds for the Greater Washington Soap Box Derby. **Page S3724**

Use of Capitol Grounds/DC Special Olympics Torch Run: Senate agreed to H. Con. Res. 50, authorizing the 1999 District of Columbia Special Olympics Law Enforcement Torch Run to be run through the Capitol Grounds. **Page S3724**

Congressional Budget—Conference Report: Senate began consideration of the conference report on H. Con. Res. 68, establishing the congressional budget for the United States Government for fiscal year 2000 and setting forth appropriate budgetary levels for each of fiscal years 2001 through 2009. **Pages S3676–87**

A unanimous-consent agreement was reached providing for further consideration of the conference report on Thursday, April 15, 1999. **Page S3724**

Uniformed Services Filing Fairness Act—Agreement: A unanimous-consent-time-agreement was reached providing for the consideration of S. 767, to amend the Internal Revenue Code of 1986 to provide a 2-month extension for the due date for filing a tax return for any member of a uniformed service on a tour of duty outside the United States for a period which includes the normal due date for such filing. **Page S3689**

Appointments:

Commission on Security and Cooperation in Europe: The Chair, on behalf of the Democratic Leader, pursuant to the provisions of Public Law 94–304, as amended by Public Law 99–7, appointed the following Members of the Senate to the Commission on Security and Cooperation in Europe: Senators Lautenberg, Graham, Feingold, and Dodd. **Page S3724**

Women's Progress Commemoration Commission: The Chair, on behalf of the Majority Leader, pursuant to provisions of section 3(b) of Public Law 105–341, appointed the following individuals to the Women's Progress Commemoration Commission: Elaine L. Chao of Kentucky, Amy M. Holmes of Washington, D.C., and Patricia C. Lamar of Mississippi. **Pages S3723–24**

Web-Based Education Commission: The Chair, on behalf of the Democratic Leader, pursuant to the provisions of Public Law 105–244, appointed the following member of the Senate to the Web-Based Education Commission: Senator Bingaman. **Page S3724**

Messages From the House: **Page S3694**

Measures Referred: **Page S3694**

Executive Reports of Committees: **Pages S3694–95**

Statements on Introduced Bills: **Pages S3695–S3713**

Additional Cosponsors: **Pages S3713–15**

Authority for Committees: **Page S3715**

Additional Statements: **Pages S3715–18**

Adjournment: Senate convened at 11:30 a.m., and adjourned at 6:09 p.m., until 9:30 a.m., on Thursday, April 15, 1999. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S3724.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS—INDIAN AFFAIRS

Committee on Appropriations: Subcommittee on Interior concluded hearings on proposed budget estimates for fiscal year 2000 for the Department of the Interior, focusing on Indian programs, after receiving testimony from Kevin Gover, Assistant Secretary for Indian Affairs, and Thomas M. Thompson, Acting Special Trustee for American Indians, both of the Department of the Interior.

APPROPRIATIONS—DEFENSE

Committee on Appropriations: Subcommittee on Defense concluded hearings on proposed budget estimates for fiscal year 2000 for the Department of Defense, focusing on ballistic missile defense, after receiving testimony from Lt. Gen. Lester L. Lyles, USAF, Director, Ballistic Missile Defense Organization.

AUTHORIZATION—DEFENSE

Committee on Armed Services: Strategic Subcommittee concluded hearings on proposed legislation authorizing funds for fiscal year 2000 for the Department of Defense, focusing on strategic nuclear forces and policy and the future years defense program, after receiving testimony from Edward L. Warner, III, Assistant Secretary of Defense for Strategy and Threat Reduction; and Adm. Richard W. Mies, USN, Commander-in-Chief, United States Strategic Command.

DEFENSE FINANCIAL MANAGEMENT

Committee on Armed Services: Subcommittee on Readiness and Management Support concluded hearings on the status of financial management within the Department of Defense, after receiving testimony from Eleanor Hill, Inspector General, and William J. Lynn, III, Under Secretary (Comptroller/Chief Financial Officer), both of the Department of Defense; and Gene L. Dodaro, Assistant Comptroller General, Account and Information Management Division, General Accounting Office.

EXPORT CONTROL PROCESS

Committee on Banking, Housing, and Urban Affairs: Subcommittee on International Trade and Finance resumed hearings on proposed legislation authorizing funds for programs of the Export Administration Act, focusing on issues relating to the export control process, including security, dual-use goods and technologies, administration and enforcement, global business, technology trends, receiving testimony from Roger R. Majak, Assistant Secretary of Commerce for Export Administration; David S. Tarbell, Deputy Under Secretary of Defense for Technology Security Policy and Director, Defense Technology Security Administration, Defense Threat Reduction Agency; James W. Jarrett, Intel-China, Beijing; Larry E. Christensen, Vastera, Inc., Dulles, Virginia, on behalf of the American Association of Exporters and Importers; and Gary Milhollin, University of Wisconsin Law School, Madison, on behalf of the Wisconsin Project on Nuclear Arms Control.

Hearings recessed subject to call.

OLYMPIC SCANDAL INVESTIGATION

Committee on Commerce, Science, and Transportation: Committee held hearings to examine recent public controversies involving the selection of host cities and related activities of members of the International Olympic Committee, receiving testimony from Senator Campbell; former Senator Mitchell, Verner, Lippfert, Bernhard, McPherson & Hand, and Ken Duberstein, Duberstein Group, both of Washington, D.C., Donald Fehr, Major League Baseball Players Association, New York, New York, Roberta Cooper Ramo, Modrall, Sperling, Roehl, Harris & Sisk, Albuquerque, New Mexico, and Jeffrey G. Benz, Coudert Brothers, San Francisco, California, all on behalf of the Special Bid Oversight Commission of the United States Olympic Committee; William Hybl and Scott A. Blackmun, both of the United States Olympic Committee, Colorado Springs, Colorado; Anita DeFrantz, International Olympic Committee, Los Angeles, California; Jim Easton, James D. Easton, Inc., Van Nuys, California; and Andrew Jennings, London, England.

Hearings recessed subject to call.

ALLEGED CHINESE ESPIONAGE AT DOE NUCLEAR WEAPONS LABORATORIES

Committee on Energy and Natural Resources: Committee held closed oversight hearings to examine damage to the national security from alleged Chinese espionage at the Department of Energy nuclear weapons laboratories, after receiving testimony from Representative Christopher Cox; and Hazel O'Leary, Charles Curtis, Federico Pena, and Elizabeth Moler, each a former Secretary of Energy.

IRS REFORM

Committee on Finance: Committee held oversight hearings on restructuring and reform of the Internal Revenue Service, focusing on the implementation of the IRS Restructuring and Reform Act (P.L. 105–206), receiving testimony from Charles O. Rossotti, Commissioner, Internal Revenue Service, Department of the Treasury.

Hearings recessed subject to call.

AFGHANISTAN

Committee on Foreign Relations: Subcommittee on Near Eastern and South Asian Affairs held hearings to examine the continuing crisis in Afghanistan, focusing on human rights violations, receiving testimony from Representative Rohrabacher; Karl F. Inderfurth, Assistant Secretary of State for South Asia; T. Kumar, Amnesty International USA, Washington, D.C.; and Barnett Rubin, Counsel on Foreign Relations, New York, New York.

Hearings recessed subject to call.

INDEPENDENT COUNSEL ACT

Committee on Governmental Affairs: Committee concluded hearings on the future of the Independent Counsel Act, after receiving testimony from Kenneth W. Starr, Independent Counsel; and David B. Sentelle, Presiding Judge, Peter T. Fay, Member, and Richard D. Cudahy, Member, all of the Special Division of the Court of Appeals.

KOSOVO REFUGEE CRISIS

Committee on the Judiciary: Subcommittee on Immigration concluded hearings on the current Kosovo refugee situation and the scope and adequacy of the response of the United States and the international community, after receiving testimony from Julia V. Taft, Assistant Secretary of State for Population, Refugees, and Migration; Vjosa Dobruna, Center for Protection of Women and Children, Aferdita Kelmendi, Radio/TV 21, and Mentor Nimani, Humanitarian Law Center, all of Pristina, Kosovo; and Bill Frelick, U.S. Committee for Refugees, and Maureen Greenwood, Amnesty International USA, both of Washington, D.C.

EDUCATION RESEARCH

Committee on Health, Education, Labor, and Pensions: Committee concluded hearings on education research issues, including research support, vehicles for dissemination, education improvement, education policy and practice, and the impact of education research on overall school and student performance, after receiving testimony from Pascal D. Forgione, Jr., Commissioner of Education Statistics, National Center for Education Statistics, and C. Kent McGuire, Assistant Secretary, both of the Office of Educational Research and Improvement, Department of Education; Diane Ravitch, New York University, New York, on behalf of the Brookings Institution; and Michael E. Ward, North Carolina State Superintendent of Public Instruction, Raleigh.

INDIAN WELFARE REFORM

Committee on Indian Affairs: Committee on Indian Affairs concluded oversight hearings on the implementation of the Personal Responsibility and Work Opportunity Reconciliation Act (P.L. 104–193), after receiving testimony from Olivia A. Golden, Assistant Secretary of Health and Human Services for Children and Families; Andrew Grey, Sr., Sisseton-Wahpeton Sioux Tribe, Agency Village, South Dakota; W. Ron Allen, National Congress of American Indians, Washington, D.C.; Taylor McKenzie, Navajo Nation, and Alex Yazza, Temporary Assistance for Needy Families, both of Window Rock, Arizona; and Eddie F. Brown, George Warren Brown School of Social Work, and Shanta Pandey, Center for Social Development, both of Washington University, St. Louis, Missouri.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee will meet again tomorrow.

FEDERAL GOVERNMENT YEAR 2000 PREPAREDNESS

Special Committee on the Year 2000 Technology Problem: Committee concluded hearings to examine the preparedness of the Federal Government for the Year 2000, after receiving testimony from John Koskinen, Chairman, President's Council on Year 2000 Conversion; Deidre A. Lee, Acting Deputy Director for Management, Office of Management and Budget; Gene L. Dodaro, Assistant Comptroller General, Accounting and Information Management Division, General Accounting Office; Kevin L. Thurm, Deputy Secretary of Health and Human Services; Mortimer L. Downey, Deputy Secretary of Transportation; Marvin Langston, Deputy Assistant Secretary of Defense (Chief Information Officer Policy and Implementation)/Deputy Chief Information Officer; and Richard C. Nygard, Chief Information Officer, U.S. Agency for International Development.

House of Representatives

Chamber Action

Bills Introduced: 29 public bills, H.R. 1398–1426; and 2 resolutions, H.J. Res. 45 and H. Con. Res. 85, were introduced. **Pages H2052–54**

Reports Filed: One report was filed today as follows:

H. Res. 140, providing for the consideration of H.R. 1376, to extend the tax benefits available with respect to services performed in a combat zone to services performed in the Federal Republic of Yugoslavia (Serbia/Montenegro) and certain other areas (H. Rept. 106–95). **Page H2052**

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Hefley to act as Speaker Pro Tempore for today. **Page H1975**

Journal Vote: Agreed to the Speaker's approval of the Journal by a yea and nay vote of 343 yeas to 53 nays with 1 voting "present," Roll No. 83. **Pages H1975–76**

Conference Report on Congressional Budget Resolution: By a yea and nay vote of 220 yeas to 208 nays, Roll No. 85, the House agreed to the conference report on H. Con. Res. 68, establishing the congressional budget for the United States Government for fiscal year 2000 and setting forth appropriate budgetary levels for each of the fiscal years 2001 through 2009. **Pages H1985–96**

H. Res. 137, the rule that which waived all points of order against the conference report, was agreed to by a yea and nay vote of 221 yeas to 205 nays, Roll No. 84. **Pages H1981–85**

Local Census Quality Control: The House passed H.R. 472, to amend title 13, United States Code, to require the use of postcensus local review as part of each decennial census (passed by a yea and nay vote of 223 yeas to 206 nays, Roll No. 89). **Pages H2007–31**

Pursuant to the provisions of H. Res. 138, the technical amendment printed in H. Rept. 106–93, was considered as adopted. **Page H2007**

Rejected the Maloney amendment in the nature of a substitute that sought to allow local government units to review housing unit counts, jurisdictional boundaries, and other data to identify potential problems before the 2000 decennial census by a yea and nay vote of 202 yeas to 226 nays, Roll No. 88. **Pages H2020–30**

Agreed to H. Res. 138, the rule that provided for consideration of the bill by a recorded vote of 219 ayes to 205 noes, Roll No. 87. Agreed to order the previous question by a yea and nay vote of 220 yeas to 207 nays, Roll No. 86. **Pages H1996–H2007**

Senate Messages: Messages received from the Senate appear on page H1976.

Referrals: S. 380, to reauthorize the Congressional Award Act, was referred to the Committee on Education and the Workforce. **Page H2051**

Quorum Calls—Votes: Six yea and nay votes and one recorded vote developed during the proceedings of the House today and appear on pages H1975–76, H1985, H1995–96, H2005–06, H2006–07, H2030, and H2030–31. There were no quorum calls.

Adjournment: The House met at 10:00 a.m. and adjourned at 9:30 p.m.

Committee Meetings

FOREST INVENTORY AND ANALYSIS PROGRAM

Committee on Agriculture: Subcommittee on Department Operations, Oversight, Nutrition, and Forestry, hearing to review the U.S. Forest Service's Forest Inventory and Analysis Program. Testimony was heard from Robert Lewis, Deputy Chief, Research and Development, Forest Service, USDA; and public witnesses.

COMMERCE, JUSTICE, STATE, AND JUDICIARY APPROPRIATIONS

Committee on Appropriations: Subcommittee on Commerce, Justice, State, and Judiciary held a hearing on the SEC, the FCC, and on the Administration of Foreign Affairs. Testimony was heard from Arthur Levitt, Jr., Chairman, SEC; William E. Kennard, Chairman, FCC; and Bonnie Cohen, Under Secretary, Management, Department of State.

INTERIOR APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior continued appropriation hearings, with emphasis on Energy and other programs. Testimony was heard from public witnesses.

LABOR-HHS-EDUCATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education continued appropriation hearings. Testimony was heard from public witnesses.

VA-HUD-INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on VA, HUD and Independent Agencies continued hearings on the EPA. Testimony was heard from Carol M. Browner, Administrator, EPA.

HUD'S Y2K PREPAREDNESS

Committee on Banking and Financial Services: Held a hearing on the Department of HUD's Preparedness for the Year 2000: Testing, Contingency Planning, and Business Partner Outreach. Testimony was heard from the following officials of the Department of Housing and Urban Development: Saul Ramirez, Deputy Secretary; and Susan Gaffney, Inspector General; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Commerce: Subcommittee on Energy and Power approved for full Committee action the following bills: H.R. 45, amended, Nuclear Waste Policy Act of 1999; H.R. 459, to extend the deadline under the Federal Power Act for FERC Project No. 9401, the Mt. Hope Waterpower Project; and H.R. 1378, to authorize appropriations for carrying out pipeline safety activities under chapter 601 of title 49, United States Code.

ELEMENTARY AND SECONDARY EDUCATION OVERVIEW

Committee on Education and the Workforce: Held a hearing on Title I of the Elementary and Secondary Education Act: An Overview. Testimony was heard from Alan L. Ginsburg, Director, Planning and Evaluation Service, Office of the Under Secretary, Department of Education; and public witnesses.

TAX REFORM IN THE STATES

Committee on Government Reform: Held a hearing on Tax Reform in the States, Part 2, of a series on National Problems, Local Solution: Federalism at Work. Testimony was heard from the following Governors: Christine T. Whitman, New Jersey; Mike Huckabee, Arkansas; and Jim Gilmore, Virginia.

Hearings continue tomorrow.

FOREIGN RELATIONS AUTHORIZATION ACT

Committee on International Relations: Began markup of H.R. 1211, Foreign Relations Authorization Act, Fiscal Years 2000 and 2001.

Will continue tomorrow.

U.S.-TAIWAN RELATIONS REVIEW

Committee on International Relations: Subcommittee on Asia and the Pacific held a hearing to Review U.S.-Taiwan Relations on the 20th Anniversary of the Taiwan Relations Act. Testimony was heard from Susan Shirk, Deputy Assistant Secretary, East Asian and Pacific Affairs, Department of State; Kurt Campbell, Deputy Assistant Secretary, Asia and Pacific Affairs, Department of Defense; and public witnesses.

SHOULD WE REAUTHORIZE OPIC?

Committee on International Relations: Subcommittee on International Economic Policy and Trade held a hearing on Should We Reauthorize OPIC? Testimony was heard from George Munoz, President, Overseas Private Investment Corporation, U.S. International Development Cooperation Agency; and public witnesses.

CONSTITUTIONAL AMENDMENT—PROHIBITING FLAG DESECRATION

Committee on the Judiciary: Subcommittee on the Constitution approved for full Committee action, by a vote of 7 to 4, H.J. Res. 33, proposing an amendment to the Constitution of the United States authorizing the Congress to prohibit the physical desecration of the flag of the United States.

OVERSIGHT—LAW ENFORCEMENT BORDER PROBLEMS

Committee on the Judiciary: Subcommittee on Immigration and Claims held an oversight hearing on law enforcement problems at the border between the United States and Canada, focusing on the issues of drug smuggling, illegal immigration, and terrorism. Testimony was heard from the following officials of the Department of Justice: Michael Pearson, Executive Associate Commissioner, Field Operations, Headquarters, Immigration and Naturalization Service; Eugene Davis, Deputy Chief, U.S. Border Patrol; and Michael Bromwich, Inspector General; Robert Trotter, Assistant Commissioner, U.S. Customs Service, Department of the Treasury; and public witnesses.

LANDOWNERS EQUAL TREATMENT ACT

Committee on Resources: Held a hearing on H.R. 1142, Landowners Equal Treatment Act of 1999. Testimony was heard from Representative Thomas; Jamie Rappaport Clark, Director, Fish and Wildlife Service, Department of the Interior; Richard M. Whitman, Attorney-in-Charge, Natural Resources Section, Department of Justice, State of Oregon; and public witnesses.

HAZARDOUS DUTY AREAS—TAX BENEFITS AVAILABLE

Committee on Rules: Granted, by voice vote, a closed rule providing 1 hour of debate on H.R. 1376, to

extend the tax benefits available with respect to services performed in a combat zone to services performed in the Federal Republic of Yugoslavia (Serbia/Montenegro) and certain other areas. The rule waives all points of order against consideration of the bill. The rule provides that the bill shall be considered as read. The rule further provides that the amendment recommended by the Committee on Ways and Means and printed in the bill be considered as adopted. Finally, the rule provides one motion to recommit with or without instructions.

CLIMATE CHANGE BUDGET AUTHORIZATION REQUEST

Committee on Science: Subcommittee on Energy and Environment held a hearing on the Fiscal Year 2000 Climate Change Budget Authorization Request. Testimony was heard from Neal F. Lane, Director, Office of Science and Technology Policy; David M. Gardiner, Assistant Administrator, Policy, EPA; and the following officials of the Department of Energy: Dan W. Reicher, Assistant Secretary, Energy Efficiency and Renewable Energy; and Jay E. Hakes, Administrator, Energy Information Administration.

Joint Meetings

CONGRESSIONAL BUDGET

Conferees on Tuesday, April 13, agreed to file a conference report on H. Con. Res 68, establishing the congressional budget for the United States Government for fiscal year 2000 and setting forth appropriate budgetary levels for each of fiscal years 2001 through 2009.

NEW PUBLIC LAW

(For last listing of Public Laws, see DAILY DIGEST, *p. D364)*

H.R. 193, to designate a portion of the Sudbury, Assabet, and Concord Rivers as a component of the National Wild and Scenic Rivers System. Signed April 9, 1999. (P.L. 106–20)

COMMITTEE MEETINGS FOR THURSDAY, APRIL 15, 1999

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Interior, to hold hearings on proposed budget estimates for fiscal year 2000 for the U.S. Forest Service, Department of Agriculture, 9:30 a.m., SD–124.

Subcommittee on Treasury and General Government, to hold hearings on proposed budget estimates for fiscal year 2000 for the Department of the Treasury, focusing on law enforcement bureaus, 9:30 a.m., SD–192.

Subcommittee on VA, HUD, and Independent Agencies, to hold hearings on proposed budget estimates for fiscal year 2000 for the Department of Veterans Affairs, 9:30 a.m., SD–138.

Committee on Armed Services: to hold hearings on United States policy regarding Kosovo, and a revised strategic concept for NATO, 9:30 a.m., SH–216.

Committee on Commerce, Science, and Transportation: Subcommittee on Science, Technology, and Space, to hold hearings to review the research and development budget for fiscal year 2000, 10 a.m., SR–253.

Committee on Energy and Natural Resources: to hold hearings on S. 501, to address resource management issues in Glacier Bay National Park, Alaska; and S. 744, to provide for the continuation of higher education through the conveyance of certain public lands in the State of Alaska to the University of Alaska, 9:30 a.m., SD–366.

Subcommittee on National Parks, Historic Preservation, and Recreation, to hold hearings on S. 109, to improve protection and management of the Chattahoochee River National Recreation Area in the State of Georgia; S. 340, to amend the Cache La Poudre River Corridor Act to make technical corrections; S. 582, to authorize the Secretary of the Interior to enter into an agreement for the construction and operation of the Gateway Visitor Center at Independence National Historical Park; S. 589, to require the National Park Service to undertake a study of the Loess Hills area in western Iowa to review options for the protection and interpretation of the area's natural, cultural, and historical resources; S. 591, to authorize a feasibility study for the preservation of the Loess Hills in western Iowa; and H.R. 149, to make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996, 2 p.m., SD–366.

Committee on Environment and Public Works: Subcommittee on Transportation and Infrastructure, to hold hearings on the implementation of the Transportation Equity Act for the 21st century, 9:30 a.m., SD–406.

Committee on Finance: to hold hearings on issues relating to the complexity of the individual income tax, 10 a.m., SD–215.

Committee on Foreign Relations: to hold hearings on United States vulnerability to ballistic missile attack, 10 a.m., SD–562.

Select Committee on Intelligence: to hold closed hearings on pending intelligence matters, 2 p.m., SH–219.

Committee on the Judiciary: business Meeting to mark up S. 625, to amend title 11, United States Code, 10 a.m., SD–226.

House

Committee on Agriculture, Subcommittee on General Farm Commodities, Resource Conservation, and Credit, hearing on the following: review of the Bexar-Medina-Atascosa Counties Small Watershed Project under Public Law 566; review of the status of aging small watershed projects; and H.R. 728, The Small Watershed Rehabilitation Amendments of 1999, 10:30 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on Commerce, Justice, State, and Judiciary, on Members of Congress, 10 a.m., and on NOAA, 2 p.m., H–309 Capitol.

Subcommittee on the District of Columbia, on Fiscal Year 2000 D.C. Budget; and Mayors Short-term Action Plan, 2 p.m., 2362 Rayburn.

Subcommittee on Foreign Operations, Export Financing and Related Programs, on Secretary of State, 9:30 a.m., 2359 Rayburn.

Subcommittee on Interior, on Public Witnesses-Native Americans, 10 a.m., and 1:30 p.m., B–308 Rayburn.

Subcommittee on Labor, Health and Human Services, and Education, on Public Witnesses, 10 a.m., and 2 p.m., 2358 Rayburn.

Subcommittee on VA, HUD and Independent Agencies, on Members of Congress, 9:20 a.m., 2359 Rayburn.

Committee on Armed Services, hearing on NATO military operations against the Republic of Yugoslavia, 1:30 p.m., 2118 Rayburn.

Subcommittee on Military Procurement, hearing on recent counterintelligence problems at Department of Energy laboratories, 10 a.m., 2118 Rayburn.

Committee on Banking and Financial Services, Subcommittee on Financial Institutions and Consumer Credit and the Subcommittee on General Oversight and Investigations, joint hearing on Trends in Money Laundering, 10 a.m., 2128 Rayburn.

Subcommittee on Housing and Community Development, to mark up H.R. 1073, Homeless Housing Programs Consolidation and Flexibility Act, 3 p.m., 2128 Rayburn.

Committee on Commerce,, Subcommittee on Finance and Hazardous Materials, to mark up the Bond Price Competition Improvement Act of 1999, 10 a.m., 2322 Rayburn.

Subcommittee on Health and Environment, hearing on Putting Patients First: Increasing Organ Supply for Transplantation, 10 a.m., 2123 Rayburn.

Committee on Education and the Workforce, Subcommittee on Employer-Employee Relations, hearing on ''Impediments to Union Democracy: Department of Labor Enforcement of Rank-and-File Rights and the Boilermakers Union'', 9:30 a.m., 2175 Rayburn.

Subcommittee on Postsecondary Education, Training, and Life-Long Learning, hearing on H.R. 782, Older Americans Act Amendments of 1999, 2 p.m., 2261 Rayburn.

Committee on Government Reform, to continue hearings on Tax Reform in the States, Part 2, of a series on National Problems, Local Solution: Federalism at Work, 10 a.m., 2154 Rayburn.

Subcommittee on the District of Columbia, to mark up H.R. 974, District of Columbia College Access Act, 4 p.m., 2203 Rayburn.

Subcommittee on National Economic Growth, Natural Resources and Regulatory Affairs and the Subcommittee on Government Management, Information, and Technology, joint hearing on ''Clinton-Gore v. The American Taxpayer'', 2 p.m., 2154 Rayburn.

Committee on International Relations, hearing on The Child Survival and Infectious Disease Program: Achievements and Challenges for the Future, 10 a.m., and to continue mark up of H.R. 1211, Foreign Relations Authorization Act, Fiscal Years 2000 and 2001; and to mark up the following: the Western Hemisphere Drug Elimination Technical Corrections Act; H. Res. 128, condemning the murder of human rights lawyer Rosemary Nelson and calling for the protection of defense attorneys in Northern Ireland; and H. Con. Res. 54, recognizing the historic significance of the first anniversary of the Good Friday Peace Agreement, 1:30 p.m., 2172 Rayburn.

Committee on Resources, Subcommittee on Energy and Mineral Resources, oversight hearing on the Administration's proposal to utilize 28 million barrels of federal royalty oil to partially fill the Strategic Petroleum Reserve, 2 p.m., 1324 Longworth.

Subcommittee on Fisheries Conservation, Wildlife and Oceans, oversight hearing on migratory bird hunting regulations to increase the harvest of Mid-Continent light geese, 11 a.m., 1324 Longworth.

Subcommittee on National Parks and Public Lands, hearing on H.R. 834, to extend the authorization for the National Historic Preservation Fund, 10 a..m., 1334 Longworth.

Committee on Science, Subcommittee on Energy and Environment, hearing on Fiscal Year 2000 Budget Authorization Request: NOAA Fleet Maintenance and Planning, Aircraft Services and NOAA Corps, 1 p.m., 2318 Rayburn.

Subcommittee on Technology, hearing on The Melissa Virus: Inoculating Our Information Technology from Emerging Threats, 10 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, to mark up the following: H.R. 999, Beaches Environmental Assessment, Cleanup, and Health Act of 1999; Corps of Engineers Survey resolutions; and other pending business, 1 p.m., 2167 Rayburn.

Subcommittee on Water Resources and Environment, to mark up H.R. 999, Beaches Environmental Assessment, Cleanup, and Health Act of 1999, 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Oversight and Investigations, hearing on the readiness of the Department of Veterans Affairs for Year 2000, including emergency medical facility preparedness and coordination with FEMA, 9:30 a.m., 334 Cannon.

Committee on Ways and Means, Subcommittee on Social Security, hearing on the 1999 Social Security Trustees' Report, 10 a.m., B–318 Rayburn.

Next Meeting of the SENATE

9:30 a.m., Thursday, April 15, 1999

Senate Chamber

Program for Thursday: Senate will continue consideration of the conference report on H. Con. Res. 68, establishing the congressional budget for the United States Government for fiscal year 2000 and setting forth appropriate budgetary levels for each of fiscal years 2001 through 2009, with a vote to occur thereon.

Also, Senate may consider S. 767, Uniformed Services Filing Fairness Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, April 15

House Chamber

Program for Thursday: Consideration of H.J. Res. 37, proposing an amendment to the Constitution of the United States with respect to tax limitations (structured rule, 3 hours of general debate); and

Consideration of H.R. 1376, to extend combat zone tax benefits to military personnel serving in Operation Allied Force (closed rule, 1 hour of general debate).

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