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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. STEARNS).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 19, 1999.

I hereby appoint the Honorable CLIFF STEARNS to act as Speaker pro tempore on this day.

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

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 19, 1999, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to 5 minutes.

THE REPUBLICAN AGENDA

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

Mr. WELLER. Mr. Speaker, I have the privilege of representing a very, very diverse district. I represent the south side of Chicago, the south suburbs in Cook and Will Counties, industrial communities like Joliette, LaSalle, a lot of cornfields and farm towns. When one represents such a diverse district, city, suburbs and country, one listens for those comments and concerns, issues and problems and questions that link the city and the suburbs and the country.

I have often heard, over the course of the last 4½ years that I have had the privilege of being in this House, a very common message, and that is the common message of working together and solving the challenges that we face; that they want us here in the Congress to work together, solve the challenges that we face, and I am pretty proud in the last 4 years how we have met that challenge that the folks back home have given me: balancing the budget for the first time in 28 years, cutting taxes for the middle class for the first time in 16 years, and, of course, reforming our failed welfare system for the first time in over a generation. Those are all big accomplishments, big accomplishments that came from a committed effort in this Congress over the last 4 years to change how Washington works to make Washington more responsive to the folks back home.

As a result now, that success, particularly in balancing the budget and cutting taxes, we have an economy that is doing better than we anticipated. Nine years, since 1991, we have been enjoying economic growth. Tying that in with a balanced budget, we now have projected $3 trillion surplus of extra money over the next 10 years. That is a lot of money when we think about it, because our Federal budget is only $1.7 billion.

Well, as we work on the Republican agenda this year of good schools and low taxes and a secure retirement, we have the challenge before us of what to do with the extra money, what to do with the surplus; and of course, historically in Washington they always want to spend it on new government.

But if we look at the markup of that money, most of it is Social Security. I am really proud that the Republican budget does something that the folks back home have told me that we should do for a long time, and that is the Republican budget stops the raid on Social Security that has gone on for 30 years. Republicans put a stop to it this year. In fact, in doing so, we set aside two-thirds of the surplus of extra tax revenue for retirement security, meaning we use those funds to shrink Social Security and Medicare so that they are there for 3 generations from now, and that is the centerpiece and the purpose of the Social Security and Medicare lock box.

But under our budget by doing that, we take the so-called surplus and we set aside two-thirds of the surplus for Medicare and Social Security, one-third for tax cuts, because we believe that if we look at the tax burden today on families, and I often hear whether I am at the union hall or the VFW or the local chamber or the coffee shop on Main Street or the grain elevator out in the country, folks are frustrated by the tax burden being so high.

In fact, since 1985, the tax burden on individuals has gone up. In fact, it has doubled since 1985, and a portion of our economy, the gross domestic product that now goes to the Federal Government in taxes is the highest level ever in peacetime history. Mr. Speaker, 21 percent of our economy is now consumed by the Federal Government in the burden of taxes.

Not only do people back home tell me that they feel taxes are too high, but they are frustrated with how complex and complicated and also how unfair our tax code is. They bring up real concerns about issues such as the marriage tax penalty.

And I have Shad and Michelle Hallihan here, a young couple, two schoolteachers in Joliette, Illinois, who just got married. In fact, they are expecting a baby any day now. Well, because they are married and both work, their combined incomes when they file jointly as a married couple pushes them into a higher tax bracket. That is called the marriage tax penalty.

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For couples such as Shad and Michelle Hallihan, the marriage tax penalty, on average, is about $1,400 a year in higher taxes just because they are married. Had Shad and Michelle chose not to get married, they would have saved about $1,400 a year in taxes. That is wrong. Just one of the complications in our tax code.

This is why I am so pleased as a member of the Committee on Ways and Means that we succeeded this past week in passing legislation which lowers the tax burden for families, addresses the need to simplify the tax code and the unfairness in the tax code, and also addresses the need through simplification and fairness, and particularly in treatment of small business, to help keep our economy growing, keeping this 9-year period of economic growth continuing into the 21st century.

Mr. Speaker, 42 million married working people will enjoy the marriage tax relief that is provided in the Committee on Ways and Means-produced tax cut, the Financial Freedom Act of 1999. We help married couples. We also address the need to help family farmers and family businesses, many of whom are put out of business when the founder passes on because of the so-called death tax which can consume up to 55 percent of the family farm or family business. That is just wrong. We eliminate the death tax in the Financial Freedom Act of 1999.

I am often asked by folks back home, is there not a way we can make it easier and more affordable to go to college and send our kids to school; if I am an adult who wants to go back to school to do that as well, we provide education relief. We address the marriage tax relief, we eliminate the death tax, we help small business and family farmers, and we help families better afford education.

Mr. Speaker, I ask for bipartisan support for this legislation, which I hope will be voted on later this week.

LIVABLE COMMUNITIES FOR AMERICA

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

Mr. BLUMENAUER. Mr. Speaker, my goal in Congress is for the Federal Government to be a full partner in helping our communities be more livable. I discussed improving liveability of the physical environment on this floor dealing with transportation infrastructure, managing our water resources in a more rational fashion, and reducing gun violence. These are all elements the Federal Government can profoundly influence in our communities and provide the quality of life that our citizens desire and deserve.

A critical part of that well-planned infrastructure for a livable community is access to the global economy through Internet connections. That is why I have strongly supported the E-rate, which helps schools and libraries connect to the Internet with subsidized costs.

The Internet is to America's tomorrow what the highways and railroad systems have been in the past. It has had the potential to change our communities and landscapes in ways that are truly profound.

There is an Internet drama unfolding now which has profound implications for how the Federal Government can help communities realize their vision of a livable future. I am referring to high-speed broad-band Internet access via the cable systems which are part of the households of many Americans. This issue is being played out as the consolidation of America's cable delivery system is almost complete, featuring ownership by telecommunication giants like AT&T which recently purchased the TCI cable system, America's largest.

Ironically, 7 years after the passage of legislation to deregulate cable, titled the Cable Television Consumer Protection and Competition Act of 1992, the consolidation in the industry is resulting in fewer choices for cable consumers. In fact, by this time next year, only New York and Los Angeles will have more than one cable operator. Why is this important?

The majority of Americans are still in the horse and buggy era of Internet connections, by connecting on the Internet through their phone lines. Cable has the potential of moving millions of American households into the equivalent of a high-speed rail Internet connection. As we make this quantum leap from the horse and buggy technology to truly the information super highway, we must ensure that this new service provides the same type of competition that has inspired better service options at lower costs for long-distance and for Internet service over the phone lines.

What happens if these cable systems are owned by just a few companies? Soon, AT&T will provide cable service for almost two-thirds of American households. We get a little glimpse of this in my hometown of Portland, Oregon, where AT&T is the only cable provider in our entire metropolitan area. As a condition of the approval of the merger with TCI, the citizen advisors in my community made the recommendation to our elected officials that there be competition for high-speed Internet connections over the cable platform.

AT&T has chosen to argue strenuously that it should have a monopoly. The company insisted that everybody have to pay for AT&T's Internet service, regardless of whether or not people want to use it. Forcing people to use its service or pay twice for Internet connection is an integral part of AT&T's business plan.

In fact, it is such an important part that when the elected officials chose to support the recommendation of our citizens, AT&T warned, in not very subtle language, that the city better have a big legal budget, and in fact, sued, trying to win in the Federal court what AT&T could not justify to Portland's citizens and to its elected officials.

But AT&T lost in a powerfully worded decision by a highly respected and moderate to conservative local jurist. Yet AT&T is continuing its appeal and in the meantime is threatening not to invest in our community that had the temerity to suggest that we ought to have competition.

While the company's influence is being felt in Washington, D.C., it is time for the administration and Congress to protect connectivity, competition, and choice. This is a national issue, not just Portland. Cities all over the country are dealing with this, in L.A., San Francisco, Seattle, Minneapolis to Boston, Atlanta, Chicago and Detroit. Just last week, Broward County in Florida passed a resolution just like Portland's.

I will be introducing legislation this week to help local communities in their quest to determine their own technological future through competition, connectivity, and choice. Congress, the FCC, the private sector and local governments, everybody has a role to play. We all must fight to protect the competitive forces that so many of us say are important. The stakes are high not just for this vital telecommunication link, but also to prove that we are serious about making competition work for more livable communities.

SWAPPING OF DONOR LISTS

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

Mr. STEARNS. Mr. Speaker, last week a lot of us became aware of the fact that public television stations around the Nation were exchanging their donor lists with the Democrat National Committee. I would remind everyone, of course, that public television is supported by American taxpayers' dollars; that is, the tax dollars of Democrats, Republicans, Independents, even people who do not vote.

And the public broadcasting service is a private, not-for-profit corporation. It is owned by 350 noncommercial TV stations. Its mission, Mr. Speaker, is to provide over-the-air broadcasting that serves the public interested. PBS is partially funded by the Federal Government through the Corporation for Public Broadcasting, the CPB.

This year, in fact, we were considering providing CPB with as much as $475 million a year. In turn, CPB provides public broadcasting stations with 14 percent of its funding. In fact, last year that amounted to more than $37

million. In addition, PBS received $4 million more than other Federal agencies.

Public TV stations are a 501(c)(3) nonprofit group, and as such, they are tax exempt. Being tax exempt, they are prohibited from supporting any political party or engaging in any lobbying or other partisan activity.

I serve on the Committee on Commerce's Subcommittee on Telecommunications, Trade, and Consumer Protection last week, during consideration of the reauthorization of the Corporation for Public Broadcasting, a story came to light about a Boston public TV station which had shared 32,000 names with the Democrat National Committee. It reported that Sam Black, a 4-year-old received a fund-raising letter from the DNC.

□ 1245

It appears that Sam's mother included his name with her own when she sent a donation to the Boston station WGBH. The first time this fund-raising exchange was reported, the station originally maintained that it was an isolated incident, a mistake by an ill-informed employee. Of course, the facts, Mr. Speaker, showed differently.

WGBH first approached the Democratic Party in 1993. In that first year, the station received 5,000 names of Democratic campaign donors. The next year WGBH, in a sense, paid for new names by swapping the names of their contributors.

The station also received a financial payment for providing 10,200 names. My colleagues and I on the Subcommittee on Telecommunications, Trade, and Consumer Protection wanted to know more; specifically, if this practice was widespread or if there was just one station involved. We found, of course, that their stations in San Francisco, Los Angeles, New York, and even here in the Washington, D.C. area that had been cooperating with the DNC in fund-raising activities for as long as 20 years.

I am not concerned that the Republicans were excluded from this fund-raising effort. I am concerned that tax-exempt organizations are engaging in partisan politics. Since the beginning, there has been a close relationship between the Public Broadcasting Service and what many of us perceive as the liberal agenda. In the mid-1990s, the Media Research Center studied 73 PBS programs for political bias. It found there was a liberal slant on these shows. Now, more recently, Mr. Speaker, PBS decided not to air the President's videotaped testimony before the grand jury or to offer live coverage of the impeachment debate in the House Judiciary. Instead, Mr. Speaker, it ran Barney and the Teletubbies. However, it did find it appropriate and in the public interest to provide full coverage for the Watergate and Iran-Contra hearings.

Now we have discovered that there is more than just an ideological connection between PBS and the Democratic Party. This financial cooperation is clearly in violation of our tax laws and could be of interest to the FEC and to the IRS.

During consideration of the reauthorization for CPB, I prepared an amendment calling on the comptroller of the United States to conduct a study, a simple study, on this swapping of donor lists and to report what stations, which political parties, and the circumstances of this cooperation. However, the hearing on reauthorization has been postponed, but Congress needs to act now.

The next step is for the GAO to launch an investigation into this matter. I also want to see the CPB take steps themselves to find out the extent of these joint fund-raising activities and to assure Congress and the Subcommittee on Telecommunications, Trade, and Consumer Protection that this has ended and will not occur again.

Mr. Speaker, in conclusion, the American people now endure the highest level of taxation in this Nation's history. These hard-working people should not be sending their tax dollars to help support public TV stations which are working with the DNC to enrich their respective organizations. Public TV stations should be serving the public interest and, of course, not any partisan political interest.

SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Sherman Williams, one of his secretaries.

MOVING FORWARD IS BEST FOR ALL

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

Mr. FRANK of Massachusetts. Mr. Speaker, I have been struck by the change in the rhetoric from my Republican colleagues with regard to the work of the Congress, particularly the House of Representatives. For years, I have heard them talk about what they were going to accomplish beginning with the Contract with America that they trumpeted.

Now in the last couple of weeks, there is a new tone. Instead of telling us what they are going to do, they are explaining why they have been unable to do it. The Republicans are into a new phase in the Republican revolution, whining. They are complaining that while they wanted to do all of these things, they have been unable. What we now have, rather than an announcement of a program is an explanation for its failure.

I was particularly struck to note that they were blaming the minority leader, the gentleman from Missouri (Mr. GEPHARDT), in large part. I reread the Contract with America. One does not get to read only for pleasure in our work. Sometimes we must read as a duty, so I reread the Contract with America, and I did not find in there that the gentleman from Missouri (Mr. GEPHARDT) was listed as a subcontractor.

I did not read in there that the Contract with America said here are these bold things we will do if the Democrats let us. But now what do we hear? The Democrats would not let me do it. It is a kind of a reverse Flip Wilson. It is no longer the devil made them do it. It is that the gentleman from Missouri (Mr. GEPHARDT) would not let them do it.

Well, I should say in fairness, Mr. Speaker, that they have even been giving me a little bit of the credit. We are not a profession known for great modesty, but I am a little reluctant to accept quite as much credit for their failure as they give me. Clearly, it would be in my interest in many quarters to accept that credit without dissent but I do have to be honest and say they give me a little more credit than I deserve.

I want to say right now that when the Appropriations bills have come up, I have not worn my costume of the gentleman from Oklahoma (Mr. COBURN) and held the bills up. That was not I. It was not the gentleman from Missouri (Mr. GEPHARDT). That was a member of their own party.

It is not I who has decided, for instance, that term limits, and remember term limits? Some members do. The gentleman from Washington (Mr. METCALF) does because he is an honest man who is abiding by his promise, but term limits was part of the Contract with America. Well, that contract apparently has been declared null and void because in this year we have the Republican Party in control of the House, and no one has brought up the term limits issue. It seems to have evanesced into the wind.

Now, as I said, they are arguing that it is the fault of the gentleman from Missouri (Mr. GEPHARDT) and myself. They are clearly wrong. They have been the majority. They are in their third Congress of a majority. They have the votes. They are, in fact, unable to do things for which I am glad, but they have misargued the cause. Their platform has not become law, not because of myself and the gentleman from Missouri (Mr. GEPHARDT), much as I would love to take the credit, but because it is unpassable, and it is unpassable because it is unacceptable to the American people.

Their problem is that they won an election in 1994 based on dissatisfaction with the Democrats, acknowledgedly, and then proceeded to a program which included at one point shutting down the government, excessive tax cutting that even a few on their own side do

not like, trying to roll back environmental regulations, term limits which they are not prepared themselves to abide by.

It is not we who have stopped them. It is the American people. And indeed what has been notable is the extent to which the Republican Party has fallen out of love with the American people. They came announcing themselves as the tribunes of the voters and increasingly what we have from my Republican colleagues is a sense that the voters are not to be trusted. We heard that, of course, most clearly during the impeachment hearings, but we hear it in other things. They are afraid that if they do not engineer a fiscally irresponsible tax cut far more than the economy calls for, the people will ask Members of Congress to vote for things.

We cannot trust those people. They want a prescription drug program for the elderly. They just lack the moral fiber to go without drugs. They are going to insist that if Congress has some money there we say to 73-year-old people who are faced with a $3,000 and $4,000 drug bill on a $25,000 income that we ought to help them. They will insist on more transportation facilities. They will insist on cleaning up some environmental sites. So that is the problem, Mr. Speaker.

The Republican Party, it is true, is not getting anywhere with its agenda. By the way, on those rare occasions where they have gotten somewhere, we have paid too high a price. If I were tempted to try and listen to their pleas and help them out, I would remember the 1997 Balanced Budget Act where they cut Medicare to pay for capital gains tax cuts and all over this country in hospitals and home health care agencies in Massachusetts where we have lost prescription drugs, people are paying the price for this.

I have been struck by the ''dear colleagues'' I get from time to time from some of my Republican colleagues who having voted for the Balanced Budget Act of 1997 have now decided that it did a terrible thing. It cut Medicare. Apparently, they were somewhere else at the time. Apparently, when the Balanced Budget Act was being formulated and voted and cutting Medicare to pay for a capital gains tax cut, they were absent. They now have returned to find that the capital gains tax cut undid some important parts of Medicare.

Now, it is true, Mr. Speaker, if they want to make another deal involving a tax cut and taking funds away from Medicare I will try to block it. The minority leader, the gentleman from Missouri (Mr. GEPHARDT) will try to block it and I am glad, but essentially the fault, dear Republicans, lies not with the minority. It lies with themselves and with the unacceptable nature of their program to the American people.

MILITARY CONCERNED ABOUT NATIONAL SECURITY

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

Mr. JONES of North Carolina. Mr. Speaker, on a recent Monday night I watched the O'Reilly Factor on Fox News. Lieutenant Colonel McCallum, director of the Office of Safeguards and Security for the Department of Energy, joined Bill O'Reilly to discuss Chinese espionage at our Nation's weapons laboratories. Colonel McCallum revealed very important information about the Energy Department's mismanagement of our sensitive national security information.

In fact, after listening to Colonel McCallum's firsthand accounts, I felt compelled to share his story. Mr. Speaker, I have the honor of representing four of our Nation's military bases, Camp Lejeune Marine Corps Base, Cherry Point Marine Corps Air Station, Seymour Johnson Air Force Base, and the Elizabeth City Coast Guard station, as well as 77,000 of our Nation's brave veterans.

I was home in eastern North Carolina over the July 4 recess, and a number of my constituents asked me what Congress was doing to rectify one of the country's worst breaches of national security in our history? Unfortunately, I had very little to report.

That is why I am here today, Mr. Speaker. The security of the United States is an issue with a critical impact on the citizens of this country, yet it has been swept under the rug by this current administration, and it is not surprising. President Clinton appointed Hazel O'Leary Secretary of Energy, a position she held from 1993 to 1997. The Department of Energy is in place to support our Nation's environmental quality, economic policy, energy security and national security, but when President Clinton appointed Hazel O'Leary head of the Department, she had no experience with nuclear energy or weapons technologies. Now she has been accused of directly compromising our sensitive national security information.

Mr. Speaker, Colonel McCallum served under Secretary O'Leary in the 9 years he has served as security director. During the interview, Mr. O'Reilly asked Colonel McCallum if the allegations against Ms. O'Leary were correct. He replied, and I quote, the Secretary shut down our counterintelligence program, stopped our ability to follow leads and largely opened doors to the Chinese and other adversaries who would want our secrets and our nuclear materials.

Mr. Speaker, this is a direct quote from the security director for the Department of Energy. Colonel McCallum confirmed that Mrs. O'Leary was more concerned with helping the Russians and Chinese with their economics, which is what President Clinton wanted her to do, than she was with the security of the United States of America.

Mr. O'Reilly then asked the colonel his response after witnessing these grave breaches of national security. Colonel McCallum replied, we raised the issue to the Secretary's office on a routine basis to try to get to the Secretary to allow us to protect our highest secrets, to protect our nuclear material and nuclear weapons in the appropriate way and, frankly, we were unable to get in the front door or get her staff to focus on the issue.

Mr. Speaker, that is a direct quote. This is an outrage. The director of security repeatedly contacted the Secretary's office asking her to do something to protect our sensitive nuclear technology, and she ignored him.

Colonel McCallum is not just a disgruntled employee. He served two tours in Vietnam and has a distinguished military career. So why would he risk losing his job with the Department of Energy, his livelihood, by speaking out against his employer? Because, Mr. Speaker, he is telling the truth.

After a 28-year career, Colonel McCallum has been placed on administrative leave and his job has been threatened, simply because he has tried to come forward with the facts.

Mr. Speaker, Colonel McCallum comes from a military family and has a long history of service himself. Yet he is willing to sacrifice his own job by coming forward with concerns based on his faithful dedication to this country. He is a true patriot. He can confirm that under the leadership of President Clinton's appointees, the Department of Energy has ignored the concerns of its security staff and allowed for a Communist nation to steal our nuclear secrets.

Mr. Speaker, Colonel McCallum is right. America must help the administration wake up to the reality that we need to make real and effective changes now to tighten security at our Nation's weapons laboratory. The security of our Nation and the security of every citizen in America may depend on that.

□ 1300

CURRENT ISSUES AFFECTING GUAM

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

Mr. UNDERWOOD. Mr. Speaker, I have the honor of representing Guam, which is the most distant U.S. area that is still represented in this body and is on the other side of the International Dateline. This means that Guam will be the first location in America that will witness the effects of the so-called Y2K bug.

Guam is 15 hours ahead of the East Cost on the Continental United States.

Thus on January 1, 2000 Guam time, the entire Nation will know far in advance of the beginning of their New Year's celebrations here on the East Coast what the devastating effects of Y2K will be.

The administration, via the Office of Insular Affairs at the Department of Interior, has just announced that the territories will receive $22 million in new Federal funding to help repair the local governmental computer systems and make them Y2K compliant.

However, Mr. Speaker, I have learned from very reliable sources that the breakdown of this necessary emergency funding will represent the greatest inequity in Federal territorial relations that Guam has experienced since 1898 when Guam became a U.S. possession. The administration, with no explanation, nor just cause, has deemed that out of a possible $22 million in assistance divided for four territories, Guam will receive a mere $60,000, and Guam will be the first one to experience the Y2K problem.

This amount is unconscionable, and this level of funding is proportionately ridiculous in terms of Guam's real Y2K problems which are estimated to be around $26 million to repair.

Somewhere along the road between the Office of Insular Affairs and the Government of Guam, there seems to have been a breakdown in cooperation. The USDA made an assessment of the Government of Guam's Y2K readiness earlier this year, along with other territories. Supposedly, their efforts were met with some resistance by local officials and agency heads. I do not know if any of this is accurate; but at this stage, casting blame will not solve the problem.

The fact remains that, if the rumors of uncooperativeness are true, and I am not sure that they are, the $60,000 apportionment out of $22 million is tantamount to a punitive action.

It is my understanding and certainly my hope that OMB and OIA will be meeting very soon to discuss redressing this gross inequity or to supplement the total pool of funds. I will make every effort to impress upon the administration that they need to make realistic and equitable allocations for Guam and the other territories.

To that end, I will be contacting the House Committee on Appropriations' chairman and ranking member to express my deep concern over the proposed Y2K funding allocation. I hope and I trust that the realignment of this funding proposal can be met.

The other item I would like to address is the INS reimbursement for the Government of Guam. Earlier this year, and in fact going back to last year, there has been a steady stream of illegal immigrants making a nearly 2,000 mile journey over the open ocean from the People's Republic of China to Guam.

As a result of this, there has been over 500 illegal Chinese immigrants that have been captured in Guam and have been detained in Guam. Governor Carl Gutierrez intervened to prevent that action, the INS from releasing these people into the general community.

Now, the government of Guam has been housing these illegal immigrants since January at a local corrections facility. This is a Federal responsibility. The Clinton administration thankfully has committed to reimbursing the Government of Guam for all costs incurred in relation to detaining and capturing the Chinese illegal immigrants.

Last June, the Governor of Guam estimated that the cost to date had tallied some $4.4 million.

I understand that the administration will be offering an amendment to the Subcommittee on Commerce, Justice, State, and Judiciary bill which will make good on this commitment.

I am grateful for that opportunity, and I urge all the Members of this body as well as Members of the other body to support that and to continue to work towards the equitable distribution of funding for our insular areas.

CONGRESSIONAL AUTHORITY IS SLIPPING

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

Mr. METCALF. Mr. Speaker, before coming to Congress, I taught history for 30 years in my home State of Washington. But it should not take a historian, a lawyer, or even a politician to realize that Congress has ceded a measure of fundamental constitutional authority to the executive.

In fact, it is the hundreds of phone calls and letters from Americans in my district and around the country that brings me to the floor today. These citizens are concerned, and I am concerned, that Congress has subjected the people to laws it never made because we have allowed our legislative responsibilities to be usurped by the executive department.

In the past, Presidents worked with Congress to pass legislation. Indeed, that is what the Founders intended. Nevertheless, Congress, over the years, has allowed Presidents, both Democratic and Republican, to issue executive orders and proclamations that push far beyond the prescribed executive authority. Presidents have used these administrative actions to enact their agenda without the consent of Congress.

Mr. Speaker, we have tolerated this type of executive orders and proclamations for too long. I am deeply concerned about what I perceive to be a culture of deference in the Congress, deference to the executive. Congressional authority is slipping.

In fact, this President has issued more than 297 executive orders since taking office. Some of these infringe on the powers and duties reserved exclusively for Congress as dictated by the U.S. Constitution. In fact, one was so egregious that it had to be rescinded last year. That was executive order 13803 on federalism, which imposed new guidelines and granted the President unlimited policy making authority. Furthermore, it expanded the burden of big government on American citizens.

Last August, due to its blatant regard for congressional authority and disregard for the 9th and 10th Amendments, the White House finally succumbed to intense pressure and suspended or withdrew the federalism executive order.

The American Heritage Rivers Initiative, Executive Order 13061, is another example of our current President's attempted usurpation of the legislative powers of Congress. The Rivers Initiative was born when the President decided, without studies or public hearings, that he could take governing authority away from States and local governments.

The Constitution requires Congress to first approve all revenue spending. However, Clinton's executive order would require States to give up certain rivers to Federal control. It is a threat to citizens' private property rights. Even more disturbing, the Rivers Initiative also would have given the President the power to reprogram government funds and spend taxpayers' money for projects without a vote of Congress.

The President's use of executive orders and proclamations is reckless. Some fear the President may try to use these presidential directives in the future to further his international agenda in U.N. treaties or to increase his authority under the so-called emergency powers to spend more taxpayer dollars.

Executive orders and proclamations are a legitimate source of law only when they draw upon the constitutional powers of the President or when Congress expressly delegates such authority.

I urge every Member to join with me, and the 72 of our colleagues, and cosponsor House Concurrent Resolution 30. My resolution institutes a check within the Congress. It is a signal that executive infringements on legislative power will prompt Congress to protect its constitutional prerogatives.

Those of us in Congress have taken an oath to uphold the Constitution and to protect the balance it established. To fulfill our oath of office, I urge each Member to support this resolution. We must protect our constituents from the abuses of unchecked executive power.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 2 p.m.

Accordingly (at 1 o'clock and 10 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PEASE) at 2 p.m.

PRAYER

The Reverend Father Mark Moretti, Assistant Pastor, St. Rita's Catholic Church, Alexandria, Virginia, and Chaplain for Diplomatic Security, the State Department, offered the following prayer:

Heavenly Father, in times of tragedy, words fail to express our sense of loss or grief. Our human weakness lays claim to Your strength. We rest in You. We depend on Your care. Console us with the truth that in all the events of human life, the happy and the sad, Your presence and Your love will never depart. Help us to remember that with all of the blessings of this life that You have given us, we hope for a greater life with You, where there will be no sorrow, no tears, and no pain, but only the fullness of peace and joy. We ask this in Your holy name. 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.

PLEDGE OF ALLEGIANCE

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

Mr. GIBBONS 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.

EXTREMIST ENVIRONMENTAL GROUPS SHOULD NOT RUN CONGRESS

(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, no doubt many of us find it very disturbing that at the same time that Congress is spending billions of taxpayer dollars for thousands of vague Government programs, a number of our more liberal colleagues would vote to destroy the jobs of hard-working minors and families across the United States. It is truly a perplexing and even sad time for my constituents in this Congress.

Paradoxically, many of my colleagues give millions of dollars away to someone who can study the mating habits of fruit flies and yet at the same time vote for an amendment that would effectively take the food off the tables of thousands of hard-working families in Nevada and elsewhere.

Mr. Speaker, what I would like to tell these families is, why would Congress do this? What will I tell them? Tell them that they and half of their community lost their jobs so that a small handful of hikers did not have to see a mine on their bird watching hike?

I would like to remind my colleagues that a majority of mining States have a cleaner environmental bill of health than most nonmining States in this country.

Also, the millions of dollars in tax dollars paid by mines across the country rule out the ''free ride'' argument that some of my colleagues would suggest.

Mr. Speaker, sound science and common sense should rule this Congress, not the extremist environmental groups who prey on public emotion.

RUSSIA WANTS ANOTHER $5 BILLION FROM IMF

(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, even though Russia still owes $17 billion to the International Monetary Fund, Russia wants another $5 billion loan. And experts support it. They say, Russia needs the $5 billion loan to repay part of the $17 billion still in default.

Unbelievable. If that is not enough to detoxify your ruble, reports say, ''Beware, Congress, Russian politicians have been stealing the IMF money for years.''

Beam me up, Mr. Speaker. These experts are not only smoking dope, they are drinking vodka chasers if they expect me to vote for one more dime for a Russian loan. Borrow this.

REPORT ON EMIGRATION LAWS AND POLICIES OF ALBANIA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 106–98)

The Speaker pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

I am submitting an updated report to the Congress concerning the emigration laws and policies of Albania. The report indicates continued Albanian compliance with U.S. and international standards in the area of emigration. In fact, Albania has imposed no emigration restrictions, including exit visa requirements, on its population since 1991.

On December 5, 1997, I determined and reported to the Congress that Albania is not in violation of the freedom-of-emigration criteria in sections 402 and 409 of the Trade Act of 1974. That action allowed for the continuation of normal trade relations status for Albania and certain other activities without the requirement of an annual waiver. This semiannual report is submitted as required by law pursuant to the determination of December 5, 1997.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *July 19, 1999.*

REPORT ON NATIONAL EMERGENCY WITH RESPECT TO LIBYA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 106–99)

The Speaker pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

I hereby report to the Congress on the developments since my last report of December 30, 1998, concerning the national emergency with respect to Libya that was declared in Executive Order 12543 of January 7, 1986. This report is submitted pursuant to section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c); section 204(c) of the International Emergency Economic Powers Act (IEEPA), 50 U.S.C. 1703(c); and section 505(c) of the International Security and Development Cooperation Act of 1985, 22 U.S.C. 2349aa–9(c).

1. On December 30, 1998, I renewed for another year the national emergency with respect to Libya pursuant to IEEPA. This renewal extended the current comprehensive financial and trade embargo against Libya in effect since 1986. Under this sanctions, virtually all trade with Libya is prohibited, and all assets owned or controlled by the Government of Libya in the United States or in the possession or control of U.S. persons are blocked.

2. On April 28, 1999, I announced that the United States will exempt commercial sales of agricultural commodities and products, medicine, and medical equipment from future unilateral sanctions regimes. In addition, my Administration will extend this policy to existing sanctions programs by modifying licensing policies for currently embargoed countries to permit case-by-case review of specific proposals for commercial sales of these items. Certain restrictions apply.

The Office of Foreigns Assets Control (OFAC) of the Department of the Treasury is currently drafting amendments to the Libyan Sanctions Regulations, 31 C.F.R. Part 550 (the Regulations), to implement this initiative. The amended Regulations will provide for the licensing of sales of agricultural commodities and products, medicine, and medical supplies to nongovernmental entities in Libya or to

government procurement agencies and parastatals not affiliated with the coercive organs of that country. The amended Regulations will also provide for the licensing of all transactions necessary and incident to licensed sales transactions, such as insurance and shipping arrangements. Financing for the licensed sales transactions will be permitted in the manner described in the amended Regulations.

3. During the reporting period, OFAC reviewed numerous applications for licenses to authorize transactions under the Regulations. Consistent with OFAC's ongoing scrutiny of banking transactions, the largest category of license approvals (20) involved types of financial transactions that are consistent with U.S. policy. Most of these licenses authorized personal remittances not involving Libya between persons who are not blocked parties to flow through Libyan banks located outside Libya. Three licenses were issued authorizing certain travel-related transactions. One license was issued to a U.S. firm to allow it to protect its intellectual property rights in Libya; another authorized receipt of payment for legal services; and a third authorized payments for telecommunications services. A total of 26 licenses were issued during the reporting period.

4. During the current 6-month period, OFAC continued to emphasize to the international banking community in the United States the importance of identifying and blocking payments made by or on behalf of Libya. The office worked closely with the banks to assure the effectiveness of interdiction software systems used to identify such payments. During the reporting period, 87 transactions potentially involving Libya, totaling nearly $3.4 million, were interdicted.

5. Since my last report, OFAC has collected 7 civil monetary penalties totaling $38,000 from 2 U.S. financial institutions, 3 companies, and 2 individuals for violations of the U.S. sanctions against Libya. The violations involved export transactions relating to Libya and dealings in Government of Libya property or property in which the Government of Libya had an interest.

On April 23, 1999, a foreign national permanent resident in the United States was sentenced by the Federal District court for the Middle District of Florida to 2 years in prison and 2 years supervised release for criminal conspiracy to violate ecomonic sanctions against Libya, Iran, and Iraq. He had previously been convicted of violation of the Libyan Sanctions Regulations, the Iranian Transactions Regulations, the Iraqi Sanctions Regulations, and the Export Administration Regulations for exportation of industrial equipment to the oil, gas, petrochemical, water, and power industries of Libya, Iran, and Iraq.

Various enforcement actions carried over from previous reporting periods have continued to be aggressively pursued. Numerous investigations are ongoing and new reports of violations are being scrutinized.

6. The expenses incurred by the Federal Government in the 6-month period from January 7 through July 6, 1999, that are directly attributable to the exercise of powers and authorities conferred by the declaration of the Libyan national emergency are estimated at approximately $4.4 million. Personnel costs were largely centered in the Department of the Treasury (particularly in the Office of Foreign Assets Control, the Office of the General Counsel, and the U.S. Customs Service), the Department of State, and the Department of Commerce.

7. In April 1999, Libya surrendered the 2 suspects in the Lockerbie bombing for trial before a Scottish court seated in the Netherlands. In accordance with UNSCR 748, upon the suspects' transfer, UN sanctions were immediately suspended. We will insist that Libya fulfill the remaining UNSCR requirements for lifting UN sanctions and are working with UN Secretary Annan and UN Secretary Council members to ensure that Libya does so promptly. U.S. unilateral sanctions remain in force, and I will continue to exercise the powers at my disposal to apply these sanctions fully and effectively, as long as they remain appropriate. I will continue to report periodically to the Congress on significant developments as required by law.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *July 19, 1999.*

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Such rollcall votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules but not before 6 p.m.

LEWIS AND CLARK EXPEDITION BICENTENNIAL COMMEMORATIVE COIN ACT

Mr. BEREUTER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1033) to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the Lewis and Clark Expedition, and for other purposes.

The Clerk read as follows:

H.R. 1033

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 ''Lewis and Clark Expedition Bicentennial Commemorative Coin Act''.

SEC. 2. FINDINGS.

The Congress finds that—

(1) the expedition commanded by Meriwether Lewis and William Clark, which came to be called ''The Corps of Discovery'', was one of the most remarkable and productive scientific and military exploring expeditions in all American history;

(2) President Thomas Jefferson gave Lewis and Clark the mission to ''explore the Missouri River & such principal stream of it, as, by its course and communication with the waters of the Pacific Ocean, whether the Columbia, Oregon, Colorado, or any other river may offer the most direct and practical water communication across this continent for the purposes of commerce'';

(3) the Expedition, in response to President Jefferson's directive, greatly advanced our geographical knowledge of the continent and prepared the way for the extension of the American fur trade with American Indian tribes throughout the land;

(4) President Jefferson directed the explorers to take note of and carefully record the natural resources of the newly acquired territory known as Louisiana, as well as diligently report on the native inhabitants of the land;

(5) the Expedition departed St. Louis, Missouri on May 14, 1804;

(6) the Expedition held its first meeting with American Indians at Council Bluff near present-day Fort Calhoun, Nebraska, in August 1804, spent its first winter at Fort Mandan, North Dakota, crossed the Rocky Mountains by the mouth of the Columbia River in mid-November of that year, and wintered at Fort Clatsop, near the present-day city of Astoria, Oregon;

(7) the Expedition returned to St. Louis, Missouri, on September 23, 1806, after a 28-month journey covering 8,000 miles during which it traversed 11 future States: Illinois, Missouri, Kansas, Nebraska, Iowa, North Dakota, South Dakota, Montana, Idaho, Washington, and Oregon;

(8) accounts from the journals of Lewis and Clark and the detailed maps that were prepared by the Expedition enhance knowledge of the western continent and routes for commerce;

(9) the Expedition significantly enhanced amicable relationships between the United States and the autonomous American Indian nations, and the friendship and respect fostered between American Indian tribes and the Expedition represents the best of diplomacy and relationships between divergent nations and cultures; and

(10) the Lewis and Clark Expedition has been called the most perfect expedition of its kind in the history of the world and paved the way for the United States to become a great world power.

SEC. 3. COIN SPECIFICATIONS.

(a) DENOMINATION.—In commemoration of the bicentennial of the Lewis and Clark expedition, the Secretary of the Treasury (hereafter in this Act referred to as the ''Secretary'') shall mint and issue not more than 500,000 $1 coins, each of which shall—

(1) weigh 26.73 grams;

(2) have a diameter of 1.500 inches; and

(3) contain 90 percent silver and 10 percent copper.

(b) LEGAL TENDER.—The coins minted under this Act shall be legal tender, as provided in section 5103 of title 31, United States Code.

(c) NUMISMATIC ITEMS.—For purposes of section 5136 of title 31, United States Code, all coins minted under this Act shall be considered to be numismatic items.

SEC. 4. SOURCES OF BULLION.

The Secretary may obtain silver for minting coins under this Act from any available source, including stockpiles established under the Strategic and Critical Materials Stock Piling Act.

SEC. 5. DESIGN OF COINS.

(a) DESIGN REQUIREMENTS.—

(1) IN GENERAL.—The design of the coins minted under this Act shall be emblematic of the expedition of Lewis and Clark.

(2) DESIGNATION AND INSCRIPTIONS.—On each coin minted under this Act there shall be—

(A) a designation of the value of the coin;

(B) an inscription of the year ''2004'' and the years ''1804–1806''; and

(C) inscriptions of the words ''Liberty'', ''In God We Trust'', ''United States of America'', and ''E Pluribus Unum''.

(3) OBVERSE OF COIN.—The obverse of each coin minted under this Act shall bear the likeness of Meriwether Lewis and William Clark.

(4) GENERAL DESIGN.—In designing this coin, the Secretary shall also consider incorporating appropriate elements from the Jefferson Peace and Friendship Medal which Lewis and Clark presented to the Chiefs of the various Indian tribes they encountered and shall consider recognizing Native American culture.

(b) SELECTION.—The design for the coins minted under this Act shall be selected by the Secretary after consultation with the Commission of Fine Arts and shall be reviewed by the Citizens Commemorative Coin Advisory Committee.

SEC. 6. ISSUANCE OF COINS.

(a) QUALITY OF COINS.—Coins minted under this Act shall be issued in uncirculated and proof qualities.

(b) MINT FACILITY.—Only 1 facility of the United States Mint may be used to strike any particular quality of the coins minted under this Act.

(c) PERIOD FOR ISSUANCE.—The Secretary may issue coins minted under this Act only during the period beginning on January 1, 2004, and ending on December 31, 2004.

SEC. 7. SALE OF COINS.

(a) SALE PRICE.—The coins issued under this Act shall be sold by the Secretary at a price equal to the sum of—

(1) the face value of the coins;

(2) the surcharge provided in subsection (d) with respect to such coins; and

(3) the cost of designing and issuing the coins (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping).

(b) BULK SALES.—The Secretary shall make bulk sales of the coins issued under this Act at a reasonable discount.

(c) PREPAID ORDERS.—

(1) IN GENERAL.—The Secretary shall accept prepaid orders for the coins minted under this Act before the issuance of such coins.

(2) DISCOUNT.—Sale prices with respect to prepaid orders under paragraph (1) shall be at a reasonable discount.

(d) SURCHARGES.—All sales of coins minted under this Act shall include a surcharge of $10 per coin.

SEC. 8. DISTRIBUTION OF SURCHARGES.

(a) IN GENERAL.—Subject to section 5134(f) of title 31, United States Code, the proceeds from the surcharges received by the Secretary from the sale of coins issued under this Act shall be promptly paid by the Secretary as follows:

(1) NATIONAL LEWIS AND CLARK BICENTENNIAL COUNCIL.—⅔ to the National Lewis and Clark Bicentennial Council, for activities associated with commemorating the bicentennial of the Expedition.

(2) NATIONAL PARK SERVICE.—⅓ to the National Park Service for activities associated with commemorating the bicentennial of the Lewis and Clark Expedition.

(b) AUDITS.—Each organization that receives any payment from the Secretary under this section shall be subject to the audit requirements of section 5134(f)(2) of title 31, United States Code.

SEC. 9. FINANCIAL ASSURANCES.

(a) NO NET COST TO THE GOVERNMENT.—The Secretary shall take such actions as may be necessary to ensure that minting and issuing coins under this Act will not result in any net cost to the United States Government.

(b) PAYMENT FOR COINS.—A coin shall not be issued under this Act unless the Secretary has received—

(1) full payment for the coin;

(2) security satisfactory to the Secretary to indemnify the United States for full payment; or

(3) a guarantee of full payment satisfactory to the Secretary from a depository institution whose deposits are insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration Board.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nebraska (Mr. BEREUTER) and the gentleman from New York (Mr. LAFALCE) each will control 20 minutes.

The Chair recognizes the gentleman from Nebraska (Mr. BEREUTER).

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

Mr. Speaker, this Member rises today to urge the passage of H.R. 1033, legislation introduced by this Member which authorizes the U.S. Department of the Treasury to mint 500,000 one-dollar coins to commemorate the bicentennial of the Lewis and Clark Expedition. The coins will be of legal tender. In addition, this measure will raise money to defer costs of bicentennial celebrations.

Original cosponsors of this legislation include the gentleman from Oregon (Mr. BLUMENAUER), the gentleman from North Dakota (Mr. POMEROY), the gentleman from Alabama (Mr. BACHUS), and the gentleman from Montana (Mr. HILL), who is the co-chairman of the Lewis and Clark Caucus. Last Congress, a very similar bill was introduced by this Member; and we, in fact, had 299 House cosponsors.

This Member would especially like to thank the gentleman from Iowa (Chairman LEACH) and the gentleman from Alabama (Mr. BACHUS) the subcommittee chairman for expediting the consideration of this legislation once House-Senate tactics on revenue measures on this Congressional measure were settled. I thank the gentleman from New York (Mr. LAFALCE) for his role, as well.

Mr. Speaker, it is important to note a Lewis and Clark commemorative coin bill, which this Member also introduced, conforming with all rules of the Committee on Banking and Financial Services, passed the House in the 105th Congress by a vote of 398 to 2, but was not individually passed by the Senate before the 105th Congress adjourned.

President Thomas Jefferson, eager to explore newly-acquired land from the Louisiana Purchase, chose Meriwether Lewis and William Clark to begin the expedition, which came to be called ''The Corps of Discovery.''

President Jefferson gave the following directive to Lewis and Clark to ''explore the Missouri River and such principal streams of it, as, by its course and communication with the waters of the Pacific Ocean, whether the Columbia, Oregon, Colorado, or any other river may offer the most direct and practicable water communication across this continent for the purposes of commerce.''

Lewis and Clark departed St. Louis on May 14, 1804, and returned to St. Louis 28 months later on September 23, 1806. The journey covered 8,000 miles of the land which now constitutes the States of Illinois, Missouri, Kansas, Nebraska, Iowa, North Dakota, South Dakota, Montana, Idaho, Washington, and Oregon.

This expedition was one of the most remarkable and productive military and scientific exploring expeditions in all of American history. This expedition advanced our geographical knowledge of the continent and its beautiful natural resources.

In addition, the expedition greatly enhanced amicable relationships and nurtured a mutual friendship and respect between the United States and the autonomous American Indian nations. Furthermore, Sacajawea, the young Native American woman who was a guide and interpreter for the expedition, deserves our acknowledgment and admiration.

In addition, the distinguished Senator from North Dakota, Senator BYRON DORGAN, has simultaneously introduced a companion bill on this subject in the other body, S. 1187.

Under H.R. 1033, these coins will include the likeness of Meriwether Lewis and William Clark and the U.S. Mint considers incorporating appropriate elements from the Jefferson Peace and Friendship Medal which Lewis and Clark presented to the chiefs of the various Indian tribes they encountered and shall consider recognizing Native American culture.

In its 1997 report, the congressionally authorized Citizens Coin Advisory Committee recommended commemorating the Lewis and Clark Expedition with the coin. This Lewis and Clark Commemorative Coin authorized by this legislation will be scheduled to be minted and into circulation in the year 2004.

The legislation provides that the net proceeds from the surcharges included in the price of the coin shall be distributed to the National Lewis and Clark Bicentennial Council, two-thirds of it, and the National Park Service, the remaining third, to be used by the Park Service for activities associated with commemorating the bicentennial of the Lewis and Clark Expedition. Thus, this contribution from the proceeds of coin sales to the Park Service will save taxpayers on currently planned Lewis and Clark events.

The legislation also includes language requiring the Department of the Treasury to take action necessary to ensure that the minting and issuing of the coins result in no net costs to the United States.

Moreover, the National Lewis and Clark Bicentennial Council, which advocates this commemorative coin, is an outgrowth of the Lewis and Clark Trails Foundation, Incorporated, which was created in 1969 to continue the work of the 1964 congressionally established Lewis and Clark Trails Commission.

Mr. Speaker, in closing, this Member believes that the courage and resilience and discoveries of Lewis and Clark assisted by Native Americans along the route of their great expedition, ''The Corps of Discovery,'' left an indelible and lasting contribution to the settlement and perhaps to the ultimate boundaries of the United States.

Lewis and Clark, in 1804, began an expedition from St. Louis into the unknown wilderness of the West.

□ 1415

They returned in 1806 with a wealth of knowledge and experience which has been invaluable in the development of the United States and the American Nation. We still stand in awe of their intrepid journey to explore the American West.

Therefore, this Member would strongly encourage his colleagues to vote for H.R. 1033, the Lewis and Clark Commemorative Coin Bill.

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

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

Mr. Speaker, I rise in support of H.R. 1033, and I give special commendation to the principal author of the bill, the gentleman from Nebraska (Mr. BEREUTER), and to the two Democratic lead sponsors on the bill, the gentleman from Oregon (Mr. BLUMENAUER) and the gentleman from North Dakota (Mr. POMEROY). I commend them for their fine work advancing it to the House floor.

The bill requires the Secretary of the Treasury to mint a coin commemorating the Lewis and Clark expedition. The expedition, led by Meriwether Lewis and William Clark, was one of the most remarkable and productive scientific and military expeditions in all American history.

At the direction of President Thomas Jefferson, Lewis and Clark led an expedition force of some 40 soldiers and civilians up the Missouri river, across the Rocky Mountains, along the Columbia River to the Pacific Ocean. The expedition covered a vast stretch of America's territory, over 8,000 miles, and 11 future States, including what is now Illinois, Missouri, Kansas, Nebraska, Iowa, North Dakota, South Dakota, Montana, Idaho, Washington and Oregon.

The pioneering spirits of Lewis and Clark culminated in the development of new maps for uncharted territories and a collection and study of previously unknown species of plants and animals. With their new glimpse of uncharted territories, Lewis and Clark inspired subsequent generations of Americans to push the American frontier to the Pacific ocean.

Mr. Speaker, this legislation celebrates this historic geographical and scientific exploration of the United States. The minting and issuance of the Lewis and Clark commemorative coin will be done at no cost to the American taxpayer and proceeds from its sale will accrue to the Lewis and Clark Bicentennial Council and the National Park Service. Both of these organizations are currently preparing for the bicentennial celebration of the Lewis and Clark expedition. Mr. Speaker, I urge my colleagues to support passage of H.R. 1033.

Mr. Speaker, I yield such time as he may consume to the gentleman from Oregon (Mr. BLUMENAUER), the chief Democratic sponsor of this bill.

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman yielding me this time, and I appreciate the leadership of the gentleman from Nebraska (Mr. BEREUTER). I would like to express my strong support for H.R. 1033, the Lewis and Clark Expedition Bicentennial Commemorative Coin Act. I hope this time we get it through, that there are not hang-ups.

I was pleased with what the House did in the last session. It is of particular interest to me as the only graduate of Lewis and Clark College in Portland, Oregon, the namesake of the great explorers; in fact, both my degrees are from the institution. I grew up in the Pacific Northwest, steeped in the lore and tradition that surrounded the Lewis and Clark expedition.

It is very important to us in the Pacific Northwest. One hundred years ago in our community, the centennial of the Lewis and Clark expedition was celebrated in a world's fair that had a profound impact on our community, on the Pacific Northwest and the West Coast in general.

This resolution, which passed the House last year and has been ably described by the gentleman from Nebraska and the gentleman from New York, has the potential of providing resources for a national celebration of this undertaking. I will not bore Members or our guests with further recitation of that exploration, but suffice it to say that over 200 years ago when President Jefferson coaxed the Congress to appropriate $2,500 for this exploration, it was money well spent; and I think that the resources that will be invested in this celebration will likewise be well spent.

There is a great deal that we need to do to reconnect with our friends in the Native American communities in the 11 States throughout the passage of the expedition, for us to acknowledge the contributions they made and understand what it means in today's world to be connected to people of other ethnic backgrounds, particularly Native Americans, but also I think this is an international respect as well.

It is a chance for our Nation to reflect on the power of exploration and scientific advancement, to reach out to others in the Native American community who were a part of that exploration, who on more than one occasion rescued the explorers. It is an opportunity for us as a Nation to reflect on our ancestors who had the ability to dream on a vast scale.

Today, we need this observance and all that it requires to help us face our destiny in a new century. I am pleased to be associated with the legislation and hope that the House will act expeditiously.

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

Mr. BEREUTER. Mr. Speaker, I yield myself such time as I may consume. I want to simply conclude by thanking the gentleman from Oregon (Mr. BLUMENAUER). During the last Congress he was extremely helpful in us getting the 290 cosponsors to meet the subcommittee requirement, and I appreciate his effort and his long interest in Lewis and Clark.

Mr. Speaker, I urge my colleagues to support H.R. 1033.

Mr. POMEROY. Mr. Speaker, I rise in strong support of H.R. 1033, the Lewis and Clark Bicentennial Commemorative Coin Act, and I want to personally thank Congressman BEREUTER, the sponsor of the legislation, for his work on this issue.

Nearly two hundred years after the Corps of Discovery, Americans of all ages have begun a national pilgrimage to follow the steps of Meriwether Lewis and William Clark. The journey today stands as one of the most remarkable and productive scientific and military exploring expeditions in all of American History. H.R. 1033 recognizes this extraordinary journey and the discipline, sacrifice and strength shown by Lewis and Clark by authorizing the Treasury to mint one-dollar and half-dollar coins to commemorate the bicentennial of the expedition.

The bill will not only serve to highlight this historic expedition and the roles of Meriwether Lewis, William Clark, and the many Native Americans who aided in the journey, but it will also provide a source of financial support for commemorative activities. After the cost of minting is covered, the proceeds from the sale of the coin will be distributed to the National Lewis and Clark Bicentennial Council and the National Park Service which will allow both entities to continue their work in planning and organizing bicentennial events.

As we continue preparing for the bicentennial of this historic expedition, it is important that Congress play an active role in supporting and promoting its commemoration. I urge my colleagues to recognize the importance of the Lewis and Clark expedition to the nation and the efforts of the bicentennial council and the National Park Service to highlight its bicentennial by passing this legislation.

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

The SPEAKER pro tempore (Mr. PEASE). The question is on the motion offered by the gentleman from Nebraska (Mr. BEREUTER) that the House suspend the rules and pass the bill, H.R. 1033.

The question was taken.

Mr. BEREUTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

LEIF ERICSON MILLENNIUM COMMEMORATIVE COIN ACT

Mr. LEACH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 31) to require the Secretary of the Treasury to mint coins in conjunction with the minting of coins by the Republic of Iceland in commemoration of the millennium of the discovery of the New World by Leif Ericson.

The Clerk read as follows:

H.R. 31

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 ''Leif Ericson Millennium Commemorative Coin Act''.

SEC. 2. COIN SPECIFICATIONS.

(a) $1 SILVER COINS.—In conjunction with the simultaneous minting and issuance of commemorative coins by the Republic of Iceland in commemoration of the millennium of the discovery of the New World by Leif Ericson, the Secretary of the Treasury (hereafter in this Act referred to as the ''Secretary'') shall mint and issue not more than 500,000 1 dollar coins, which shall—

(1) weigh 26.73 grams;

(2) have a diameter of 1.500 inches; and

(3) contain 90 percent silver and 10 percent copper.

(b) LEGAL TENDER.—The coins minted under this Act shall be legal tender, as provided in section 5103 of title 31, United States Code.

(c) NUMISMATIC ITEMS.—For purposes of section 5136 of title 31, United States Code, all coins minted under this Act shall be considered to be numismatic items.

SEC. 3. SOURCES OF BULLION.

The Secretary may obtain silver for minting coins under this Act from any available source, including stockpiles established under the Strategic and Critical Materials Stock Piling Act.

SEC. 4. DESIGN OF COINS.

(a) DESIGN REQUIREMENTS.—

(1) IN GENERAL.—The design of the coins minted under this Act shall be emblematic of the millennium of the discovery of the New World by Leif Ericson.

(2) DESIGNATION AND INSCRIPTIONS.—On each coin minted under this Act there shall be—

(A) a designation of the value of the coin;

(B) an inscription of the year ''2000''; and

(C) inscriptions of the words ''Liberty'', ''In God We Trust'', ''United States of America'', and ''E Pluribus Unum''.

(b) SELECTION.—The design for the coins minted under this Act shall be—

(1) selected by the Secretary after consultation with the Leifur Eiríkson Foundation and the Commission of Fine Arts; and

(2) reviewed by the Citizens Commemorative Coin Advisory Committee.

SEC. 5. ISSUANCE OF COINS.

(a) QUALITY OF COINS.—Coins minted under this Act shall be issued in uncirculated and proof qualities.

(b) MINT FACILITY.—Only 1 facility of the United States Mint may be used to strike any particular quality of the coins minted under this Act.

(c) COMMENCEMENT OF ISSUANCE.—The Secretary may issue coins minted under this Act beginning January 1, 2000.

(d) TERMINATION OF MINTING AUTHORITY.—No coins may be minted under this Act after December 31, 2000.

SEC. 6. SURCHARGES.

(a) IN GENERAL.—All sales of coins minted under this Act shall include a surcharge of $10 per coin.

(b) DISTRIBUTION.—All surcharges received by the Secretary from the sale of coins issued under this Act shall be promptly paid by the Secretary to the Leifur Eiríkson Foundation for the purpose of funding student exchanges between students of the United States and students of Iceland.

(c) AUDITS.—The Leifur Eiríkson Foundation shall be subject to the audit requirements of section 5134(f)(2) of title 31, United States Code, with regard to the amounts received by the Foundation under subsection (b).

SEC. 7. GENERAL WAIVER OF PROCUREMENT REGULATIONS.

(a) IN GENERAL.—Except as provided in subsection (b), no provision of law governing procurement or public contracts shall be applicable to the procurement of goods and services necessary for carrying out the provisions of this Act.

(b) EQUAL EMPLOYMENT OPPORTUNITY.—Subsection (a) shall not relieve any person entering into a contract under the authority of this Act from complying with any law relating to equal employment opportunity.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Iowa (Mr. LEACH) and the gentleman from New York (Mr. LAFALCE) each will control 20 minutes.

The Chair recognizes the gentleman from Iowa (Mr. LEACH).

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

Mr. Speaker, I rise in support of H.R. 31, a bill that will implement a unique program to issue a millennium commemorative dollar coin. The year 2000 will mark the 1,000th anniversary of the voyage of discovery by Leif Ericson, an Icelander, who was the son of Eric the Red, a Norseman, in 1000 A.D. Ericson set off from Iceland to explore lands to the west, beyond Greenland. Recent archaeological research has confirmed evidence of contemporaneous European settlement on Newfoundland as a result of this voyage and its successors.

A unique feature of this bill is that it would permit the simultaneous issuance of a commemorative U.S. silver dollar and a silver Kronor Icelandic coin, both produced by the United States Mint and both celebrating the voyage of Leif Ericson. Both of these coins would be produced in limited mintages with 250,000 silver dollars authorized. This will be a significant numismatic event, a 1,000-year anniversary, two countries jointly issuing coins commemorating the same event, a limited boxed edition of both coins being issued by the Mint and the surcharge proceeds going to promote scholarship and student exchanges between the two countries.

Interestingly, the Icelandic coin will depict Leif Ericson as he appears on a statue that stands today in Reykjavik. This statue of the great explorer was created by the sculptor Stirling Calder, father of another great artist of this century, Alexander Calder, and was presented by the United States Congress to the parliament of Iceland, known as the Althing, on its 1,000th anniversary in 1930. It is very appropriate that our relatively young country take this opportunity to commemorate a 1,000-year link to Europe and one of the earliest of the many ethnic strains that make up our society today. During the year 2000 the Smithsonian will be mounting a traveling exhibition devoted to the millennium of the Viking contacts with the new world. It will trace how the Nordic sagas recorded during these voyages entered European consciousness and the myth describing a fertile land far to the west. Recent archaeological finds hint that 11th century Viking explorers might have visited coastal and interior areas considerably to the south of the Newfoundland site. Additional research and scholarship funded by this coin program is designed to contribute to a better understanding of this hardy folk and their relationship to modern peoples of this hemisphere.

In conclusion, I would like to thank the gentleman from Alabama (Mr. BACHUS), the subcommittee chairman; and the gentleman from New York (Mr. LAFALCE) and the gentlewoman from California (Ms. WATERS), the ranking members of the full committee and subcommittee, for their extraordinary cooperation.

As Members may recall, this bill passed this Chamber in the last Congress. I urge its adoption today.

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

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

I rise in support of H.R. 31. I commend the gentleman from Iowa (Mr. LEACH), the chairman of the committee, and the gentleman from Minnesota (Mr. VENTO), the distinguished ranking Democrat on the Subcommittee on Financial Institutions and Consumer Credit, for the tremendous work they have done on this bill. I would point out that the gentleman from Minnesota very much wanted to be the floor manager from the Democratic respective on this bill, but he had been apprised it would be taken up tomorrow, had made a number of previous important appointments that he simply could not break, and asked me to substitute in his stead.

This bill commemorates the millennium of Leif Ericson's arrival in the New World, a watershed event in the history of our continent. The bill would require the Secretary of the Treasury, in conjunction with the simultaneous minting and issuance by the Republic of Iceland of its own coin, to mint up to, I believe, one-half million dollars of one-dollar commemorative coins.

If I may ask the gentleman from Iowa, is it correct that it is one-half million, as opposed to 250,000?

Mr. LEACH. If the gentleman will yield, that is what the legislation suggests, that is correct.

Mr. LAFALCE. The coins will be made up of 90 percent silver and 10 percent copper, and will commemorate the importance of Leif Ericson's arrival in the New World nearly 1,000 years ago.

Mr. Speaker, the proceeds from the sale of this coin will go to the Leifur Eirikson Foundation, which will use the funds to finance student exchanges between the United States and the Republic of Iceland. I would urge all my colleagues to support the bill.

Mr. SABO. Mr. Speaker, today I rise to honor Leif Ericson, the Norse navigator and explorer, and to voice my support for the Leif Ericson Millennium Commemorative Coin Act.

Leif Ericson played a vital role in the European discovery of our continent. It is a role that, over the years, has not been widely recognized. Within the past 30 years, new historical evidence has surfaced to show that Leif Ericson landed in North America around 1000 A.D., almost 500 years prior to Christopher Columbus' arrival in the New World.

Leif Ericson was born around 970 A.D. in Greenland, son of the famous warrior, explorer, and discoverer of Greenland, ''Eric the Red.'' There are two traditional accounts of Leif Ericson's discovery of America. However, the one that is best upheld by the evidence states that a contemporary of Leif's, Bjarni Herjolfsson, chanced upon America after drifting off course. Herjolfsson did not land in the New World, but upon his return to Greenland, he described his course to Leif. Following Herjolfsson's course, Leif later landed in North America. He named the new land ''Vinland,'' after the plentiful supply of grapes he found there. He built a small settlement and spent the winter in Vinland before he returned to Greenland.

At the end of his career, Leif Ericson settled on his father's estate in Brattahlid, Greenland, where he lived until he died. It is rumored that he is buried in an unmarked grave in the Brattahlid cemetery.

The Leif Ericson Millennium Commemorative Coin Act will create silver dollars for the 1000-year anniversary of Ericson's landing in North America, in conjunction with a series of coins to be minted in the Republic of Iceland. All proceeds will support student exchanges between the U.S. and Iceland. This is an appropriate way to pay tribute to the pioneering spirit of Leif Ericson, and these coins will stand as symbols of his courage and perseverance—virtues we all must embrace in order to accomplish our goals.

Finally, this legislation will honor all Americans of Scandinavian descent. For generations, they have proven themselves brave and loyal Americans, carrying on the tradition of courage and exploration started by their Norse ancestors, including Leif Ericson.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa (Mr. LEACH) that the House suspend the rules and pass the bill, H.R. 31.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

EXPRESSING SENSE OF CONGRESS REGARDING UNITED STATES VICTORY IN THE COLD WAR AND FALL OF THE BERLIN WALL

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 121) expressing the sense of the Congress regarding the victory of the United States in the cold war and the fall of the Berlin Wall, as amended.

The Clerk read as follows:

H. CON. RES. 121

Whereas the cold war was an enduring struggle between communism and democracy throughout the second half of the 20th century;

Whereas an estimated 24,000,000 members of the United States Armed Forces served during the cold war;

Whereas 400,000,000 people were freed from the bondage of communism during the cold war in the countries then known as the Soviet Union, East Germany, Poland, Hungary, Czechoslovakia, Romania, Bulgaria, Latvia, Estonia, and Lithuania;

Whereas the victory of the United States in the cold war will signify freedom and security for decades to come;

Whereas the fall of the Berlin Wall, one of the most significant events of the 20th century, symbolized the triumph of democracy over communism; and

Whereas November 9, 1999, will mark the 10th anniversary of this historic event: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the Nation should celebrate the victory of the United States in the cold war and the 10th anniversary of the fall of the Berlin Wall by—

(1) promoting education about the cold war and its historical significance;

(2) supporting efforts to establish a memorial museum to victims of communism that reflects the suffering of millions of victims worldwide and the role of the United States in promoting freedom and democracy that led to the end of the cold war;

(3) celebrating peace, freedom, and the principles of democratic government;

(4) honoring and reflecting upon the role of the United States in the international struggle for individual human rights and the evolution of the free enterprise system; and

(5) recognizing the veterans who served during the cold war.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. GILMAN) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. GILMAN).

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

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

GENERAL LEAVE

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on this measure.

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

There was no objection.

Mr. GILMAN. Mr. Speaker, this resolution, H. Con. Res. 121, recognizes the essential role played by our Nation and the men and women in our armed forces who served in Europe during the Cold War. I commend the gentleman from Florida (Mr. MILLER) for his effort to see that our victory in this protracted struggle with the forces of communism is duly recognized. I commend the gentleman from California (Mr. LANTOS) who is joining me today on this resolution.

Ten years ago, the Berlin Wall, one of the enduring symbols of the brutality and repression of the Communist system, was finally brought down. It was the remarkable culmination of the 40-year struggle between the forces of freedom and liberty and those of tyranny and oppression. During this struggle, our citizens and those of Europe had a nuclear sword of Damocles hanging over them, and it is one of the truly noteworthy events in human history that it ended not with a bloody upheaval but a jubilant celebration by those on both sides of the Wall who never let their faith in democratic government and the intrinsic good of liberty desert them.

☐ 1430

Our victory was not completely bloodless, however, and a number of members of our Armed Forces, our public officials and ordinary citizens made the greatest sacrifice in order to bring about victory. So too did many of the people of Eastern Europe, some of whom were killed simply trying to escape from beyond the Iron Curtain and others who died resisting the tyrannical forces that ruled over them. This resolution is an appropriate tribute to all those who sacrificed so much.

Accordingly, I urge the House to unanimously approve H. Con. Res. 121.

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

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

At the outset, let me commend my good friend, the distinguished chairman of the Committee on International Relations, the gentleman from New York (Mr. GILMAN), for bringing this resolution to the floor and for his decades of dedicated service on behalf of the democracy and freedom in Europe and elsewhere. Mr. Speaker, I rise in strong support of this resolution.

Mr. Speaker, it is important, as we pay tribute to our own political leadership on a bipartisan basis during the Cold War and to the 24 million men and women who served the United States in uniform during the Cold War, that we recognize that the victory was not ours alone; it was ours, and it was the victory of equally committed freedom-loving democratic people throughout the

NATO alliance. From Norway to Spain, men and women committed to freedom and democracy and to opposing totalitarian regimes joined with us in succeeding in this tremendous historic victory that was symbolized by the collapse of the Berlin Wall.

The distinguished Democratic leader, the gentleman from Missouri (Mr. GEPHARDT) and I happened to be in Berlin, Mr. Speaker, as the Berlin Wall was being dismantled. We were there along with scores of others from many countries chipping away at the wall and bringing home with us tiny segments of that symbol of tyranny. The Berlin Wall, as my colleagues will note, is the only wall ever erected in history not to keep the enemy out, but to keep the people inside this wall so they could not escape, and yet scores of individuals in a variety of ways, many of them giving their lives in the process, broke out, tried to break away from an era of tyranny.

I think we also need to pay enormous tribute to the people who lived within the Soviet Union and within the Soviet satellites who gave their lives to fight those regimes, the tens of thousands of refuseniks and dissidents and slaves of the giant gulag archipelago whose sacrifices far exceeded the sacrifices of all of us who lived in the free world.

I think it is important to realize, Mr. Speaker, that while the collapse of the Berlin Wall symbolized the end of the Cold War, it surely did not symbolize our struggle against tyranny, and, as we applaud our victory and the victory of our allies and the victory of the dissidents in the Soviet Empire over totalitarianism and tyranny, it is important for us to pay tribute to the judgment and determination of those who led the fight against the tyranny more recently in Bosnia Herzegovina and Kosovo.

The struggling Kosovo is a direct continuation of the Cold War. The name of the dictator has changed from Stalin to Milosevic, but the underlying issues have remained the same, and those who feel that we have seen the end of history have a thing coming. History has not ended. The voices of tyranny, the attempt to suppress and persecute people because of their political beliefs, ethnic backgrounds, religious views continues. And while we are all rejoicing in the collapse of the Berlin Wall, we are all rejoicing in our victory in the Cold War over the Soviet Union, the struggle goes on.

As our distinguished Secretary of State, Madeleine Albright, reminded us on a recent occasion, problems neglected abroad will eventually reach our shores. This should be a reminder to all the neo-isolationists that the collapse of the Berlin Wall is not the end of our effort, but just a significant milestone in our struggle against totalitarian tyranny.

Mr. UNDERWOOD. Mr. Speaker, I rise today to speak in support of H. Con. Res. 121 which commemorates victory in the Cold War and the 10th anniversary of the fall of the Berlin Wall. Most of us in the Congress today do not remember much of a time beyond what we refer to as the Cold War. Fortunately, for most of our children today, most of them will not remember a time which we refer to as the Cold War.

The Cold War between the U.S. and the Soviet Union was the defining international and military challenge which we faced for a half a century. It took many forms from an arms race, to a space race, from a debate about ideology to even a debate about the superiority of kitchens, but through it all, the U.S. remained firm and committed to winning the struggle against a totalitarian vision of government and society. This ominous vision is acknowledged by countries which suffered under totalitarian socialism to be bankrupt and without foundation.

The Cold War necessitated a world wide network of bases and the capacity to project American power overseas quickly and with effective force any where in the world. In the course of the Cold War, we had hot wars in Korea and Vietnam. My home island of Guam was instrumental in the prosecution of both wars and played an important part of the network of bases from which we could counteract the challenges presented by the Soviet Union and their allies. In fact, for many years, the people of Guam saw Soviet fishermen and their boats near the coast of Guam, fishing in decidedly unproductive grounds for fish, but productive for electronic eavesdropping and the monitoring of American military assets as they moved through Guam and the island's considerable military infrastructure. In order to prosecute both World War II and the Cold War, the military on Guam took enormous amounts of property in the 1940s and inappropriately stored and buried large amounts of military hardware, chemicals and weaponry some of which has just been discovered late last week.

I continue to work with the local military commands, the Pentagon, the administration and where necessary, the Congress to expedite the return of the lands no longer needed by the military and to make sure that the lands are adequately cleaned for agricultural or residential pursuits.

There is an unsung story about how we won the Cold War and how we need to bring closure to an embarrassing chapter of our own history. At the height of the arms race with the Soviet Union, our government decided to conduct nuclear tests in the Marshall Islands. Over the course of several years, some 66 nuclear devices were detonated in these islands which have made prominent names such places as Bikini, Eniwetok, Rongelap and Utirik. As the U.S. became more powerful, the Marshallese became enfeebled by radiation and its consequences which are with us today. There have been many good faith efforts on our government's part to provide appropriate redress and medical treatment for these very innocent victims of the Cold War and the Arms Race. However, we must continue to monitor and update our efforts to make sure that the latest information and research is applied to the historical data and present day conditions of the Marshallese. This is a continuing obligation of the United States which we should not forget as we commemorate the winning of the Cold War and the fall of the Berlin Wall in Europe.

The Cold War began in Europe and it is entirely appropriate that the fall of the Berlin Wall become the defining event which signaled its end. However, let us not forget that the Cold War was a world wide phenomenon and let us not forget the contributions of small Pacific islands to that struggle. Let us not forget that the Cold War had innocent victims. Let us not forget that the legacy of the Cold War is not just in the triumph of the ideals of democracy, but in the triumph of justice. The Cold War was a very just war, an effort that we all supported; but we must remember that not everything done in the pursuit of just aims can be entirely justified.

Congratulations to all of the men and women of our armed forces who served with distinction and a special sense of self-sacrifice, congratulations to all of our past Presidents who provided the leadership which ultimately resulted in the fall of the Berlin Wall and let us also remember all of the communities, both in the Pacific and in the North American continent which contributed their human and land resources for military facilities and nuclear testing.

Mr. MILLER of Florida. Mr. Speaker, I want to begin by thanking my friend, Chairman BEN GILMAN, for marking up House Concurrent Resolution 121. This resolution states that it is the sense of Congress that Americans should celebrate our victory in the cold war in conjunction with the 10th anniversary of the fall of the Berlin Wall, which will be November 9th of this year.

As the 20th century slips away from us, November 9th, 1989 will always be one of its most historic and defining moments. On that night, the world watched as Berliners celebrated an end to the tyranny that had separated them from their friends and families. As the people took the Berlin Wall down brick-by-brick with their own bare hands, they were also bringing the future of communism to its knees. It was a turning-point in world civilization and a night to remember. Most importantly, it was a night we can't afford to let America forget.

Twenty-eight years before that night, the Soviets built a wall through a divided Germany, intent on keeping East Germans from fleeing to the West. Berliners awoke on the morning of August 13, 1961, to find their city divided. People began to risk their lives to flee from the tyranny. One of the saddest stories was that of eighteen-year-old Peter Fechter, a bricklayer apprentice in East Berlin. On August 17, 1962, he and a friend attempted to escape to the West over the wall near the infamous military post called ''Checkpoint Charlie.'' Peter's friend made it over the wall, but Peter was shot and fell into 'no man's land' between barbed wire and concrete. He cried for help for 50 minutes before he bled to death. From the western side of the Wall, American soldiers could only throw first-aid kits at him. Over the twenty-eight years that the Wall stood, dozens of freedom-seeking East Germans would share Peter's fate. These people, who sacrificed their lives in an attempt to reach freedom, are proof that American dedication to fight the forces of communism was an important contribution to humanity.

The Berlin Wall was a tragic microcosm of the Cold War, and the Cold War was perhaps the most defining event in American history. America was willing and committed to fight for

and protect individual human rights and democratic principles. The Cold War was an international struggle for the very principles our nation was founded on, the essence of our existence. America's Cold War victory wasn't just a victory for the U.S., it was a victory for mankind. It was a victory for Peter Fechter, who would never live to see it. Our cold war victory echoed through the microcosm of Berlin when the two East German border guards who shot Peter Fechter were convicted of manslaughter in March of 1997.

There are so many stories like those of Peter Fechter. Stories of people who died trying to flee, stories of people who successfully escaped, stories of soldiers fighting communist forces on the front lines, and stories of those who fought for freedom from behind the lines. These stories can be pieced together like a jigsaw puzzle to create a defining moment in history. The Cold War has consumed our history for the second half of the 20th Century. Who can forget the fear we felt during the Cuban Missile Crisis? The pride we felt when the American flag was planted on the moon during the space race? The anger we felt when the Soviets shot down Korean Air flight 007? America sent thousands and thousands of men to Korea and Vietnam, committed trillions of dollars in resources, and stood by its vow to fight the repression of communism.

I believe that it's important for our nation to celebrate our monumental achievement in winning this war, and to recognize the 24 million servicemen who dedicated their lives to the cause. Because the Cold War did not involve an official surrender with the signing of a document on a single day, our nation has never had the immediate opportunity to give the Cold War its due recognition. This year, on the tenth anniversary of the fall of the Berlin Wall, it is time to commemorate our victory. I ask my colleagues to support House Concurrent Resolution 121.

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

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

The SPEAKER pro tempore (Mr. PEASE). The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 121, as amended.

The question was taken.

Mr. LANTOS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

CONGRATULATING PERU AND ECUADOR FOR ENDING BORDER DISPUTE

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 25) congratulating the Government of Peru and the Government of Ecuador for signing a peace agreement ending a border dispute which has resulted in several military clashes over the past 50 years.

The Clerk read as follows:

H. RES. 25

Whereas the Governments of Peru and Ecuador have been engaged in a serious border dispute dating as far back as Spanish colonial times;

Whereas the Rio Protocol signed in 1942 between Peru and Ecuador, and guaranteed by 4 nations including the United States, failed to settle the dispute;

Whereas Peru and Ecuador have gone to war 3 times over the border areas with the most recent clashes taking place in 1995 resulting in dozens of deaths on both sides; and

Whereas the Governments of Peru and Ecuador recently completed long and difficult negotiations and reached a final settlement of the dispute on October 26, 1998: Now, therefore, be it

Resolved, That the House of Representatives—

(1) congratulates the Governments of Peru and Ecuador for ending the border dispute between their two countries which has been a source of armed conflict for over 50 years;

(2) commends the Presidents of both nations for personally becoming involved in the negotiations and for reaching this historic agreement;

(3) recognizes the commitment of the Presidents of the guarantor nations of Argentina, Brazil, and Chile, along with the United States, in seeking a viable solution to the border dispute;

(4) urges both the Governments of Peru and Ecuador to honor the border settlement and to cooperate with each other in bringing peace, stability, and economic development to the troubled area; and

(5) reaffirms the commitment of the United States to support both governments in the implementation of the border agreement.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. GILMAN) and the gentleman from New Jersey (Mr. MENENDEZ) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. GILMAN).

GENERAL LEAVE

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Res. 25.

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

There was no objection.

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

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

Mr. GILMAN. Mr. Speaker, I wish to commend our distinguished Subcommittee on the Western Hemisphere chairman, the gentleman from California (Mr. GALLEGLY), and his ranking minority member, the gentleman from New Jersey (Mr. MENENDEZ) for introducing this resolution. It is appropriate that the Congress should acknowledge and commend Peru and Ecuador for achieving a permanent settlement of the border dispute that has cost lives on both sides of the conflict for a number of decades, has lost too many people and has upset Andean regional harmony.

Peruvian President Alberto Fujimori and Ecuadoran President Jamil Mahuad deserve credit for their personal leadership and courage in guiding their nations to establishing this peace agreement.

The negotiation of the peace accord was made possible by the concerted diplomatic efforts of Argentina, Brazil, Chile and the United States acting as guarantors under the 1942 Rio Accord. The United States is very fortunate to have Ambassador Luigi Einaudi leading our efforts in support of this negotiation as our special envoy. His unparalleled skill and experience doubtlessly contributed mightily to this diplomatic success.

The permanent resolution of the conflict between the nations of Peru and Ecuador also established an important precedent for regional cooperation. In response to the 1995 hostilities, the guarantor countries fielded the military observer mission, Ecuador/Peru known as MOMEP. The U.S. initially contributed helicopters and some 60 in personnel. In 1997, Brazil purchased four Blackhawk helicopters and took over MOMEP's air support operations.

MOMEP's mission ended on June 30. This is certainly an appropriate moment to extend our sincere thanks to the men and women from our military who have served the cause of peace so well in this remote part of South America, and a special word of thanks to the Government of Brazil for its leadership and substantial contribution to MOMEP is also in order.

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

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

Mr. Speaker, on behalf of the ranking Democrat on the Subcommittee on the Western Hemisphere, the gentleman from New York (Mr. ACKERMAN) who is an original cosponsor of this resolution, let me just say that we are pleased to see the House considering it today. The nearly 60-year-old border dispute with Ecuador and Peru was the most dangerous unresolved border dispute in this entire hemisphere. Fighting in the border area, which erupted seriously in 1995, threatened to destabilize a region which already faces so many other challenges. This resolution commends the United States, Argentina, Brazil, and Chile, countries which as guarantor parties helped to bring a 1995 cease-fire and facilitate negotiations for a permanent peace.

First and foremost, it commends the Presidents and governments of Peru and Ecuador for negotiating a peace agreement that was signed last October, and since signing the peace agreement Ecuador and Peru have moved to implement the comprehensive agreement and to improve relations between its respective countries.

A few weeks ago Presidents Fujimori and Mahuad met at the border to seal the agreement. They do still need our help. International support is needed for some elements of the peace settlement, especially an agreement on border integration and development.

Manifestations of international support along the lines of what we are doing here today for the peace process will help to ensure its full implementation.

But, Mr. Speaker, I would be remiss if at the same time that we are congratulating Peru along with Ecuador for peace on their border I did not also mention some grave concerns that I and many colleagues in Congress have at this time regarding Peru. I am concerned about an erosion in Peru's democracy. Freedom of expression, judicial independence from the executive, and other aspects of the country's democracy have been threatened recently.

I know we will have other opportunities in the near future to address these concerns, I know that they are concerns shared by our distinguished chairman of the committee. I would only urge Peru that while we today in the Congress congratulate and that while itself as the government congratulates itself and the Peruvian people for reaching peace with Ecuador, it also look inward and make sure that Peruvian peace and democracy are not threatened at home.

Mr. GALLEGLY. I rise, as author of House Resolution 25 and as Chairman of the Western Hemisphere Subcommittee, in support of H. Res. 25 which congratulates the governments of Ecuador and Peru for ending their long and violent border dispute.

For as far back as Spanish colonial times, Ecuador and Peru have disagreed over the border separating their two countries. Ecuador had always hoped to maintain a border which would give them access to waterways to the Amazon River and a commercial link to the Atlantic. In 1942 a Rio Protocol, which favored the Peruvian claim, was signed between the two nations and guaranteed by four nations including the United States. Despite the international guarantee, the dispute was never resolved.

Over the course of the past 50 years, both countries have engaged in violent military clashes with the most recent one taking place in 1995 resulting in dozens of deaths on both sides. In 1998, with both countries experiencing an economic downturn and both sides desiring to ease the military tensions, President Fujimori of Peru and newly elected President Mahuad of Ecuador decided to take matters into their own hands to resolve the crisis. After months of personal diplomacy by the two leaders, a final resolution was presented by the Guarantor nations and both Presidents signed the border agreement.

H. Res. 25 recognizes the achievement of this peaceful resolution of the dispute and congratulates the personal diplomacy of both Presidents as being instrumental in resolving this issue. It also commends the work of the United States, Brazil, Argentina and Chile in helping to develop the final agreement.

I want to thank the distinguished Chairman of the International Relations Committee, BEN GILMAN, for helping to bring this measure to the Floor for consideration and I urge the House to pass this resolution.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and agree to the resolution, H. Res. 25.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

IRAN NUCLEAR PROLIFERATION PREVENTION ACT OF 1999

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1477) to withhold voluntary proportional assistance for programs and projects of the International Atomic Energy Agency relating to the development and completion of the Bushehr nuclear power plant in Iran, and for other purposes.

The Clerk read as follows:

H.R. 1477

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 ''Iran Nuclear Proliferation Prevention Act of 1999''.

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) Iran remains the world's leading sponsor of international terrorism and is on the Department of State's list of countries that provide support for acts of international terrorism.

(2) Iran has repeatedly called for the destruction of Israel and Iran supports organizations, such as Hizballah, Hamas, and the Palestine Islamic Jihad, which are responsible for terrorist attacks against Israel.

(3) Iranian officials have stated their intent to complete at least three nuclear power plants by 2015 and are currently working to complete the Bushehr nuclear power plant located on the Persian Gulf coast.

(4) The United States has publicly opposed the completion of reactors at the Bushehr nuclear power plant because the transfer of civilian nuclear technology and training could help to advance Iran's nuclear weapons program.

(5) In an April 1997 hearing before the Subcommittee on Near Eastern and South Asian Affairs of the Committee on Foreign Relations of the Senate, the former Director of the Central Intelligence Agency, James Woolsey, stated that through the operation of the nuclear power reactor at the Bushehr nuclear power plant, Iran will develop substantial expertise relevant to the development of nuclear weapons.

(6) Construction of the Bushehr nuclear power plant was halted following the 1979 revolution in Iran because the former West Germany refused to assist in the completion of the plant due to concerns that completion of the plant could provide Iran with expertise and technology which could advance Iran's nuclear weapons program.

(7) In January 1995 Iran signed a $780,000,000 contract with the Russian Federation for Atomic Energy (MINATOM) to complete a VVER–1000 pressurized-light water reactor at the Bushehr nuclear power plant and in November 1998, Iran and Russia signed a protocol to expedite the construction of the nuclear reactor, setting a new timeframe of 52 months for its completion.

(8) In November 1998, Iran asked Russia to prepare a feasibility study to build three more nuclear reactors at the Bushehr site.

(9) Iran is building up its offensive military capacity in other areas as evidenced by its recent testing of engines for ballistic missiles capable of carrying 2,200 pound warheads more than 800 miles, within range of strategic targets in Israel.

(10) Iran ranks tenth among the 105 nations receiving assistance from the technical cooperation program of the International Atomic Energy Agency.

(11) Between 1995 and 1999, the International Atomic Energy Agency has provided and is expected to provide a total of $1,550,000 through its Technical Assistance and Cooperation Fund for the Iranian nuclear power program, including reactors at the Bushehr nuclear power plant.

(12) In 1999 the International Atomic Energy Agency initiated a program to assist Iran in the area of uranium exploration. At the same time it is believed that Iran is seeking to acquire the requisite technology to enrich uranium to weapons-grade levels.

(13) The United States provides annual contributions to the International Atomic Energy Agency which total more than 25 percent of the annual assessed budget of the Agency and the United States also provides annual voluntary contributions to the Technical Assistance and Cooperation Fund of the Agency which total approximately 32 percent ($18,250,000 in 1999) of the annual budget of the program.

(14) The United States should not voluntarily provide funding for the completion of nuclear power reactors which could provide Iran with substantial expertise to advance its nuclear weapons program and potentially pose a threat to the United States or its allies.

(15) Iran has no need for nuclear energy because of its immense oil and natural gas reserves which are equivalent to 9.3 percent of the world's reserves and Iran has 73,000,000,000 cubic feet of natural gas, an amount second only to the natural gas reserves of Russia.

SEC. 3. WITHHOLDING OF VOLUNTARY CONTRIBUTIONS TO THE INTERNATIONAL ATOMIC ENERGY AGENCY FOR PROGRAMS AND PROJECTS IN IRAN.

Section 307 of the Foreign Assistance Act of 1961 (22 U.S.C. 2227) is amended by adding at the end the following:

''(d) Notwithstanding subsection (c), the limitations of subsection (a) shall apply to programs and projects of the International Atomic Energy Agency in Iran, unless the Secretary of State makes a determination in writing to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate that such programs and projects are consistent with United States nuclear nonproliferation and safety goals, will not provide Iran with training or expertise relevant to the development of nuclear weapons, and are not being used as a cover for the acquisition of sensitive nuclear technology. A determination made by the Secretary of State under the preceding sentence shall be effective for the 1-year period beginning on the date of the determination.''.

SEC. 4. ANNUAL REVIEW BY SECRETARY OF STATE OF PROGRAMS AND PROJECTS OF THE INTERNATIONAL ATOMIC ENERGY AGENCY; UNITED STATES OPPOSITION TO PROGRAMS AND PROJECTS OF THE AGENCY IN IRAN.

(a) ANNUAL REVIEW.—

(1) IN GENERAL.—The Secretary of State shall undertake a comprehensive annual review of all programs and projects of the International Atomic Energy Agency in the countries described in section 307(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2227(a)) and shall determine if such programs and projects are consistent with United States nuclear nonproliferation and safety goals.

(2) REPORT.—Not later than 1 year after the date of the enactment of this Act and on an annual basis thereafter for 5 years, the Secretary shall prepare and submit to the Congress a report containing the results of the review under paragraph (1).

(b) OPPOSITION TO CERTAIN PROGRAMS AND PROJECTS OF INTERNATIONAL ATOMIC ENERGY AGENCY.—The Secretary of State shall direct the United States representative to the International Atomic Energy Agency to oppose programs of the Agency that are determined by the Secretary under the review conducted under subsection (a)(1) to be inconsistent with nuclear nonproliferation and safety goals of the United States.

SEC. 5. REPORTING REQUIREMENTS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act and on an annual basis thereafter for 5 years, the Secretary of State, in consultation with the United States representative to the International Atomic Energy Agency, shall prepare and submit to the Congress a report that—

(1) describes the total amount of annual assistance to Iran from the International Atomic Energy Agency, a list of Iranian officials in leadership positions at the Agency, the expected timeframe for the completion of the nuclear power reactors at the Bushehr nuclear power plant, and a summary of the nuclear materials and technology transferred to Iran from the Agency in the preceding year which could assist in the development of Iran's nuclear weapons program; and

(2) contains a description of all programs and projects of the International Atomic Energy Agency in each country described in section 307(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2227(a)) and any inconsistencies between the technical cooperation and assistance programs and projects of the Agency and United States nuclear nonproliferation and safety goals in these countries.

(b) ADDITIONAL REQUIREMENT.—The report required to be submitted under subsection (a) shall be submitted in an unclassified form, to the extent appropriate, but may include a classified annex.

SEC. 7. SENSE OF THE CONGRESS.

It is the sense of the Congress that the United States Government should pursue internal reforms at the International Atomic Energy Agency that will ensure that all programs and projects funded under the Technical Cooperation and Assistance Fund of the Agency are compatible with United States nuclear nonproliferation policy and international nuclear nonproliferation norms.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. GILMAN) and the gentleman from New Jersey (Mr. MENENDEZ) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. GILMAN).

GENERAL LEAVE

Mr. GILMAN. 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. 1477.

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

There was no objection.

Mr. GILMAN. Mr. Speaker, I yield myself as much time as I may consume.

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

Mr. GILMAN. Mr. Speaker, I would like to commend the gentleman from New Jersey (Mr. MENENDEZ) for his perseverance on this important legislation. This bill is similar to legislation in the last Congress which was favorably reported by the committee and then passed by the House on August 3, 1998, by a vote of 405 to 134. This legislation amends current law to ensure that our Nation does not provide funding for the completion of any nuclear power reactors in Iran.

□ 1445

We all know that the Iranians have dedicated significant resources to completing at least three nuclear power plants by the year 2015 and are now working with Russian assistance to complete the Bushehr nuclear power plant. The United States has opposed the completion of the reactor at the Bushehr facility because the transfer of civilian nuclear technology and training could help to advance Iran's nuclear weapons program.

Between 1995 and 1999, it is anticipated that the International Atomic Energy Agency, IAEA, will have provided over $1.5 million for the Iranian nuclear power program through its Technical Assistance and Cooperation Fund. Our Nation provides annual voluntary contributions to this fund totaling $60 million in 1996.

This bill does not halt our voluntary contribution to the IAEA, but its does require that none of our monies may be used to fund IAEA programs and projects in Iran, unless the Secretary of State certifies that such projects are consistent with the U.S. nuclear nonproliferation and safety goals, and will not provide Iran with training or expertise relevant to the development of weapons.

Mr. Speaker, this is exactly the right policy. Our Nation should not voluntarily provide funding which would help Iran complete nuclear power reactors that could assist them in developing their nuclear weapons program which could pose a threat to our Nation and to our allies.

This bill establishes two important reporting requirements: one will provide the Congress with a comprehensive report on IAEA assistance to Iran. The second requirement directs the Secretary of State to review IAEA programs and ensure that they are consistent with U.S. nuclear nonproliferation and safety goals. Based on that review, the Secretary of State shall direct the U.S. representative to the IAEA to oppose establishing any programs that are not consistent with our Nation's policy.

Accordingly, I urge my colleagues to support this bill.

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

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

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

Mr. MENENDEZ. Mr. Speaker, let me first thank the distinguished chairman of the Committee on International Relations for both his support and encouragement in the committee, as well as today on the floor. This bill, which I have authored, seeks to protect the United States taxpayers from assisting countries like Iran which sponsor international terrorism, denounce the United States, and seek to develop weapons of mass destruction which may be used against us or our allies, from obtaining money indirectly from the United States through the International Atomic Energy Agency support for Iran's efforts to build a nuclear power plant on the Persian Gulf coast.

Let me first say that I recognize the importance of the International Atomic Energy Agency and its role in ensuring the safety of nuclear sites around the world. And so did the over 405 Members of the House who last year voted for this bill as well. But this bill will not affect the International Atomic Energy Administration's safeguards program, and the bill does not seek to withhold any funds to IAEA's safeguard program in Iran or elsewhere. The only funds affected by this bill are our voluntary, not assessed, contributions to the IAEA's Technical Assistance and Cooperation Fund for Iran.

Second, I have amended the bill from last year so that withholding is not mandatory. Withholding is contingent upon the Secretary of State's certification to this committee, the Committee on International Relations, of three things, which are, 1, that the International Atomic Energy Administration's activities in Iran are consistent with U.S. nuclear nonproliferation and safety goals; 2, that the International Atomic Energy Administration's activities will not provide Iran with training or expertise relevant to the development of nuclear weapons; and, 3, that the International Atomic Energy Administration's activities are not being used as a cover for the acquisition of sensitive nuclear technology.

If the Secretary can make that certification, then no funds will be withheld. If the Secretary cannot make that certification, then we are making the right decision by withholding funds.

Now, this bill is not a significant change in policy. In fact, prior to 1994, U.S. law required the withholding of proportional IAEA voluntary funds to all countries on our list of terrorist States; and despite the change in the law, the administration continued to withhold those funds for 2 more years until 1996.

What this bill does is require that the administration reinstate proportional

withholding of IAEA voluntary funds, those funds we pay above and beyond our membership fees for the Safeguard Program for Iran, if the Secretary cannot make the requisite certification. It also requires the Secretary of State to undertake a comprehensive review of all IAEA programs and projects in other states which sponsor international terrorism to determine if the IAEA is sponsoring any other projects which conflict with the United States' nuclear nonproliferation and safety goals. Clearly, our monies should not be going to any country, especially voluntary monies, if they oppose our own nuclear nonproliferation goals.

As it is, since the IAEA's inception, more than $52 million for the Technical Assistance and Cooperation Fund has gone to countries on the United States' list of states which sponsor terrorism. The United States is the largest supporter of the IAEA. We provide them with more than 25 percent of its annual budget. In the Technical Assistance and Cooperation Fund, we contribute about 32 percent, or over $18 million annually in voluntary funds.

It is from that fund that the IAEA is providing over $1.5 million to date for the development of the new Bushehr nuclear power plant. Moreover, the IAEA has launched a new program this year to help Iran in the area of uranium exploration. Clearly, when we suspect that Iran has the requisite technology to enrich uranium to weapons-grade levels, it is not a wise idea to help them in their efforts to locate more of it.

The Clinton administration has publicly stated its opposition to Iran's development of nuclear reactors and its concern about the development of the Bushehr nuclear power plant. In testimony before the United States Senate, Deputy Assistant Secretary Bob Einhorn explained, and I quote, ''In our views, this is a large reactor project. It will involve hundreds of Russians being in Iran, hundreds of Iranians or more being in Moscow being trained, and this large-scale kind of project can provide a kind of commercial cover for a number of activities that we would not like to see, perhaps much more sensitive activities than pursuing this power reactor project.

It also will inevitably provide additional training and expertise in the nuclear field for Iranian technicians. ''In our view,'' this is now the Deputy Assistant Secretary speaking, ''in our view, given Iran's intention to acquire nuclear weapons, we do not want to see them move up the nuclear learning curve at all, and we believe this project would contribute to them moving up that curve,'' and that is the end of the quote.

Last fall, during a press briefing at the State Department, its spokesman, James Rubin said of the Bushehr: ''We are convinced that Iran is using the Bushehr reactor project as a cover for acquiring sensitive Russian nuclear technology.''

Given Iran's historic support for terrorism, coupled with the fact that Iran boasts immense, immense oil and natural gas reserves and the seismic activity near Bushehr, we must question Tehran's motives for conducting expensive nuclear reactors. Moreover, the development of the nuclear reactors has been an economic nightmare for Iranians. Clearly, Iran does not need additional energy sources, considering it has some of the world's largest oil and natural gas reserves, nor is nuclear energy an economic choice for Iran.

So, in essence, what is it for? Clearly, the concerns expressed by the administration, clearly, those concerns are about nuclear weaponry. And if we add to that the fact that Iran's missile capacity has been developed, we now will not only have a uranium exploration and uranium enrichment, we now have all of the facets not only to create nuclear weapons, but to deliver them.

Mr. Speaker, we need to ask one basic question. Does it make sense for the United States and U.S. taxpayers to provide any kind of support for the construction of a nuclear reactor which we clearly and justifiably oppose.

This bill seeks to protect the United States taxpayers from assisting countries like Iran, which sponsors international terrorism. It seeks to make sure that our dollars are not going to develop weapons of mass destruction that can be used against us and our allies.

It is ludicrous for the United States to support a plan, even indirectly, which could pose a threat to its national security and to stability in the Middle East.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and pass the bill, H.R. 1477.

The question was taken.

Mr. MENENDEZ. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2415, the American Embassy Security Act.

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

There was no objection.

AMERICAN EMBASSY SECURITY ACT OF 1999

The SPEAKER pro tempore (Mr. GILMAN). Pursuant to House Resolution 247 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2415.

The Chair designates the gentleman from Arizona (Mr. KOLBE) as Chairman of the Committee of the Whole, and requests the gentleman from Indiana (Mr. PEASE) to assume the Chair temporarily.

□ 1457

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2415) to enhance security of United States missions and personnel overseas, to authorize appropriations for the Department of State for fiscal year 2000, and for other purposes, with Mr. PEASE (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from New York (Mr. GILMAN) and the gentlewoman from Georgia (Ms. MCKINNEY) each will control 30 minutes.

The Chair recognizes the gentleman from New York (Mr. GILMAN).

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

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

Mr. GILMAN. Mr. Chairman, our Nation has never been more vulnerable to its enemies than today. Unfortunately, it took a catastrophic double bombing in East Africa to teach us that lesson. Twelve Americans, 10 Tanzanians, and over 200 Kenyans died when Osama bin Ladin's terrorists blew up our American embassies in Nairobi and Dar es Salaam nearly 1 year ago.

This tragedy revealed that our overseas diplomats and other officials, Americans who risk their lives for our Nation, are in grave danger. I am happy to report, however, that we are doing something about this danger. We are moving quickly to protect our people. Last year, the Congress passed and the President signed an emergency appropriation of $1.4 billion for security enhancements worldwide.

Let me start my remarks with a rundown of just what has happened in the past 12 months: Kenya, August 7; 1998; Tanzania, August 7, 1998; Moscow, our Moscow embassy, March 1999; Skopje, Macedonia, March 1999; Beijing, China, May 8, 1999; Chengdu in China, May 8, 1999.

Let me reach back a little further to June 25, 1996, Dhahran, Saudi Arabia where a truck bomb exploded next to the fence of the Khobar Towers military housing, killing 19 American servicemen and injuring over 502 other people.

□ 1500

Mr. Chairman, H.R. 2415, the American Embassy Security Act, continues a work initiated last fall on security for our embassies.

We authorized the full $1.4 billion that had been recommended by Admiral William Crowe, the former chairman of the Joint Chiefs of Staff, who chaired the Accountability Review Boards that examined American diplomatic security records.

The men and women who represent us abroad know that their work is not risk free, but if we are going to ask them to put themselves in harm's way we need to do everything possible to protect them from terrorism.

After last August's bombings, the Accountability Review Boards were established with Admiral Crowe, the former chairman of the Joint Chiefs of Staff under President Reagan, serving as chairman of those boards. The Crowe boards recommended a long-term solution to the problem, including enhanced security measures, increased security personnel, and a capital building program based on requirements to meet the new range of global terrorist threats.

This bill fully funds the recommendations of Crowe's accountability review boards. The administration's request regrettably did not. H.R. 2415's full-fledged security program has won the endorsements not only of Admiral Crowe but also former Secretaries of State James Baker and Larry Eagleburger. FBI Director Louis Freeh has expressed his support for provisions in this bill that will help the FBI respond to any global crisis. Overall, this bill specifically authorizes $2.4 billion in spending for fiscal year 2000; authorizes funding for refugees and for Radio Free Asia; for minority recruitment and for the Human Rights Bureau. Many other accounts in this bill are authorized for such sums as may be necessary, delaying the final decision on funding levels to the Committee on Appropriations.

These include the regular operations for the State Department, which now includes the U.S. Information Agency and its public diplomacy programs, and the Arms Control and Disarmament Agency, and International Broadcasting. These operations support broadcasting to our enemies in Iraq, in North Korea, and other rogue nations, as well as standard visa and support services for our constituents when they are overseas. The bill also supports programs to combat visa/passport fraud and to operate antiterrorism programs. The antiterrorism programs include a rewards program to give law enforcement a means to go after suspected terrorists.

Note the poster that has been broadly distributed, posting a $5 million reward for information leading to the arrest or conviction of the person responsible for the bombing of the two embassies. It contains important foreign policy provisions. For example, it requires a report to the Congress from the administration on the extent of international narcotics trafficking through Cuba.

It also contains a provision approved by the Committee on the Judiciary to allow our FBI, in an emergency, to lease an aircraft. Too many precious hours were wasted last August while the FBI was held up trying to get to the crime scenes in east Africa.

I want to be clear to our colleagues that this bill does not authorize U.N. arrears money and does not contain U.N. reform measures. By agreement with the gentleman from New Jersey (Mr. SMITH) on our committee, this bill will not authorize U.N. arrears and will not contain a Mexico City pro-life family planning amendment. I want to underscore that this is not a foreign assistance bill. This bill is about security and operations and the management of our State Department and U.S. missions overseas.

This is a strong bipartisan measure that continues congressional support for a strong American response to terrorist threats. Accordingly, I urge my colleagues to vote to protect American lives and to vote for a strong American presence abroad and to support this measure, H.R. 2415.

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

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

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

Ms. MCKINNEY. Mr. Chairman, we have before us in H.R. 2415, the American Embassy Security Act of 1999, a bill that has been the result of extensive bipartisan effort, especially by my colleague, the gentleman from New Jersey (Mr. SMITH), by the ranking member of the Committee on International Relations, the gentleman from Connecticut (Mr. GEJDENSON), and by my chairman, the gentleman from New York (Mr. GILMAN). They recommend that we pass this bill; and although it has some reservations, so does the administration.

The Embassy Security Act has a number of outstanding provisions. The most important element is the one for which the bill is named.

Mr. Chairman, Americans all over the globe were shocked as our embassies in Dar es Salaam, Tanzania, and Nairobi, Kenya were rocked by bomb blasts. This was able to happen, in part, because most of our diplomatic posts are housed in buildings over 40 years old, and 85 percent of our embassy buildings do not meet appropriate security standards. This bill authorizes $1.5 billion for embassy construction and security upgrades, an amount recommended to us by the independent commission headed by Admiral Crowe that looked into security at our diplomatic posts after the Dar and Nairobi bombings.

By taking this strong stand for security, we will avoid having on our hands the blood of diplomats and their families who will be killed in future attacks if we did nothing. We also protect the functions of the many agencies involved in such activities as law enforcement, business promotion, and military operations that are housed in our embassies.

While this is a big step, let us remember that this is only the first step. We will need a long-term commitment to make this happen, and we need to be prepared to do this.

Unfortunately, in order to move this bill to the floor, we were required to replace most of the other authorization levels with such sums as necessary to accomplish these ends, with us leaving this matter to conference where I and many of my colleagues intend to fight for the funding levels originally approved by the committee.

We have had to leave the issue of U.N. arrears to another day as well. The authorization levels still in the bill provide for strong programs in important areas. Apart from embassy security, the amounts authorized for refugee programs will keep a strong humanitarian element in our foreign policy, and other amounts in the bill will enable the Department of State to strengthen its minority recruitment, help those in need from Kosovo to Sierra Leone, fortify its efforts on human rights, and reduce delays in immigrant visa processing.

Another important section of this bill would ensure appropriate management of Vietnamese refugee programs. The American Legion, the International Rescue Committee and many religiously-related refugee organizations support these provisions. The people affected by these provisions worked with us and fought with us during the war. Although the administration has some concerns about this section, our bill ensures that these brave supporters of the United States are not left in the lurch because it has become politically expedient to do so.

I have been a sponsor of this bill from the beginning. While it is not a perfect bill, it is a strong effort to address many important issues, and I urge that we adopt it.

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

Mr. GILMAN. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey (Mr. SMITH), the distinguished chairman of our Subcommittee on International Operations and Human Rights.

Mr. SMITH of New Jersey. Mr. Chairman, I want to thank my good friend, the gentleman from New York (Mr. GILMAN), for yielding me this time.

Mr. Chairman, I want to begin by urging all of our colleagues to support H.R. 2415, the American Embassy Security Act, and I just want to say how pleased I am to have introduced this legislation, along with my good friend and colleague, the gentlewoman from Georgia (Ms. MCKINNEY), the ranking member of our subcommittee.

The gentlewoman from Georgia (Ms. MCKINNEY) and I held four subcommittee hearings. We heard from all those interested in the components of this bill, including a very, very important hearing that we had on March 12, at which time we heard from Admiral Crowe who headed up an accountability review board. He made a passionate and very strong statement as to why in fiscal year 2000 we need to provide $1.4 billion to try to beef up our security at our embassies, especially in light of the devastating attacks in Africa on two of our embassies, and the ongoing threat to all our embassies.

In our hearing, Admiral Crowe said, and I will just quote very briefly, that throughout the proceedings the boards were most disturbed regarding two interconnected issues.

The first was the inadequacy of the resources to provide security against terrorist attacks and the second was the relatively low priority accorded security concerns throughout the U.S. Government by the Department of State, other agencies in general, and on the part of many employees both in Washington and in the field.

Admiral Crowe also pointed out that he found very troubling—again, this is quoting Admiral Crowe—the failure of the U.S. Government to take the necessary steps to prevent such tragedies in the interim, since the time when Bobby Inman made his recommendations back in the 1980's. There was so little done by all—the Congress, the White House—and now it is time to redress that.

We also heard from David Carpenter, the Assistant Secretary for Diplomatic Security, for the Department of State. He pointed out—and I think this bears underscoring and putting an exclamation point after it—the terrorist threat is global, lethal, multidimensional, and growing. Our analysts estimate that during the past 12 months, there were over 2,400 threats or incidents against U.S. interests overseas. Their estimate for the same period a year ago is approximately 1,150 such threats or incidents. This is an increase of over 100 percent in the past year.

The threat is generated by indigenous terrorists and transnational anti-American groups and by state sponsors of terrorism.

We also heard, Mr. Chairman, from Mr. Daniel Geisler, who is the President of the American Foreign Service Association, speaking on behalf of those who would be most affected: The Foreign Service officers overseas, their families, all of those who are on the front line at our missions and consuls abroad, who, while they do not want to shrink, as he pointed out, they never want to develop a bunker mentality, but he did point out, and I would like to quote him, he said to us that he had grave concerns that this failure will be corrected; that is to say the failure of funding to beef up our embassy security. He went on to say our doubts are heightened by the administration's grossly inadequate request for funds to build safer embassies.

The fiscal year 2000 budget request does not have a single penny, he went on, for construction funds, even though the State Department had proposed that OMB request $1.4 billion for worldwide security.

We would agree with the State Department on this bill. My colleague and I worked, during the work of this markup, both subcommittee, full committee. The gentleman from Nebraska (Mr. BEREUTER) lent a mighty hand in regard to embassy security, and the bottom line is we have the $1.4 billion. Hopefully, it will pass; and hopefully, the appropriators will provide an identical amount for embassy security.

I would also like to point out, Mr. Chairman, that several other provisions in this legislation promote our American values by promoting freedom and democracy around the world, and it does address a number of urgent humanitarian needs.

Section 106 of the bill will ensure that a fair share of U.S. contributions to international organizations be directed to the organizations that do the most good in the most effective way. This section does not increase the amount we will contribute to international organizations but does set aside $5 million of this amount for the world food program; $5 million for the U.N. Voluntary Fund for Victims of Torture; $5 million for the International Program on the Elimination of Child Labor.

This section also sets aside $240,000 to the OAS for a Special Rapporteur for Freedom of Expression in the Western Hemisphere, of which at least $6,000 is to be spent investigating violations of freedom of expression by the Government of Cuba.

Section 106 also carries forward an important provision of current law that addresses the human rights and humanitarian needs of the people of Burma. This provision requires the U.S. to withhold from its contributions to the UNDP an amount equal that will be spent in Burma unless the President certifies that all UNDP activities in Burma meets four conditions.

First, these activities must be focused on the needs of the poor.

Second, they must be undertaken only through private and voluntary organizations independent of the Burmese dictatorship.

Third, the President must certify that they do not benefit the dictatorship.

Finally, they must be carried out only after consultation with the democratic leadership of Burma, the people who won, I might remind my colleagues, the 1988 election and then were forced into exile or worse by the military regime.

Mr. Chairman, H.R. 2415 contains a permanent authorization for Radio Free Asia, which would otherwise have to close its doors on September 30 of this year. It also provides an authorization that will allow increased broadcasting beyond the current 2 hours per day to Vietnam and to North Korea.

This is particularly important in the case of Vietnam, where the Hanoi regime currently jams Radio Free Asia broadcasts. The jamming costs the dictatorship about the same amount per hour as it does our broadcasts, and maybe even more.

Let me also point out the need that some of this will get through, and our hope is that the message of freedom and democracy will pierce that veil.

□ 1515

Mr. Chairman, the bill also ensures the survival of one of our great freedom broadcasting services, Radio Free Europe/Radio Liberty, by formally repealing a 1994 ''sense of Congress'' provision that Radio Free Europe/Radio Liberty should receive no U.S. Government support after Fiscal Year 1999.

The 1994 provision is inconsistent with the administration's budget request and with the bipartisan Congressional consensus that freedom broadcasting continues to deserve U.S. support as the newly independent states of the former Soviet Union and its former satellites struggle to develop their own thoroughly free and thoroughly professional broadcast services.

The bill also increases from $75 million to $80 million the annual funding cap for Radio Free Europe/Radio Liberty in order to permit necessary expenditures for Radio Free Iraq, Radio Liberty broadcasts to Iran, and necessary security upgrades in response to credible threats of retaliation to those broadcasts.

Mr. Chairman, Radio Free Europe/Radio Liberty is still irreplaceable, and this bill ensures its continued good work into the 21st Century.

Mr. Chairman, section 202 of the bill requires the President to report on the extent of international narcotics traffic through or to Cuba, as well as the extent of the involvement by the Cuban Government, its agencies and entities, and the United States' actions to investigate or prosecute such acts.

We have seen a few newspaper stories lately that suggest that the Castro regime would actually like to help us stop drug trafficking. I am informed, however, that our government is aware of substantial evidence that the regime itself has been involved in such trafficking. This report will help set the record straight one way or the other.

Section 205(a) continues a requirement enacted last year for periodic reports on outstanding claims by United States firms against the Government of Saudi Arabia. This amendment is necessary to help U.S. firms which have completed extensive work for the Saudi Government but have had no success in getting their due compensation. For example, Gibbs and Hill, Inc., of New Jersey has outstanding claims for $55 million for work on a desalinization plant completed in 1984.

Section 205(c) continues a report requiring the Secretary of State to report on the extent to which the Government of Vietnam is cooperating with the U.S. on the fullest possible accounting of POWs and MIAs, has made progress on the release of political and religious prisoners, is cooperating on requests by the U.S. to obtain full and free access to persons for interviews under the Orderly Departure and Resettlement Opportunities for Vietnamese Refugees programs, has taken efforts and actions to end corrupt practices in connection with exit visas, and is making efforts to interview and resettle former reeducation camp victims and other persons.

But, unfortunately, Mr. Chairman, not all of the problems with the Vietnamese refugee program are caused by the Vietnamese Government. I am ashamed to say that some of our former allies and their families have been left behind, or even forcibly returned to Vietnam, because of compassion fatigue or outright cynicism on the part of the people who work for the U.S. Government.

Section 274 of the bill is an attempt to get the attention of the State Department to this problem and to ensure that, if we are going to spend more money on diplomatic presence in Vietnam, we spend it, or at least part of it, on keeping our commitments to the people who stood by us and who have suffered because they share our values.

This section prohibits the use of funds authorized by the act to support an increased number of personnel assigned to U.S. posts in Vietnam unless the President first certifies to Congress that the Vietnamese in-country refugee processing program meets certain conditions and standards.

The conditions that will require modification of the State Department plans to phase out U.S. refugee programs in Vietnam in order not to abandon allied war veterans and other Vietnamese who have been persecuted on account of their wartime associations with the United States.

This provision has been endorsed by the American Legion, the U.S. Catholic Conference, Refugees International, the Hebrew Immigrant Aid Society, and numerous other human rights organizations.

Mr. Chairman, we are not talking about a lot of people here, a few thousand compared to millions of refugees who have been resettled in the United States over the years; but it is important to complete this program in the same generous spirit with which it was begun.

Mr. Chairman, section 207 establishes a human rights fellowship program within the State Department's Bureau of Democracy, Human Rights, and Labor. The fellows would be selected on the basis of their human rights expertise and recruited for specific projects or assistance needed by the bureau. I think it is a useful way to bring some of the much-needed fresh air into the State Department. Our foreign policy needs the perspective, not only of diplomats, but also of people who have devoted their whole lives to the pursuit of human rights.

Section 321 of the bill establishes a Foreign Service Star, an award for civilian employees of the United States assigned to an official mission overseas who are killed or wounded in government service.

Section 408 requires the Secretary of State to take all appropriate steps to ensure that members of the Royal Ulster Constabulary are not participants in any program of educational or cultural exchange or training through the National Academy Program at Quantico, Virginia, unless and until the President certifies a complete, independent, and transparent investigation of the murders of Rosemary Nelson—whom my colleagues will remember appeared before our committee and said she feared the RUC—and Patrick Finucane have been initiated by the government of the UK.

There are 41 amendments, some of which will be en bloc. This is a good bill which deserves the support of my colleagues.

Ms. MCKINNEY. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. FILNER).

Mr. FILNER. Mr. Chairman, I thank the very distinguished gentlewoman from Georgia (Ms. MCKINNEY) for yielding me this time.

Mr. Chairman, I rise in support of a Part B amendment sponsored by the gentleman from San Diego, California (Mr. BILBRAY) and myself that would encourage a common sense, innovative, public-private solution to the problem of international sewage along the border between the United States and Mexico, a problem that has been plaguing us for over 5 decades.

I thank the Committee on Rules for making this amendment in order. I thank the distinguished gentleman from New York (Chairman GILMAN) for his support of this approach, which will be very good for our area and California.

Just to describe the situation we face, briefly, let me quote one of the officials of the environmental Surfrider Foundation. He said, ''I'm surfing in sewage.'' He put it a little less delicately, and it is not a very genteel situation in my district when sewage washes up on the beach, flows down our rivers and canyons, and fouls the water where our children should be able to swim worry free.

A solution to not surfing in sewage? Build enough sewage treatment to handle the problem. That is what our amendment puts the Congress on record supporting. It says we want to pursue a plan that can easily treat 50 million gallons of sewage per day, not the 25 million gallons that is provided for in the present plan being pursued by EPA at this moment.

The plan makes even more sense when we know that the Mexican sewage will be reclaimed and reused by industrial and agricultural users in Mexico to help cover the cost. So all the hazardous and unhealthy sewage that now flows into our ocean without proper treatment will be cleaned; and much of it will be reused before it ever gets to the ocean. We owe that to our surfers and certainly to our children.

This solution that Congress will go on record if it supports this is good for our environment, good to our taxpayers. It is a true win-win situation. I urge support of the Bilbray-Filner amendment.

Mr. GILMAN. Mr. Chairman, I am pleased to yield 6 minutes to the gentleman from Nebraska (Mr. BEREUTER), the vice chairman of our Committee on International Relations.

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

Mr. BEREUTER. Mr. Chairman, I rise in strongest possible support for H.R. 2415, the Embassy Security Act of 1999. It was slightly less than 1 year ago, on August 7, 1998, when terrorists successfully attacked U.S. embassies in Narobi, Kenya and Dar es Salaam, Tanzania. Over 220 people were killed, including 12 Americans and 40 local hires.

While all in this body would like to believe this could never happen again, tragically, unless we can act to prevent it, such acts of terrorism are more likely a prelude of things to come. There are too many evil or badly misguided people looking to make their mark, and American assets are just too vulnerable.

Indeed, recall the attempted rocket attack in Moscow just this April against our embassy that failed only because the perpetrators did not know how to operate the launcher. A rocket launch against our embassy in Athens also failed for technical reasons.

There were explosions in Uzbekistan in February that, while apparently not directed at the United States, blew out windows in a U.S. embassy annex.

In fact, as this body debates H.R. 2415, a number of U.S. embassies in Africa have recently been closed because of credible threats of terrorist attack of quite a high degree of sophistication.

Admiral William Crowe was tasked with chairing the Accountability Review Boards for the two embassy bombings. Admiral Crowe, while praising the efforts of the embassy personnel in Kenya and Tanzania, made it clear that U.S. facilities overseas were largely unequipped for the threats that have emerged.

The Crowe report urged a total of $1.4 billion per year over the next 10 years to address the security for the U.S. personnel living abroad.

Such recommendations are not new. Fourteen years ago, there was the Inman report, which pointed out the glaring inadequacies of our embassy security at the time and our need for serious upgrades. But only 15 percent of our embassies and consulates meet Inman standards.

This Member congratulates the distinguished gentleman from New Jersey (Mr. SMITH) for working to address Crowe Commission recommendations. Working with this Member, the Committee on International Relations agreed to authorize the full $1.4 billion recommended by the Crowe Commission for embassy security funding for fiscal year 2000.

Obviously, this is a lot of money. But this Member would tell my colleagues on this committee and this body that we have a responsibility to address the safety and security of State Department employees. If we do not address this issue, we will share in the responsibility and the blame when the next disaster occurs.

Mr. Chairman, the men and women who serve in the United States overseas are not looking for absolute guarantees that they will be safe. But they have a right to expect that all reasonable precautions will be taken to ensure their security. In good conscience, this body can do no less. For this and no other important reasons, this Member urges support for H.R. 2415, the Embassy Security Act of 1999.

Ms. MCKINNEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. LOFGREN).

Ms. LOFGREN. Mr. Chairman, I thank the gentlewoman from Georgia for yielding me this time.

Mr. Chairman, I rise in strong support of section 274 of the State Department authorization bill. I believe, as do many of my constituents, that this section of the bill is critical in ensuring that the State Department properly implements Vietnamese refugee programs.

Section 274 successfully addresses the outstanding concerns of the Vietnamese American community and responds very well to my plea that humanitarian changes and programs for Vietnamese refugees be made.

For example, the appointment of a refugee counselor to run the in-country refugee program is critical to ensuring that someone who understands the plight of refugees administers the program.

Section 274 provides that a refugee counselor with a proven record of sensitivity supervise all U.S. refugee programs in Vietnam. Additionally, this individual would report directly to the ambassador or the general counsel in the U.S. consulate in Saigon.

Additionally, I am very strongly supportive of section 274 because it reverses restrictive rules such as the continuous co-residency provision.

The provision would allow for the reconsideration of children of re-education camp detainees who were left behind because of an INS directive on co-residence. These families have been torn apart. In some cases, one parent is in the U.S., the other in Vietnam with the children. Imagine, if my colleagues can, children who have not seen their parents in decades, or brothers and sisters who barely remember each other.

I have received letters from constituents who have indicated that the continuous co-residence provision has barred many of their loved ones from joining them in the U.S. This simply is not right.

I believe that section 274 is the right thing to do. It allows us to keep our commitment to Vietnamese Americans by ensuring that the administration has the tools to improve adjudication of all outstanding cases.

Lastly, I would like to thank the chairman and the ranking member for their hard work and leadership on this legislation and urge my colleagues to support passage of the legislation.

□ 1530

Ms. MCKINNEY. Mr. Chairman, I yield 3½ minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Chairman, I thank my dear friend and colleague, the gentlewoman from Georgia (Ms. MCKINNEY), for yielding me this time and for her great leadership on this bill and so many important issues before this Congress.

Mr. Chairman, I rise in support of the underlying bill and in support of the work of the chairman and the ranking member for their prudent and far-sighted response to the threat of terrorism to our embassies across the world. I applaud their efforts and support this bill.

I likewise support the gentleman from New York (Mr. GILMAN) and the gentleman from Connecticut (Mr. GEJDENSON) in their funding of UNFPA. Regrettably, last year the funding was deleted from the budget, $25 million, although our country had been a leader for well over 30 years in world population concerns both through the UNFPA and in the world.

This vote for the funding of UNFPA is a vote for maternal health and this is a vote for children's health. UNFPA serves women, children, and families in about 160 countries around the world where health care structures are fragile and, therefore, unable to address the specific health needs of mothers and children. It is a multilateral approach to a problem that is shared in our world, that of many, many hundreds of thousands of deaths of women every year. Over 500,000 women every year die in childbirth. And, in fact, half of the funding for UNFPA goes to maternal and child health needs.

This is also a vote for the environment. This October, the world's population will reach 6 billion and is expected to reach 9 billion only 50 years from now. Let me put this in perspective. It took hundreds of millions of years to reach the first billion in 1804 in our country, and it doubled to 2 billion in 1927, when my parents were young. It reached 3 billion in 1960, when I was a teenager, and doubled again in just 30 years. Without addressing family planning needs across the world, human population growth will overwhelm even the most dedicated successful work of any environmental organization.

I think that one of the best examples of what UNFPA is doing is this birthing kit, the safe delivery kit. It costs only $1.15 but it can save the lives of women. In the refugee crisis in Kosovo, UNFPA was the only one there helping women with their maternal needs, with their childbirth needs. It has sanitary uses; it contains a plastic sheet, a bar of soap, a surgical blade, a gauze, and razor. It is a tremendously important investment that can save the lives of mothers, save the lives of children, and save our natural resources.

Since there is a great deal of disinformation out there about what UNFPA does, I want to tell my colleagues what it does not do. Clearly, it is not an abortion vote and, it says so on page 2, line 6: The UNFPA does not fund abortions.

Secondly, no money goes to China. In the Gilman-Campbell-Maloney amendment not one cent goes to China, and it clearly states, and I quote page 2, line 6 in the bill, ''The UNFPA does not fund abortions.''

But what it does do is save lives, and editorials across this country agree and say that a vote for UNFPA is a vote for maternal health, for child health, and a safer world.

The Houston Chronicle says, and I quote:

> The sad irony is that the population program would actually do far more in the way of family planning and the prevention of unwanted pregnancies and abortions that its critics are willing to admit.
>
> If the motivation for opposition to this measure is truly to halt abortion, then those who would kill it are actually doing the legislative equivalent of throwing gasoline onto a fire.

And today, from my hometown paper, the New York Times:

> Last year Congress disgracefully cut off funding to the United Nations Population Fund, an agency that supports voluntary family planning services, maternal and child health initiatives, and AIDS and sexually transmitted diseases prevention programs in 150 countries.
>
> The Population Fund does not provide or pay for abortion services in any country, and can actually reduce the need for abortions.
>
> The House now has no excuse for not financing family planning efforts that can improve the lives of women all over the world.

Let me tell my colleagues what this vote is about.

In October, there are going to be six billion people on the planet, And as the the Courier-Journal from Louisville, Kentucky says:

> The good news is that population growth has, in fact, slowed in many places, thanks in part to the UN's efforts. But one big obstacle to more progress has been money. . . . the House of Representatives will be able to do something about that, by restoring funds for the UN populations program . . .

There are other editorials from papers such as the Kansas City Star, the San Francisco Examiner, the LA Times, and others.

I urge my colleagues to join with me in voting to fund UNFPA.

Mr. Chairman, I would like to applaud the chairman for his leadership in funding UNFPA. This is a smart vote.

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

Ms. LEE. Mr. Chairman, I want to thank the gentlewoman from Georgia for yielding me this time and for all her hard and dedicated work on behalf of women throughout the world.

First, I rise today in support of the United Nation's Population Fund and in stern opposition to the Smith amendment, which will come up later this evening. The United Nation's Population Fund provides responsible family planning and information on reproductive services to families worldwide. It targets families in developing countries who otherwise would have to go without such basic services yet such crucial needs as pre- and post-natal care. The UNFPA is also leading the charge in confronting the AIDS epidemic in Africa.

The Smith amendment will deprive women who are in dire economic and personal situations from receiving essential family planning which they need to survive. This is wrong. Furthermore, my conscience will not allow me to accept the deaths of an estimated 1,200 additional women and 22,500 infants who are projected to die if the House refuses to support the UNFPA. We must do everything to prevent the deaths of these women and children. It is our moral obligation to do so.

I urge my colleagues to vote against the Smith amendment later and for the Campbell-Maloney-Gilman-Crowley-Greenwood amendment for responsible family planning.

Ms. MCKINNEY. Mr. Chairman, could you tell me how much time each side has?

The CHAIRMAN pro tempore (Mr. PEASE). The gentlewoman from Georgia (Ms. MCKINNEY) has 17 minutes remaining, and the gentleman from New York (Mr. GILMAN) has 7 minutes remaining.

Ms. MCKINNEY. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Hawaii (Mrs. MINK).

Mrs. MINK of Hawaii. Mr. Chairman, I thank my colleague from Georgia for yielding me this time, and I take this opportunity to express my very sincere appreciation to the members of the committee for including in this appropriation an additional sum for the operations and maintenance of the programs at the East-West Center, which is located in Honolulu, the State of Hawaii.

In 1996, the East-West Center's budget of $24 million, which had been an ongoing appropriation, was drastically cut to about $11.75 million, and it has had a tremendous crisis in trying to maintain its staff and to keep up with the program which it was required to perform on its establishment in 1960. So this year's appropriation increase, though not to the full $24 million, but the level of $17.5 million, is a tremendous boost. It is going to give confidence to those who have remained in the center to continue on this important work.

The East-West Center is an internationally respected research and educational institution. It has a 39-year record of achievement. It is important in the overall response of the United States to the importance of the Asia-Pacific region.

In 1960, it was the Eisenhower administration and Congress together that established this center. It is not an instrument or a department of the University of Hawaii, it is an independent incorporated entity. It is attached to and reports to the State Department and to the USIA. Numerous top-ranking officials from all of the Asia-Pacific countries have been through the East-West Center. They are familiar with the center, and it serves as an important forum for international cooperation and study.

Mr. Chairman, I think that one of the most important contributions that the United States can make is in our ideas. And if we have this center, we have a place where people from all over the Asia-Pacific area can come together, study, do research, and communicate on the problems of mutual concern. And it is one of the most important contributions, I think, that any center of this kind can make towards the diplomacy of our country.

The Asia Studies Development Program also, not only with the elements of individuals from Asia, but also we have an interconnect with our own universities and our own college students and with the minority colleges and with others who have an opportunity, because the center exists, to understand the curricula that would be necessary for the support of an Asia-Pacific concept.

So this nationwide program, which is unique in its kind, the only one that exists in the country, centered there at the East-West Center, serves to expand the opportunities of America's young people in understanding this most important area of the world where we have hundreds of millions of people that live and who serve as an important base for the diplomacy of the United States.

So with the very small staff of only 30 people, they have mounted this incredible outreach into the Pacific region. We always talk about the importance of this region. This center is the reason for our ability to expand our knowledge and our reach into this region of the world, and I am really very thankful that the committee has seen fit to grant us this modest increase this year.

The Asia-Pacific region accounts for more than half the world's population, about a third of the world's economy, and vast marine and land resources. The United States has vital national interests in connecting itself in partnership with the region. As the Asia-Pacific region continues to develop and change, it is essential that the Untied States be seen as a part of the region rather than an outsider.

People from Asian and Pacific countries are treated as partners at the Center. This is why the East-West Center has long had prestige in the region disproportionate to its small size. With only 30 positions, the Center's research staff is half the size of a typical department in a larger state university.

The Center has been able to attract considerable funding in addition to its Congressional appropriation, which was $12.5 million in FY 1999. In FY 1998, the Center received grants, contracts, and gifts of $6.5 million; however, the vast majority of these funds ($5.7 million) were restricted gifts set aside for specific studies or programs requested by the granting country or organization. It is essential that Congressional funding support the core functions of this national institution so that its agenda is not set by external funders.

The funding level authorized by H.R. 2415 would make possible expanding the Jefferson Fellows media program for journalists from the region and the United States; expanding the young leaders program for junior members of national or state legislative bodies; initiating an intensive professional training program for young strategic specialists from the region; creating a dialogue among private sector economists on regional economic and financial issues to occur in conjunction with meeting of U.S. and regional treasury and central bank officials, thus paralleling the existing Europe-focused ''Ballegio process''; strengthening research capabilities in economics, politics/security environment and health; expanding the reach of the Center's Asia Studies Development Program; and beginning a new Okinawan Education and Business Initiative, which would be jointly funded with Japan.

The Okinawan Education and Business Initiative seeks to connect a younger generation of Okinawans to the United States through the East-West Center. In the 1960s and 1970s, the Center trained many of Okinawa's elite: in fact, the Center's most active alumni chapter is in Okinawa. In recent years, however, few Okinawan students have come to the Center. The initiative would add a strong and symbolic non-military dimension to a U.S. relationship with Okinawa that is now dominated by the military bases.

In addition to its research and short-term training programs, the East-West Center provides scholarships for 165 students pursuing bachelor, master, and doctorate degrees. Of the 165 students, 44 are from the United States, 24 are from the Pacific Islands, and the balance are from Asia. Of the U.S. students, only 3 are from Hawaii: the balance are from 18 other states.

The grantees, who live and study together, form lifelong friendships and a deep appreciation and knowledge of other cultures and viewpoints. Their educational experience is greatly enriched by the opportunity to participate in Center research, dialogue, and training activities. Throughout Asia and the Pacific, former East-West Center grantees from the 1960s, 1970s, and 1980s are leaders in government, business, academia, the media, and the arts. These opinion leaders gained a deep understanding of and connection to America in their years at the East-West Center. These former grantees stay in touch through alumni chapters located all over the United States, Asia and the Pacific.

The East-West Center, Asia Foundation, and the North-South Center are small but very cost-effective organizations. They complement the foreign policy objectives of the United

States by providing another dimension of engagement with leaders in Asia, the Pacific, and Latin America and help to increase the mutual understanding and cooperation that is essential for constructive relationships among the nations of these important regions. I urge all my colleagues to defeat the Sanford amendment.

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

Ms. DELAURO. Mr. Chairman, I first want to thank the gentlewoman for yielding me this time, and as we today debate the authorization for the State Department and other agencies, I rise in strong support of the Gilman-Campbell-Maloney amendment, which, in fact, reinstates the United States' contribution to the largest internationally funded source of family planning assistance and, in fact, will protect the lives of women and children around the world.

This is not about supporting abortion. Under current law, not $1 of U.S. family planning funds can be used to perform or even counsel women to obtain abortions anywhere in the world. This amendment retains that prohibition.

This is not about supporting China. This is about preventing illness and saving lives. U.S. family planning aid saves the lives of women. Around the world, 500,000 women die in childbirth every year. Access to family planning in the developing world would reduce unintended pregnancies by one-fifth and could save the lives of as many as 120,000 of those women.

The aid saves the lives of children. Family planning allows women and men to choose how many children they want and when to have them. Spacing children further apart, being able to breast-feed them, improves the child's chance of survival by up to 20 percent in most developing countries.

If we fail to pass this amendment today, in 1 year alone there will be an estimated 22,500 additional infant deaths and 1,200 additional maternal deaths. For many women, the health services provided by the United Nation's Family Planning Assistance program are the only source of preventive health care that can detect diseases such as cervical cancer in the early stage and save lives.

I call on my colleagues today to support this amendment, support women's health, support children's health and vote ''yes'' when it comes time on the Gilman-Campbell-Maloney amendment this afternoon.

Mr. GILMAN. Mr. Chairman, I yield 6 minutes to the gentleman from California, a member of our Committee on International Relations.

Mr. ROHRABACHER. Mr. Chairman, I rise to commend the gentleman from New York (Mr. GILMAN) on his leadership on H.R. 2415, which, of course, emphasizes the need to enhance the security of the United States overseas diplomatic missions as well as our U.S. personnel overseas.

As the gentleman from New York (Mr. GILMAN) has stated, among the greatest threats to the security of American diplomatic missions and personnel is by Osama bin Laden and his legion of terrorists who train and operate out of Afghanistan. The primary benefactors of bin Laden's terrorists are elements in Pakistan and the extremist Taliban militia, who not only host and protect bin Laden but have imposed a reign of terror on the people of Afghanistan and especially on the women of Afghanistan.

Mr. Chairman, on numerous occasions I have charged and I repeat today that the Clinton administration, despite statements to the contrary, has a covert policy of cooperating with Pakistan and Saudi Arabia that has orchestrated the creation, the rise to power, and the ongoing tyranny of the Taliban. The Taliban are now competing with SLORC, the SLORC dictatorship in Burma, for the role of the world's largest producer of opium. They are harboring anti-American terrorists such as bin Laden, and the Taliban's fanatical leaders are waging a psychotic reign of terror on millions of women in Afghanistan.

On August 25, 1998, using my oversight responsibility as a senior member of the House Committee on International Relations, I sent a letter to the Department of State requesting the pertinent cables and documents related to U.S. policy on Afghanistan, especially when it relates to the Taliban. The State Department ignored my original request.

As the Taliban's tyranny against women and human rights abuses against their entire population intensified in Afghanistan, and at committee hearings, I repeatedly restated my call and my request for documents to the Assistant Secretary of State Rick Indefurth and other State Department officials.

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And even as my requests for information were ignored, actions taken by the State Department seemed to confirm my charges of a covert U.S. policy of support for the extremist Taliban cult in Afghanistan.

In November of 1998, at a closed hearing on Iraq, for the record, I asked Secretary of State Madeleine Albright when the Afghanistan material that I requested would be delivered. She said it would be coming soon.

Christmas, Hannukah, and the New Year came and went and still no documents.

At the outset of this Congressional session, in February at a full committee hearing in full public, I reminded Secretary Albright of her commitment to release the Afghan documents. At that time the gentleman from New York (Chairman GILMAN) supported my request for the record. Again Secretary Albright told us the documents were forthcoming.

During the following weeks, my staff and the committee staff of the gentleman from New York (Chairman GILMAN) continued to call on the State Department about this commitment for Afghan documents.

To cut the story down to size here, we still have not had one document from the State Department that would either confirm or disprove my charges. I am, therefore, ever more convinced and I would hope the women who have testified here today will join me in insisting that the State Department provide requested documents that would prove one way or the other whether or not this administration is again committing a sin against the people of the world whether it believes in human rights in supporting the Taliban, one of the world's worst human rights abusers and one of the world's worst enemies of women's freedom.

So I would ask my fellow colleagues to join me. After over a year of stonewalling and blockading our attempts to get to the information, I ask Members on both sides of the aisle to join me in getting the State Department to give up this stonewalling and to give us the pertinent information about Afghan policy and what the real position of this government is.

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

Mr. ROHRABACHER. I yield to the gentleman from Nebraska.

Mr. BEREUTER. Mr. Chairman, I thank the gentleman for yielding. I join him in that request as the chairman of the Subcommittee on Asia and the Pacific.

Mr. Chairman, I thank the gentleman for his statement. I wanted to engage the gentleman in a colloquy on the amendment that the gentleman is lead sponsor on, amendment No. 9, related to satellite export activities.

I want to ensure that my reading of the amendment of the gentleman is correct; and if it is, I certainly understand it, as a member of the Cox committee.

It is my understanding that the gentleman is attempting to provide for expedited approvals for NATO countries, non-NATO allies, and other friendly countries, but that he is specifically suggesting not that there would be no exports licenses for satellites but that there would be no expedited licenses for exports to the People's Republic of China.

Is my understanding correct?

Mr. ROHRABACHER. Mr. Chairman, reclaiming my time, that is correct.

This gentleman believes that the policy of this Congress is to be very careful about our technology exports to Communist China and other potentially hostile governments. However, in stating this policy, the State Department has used a sledge hammer and swung the pendulum so far over that it is getting in the way of business dealings and technology transactions with countries that are friendly, Democratic countries, Brazil, Sweden, Belgium, you name it. And we do not want that.

But my amendment says we should try to expedite that, and it emphasizes

that those dealings with China and other potential hostile powers not be expedited. That is the purpose of my language.

Mr. BEREUTER. Mr. Chairman, if the gentleman would yield further, I understand the point of the gentleman. I understand this amendment will be en bloc and it is my only opportunity for debate.

Ms. MCKINNEY. Mr. Chairman, I am pleased to yield 3 minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Chairman, I thank the gentlewoman for yielding me the time.

There has been a great deal of talk on the floor about what UNFPA does to save lives, to save mothers giving birth, to save children. But I want to talk about what is not in the bill.

Some of my colleagues on the other side of the aisle are trying to imply that this is an abortion vote. But let me say very clearly, this vote is not a vote on abortion. It clearly states in the text, page 2, line 6: ''The UNFPA does not fund abortions.''

Also, not a single cent goes to China. But let me tell my colleagues that they do not need to take my word on it. I would like to quote the Houston Chronicle. It says:

> The sad irony is that the population program would actually do far more in the way of family planning and the prevention of unwanted pregnancies and abortions than its critics are willing to admit. If the motivation for opposition to this measure is truly to halt abortion, then those who would kill it are actually doing the legislative equivalent of throwing gasoline onto a fire.

In other words, UNFPA prevents abortions by family planning.

In my own hometown paper, the New York Times, they said last week:

> Last year Congress disgracefully cut off funding to the United Nations Population Fund, an agency that supports voluntary family planning services, maternal and child health initiatives, and AIDS and sexually transmitted disease prevention programs in over 150 countries across the world. The Population Fund does not provide or pay for abortion services in any country and can actually reduce the need for abortions.
>
> The House has no excuse for not financing family planning efforts that can improve the lives of women all over the world.

Let me tell my colleagues another thing that this vote is about. It is about the fact that we are going to be six billion people on the planet.

The Courier-Journal from Louisville, Kentucky, says:

> The good news is that population growth has, in fact, slowed in many places, thanks in part to the U.N.'s efforts. But one big obstacle to more progress has been money. The House of Representatives will be able to do something about that by restoring funds for the U.N. population program.

There are other editorials from papers such as The Kansas City Star, the San Francisco Examiner, the L.A. Times, and others.

Well over 150 of my colleagues joined us on a bill in support of funding for UNFPA and, likewise, many organizations, non-governmental organizations, such as the Audubon Society and many others.

I would like to put the list into the RECORD of the nongovernmental organizations supporting this funding effort. It is important to save women's lives.

Ms. MCKINNEY. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN pro tempore (Mr. PEASE). The gentlewoman has 8½ minutes remaining.

Ms. MCKINNEY. Mr. Chairman, I yield such time as he may consume to the gentleman from Minnesota (Mr. OBERSTAR).

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

Mr. Chairman, I take this time to engage in a discussion with the chairman about the ruling in Europe by the European Union on U.S. aircraft that are hush-kitted or reengined.

Last year, the EU began restricting the use of hushkitted or reengined aircraft in the European community of U.S. aircraft that have been reengined or had a hushkit installed to meet our Stage 3 quiet noise standard.

In fact, the U.S. is 2 years ahead of Europe in that matter. Nonetheless, the European restriction would apply only to U.S. aircraft and engines even though they are quieter than many other European aircraft and engines.

The U.S. Government objected. The House took strong exception. I introduced legislation which the gentleman from Pennsylvania (Chairman SHUSTER) cosponsored, the gentleman from Tennessee (Chairman DUNCAN), and the gentleman from Illinois (Mr. LIPINSKI).

We passed this bill on the House floor. It has had the dramatic effect of getting Europe's attention because we would ban the operation of the noisiest aircraft in the fleet, the Concorde.

The EU agreed to delay implementation of the regulation. But we still do not have real serious protection for American Airlines who want to sell aircraft principally to Third World countries to operate those aircraft into the European Union.

I firmly believe that the European Commission and the European Parliament should act quickly to end this discriminatory practice.

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

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

Mr. GILMAN. Mr. Chairman, I thank the gentleman for yielding.

I agree with the concerns of the gentleman. Our committee held a hearing recently to discuss this and other EU issues, and the hearing underscored the problems with recent EU actions in the aviation area.

As a matter of fact, in our meetings recently with the European parliamentarians, we raised this issue to them and stressed the need to clarify their position on this matter.

Mr. OBERSTAR. Mr. Chairman, I thank the gentleman for his comments.

The chairman has been very diligent on this matter, and I am very appreciative. It has gotten Europe's attention. But we need to carry further and ask the European Union understand we are serious.

One option available to the U.S. is to file an Article 84 complaint under the Chicago Convention that would allow disagreements between ICAO member states to go to the ICAO Council for resolution.

Would the Chair support such an initiative?

Mr. GILMAN. Mr. Chairman, if the gentleman would continue to yield, I agree with the gentleman that if the EU does not take strong action on this directive, the United States should use the options available to it, including filing an Article 84 complaint with the ICAO.

I look forward to continuing to work with the gentleman on this very important issue and appreciate his important leadership on this issue.

Mr. OBERSTAR. Mr. Chairman, I thank the chairman for his strong support.

I would just say in conclusion that the gentlewoman from Georgia (Ms. MCKINNEY) has been a strong advocate for African economic development. Many of the African countries want to buy U.S. reengined hushkitted aircraft and operate them into the European Union, and this ruling by the European Commission would simply discriminate against Africa principally.

So I greatly appreciate the interest and support of the gentlewoman.

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

Mr. Chairman, the American Security Act of 1999 is a good bill. This bill shows strong support for humanitarian programs. In addition, human rights gains a prominence not seen in a very long time. We also have strong provisions in this bill for our former allies in Vietnam.

This legislation also provides much-needed minority recruitment. Black foreign service officers recently settled a lawsuit. We now learn that there are pending lawsuits that have been filed by the Voice of America black employees.

For the reason that this Congress for three standing Congresses has not yet provided an authorization bill, we have not yet provided the kind of oversight that we need to have provided. Cultural exchange programs now reflect our interests around the world and not just our specific interests in a few places around the world. And then, most importantly, embassy security is provided for.

We are going to see a spirited debate today on this bill, and I urge my colleagues to support the American Security Act of 1999.

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

Mr. GILMAN. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from New Jersey (Mr. SMITH)

the senior member of our Committee on International Relations, the distinguished chairman of the Subcommittee on International Operations and Human Rights.

Mr. SMITH of New Jersey. Mr. Chairman, I thank my good friend for yielding me the time.

Let me just say, Mr. Chairman, that I spoke earlier about some of the other merits of the bill. There will be a very important amendment for Members later on as we consider this bill.

I urge Members to vote ''no'' on the Campbell amendment. The Campbell amendment would provide a $20 million grant to the United Population Fund.

Let me remind everyone that last year the Congress passed and the President signed, albeit reluctantly, legislation that cut off funding to the U.N. Population Fund because of its ongoing complicity with the one-child-per-couple policy in the People's Republic of China, where forced abortion and forced sterilization are commonplace.

The gentleman from Michigan (Mr. BARCIA) and I are offering an amendment that says that $25 million can proceed if, and only if, the UNFPA has terminated all activities in the PRC or during the 12 months the President can certify that no abortions have been the result of coercion. The issue is coercion.

I would hope that Members would stand with the oppressed women who suffer unspeakable cruelty as a result of the one-child-per-couple policy. Vote ''no'' on the Campbell amendment when we get to it later on.

The CHAIRMAN. Pursuant to the rule, the bill is considered read for amendment under the 5-minute rule.

The text of H.R. 2415 is as follows:

H.R. 2415

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 ''American Embassy Security Act of 1999''.

SEC. 2. TABLE OF CONTENTS.

The table of contents is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. Definitions.

TITLE I—AUTHORIZATIONS OF APPROPRIATIONS

CHAPTER 1—DEPARTMENT OF STATE

Sec. 101. Administration of foreign affairs.
Sec. 102. International organizations.
Sec. 103. International commissions.
Sec. 104. Migration and refugee assistance.
Sec. 105. Public diplomacy programs.
Sec. 106. Voluntary contributions to international organizations.
Sec. 107. Grants to the Asia Foundation.

CHAPTER 2—BROADCASTING BOARD OF GOVERNORS

Sec. 121. International broadcasting.

TITLE II—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES

CHAPTER 1—AUTHORITIES AND ACTIVITIES

Sec. 201. Authority to lease aircraft to respond to a terrorist attack abroad.
Sec. 202. Report on Cuban drug trafficking.
Sec. 203. Report on compliance with the Hague Convention on International Child Abduction.
Sec. 204. Elimination of obsolete reports.
Sec. 205. Continuation of reporting requirements.
Sec. 206. International arms sales code of conduct.
Sec. 207. Human rights and democracy fellowships.
Sec. 208. Joint funds under agreements for cooperation in environmental, scientific, cultural, and related areas.
Sec. 209. Report on international extradition.
Sec. 210. Effective regulation of satellite export activities.

CHAPTER 2—CONSULAR AND RELATED ACTIVITIES

Sec. 251. Deaths and estates of United States citizens abroad.
Sec. 252. Duties of consular officers.
Sec. 253. Machine readable visas.
Sec. 254. Processing of visa applications.
Sec. 255. Repeal of outdated provision on passport fees.
Sec. 256. Fees relating to affidavits of support.

CHAPTER 3—REFUGEES

Sec. 271. United States policy regarding the involuntary return of refugees.
Sec. 272. Human rights reports.
Sec. 273. Guidelines for refugee processing posts.
Sec. 274. Vietnamese refugees.

TITLE III—ORGANIZATION OF THE DEPARTMENT OF STATE; PERSONNEL OF THE DEPARTMENT OF STATE AND FOREIGN SERVICE

CHAPTER 1—ORGANIZATION OF THE DEPARTMENT OF STATE

Sec. 301. Establishment of Bureau for International Information Programs and Bureau for Educational and Cultural Exchange Programs.
Sec. 302. Correction of designation of Inspector General of the Department of State.

CHAPTER 2—PERSONNEL OF THE DEPARTMENT OF STATE

Sec. 321. Establishment of Foreign Service Star.
Sec. 322. United States citizens hired abroad.
Sec. 323. Border equalization adjustment.
Sec. 324. Treatment of grievance records.
Sec. 325. Report concerning financial disadvantages for administrative and technical personnel.
Sec. 326. Extension of overseas hiring authority.
Sec. 327. Medical emergency assistance.
Sec. 328. Families of deceased foreign service personnel.
Sec. 329. Parental choice in education.
Sec. 330. Workforce planning for foreign service personnel by federal agencies.
Sec. 331. Compensation for survivors of terrorist attacks overseas.

TITLE IV—UNITED STATES INFORMATIONAL, EDUCATIONAL, AND CULTURAL PROGRAMS

Sec. 401. Educational and cultural exchanges and scholarships for Tibetans and Burmese.
Sec. 402. Conduct of certain educational and cultural exchange programs.
Sec. 403. Notification to Congress of grants.
Sec. 404. National security measures.
Sec. 405. Designation of North/South Center as the Dante B. Fascell North-South Center.
Sec. 406. Advisory Commission on Public Diplomacy.
Sec. 407. International expositions.
Sec. 408. Royal Ulster Constabulary.

TITLE V—INTERNATIONAL BROADCASTING

Sec. 501. Permanent authorization for Radio Free Asia.
Sec. 502. Preservation of RFE/RL (Radio Free Europe/Radio Liberty).
Sec. 503. Immunity from civil liability for Broadcasting Board of Governors.

TITLE VI—INTERNATIONAL ORGANIZATIONS AND COMMISSIONS

Sec. 601. Interparliamentary groups.
Sec. 602. Authority to assist State and local governments.
Sec. 603. International Boundary and Water Commission.
Sec. 604. Concerning United Nations General Assembly Resolution ES–10/6.

TITLE VII—GENERAL PROVISIONS

Sec. 701. Sense of the Congress concerning support for democracy and human rights activists in Cuba.
Sec. 702. Relating to Cyprus.

SEC. 3. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on International Relations and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of State.

TITLE I—AUTHORIZATIONS OF APPROPRIATIONS

CHAPTER 1—DEPARTMENT OF STATE

SEC. 101. ADMINISTRATION OF FOREIGN AFFAIRS.

The following amounts are authorized to be appropriated for the Department of State under ''Administration of Foreign Affairs'' to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States and for other purposes authorized by law, including the diplomatic security program:

(1) DIPLOMATIC AND CONSULAR PROGRAMS.—

(A) AUTHORIZATION OF APPROPRIATIONS.—For ''Diplomatic and Consular Programs'' of the Department of State, such sums as may be necessary for the fiscal year 2000.

(B) LIMITATIONS.—

(i) WORLDWIDE SECURITY UPGRADES.—Of the amounts authorized to be appropriated by subparagraph (A), $254,000,000 for fiscal year 2000 is authorized to be appropriated only for worldwide security upgrades.

(ii) BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR.—Of the amounts authorized to be appropriated by subparagraph (A), $15,000,000 for fiscal year 2000 is authorized to be appropriated only for salaries and expenses of the Bureau of Democracy, Human Rights, and Labor.

(iii) RECRUITMENT OF MINORITY GROUPS.—Of the amounts authorized to be appropriated by subparagraph (A), $2,000,000 for fiscal year 2000 is authorized to be appropriated only for the recruitment of members of minority groups for careers in the Foreign Service and international affairs.

(2) CAPITAL INVESTMENT FUND.—For ''Capital Investment Fund'' of the Department of State, such sums as may be necessary for the fiscal year 2000.

(3) SECURITY AND MAINTENANCE OF UNITED STATES MISSIONS.—

(A) AUTHORIZATION OF APPROPRIATIONS.—For ''Security and Maintenance of United States Missions'', $1,580,066,000 for the fiscal year 2000.

(B) SECURITY UPGRADES FOR UNITED STATES MISSIONS.—Of the amounts authorized to be appropriated by subparagraph (A), $1,146,000,000 for fiscal year 2000 is authorized to be appropriated only for security upgrades to United States missions abroad, including construction and relocation costs.

(4) REPRESENTATION ALLOWANCES.—For ''Representation Allowances'', such sums as may be necessary for the fiscal year 2000.

(5) EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE.—For ''Emergencies in the Diplomatic and Consular Service'', such sums as may be necessary for the fiscal year 2000.

(6) OFFICE OF THE INSPECTOR GENERAL.—For ''Office of the Inspector General'', such sums as may be necessary for the fiscal year 2000.

(7) PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN.—For ''Payment to the American Institute in Taiwan'', such sums as may be necessary for the fiscal year 2000.

(8) PROTECTION OF FOREIGN MISSIONS AND OFFICIALS.—

(A) For ''Protection of Foreign Missions and Officials'', such sums as may be necessary for the fiscal year 2000.

(B) Each amount appropriated pursuant to this paragraph is authorized to remain available through September 30 of the fiscal year following the fiscal year for which the amount appropriated was made.

(9) REPATRIATION LOANS.—For ''Repatriation Loans'', such sums as may be necessary for the fiscal year 2000, for administrative expenses.

SEC. 102. INTERNATIONAL ORGANIZATIONS.

(a) ASSESSED CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS.—There are authorized to be appropriated for ''Contributions to International Organizations'', such sums as may be necessary for the fiscal year 2000 for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international organizations and to carry out other authorities in law consistent with such purposes.

(b) ASSESSED CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES.—There are authorized to be appropriated for ''Contributions for International Peacekeeping Activities'', such sums as may be necessary for the fiscal year 2000 for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international peacekeeping activities and to carry out other authorities in law consistent with such purposes.

SEC. 103. INTERNATIONAL COMMISSIONS.

The following amounts are authorized to be appropriated under ''International Commissions'' for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States and for other purposes authorized by law:

(1) INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO.—For ''International Boundary and Water Commission, United States and Mexico''—

(A) for ''Salaries and Expenses'' such sums as may be necessary for the fiscal year 2000; and

(B) for ''Construction'' such sums as may be necessary for the fiscal year 2000.

(2) INTERNATIONAL BOUNDARY COMMISSION, UNITED STATES AND CANADA.—For ''International Boundary Commission, United States and Canada'', such sums as may be necessary for the fiscal year 2000.

(3) INTERNATIONAL JOINT COMMISSION.—For ''International Joint Commission'', such sums as may be necessary for the fiscal year 2000.

(4) INTERNATIONAL FISHERIES COMMISSIONS.—For ''International Fisheries Commissions'', such sums as may be necessary for the fiscal year 2000.

SEC. 104. MIGRATION AND REFUGEE ASSISTANCE.

(a) MIGRATION AND REFUGEE ASSISTANCE.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for ''Migration and Refugee Assistance'' for authorized activities, $750,000,000 for the fiscal year 2000.

(2) LIMITATIONS.—

(A) TIBETAN REFUGEES IN INDIA AND NEPAL.—Of the amounts authorized to be appropriated in paragraph (1), not more than $2,000,000 for the fiscal year 2000 is authorized to be available only for humanitarian assistance, including food, medicine, clothing, and medical and vocational training, to Tibetan refugees in India and Nepal who have fled Chinese-occupied Tibet.

(B) REFUGEES RESETTLING IN ISRAEL.—Of the amounts authorized to be appropriated in paragraph (1), $60,000,000 for the fiscal year 2000 is authorized to be available only for assistance for refugees resettling in Israel from other countries.

(C) HUMANITARIAN ASSISTANCE FOR DISPLACED BURMESE.—Of the amounts authorized to be appropriated in paragraph (1), $2,000,000 for the fiscal year 2000 for humanitarian assistance are authorized to be available only for assistance (including food, medicine, clothing, and medical and vocational training) to persons displaced as a result of civil conflict in Burma, including persons still within Burma.

(D) ASSISTANCE FOR DISPLACED SIERRA LEONEANS.—Of the amounts authorized to be appropriated in paragraph (1), $2,000,000 for the fiscal year 2000 for humanitarian assistance are authorized to be available only for assistance (including food, medicine, clothing, and medical and vocational training) and resettlement of persons who have been severely mutilated as a result of civil conflict in Sierra Leone, including persons still within Sierra Leone.

(E) ASSISTANCE FOR KOSOVAR REFUGEES.—

(i) Of the amounts authorized to be appropriated in paragraph (1), $50,000,000 for the fiscal year 2000 are authorized to be appropriated only for the Front Line States Initiative defined in clause (ii).

(ii) For the purposes of this subparagraph, the term ''Front Line States Initiative'' means assistance for the relief of refugees fleeing from the conflict in Kosovo provided through nongovernmental organizations in the form of food, housing, clothing, transportation, and other material, with priority assistance for the relief of refugees in the front line states of Albania and Macedonia.

(b) AVAILABILITY OF FUNDS.—Funds appropriated pursuant to this section are authorized to remain available until expended.

SEC. 105. PUBLIC DIPLOMACY PROGRAMS.

The following amounts are authorized to be appropriated for the Department of State to carry out international information activities and educational and cultural exchange programs under the United States Information and Educational Exchange Act of 1948, the Mutual Educational and Cultural Exchange Act of 1961, Reorganization Plan Number 2 of 1977, the Dante B. Fascell North-South Center Act of 1991, and the National Endowment for Democracy Act, and to carry out other authorities in law consistent with such purposes:

(1) INTERNATIONAL INFORMATION PROGRAMS.—For ''International Information Programs'', such sums as may be necessary for the fiscal year 2000.

(2) EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.—

(A) FULBRIGHT ACADEMIC EXCHANGE PROGRAMS.—There are authorized to be appropriated for the ''Fulbright Academic Exchange Programs'' (other than programs described in subparagraph (B)), such sums as may be necessary for the fiscal year 2000.

(B) OTHER EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.—

(i) IN GENERAL.—There are authorized to be appropriated for other educational and cultural exchange programs authorized by law, including the Claude and Mildred Pepper Scholarship Program of the Washington Workshops Foundation and the Mike Mansfield Fellowship Program, such sums as may be necessary for the fiscal year 2000.

(ii) SOUTH PACIFIC EXCHANGES.—Of the amounts authorized to be appropriated under clause (i), $750,000 for the fiscal year 2000 is authorized to be available for ''South Pacific Exchanges''.

(iii) EAST TIMORESE SCHOLARSHIPS.—Of the amounts authorized to be appropriated under clause (i), $500,000 for the fiscal year 2000 is authorized to be available for ''East Timorese Scholarships''.

(iv) TIBETAN EXCHANGES.—Of the amounts authorized to be appropriated under clause (i), $500,000 for the fiscal year 2000 is authorized to be available for ''Ngawang Choephel Exchange Programs'' (formerly known as educational and cultural exchanges with Tibet) under section 103(a) of the Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1996 (Public Law 104–319).

(v) AFRICAN EXCHANGES.—Of the amounts authorized to be appropriated under clause (i), $500,000 for the fiscal year 2000 is authorized to be available only for ''Educational and Cultural Exchanges with Sub-Saharan Africa''.

(3) CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE BETWEEN EAST AND WEST.—For the ''Center for Cultural and Technical Interchange between East and West'', $17,500,000 for the fiscal year 2000.

(4) NATIONAL ENDOWMENT FOR DEMOCRACY.—

(A) AUTHORIZATION OF APPROPRIATIONS.—For the ''National Endowment for Democracy'', $34,000,000 for the fiscal year 2000.

(B) LIMITATION.—Of the amounts authorized to be appropriated by subparagraph (A), $2,000,000 for the fiscal year 2000 is authorized to be appropriated only for a fellowship program, to be known as the ''Reagan-Fascell Democracy Fellows'', for democracy activists and scholars from around the world at the International Forum for Democratic Studies in Washington, D.C., to study, write, and exchange views with other activists and scholars and with Americans.

(5) DANTE B. FASCELL NORTH-SOUTH CENTER.—For ''Dante B. Fascell North-South Center'' such sums as may be necessary for the fiscal year 2000.

SEC. 106. VOLUNTARY CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for ''Voluntary Contributions to International Organizations'', such sums as may be necessary for the fiscal year 2000.

(b) LIMITATIONS ON AUTHORIZATIONS OF APPROPRIATIONS.—

(1) WORLD FOOD PROGRAM.—Of the amounts authorized to be appropriated under subsection (a), $5,000,000 for the fiscal year 2000 is authorized to be appropriated only for a United States contribution to the World Food Program.

(2) UNITED NATIONS VOLUNTARY FUND FOR VICTIMS OF TORTURE.—Of the amount authorized to be appropriated under subsection (a), $5,000,000 for the fiscal year 2000 is authorized to be appropriated only for a United States contribution to the United Nations Voluntary Fund for Victims of Torture.

(3) INTERNATIONAL PROGRAM ON THE ELIMINATION OF CHILD LABOR.—Of the amounts authorized to be appropriated under subsection (a), $5,000,000 for the fiscal year 2000 is authorized to be appropriated only for a United States contribution to the International Labor Organization for the activities of the

International Program on the Elimination of Child Labor.

(4) ORGANIZATION OF AMERICAN STATES.—Of the amounts authorized to be appropriated under subsection (a), $240,000 for the fiscal year 2000 is authorized to be appropriated only for a United States contribution to the Organization of American States for the Office of the Special Rapporteur for Freedom of Expression in the Western Hemisphere to conduct investigations, including field visits, to establish a network of nongovernmental organizations, and to hold hemispheric conferences, of which $6,000 for each fiscal year is authorized to be appropriated only for the investigation and dissemination of information on violations of freedom of expression by the Government of Cuba.

(c) RESTRICTIONS ON UNITED STATES VOLUNTARY CONTRIBUTIONS TO UNITED NATIONS DEVELOPMENT PROGRAM.—

(1) LIMITATION.—Of the amounts made available under subsection (a) for the fiscal year 2000 for United States voluntary contributions to the United Nations Development Program an amount equal to the amount the United Nations Development Program will spend in Burma during each fiscal year shall be withheld unless during such fiscal year the Secretary of State submits to the appropriate congressional committees the certification described in paragraph (2).

(2) CERTIFICATION.—The certification referred to in paragraph (1) is a certification by the Secretary of State that all programs and activities of the United Nations Development Program (including United Nations Development Program—Administered Funds) in Burma—

(A) are focused on eliminating human suffering and addressing the needs of the poor;

(B) are undertaken only through international or private voluntary organizations that have been deemed independent of the State Peace and Development Council (SPDC) (formerly known as the State Law and Order Restoration Council (SLORC), after consultation with the leadership of the National League for Democracy and the leadership of the National Coalition Government of the Union of Burma;

(C) provide no financial, political, or military benefit to the SPDC; and

(D) are carried out only after consultation with the leadership of the National League for Democracy and the leadership of the National Coalition Government of the Union of Burma.

(d) CONTRIBUTIONS TO UNITED NATIONS POPULATION FUND.—

(1) LIMITATIONS ON AMOUNT OF CONTRIBUTION.—Of the amounts made available under subsection (a), not more than $25,000,000 for fiscal year 2000 shall be available for the United Nations Population Fund (hereinafter in this subsection referred to as the ''UNFPA'').

(2) PROHIBITION ON USE OF FUNDS IN CHINA.—None of the funds made available under subsection (a) may be made available for the UNFPA for a country program in the People's Republic of China.

(3) CONDITIONS ON AVAILABILITY OF FUNDS.—Amounts made available under subsection (a) for fiscal year 2000 for the UNFPA may not be made available to UNFPA unless—

(A) the UNFPA maintains amounts made available to the UNFPA under this section in an account separate from other accounts of the UNFPA;

(B) the UNFPA does not commingle amounts made available to the UNFPA under this section with other sums; and

(C) the UNFPA does not fund abortions.

(4) WITHHOLDING OF FUNDS SUBJECT TO CERTIFICATION.—

(A) Of the amounts made available for fiscal year 2000 for United States voluntary contributions to the UNFPA an amount equal to the amount that UNFPA will spend on a country program in the People's Republic of China during each fiscal year shall be withheld unless during such fiscal year, the Secretary of State submits to the appropriate congressional committees the certification described in subparagraph (B).

(B) The certification referred to in subparagraph (A) is a certification by the Secretary of State that the country program of the UNFPA in the People's Republic of China—

(i) focuses on improving the delivery of voluntary family planning information and services;

(ii) is designed in conformity with the human rights principles affirmed at the International Conference on Population and Development with the support of 180 nations including the United States;

(iii) is implemented only in counties in the People's Republic of China where all quotas and targets for the recruitment of program participants have been abolished and the use of coercive measures has been eliminated;

(iv) is carried out in consultation with, and under the oversight and approval of, the UNFPA executive board, including the United States representative;

(v) is subject to regular independent monitoring to ensure compliance with the principles of informed consent and voluntary participation; and

(vi) suspends operations in project counties found to be in violation of program guidelines.

(e) AVAILABILITY OF FUNDS.—Amounts authorized to be appropriated under subsection (a) are authorized to remain available until expended.

SEC. 107. GRANTS TO THE ASIA FOUNDATION.

Section 404 of The Asia Foundation Act (title IV of Public Law 98–164) is amended to read as follows:

''SEC. 404. There are authorized to be appropriated to the Secretary of State such sums as may be necessary for the fiscal year 2000 for grants to The Asia Foundation pursuant to this title.''.

CHAPTER 2—BROADCASTING BOARD OF GOVERNORS

SEC. 121. INTERNATIONAL BROADCASTING.

The following amounts are authorized to be appropriated for the Broadcasting Board of Governors to carry out certain international broadcasting activities under the United States International Broadcasting Act of 1994, the Radio Broadcasting to Cuba Act, and the Television Broadcasting to Cuba Act, and for other purposes authorized by law:

(1) INTERNATIONAL BROADCASTING OPERATIONS.—

(A) AUTHORIZATION OF APPROPRIATIONS.—For ''International Broadcasting Operations'', such sums as may be necessary for the fiscal year 2000.

(B) ALLOCATION.—Of the amounts authorized to be appropriated under subparagraph (A), the Broadcasting Board of Governors shall seek to ensure that the amounts made available for broadcasting to nations whose people do not fully enjoy freedom of expression do not decline in proportion to the amounts made available for broadcasting to other nations.

(2) BROADCASTING CAPITAL IMPROVEMENTS.—For ''Broadcasting Capital Improvements'', such sums as may be necessary for the fiscal year 2000.

(3) RADIO FREE ASIA.—For ''Radio Free Asia'', $30,000,000 for the fiscal year 2000.

(4) BROADCASTING TO CUBA.—

(A) AUTHORIZATION OF APPROPRIATIONS.—For ''Broadcasting to Cuba'', such sums as may be necessary for the fiscal year 2000.

(B) LIMITATION.—Of the amounts authorized to be appropriated under subparagraph (A), $712,000 for the fiscal year 2000 is authorized to be appropriated only for the Office of Cuba Broadcasting to develop and implement new technology and enhance current methods to strengthen and improve the transmission capabilities of Radio Marti and TV Marti.

TITLE II—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES

CHAPTER 1—AUTHORITIES AND ACTIVITIES

SEC. 201. AUTHORITY TO LEASE AIRCRAFT TO RESPOND TO A TERRORIST ATTACK ABROAD.

Subject to the availability of appropriations, in the event of an emergency which involves a terrorist attack abroad, the Director of the Federal Bureau of Investigation of the Department of Justice is authorized to lease commercial aircraft to transport equipment and personnel in response to such attack if there have been reasonable efforts to obtain appropriate Department of Defense aircraft and such aircraft are unavailable. The leasing authority under this section shall include authority to provide indemnification insurance or guarantees, if necessary and appropriate.

SEC. 202. REPORT ON CUBAN DRUG TRAFFICKING.

Not later than 90 days after the date of the enactment of this Act and every 180 days thereafter, the Secretary of State shall submit to the appropriate congressional committees an unclassified report (with a classified annex) on the extent of international drug trafficking from, through, or over Cuba. Each report shall include the following:

(1) Information concerning the extent to which the Cuban Government or any official, employee, or entity of the Government of Cuba has engaged in, facilitated, or condoned such trafficking.

(2) The extent to which the appropriate agencies of the United States Government have investigated and prosecuted such activities of the Cuban Government or any official, employee, or entity of the Government of Cuba.

(3) A determination of whether the Government of Cuba should be included in the list of nations considered to be major drug trafficking countries.

SEC. 203. REPORT ON COMPLIANCE WITH THE HAGUE CONVENTION ON INTERNATIONAL CHILD ABDUCTION.

Section 2803(a) of the Foreign Affairs Reform and Restructuring Act of 1998 (as enacted by division G of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999; Public Law 105–277) is amended—

(1) by striking ''1999,'' and inserting ''2000,'';

(2) in paragraph (2) by striking ''abducted.'' and inserting ''abducted, are being wrongfully retained in violation of United States court orders, or which have failed to comply with any of their obligations under such convention with respect to applications for the return of children, access to children, or both, submitted by United States citizens or lawful residents.'';

(3) in paragraph (3)—

(A) by striking ''children'' and inserting ''children, access to children, or both,''; and

(B) by inserting ''or lawful residents'' after ''citizens''; and

(4) by inserting after paragraph (5) the following new paragraph:

''(6) A list of the countries which are Parties to the Convention, but in which due to

the absence of a prompt and effective method for enforcement of civil court orders, the absence of a doctrine of comity, or other factors, there is a substantial possibility that an order of return or access under a Hague Convention proceeding, or a United States custody, access, or visitation order, will not be promptly enforced.''.

SEC. 204. ELIMINATION OF OBSOLETE REPORTS.

(a) POST LANGUAGE COMPETENCE.—Section 304(c) of the Foreign Service Act of 1980 (22 U.S.C. 3944(c)) is repealed.

(b) SUSTAINABLE ECONOMIC GROWTH.—Section 574 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1996 (Public Law 104–107) is repealed.

(c) REDUNDANT REPORTS ON CERTAIN WEAPONS.—

(1) Section 308 of the Chemical and Biological Weapons and Warfare Elimination Act of 1991 (Public Law 102–182) is repealed.

(2) Section 585 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997 (Public Law 104–208), is repealed.

(d) SITUATION IN IRAQ.—Section 3 of Public Law 102–1 is amended by striking ''60 days'' and inserting ''six months''.

SEC. 205. CONTINUATION OF REPORTING REQUIREMENTS.

(a) REPORTS ON CLAIMS BY UNITED STATES FIRMS AGAINST THE GOVERNMENT OF SAUDI ARABIA.—Section 2801(b) of the Foreign Affairs Reform and Restructuring Act of 1998 (as enacted by division G of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999; Public Law 105–277) is amended—

(1) by striking ''the earlier of—'';

(2) by striking paragraph (1); and

(3) by striking the designation for paragraph (2) and adjusting the tabulation.

(b) REPORTS ON DETERMINATIONS UNDER TITLE IV OF THE LIBERTAD ACT.—Section 2802(a) of the Foreign Affairs Reform and Restructuring Act of 1998 (as enacted by division G of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999; Public Law 105–277) is amended by striking ''during the period ending September 30, 1999,'' and inserting a comma.

(c) RELATIONS WITH VIETNAM.—Section 2805 of the Foreign Affairs Reform and Restructuring Act of 1998 (as enacted by division G of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999; Public Law 105–277) is amended by striking ''during the period ending September 30, 1999,''.

(d) REPORTS ON BALLISTIC MISSILE COOPERATION WITH RUSSIA.—Section 2705(d) of the Foreign Affairs Reform and Restructuring Act of 1998 (as enacted by division G of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999; Public Law 105–277) is amended by striking ''and January 1, 2000,'' and inserting ''January 1, 2000, January 1, 2001, and January 1, 2002,''.

SEC. 206. INTERNATIONAL ARMS SALES CODE OF CONDUCT.

(a) NEGOTIATIONS.—The Secretary of State shall attempt to achieve the foreign policy goal of an international arms sales code of conduct with all Wassenaar Arrangement countries. The Secretary of State shall take the necessary steps to begin negotiations with all Wassenaar Arrangement countries within 120 days after the date of the enactment of this Act. The purpose of such negotiations shall be to conclude an agreement on restricting or prohibiting arms transfers to countries that do not meet the criteria under subsection (b).

(b) CRITERIA.—The criteria referred to in subsection (a) are as follows:

(1) PROMOTING DEMOCRACY.—Such government—

(A) was chosen by and permits free and fair elections;

(B) promotes civilian control of the military and security forces and has civilian institutions controlling the policy, operation, and spending of all law enforcement and security institutions, as well as the armed forces;

(C) promotes the rule of law, equality before the law, and respect for individual and minority rights, including freedom to speak, publish, associate, and organize; and

(D) promotes the strengthening of political, legislative, and civil institutions of democracy, as well as autonomous institutions to monitor the conduct of public officials and to combat corruption.

(2) RESPECTS HUMAN RIGHTS.—Such government—

(A) does not engage in gross violations of internationally recognized human rights, including—

(i) extrajudicial or arbitrary executions;

(ii) disappearances;

(iii) torture or severe mistreatment;

(iv) prolonged arbitrary imprisonment;

(v) systematic official discrimination on the basis of race, ethnicity, religion, gender, national origin, or political affiliation; and

(vi) grave breaches of international laws of war or equivalent violations of the laws of war in internal conflicts;

(B) vigorously investigates, disciplines, and prosecutes those responsible for gross violations of internationally recognized human rights;

(C) permits access on a regular basis to political prisoners by international humanitarian organizations such as the International Committee of the Red Cross;

(D) promotes the independence of the judiciary and other official bodies that oversee the protection of human rights;

(E) does not impede the free functioning of domestic and international human rights organizations; and

(F) provides access on a regular basis to humanitarian organizations in situations of conflict or famine.

(3) NOT ENGAGED IN CERTAIN ACTS OF ARMED AGGRESSION.—Such government is not currently engaged in acts of armed aggression in violation of international law.

(4) FULL PARTICIPATION IN UNITED NATIONS REGISTER OF CONVENTIONAL ARMS.—Such government is fully participating in the United Nations Register of Conventional Arms.

(c) REPORTS.—

(1) REPORT OF THE SECRETARY OF STATE.—Not later than 6 months after the commencement of negotiations under subsection (a), and not later than the end of every 6-month period thereafter until an agreement described in subsection (a) is concluded, the Secretary of State shall report to the appropriate congressional committees on the progress of such negotiations.

(2) HUMAN RIGHTS REPORT.—In the report required by sections 116(d) and 502B of the Foreign Assistance Act of 1961, the Secretary of State shall describe the extent to which the practices of each country evaluated meet the criteria of subsection (b).

(d) DEFINITION.—For purposes of this section, the term ''Wassenaar Arrangement countries'' means those participating in the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual Use Goods and Technologies, done at Vienna on July 11–12, 1996.

SEC. 207. HUMAN RIGHTS AND DEMOCRACY FELLOWSHIPS.

(a) ESTABLISHMENT.—There is established in the Department of State a program which shall be known as the ''Human Rights and Democracy Fellowship Program''. The program shall be administered by the Secretary with the assistance of the Assistant Secretary for Democracy, Human Rights, and Labor. The program shall provide for the employment of not less than 6 and not more than 12 fellows in the Bureau of Democracy, Human Rights, and Labor. Fellowships shall be for an initial 1 year period which may be extended for a total of not more than 3 years. Fellowships shall be available to individuals who have expertise in human rights policy, human rights law, or related subjects and who are not permanent employees of the United States Government.

(b) AUTHORIZATION OF APPROPRIATION.—There are authorized to be appropriated for the Human Rights and Democracy Fellowship Program under subsection (a) $1,000,000 for fiscal year 2000.

SEC. 208. JOINT FUNDS UNDER AGREEMENTS FOR COOPERATION IN ENVIRONMENTAL, SCIENTIFIC, CULTURAL AND RELATED AREAS.

Amounts made available to the Department of State for participation in joint funds under agreements for cooperation in environmental, scientific, cultural and related areas prior to fiscal year 1996 which, pursuant to express terms of such international agreements, were deposited in interest-bearing accounts prior to disbursement may earn interest, and interest accrued to such accounts may be used and retained without return to the Treasury of the United States and without further appropriation by Congress. The Department of State shall take action to ensure the complete and timely disbursement of appropriations and associated interest within joint funds covered by this section and final disposition of such agreements.

SEC. 209. REPORT ON INTERNATIONAL EXTRADITION.

Not later than 120 days after the date of the enactment of this Act, the Secretary of State shall prepare and submit to the Congress a report concerning international extradition. The report shall review all extradition treaties and agreements to which the United States is signatory; identify those countries that have become ''safe havens'' for individuals fleeing the American justice system; identify the factors which contribute to the international extradition problem, particularly laws in foreign countries which prohibit the extradition to another country of certain classes of persons; and propose appropriate legislative and diplomatic solutions to such problem, including, where appropriate, the renegotiation of extradition treaties.

SEC. 210. EFFECTIVE REGULATION OF SATELLITE EXPORT ACTIVITIES.

(a) LICENSING REGIME.—The Secretary of State shall establish a regulatory regime for the licensing for export of satellites, satellite technologies, components, and systems which shall include preferential treatment and expedited approval, as appropriate, of the licensing for export by United States companies of satellites, satellite technologies, components, and systems to NATO allies, major non-NATO allies, and other friendly countries.

(b) FINANCIAL AND PERSONNEL RESOURCES.—The Secretary of State, pursuant to the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999, shall obligate expeditiously $2,000,000 of amounts appropriated under that Act, above levels made available to the Office of Defense Trade Controls for fiscal year 1998, to enable that office to carry out its responsibilities.

CHAPTER 2—CONSULAR AND RELATED ACTIVITIES

SEC. 251. DEATHS AND ESTATES OF UNITED STATES CITIZENS ABROAD.

(a) REPEAL.—Section 1709 of the Revised Statutes (22 U.S.C. 4195) is repealed.

(b) AMENDMENT TO STATE DEPARTMENT BASIC AUTHORITIES ACT OF 1956.—The State Department Basic Authorities Act of 1956 is amended by inserting after section 43 the following new sections:

"SEC. 43A. NOTIFICATION OF NEXT OF KIN; REPORTS OF DEATH.

''Pursuant to such regulations as the Secretary of State may prescribe—

''(1) When a United States citizen or national dies abroad, a consular officer shall endeavor to notify, or assist the Secretary of State in notifying, the next of kin or legal guardian as soon as possible; provided, that in the case of death of Peace Corps Volunteers, members of the Armed Forces, their dependents, or Department of Defense civilian employees, the consular officer shall assist the Peace Corps or the appropriate military authorities in making such notifications.

''(2) The consular officer may, for any United States citizen who dies abroad, (A) in the case of a finding by appropriate local authorities, issue a report of death or of presumptive death, or (B) in the absence of a finding by appropriate local authorities, issue a report of presumptive death.

"SEC. 43B. CONSERVATION AND DISPOSITION OF ESTATES.

''(a) CONSERVATION OF ESTATES ABROAD.—

''(1) AUTHORITY TO ACT AS CONSERVATOR.—Pursuant to such regulations as the Secretary of State may prescribe, when a United States citizen or national dies abroad, a consular officer shall act as the provisional conservator of the decedent's estate and, subject to paragraphs (3) and (4), shall—

''(A) take possession of the personal effects within his jurisdiction;

''(B) inventory and appraise the personal effects, sign the inventory, and annex thereto a certificate as to the accuracy of the inventory and appraised value of each article;

''(C) when appropriate, collect the debts due to the decedent in the officer's jurisdiction and pay from the estate the obligations owed there by the decedent;

''(D) sell or dispose of, as appropriate, all perishable items of property;

''(E) sell, after reasonable public notice and notice to such next of kin as can be ascertained with reasonable diligence, such additional items of property as necessary to provide funds sufficient to pay the decedent's debts and property taxes in the country of death, funeral expenses, and other expenses incident to the disposition of the estate;

''(F) at the end of one year from the date of death (or after such additional period as may be required for final settlement of the estate), if no claimant shall have appeared, sell or dispose of the residue of the personal estate, except as provided in subparagraph (G) below, in the same manner as United States Government-owned foreign excess property;

''(G) transmit to the United States, to the Secretary of State, the proceeds of any sales along with any financial instruments (including bonds, shares of stock, and notes of indebtedness), jewelry, heirlooms, and other ticles of obvious sentimental value, to be held in trust for the legal claimant; and

''(H) in the event that the decedent's estate includes an interest in real property located within the jurisdiction of the officer and such interest does not devolve by the applicable laws of intestate succession or otherwise, provide for title to the property to be conveyed to the Government of the United States unless the Secretary declines to accept such conveyance.

''(2) AUTHORITY TO ACT AS ADMINISTRATOR.—The Secretary of State may expressly authorize the officer to act as administrator of the estate in exceptional circumstances, pursuant to such regulations as the Secretary may prescribe. The officer shall not otherwise act in such capacity.

''(3) EXCEPTIONS.—

''(A) The function provided for in this section shall not be performed to the extent that the decedent has left or there is otherwise appointed, in the country where the death occurred or where the decedent was domiciled, a legal representative, partner in trade, or trustee appointed to take care of his personal estate. If the decedent's legal representative shall appear at any time prior to transmission of the estate to the Secretary and demand the proceeds and effects being held by the officer, the officer shall deliver them to the representative after having collected any prescribed fee for the services rendered pursuant to this section.

''(B) Nothing in this section shall affect the authority of military commanders under title 10 of the United States Code with respect to persons or property under military command or jurisdiction or the authority of the Peace Corps with respect to Peace Corps Volunteers or their property.

''(4) CONDITIONS.—The functions provided for in this section shall be performed only when authorized by treaty provisions or permitted by the laws or authorities of the country wherein the death occurs, or the decedent is domiciled, or if such functions are permitted by established usage.

''(b) DISPOSITION OF ESTATES BY THE SECRETARY OF STATE.—

''(1) PERSONAL ESTATES.—

''(A) After receipt of personal estates pursuant to subsection (a), the Secretary, pursuant to such regulations as the Secretary may prescribe for the conservation of such estates, may seek payment of all outstanding debts to the estate as they become due, may receive any balances due on such estates, may endorse all checks, bills of exchange, promissory notes, and other instruments of indebtedness payable to the estate for the benefit thereof, and may take such other action as is reasonably necessary for the conservation of the estate.

''(B) If by the end of the fifth full fiscal year after receipt of the personal estate pursuant to subsection (a), no legal claimant for such estate has appeared, title to the estate shall pass to the Secretary who shall dispose of the estate in the same manner as surplus United States Government-owned property or by such means as may be appropriate in light of the nature and value of the property involved. The expenses of sales shall be paid from the estate, and any lawful claim received thereafter shall be payable to the extent of the value of the net proceeds of the estate as a refund from the appropriate Treasury account.

''(C) The net cash estate after disposition as provided in subparagraph (B) shall be remitted to the Treasury as miscellaneous receipts.

''(2) REAL PROPERTY.—Pursuant to such regulations as the Secretary may prescribe—

''(A) in the event that real property is conveyed to the Government of the United States pursuant to subsection (a)(1)(H) and is not needed by the Department of State, such property shall be considered foreign excess property under title IV of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 511 et seq.); and

''(B) in the event that the Department needs such property, the Secretary shall treat such property as if it were an unconditional gift accepted on behalf of the Department of State pursuant to section 25 of this Act and section 9(a)(3) of the Foreign Service Buildings Act of 1926, as amended.

''(c) LOSSES IN CONNECTION WITH THE CONSERVATION OF ESTATES.—

''(1) AUTHORITY.—Pursuant to such regulations as the Secretary of State may prescribe, the Secretary is authorized to compensate the estate of any United States citizen, who has died overseas, for property, the conservation of which has been undertaken under either section 43 or subsection (a) of this section, and that has been lost, stolen, or destroyed while in the custody of officers or employees of the Department of State. Any such compensation shall be in lieu of personal liability of officers or employees of the Department of State. Officers and employees of the Department of State may be liable in appropriate cases to the Department of State to the extent of any compensation provided pursuant to this subsection.

''(2) LIABILITY.—The liability of officers or employees of the Department of State to the Department for payments made pursuant to paragraph (a) of this section shall be determined pursuant to the Department's procedures for determining accountability for United States Government property.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect 6 months after enactment of this Act or upon the effective date of any regulations promulgated hereunder, whichever is sooner.

SEC. 252. DUTIES OF CONSULAR OFFICERS.

Section 43 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2715) is amended—

(1) by inserting ''(a) AUTHORITY.—'' before ''In'';

(2) by striking ''disposition of personal effects.'' in the last sentence and inserting ''disposition of personal estates pursuant to section 43B of this Act.''; and

(3) by adding at the end the following new subsection:

''(b) DEFINITIONS.—For purposes of this section and sections 43A and 43B of this Act, the term 'consular officer' includes any United States citizen employee of the Department of State who is designated by the Secretary of State to perform consular services pursuant to such regulations as the Secretary may prescribe.''.

SEC. 253. MACHINE READABLE VISAS.

Section 140(a) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (8 U.S.C. 1351 note) is amended—

(1) in paragraph (3) by amending the first sentence to read as follows: ''For each of the fiscal years 2000, 2001, and 2002, any amount collected under paragraph (1) that exceeds $316,715,000 for fiscal year 2000, $338,885,000 for fiscal year 2001, and $362,607,000 for fiscal year 2002 may be made available only if a notification is submitted to Congress in accordance with the procedures applicable to reprogramming notifications under section 34 of the State Department Basic Authorities Act of 1956.''; and

(2) by striking paragraphs (4) and (5).

SEC. 254. PROCESSING OF VISA APPLICATIONS.

(a) POLICY.—It shall be the policy of the Department of State to process immigrant visa applications of immediate relatives of United States citizens and nonimmigrant k–1 visa applications of fiances of United States citizens within 30 days of the receipt of all necessary documents from the applicant and the Immigration and Naturalization Service. In the case of a visa application where the sponsor of such applicant is a relative other than an immediate relative, it should be the policy of the Department of State to process such an application within 60 days of the receipt of all necessary documents from the applicant and the Immigration and Naturalization Service.

(b) REPORTS.—For each of the fiscal years 2000 and 2001, the Secretary of State shall submit to the appropriate congressional

committees an annual report on the extent to which the Department of State is meeting the policy standards under subsection (a). Each report shall be based on a survey of the 22 consular posts which account for approximately 72 percent of immigrant visas issued and, in addition, the consular posts in Guatemala City, Nicosia, Caracas, Naples, and Jakarta. Each report should include data on the average time for processing each category of visa application under subsection (a), a list of the embassies and consular posts which do not meet the policy standards under subsection (a), the amount of funds collected for processing of visa applications, the costs of processing such visa applications, and the steps being taken by the Department of State to achieve such policy standards.

(c) TASK FORCE.—The Secretary of State, in consultation with other Federal agencies, shall establish a joint task force with the goal of reducing the overall processing time for visa applications.

SEC. 255. REPEAL OF OUTDATED PROVISION ON PASSPORT FEES.

Section 4 of the Passport Act of June 4, 1920 (22 U.S.C. 216, 41 Stat. 751) is repealed.

SEC. 256. FEES RELATING TO AFFIDAVITS OF SUPPORT.

(a) AUTHORITY FOR FEE FOR PREPARATION ASSISTANCE.—Subject to subsection (b), the Secretary of State is authorized to charge a fee for services provided by the Department of State to an individual for assistance in the preparation and filing of an affidavit of support pursuant to section 213A of the Immigration and Nationality Act (8 U.S.C. 1183A) to ensure that the affidavit is properly completed before consideration of the affidavit and an immigrant visa application by a consular officer.

(b) LIMITATION.—An individual may be charged a fee under this section only once, regardless of the number of separate affidavits of support and visa applications for which services are provided.

(c) TREATMENT OF FEES.—Fees collected under the authority of subsection (a) shall be deposited as an offsetting collection to any Department of State appropriation, to recover the costs of providing affidavit preparation services under subsection (a). Such fees shall remain available for obligation until expended. Fees collected shall be available only to such extent and in such amounts as are provided in advance in an appropriation act.

CHAPTER 3—REFUGEES

SEC. 271. UNITED STATES POLICY REGARDING THE INVOLUNTARY RETURN OF REFUGEES.

(a) IN GENERAL.—None of the funds made available by this Act or by section 2(c) of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601(c)) shall be available to effect the involuntary return by the United States of any person to a country in which the person has a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion, except on grounds recognized as precluding protection as a refugee under the United Nations Convention Relating to the Status of Refugees of July 28, 1951, and the Protocol Relating to the Status of Refugees of January 31, 1967, subject to the reservations contained in the United States Senate Resolution of Ratification.

(b) MIGRATION AND REFUGEE ASSISTANCE.—None of the funds made available by this Act or by section 2(c) of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601(c)) shall be available to effect the involuntary return of any person to any country unless the Secretary of State first notifies the appropriate congressional committees, except that in the case of an emergency involving a threat to human life the Secretary of State shall notify the appropriate congressional committees as soon as practicable.

(c) INVOLUNTARY RETURN DEFINED.—As used in this section, the term ''to effect the involuntary return'' means to require, by means of physical force or circumstances amounting to a threat thereof, a person to return to a country against the person's will, regardless of whether the person is physically present in the United States and regardless of whether the United States acts directly or through an agent.

SEC. 272. HUMAN RIGHTS REPORTS.

Section 502B(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(b)) is amended by inserting after the fourth sentence the following: ''Each report under this section shall describe the extent to which each country has extended protection to refugees, including the provision of first asylum and resettlement.''.

SEC. 273. GUIDELINES FOR REFUGEE PROCESSING POSTS.

(a) GUIDELINES FOR ADDRESSING HOSTILE BIASES.—Section 602(c) of the International Religious Freedom Act of 1998 (Public Law 105–292; 112 Stat. 2812) is amended by inserting ''and of the Department of State'' after ''Service''.

(b) GUIDELINES FOR OVERSEAS REFUGEE PROCESSING.—Section 602(c) of such Act is further amended by adding at the end the following new paragraph:

''(3) Not later than 120 days after the date of the enactment of the Foreign Relations Authorization Act, Fiscal Year 2000, the Secretary of State (after consultation with the Attorney General) shall issue guidelines to ensure that persons with potential biases against any refugee applicant, including persons employed by, or otherwise subject to influence by, governments known to be involved in persecution on account of religion, race, nationality, membership in a particular social group, or political opinion, shall not in any way be used in processing determinations of refugee status, including interpretation of conversations or examination of documents presented by such applicants.''.

SEC. 274. VIETNAMESE REFUGEES.

No funds authorized to be appropriated by this Act may be made available to support a larger number of personnel assigned to United States diplomatic or consular posts in the Socialist Republic of Vietnam than the number assigned to such posts on March 22, 1999, unless not less than 60 days prior to any obligation or expenditure of such funds the Secretary of State submits a certification to the appropriate congressional committees that—

(1) all United States refugee programs in Vietnam, as well as programs to provide visas for Amerasians and for immediate relatives of refugees and asylees, are supervised by a Refugee Counselor or Refugee Coordinator who has a proven record of sensitivity to the problems of refugees and other victims of human rights violations and who reports directly to the Ambassador or the Consul General at the United States Consulate in Saigon and receives policy guidance from the Assistant Secretary of State for the bureau with principal responsibility for refugees;

(2) a program has been established in which all former United States Government employees who were adjudicated through a Vietnamese government interpreter and whose applications for refugee status were denied will be re-interviewed by Immigration and Naturalization Service (INS) Asylum Officers reporting directly to INS headquarters in Washington, D.C., and receiving specialized training and written guidance from the INS Asylum Division and Office of General Counsel;

(3) members of the Montagnard ethnic minority groups who fought alongside United States forces prior to 1975, and who later served three years or more in prisons or re-education camps, will not be disqualified from eligibility for resettlement in the United States as refugees on the sole ground that they continued to fight the Communists after 1975 and therefore did not begin their prison or re-education sentences until several years later;

(4) allied combat veterans whose three-year re-education or prison sentences began before April 30, 1975, because they were serving in parts of the country that fell to the Communists before Saigon, and who are otherwise eligible for resettlement as refugees in the United States, are not disqualified on the sole ground of the date their re-education or prison sentences began;

(5) persons who were eligible for the Orderly Departure Program (ODP), but who missed the application deadline announced and imposed in 1994 because they were still in detention, in internal exile in a remote and inaccessible location, unable to afford bribes demanded by corrupt local officials for documentation and permission to attend refugee interviews, or for other reasons beyond their control, will be considered for interviews on a case-by-case basis, and that such case-by-case consideration is subject to clear written guidance and administrative review to ensure that persons who missed the deadline for reasons beyond their control will not be denied consideration on the merits;

(6) widows of allied combat veterans who died in re-education camps, including those who did not apply before the 1994 deadline solely because they lacked documentary evidence from the Communist authorities to prove the death and/or marriage, and who are otherwise eligible for ODP will have their cases considered on the merits;

(7) unmarried sons and daughters of persons eligible for United States programs, including persons described in section 2244 of the Foreign Affairs Reform and Restructuring Act of 1998 (enacted as Division G of the Omnibus Consolidated Emergency Supplemental Appropriations Act for Fiscal Year 1999, Public Law 105–277) will not be disqualified from accompanying or following to join their parents on the sole ground that they have not been continuously listed on the household registration issued to their parents by the government of the Socialist Republic of Vietnam;

(8) returnees from refugee camps outside Vietnam who met the criteria for the Resettlement Opportunities for Vietnamese Returnees (ROVR) program, in that they either signed up for repatriation or were actually repatriated between October 1, 1995, and June 30, 1996, but did not fill out a ROVR application before their repatriation, will be given the opportunity to fill out an application in Vietnam and will have their cases considered on the merits;

(9) returnees whose special circumstances denied them any meaningful opportunity to apply for ROVR in the camps, such as those who were not offered applications because they were in hospitals or were being held in detention centers within certain camps, or who were erroneously told by camp administrators or Vietnamese government officials that they were ineligible for the program, will be given an opportunity to apply in Vietnam and will have their cases considered on the merits, even if their repatriation took place after June 30, 1996;

(10) a program has been established to identify, interview, and resettle persons who

have experienced recent persecution or credible threats of persecution because of political, religious, or human rights activities in Vietnam, subject to clear written standards to ensure that such persons will have access to the program whether or not they are included in a ROVR or ODP interview category and whether or not their cases are referred by an international organization;

(11) written guidance with respect to applications for reconsideration has been issued by the Immigration and Naturalization Service Office of General Counsel to ensure that applicants whose cases were denied on grounds described in paragraphs (2) through (10), because they were unwilling or unable to describe mistreatment by the Vietnamese government in the presence of a Vietnamese government interpreter, or for other reasons contrary to the interest of justice, will be reinterviewed; and

(12) all applicants described in paragraphs (2) through (11) will have the assistance of a Joint Voluntary Agency (JVA) in preparing their cases.

TITLE III—ORGANIZATION OF THE DEPARTMENT OF STATE; PERSONNEL OF THE DEPARTMENT OF STATE; FOREIGN SERVICE

CHAPTER 1—ORGANIZATION OF THE DEPARTMENT OF STATE

SEC. 301. ESTABLISHMENT OF BUREAU FOR INTERNATIONAL INFORMATION PROGRAMS AND BUREAU FOR EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.

Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a) is amended by adding at the end the following new subsection:

''(i) ESTABLISHMENT OF CERTAIN BUREAUS, OFFICES, AND OTHER ORGANIZATIONAL ENTITIES WITHIN THE DEPARTMENT OF STATE.—

''(1) BUREAU FOR INTERNATIONAL INFORMATION PROGRAMS.—There is established within the Department of State the Bureau for International Information Programs which shall assist the Secretary of State in carrying out international information activities formerly carried out by the United States Information Agency.

''(2) BUREAU FOR EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.—There is established within the Department of State a Bureau for Educational and Cultural Exchange Programs which shall assist the Secretary of State in carrying out educational and cultural exchange programs.''.

SEC. 302. CORRECTION OF DESIGNATION OF INSPECTOR GENERAL OF THE DEPARTMENT OF STATE.

(a) AMENDMENTS TO FOREIGN SERVICE ACT OF 1980.—The Foreign Service Act of 1980 is amended—

(1) in section 105(b)(2)(B) by striking ''State and the Foreign Service)'' and inserting ''State)'';

(2) in section 209(a)(1)—

(A) by striking ''State and the Foreign Service,'' and inserting ''State,''; and

(B) by striking the second sentence;

(3) in section 603(a) by striking ''State and the Foreign Service,'' and inserting ''State,''; and

(4) in section 1002(12)(E) by striking ''and the Foreign Service''.

(b) AMENDMENTS TO THE FOREIGN AFFAIRS REFORM AND RESTRUCTURING ACT OF 1998.—The Foreign Affairs Reform and Restructuring Act of 1998 (as enacted in division G of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999; Public Law 105–277) is amended—

(1) in section 2208(c) by striking ''and the Foreign Service''; and

(2) in section 1314(e) by striking ''and the Foreign Service''.

(c) AMENDMENTS TO PUBLIC LAW 103–236.—Effective October 2, 1999, subsections (i) and (j) of section 308 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6207 (i) and (j)) are amended by striking ''Inspector General of the Department of State and the Foreign Service'' each place it appears and inserting ''Inspector General of the Department of State''.

(d) AMENDMENTS TO UNITED STATES INTERNATIONAL BROADCASTING ACT OF 1994.—Section 304(a)(3)(A) of the United States International Broadcasting Act of 1994 (22 U.S.C. 6203(a)(3)(A)) is amended by striking ''and the Foreign Service''.

CHAPTER 2—PERSONNEL OF THE DEPARTMENT OF STATE

SEC. 321. ESTABLISHMENT OF FOREIGN SERVICE STAR.

The State Department Basic Authorities Act of 1956 is amended by inserting after section 36 the following new section:

''SEC. 36A. THE FOREIGN SERVICE STAR.

''(a) AUTHORITY.—The President may award a decoration called the 'Foreign Service Star' to an individual—

''(1) who is killed or injured after August 1, 1998,

''(2) whose death or injury occurs while the individual is a member of the Foreign Service or a civilian employee of the Government of the United States—

''(3) whose death or injury occurs while the individual—

''(A) is employed at, or assigned permanently or temporarily to, an official mission overseas, or

''(B) was traveling abroad on official business, and

''(4) whose death or injury occurs while performing official duties, while on the premises of a United States mission abroad, or due to such individual's status as an employee of the United States Government, and results from any form of assault including terrorist or military action, civil unrest, or criminal activities directed at facilities of the Government of the United States.

''(b) SELECTION.—The Secretary shall submit recommendations for the Foreign Service Star to the President. The Secretary shall establish criteria and procedures for nominations for the Foreign Service Star pursuant to such regulations as the Secretary may prescribe for awards under this section.

''(c) FUNDING.—Any expenses incident to an award under this section may be paid out of the applicable current account of the agency with which the individual was or is employed.

''(d) POSTHUMOUS AWARD.—A Foreign Service Star award to an individual who is deceased shall be presented to the individual's next of kin or representative, as designated by the President.''.

SEC. 322. UNITED STATES CITIZENS HIRED ABROAD.

Section 408(a)(1) of the Foreign Service Act of 1980 (22 U.S.C. 3968(a)(1)) is amended in the last sentence by striking ''(A)'' and all that follows through ''(B)''.

SEC. 323. BORDER EQUALIZATION ADJUSTMENT.

Chapter 4 of title I of the Foreign Service Act of 1980 (22 U.S.C. 3901 et seq.) is amended by adding the following new section at the end:

''SEC. 414. BORDER EQUALIZATION ADJUSTMENT.

''(a) IN GENERAL.—An employee who regularly commutes from his or her place of residence in the continental United States to an official duty station in Canada or Mexico shall receive a border equalization adjustment equal to the amount of comparability payments under section 5304 of title 5, United States Code, that he or she would receive if assigned to an official duty station within the United States locality pay area closest to the employee's official duty station.

''(b) DEFINITION OF EMPLOYEE.—For purposes of this section, the term 'employee' shall mean a person who—

''(1) is an 'employee' as defined under section 2105 of title 5, United States Code; and

''(2) is employed by the United States Department of State, the United States Agency for International Development, or the International Joint Commission, except that the term shall not include members of the Foreign Service as defined by section 103 of the Foreign Service Act of 1980 (Public Law 96–465), section 3903 of title 22 of the United States Code.

''(c) TREATMENT AS BASIC PAY.—An equalization adjustment payable under this section shall be considered basic pay for the same purposes as are comparability payments under section 5304 of title 5, United States Code, and its implementing regulations.

''(d) REGULATIONS.—The agencies referenced in subsection (b)(2) are authorized to promulgate regulations to carry out the purposes of this section.''.

SEC. 324. TREATMENT OF GRIEVANCE RECORDS.

Section 1103(d)(1) of the Foreign Service Act of 1980 (22 U.S.C. 4133(d)(1)) is amended by adding the following new sentence at the end: ''Nothing in this subsection shall prevent a grievant from placing a rebuttal to accompany a record of disciplinary action in such grievant's personnel records nor prevent the Department from including a response to such rebuttal, including documenting those cases in which the Board has reviewed and upheld the discipline.''.

SEC. 325. REPORT CONCERNING FINANCIAL DISADVANTAGES FOR ADMINISTRATIVE AND TECHNICAL PERSONNEL.

(a) FINDINGS.—The Congress finds that administrative and technical personnel posted to United States missions abroad who do not have diplomatic status suffer financial disadvantages from their lack of such status.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees concerning the extent to which administrative and technical personnel posted to United States missions abroad who do not have diplomatic status suffer financial disadvantages from their lack of such status, including proposals to alleviate such disadvantages.

SEC. 326. EXTENSION OF OVERSEAS HIRING AUTHORITY.

Section 202(a) of the Foreign Service Act of 1980 (22 U.S.C. 3922(a)) is amended by inserting at the end the following new paragraph:

''(4) When and to the extent the Secretary of State deems it in the best interests of the United States Government, the Secretary of State may authorize the head of any agency or other Government establishment (including any establishment in the legislative or judicial branch), to appoint pursuant to section 303 individuals hired abroad as members of the Service and to utilize the Foreign Service personnel system under such regulations as the Secretary of State may prescribe, provided that appointments of United States citizens under this subsection shall be limited to appointments authorized by section 311(a).''.

SEC. 327. MEDICAL EMERGENCY ASSISTANCE.

Section 5927 of title 5, United States Code, is amended to read as follows:

''§ 5927. Advances of pay

''(a) Up to three months' pay may be paid in advance—

''(1) to an employee upon the assignment of the employee to a post in a foreign area;

''(2) to an employee, other than an employee appointed under section 303 of the Foreign Service Act of 1980 (and employed under section 311 of such Act), who—

''(A) is a citizen of the United States;

''(B) is officially stationed or located outside the United States pursuant to Government authorization; and

''(C) requires (or has a family member who requires) medical treatment outside the United States, in circumstances specified by the President in regulations; and

''(3) to a foreign national employee appointed under section 303 of the Foreign Service Act of 1980, or a nonfamily member United States citizen appointed under such section 303 (and employed under section 311 of such Act) for service at such nonfamily member's post of residence, who—

''(A) is located outside the country of employment of such foreign national employee or nonfamily member (as the case may be) pursuant to Government authorization; and

''(B) requires medical treatment outside the country of employment of such foreign national employee or nonfamily member (as the case may be), in circumstances specified by the President in regulations.

''(b) For the purpose of this section, the term 'country of employment', as used with respect to an individual under subsection (a)(3), means the country (or other area) outside the United States where such individual is appointed (as described in subsection (a)(3)) by the Government.''.

SEC. 328. FAMILIES OF DECEASED FOREIGN SERVICE PERSONNEL.

Section 5922 of title 5, United States Code, is amended by adding at the end the following:

''(f)(1) If an employee dies at post in a foreign area, a transfer allowance under section 5924(2)(B) may be granted to the spouse or dependents of such employee (or both) for the purpose of providing for their return to the United States.

''(2) A transfer allowance under this subsection may not be granted with respect to the spouse or a dependent of the employee unless, at the time of death, such spouse or dependent was residing—

''(A) at the employee's post of assignment; or

''(B) at a place, outside the United States, for which a separate maintenance allowance was being furnished under section 5924(3).

''(3) The President may prescribe any regulations necessary to carry out this subsection.''.

SEC. 329. PARENTAL CHOICE IN EDUCATION.

Section 5924(4) of title 5, United States Code, is amended—

(1) in subparagraph (A) by striking ''between that post and the nearest locality where adequate schools are available,'' and inserting ''between that post and the school chosen by the employee, not to exceed the total cost to the Government of the dependent attending an adequate school in the nearest locality where an adequate school is available,''; and

(2) by adding after subparagraph (B) the following new subparagraph:

''(C) In those cases in which an adequate school is available at the post of the employee, if the employee chooses to educate the dependent at a school away from post, the education allowance which includes board and room, and periodic travel between the post and the school chosen, shall not exceed the total cost to the Government of the dependent attending an adequate school at the post of the employee.''.

SEC. 330. WORKFORCE PLANNING FOR FOREIGN SERVICE PERSONNEL BY FEDERAL AGENCIES.

Section 601(c) of the Foreign Service Act of 1980 (22 U.S.C. 4001(c)) is amended by striking paragraph (4) and inserting the following:

''(4) Not later than March 1, 2001, and every four years thereafter, the Secretary of State shall submit a report to the Speaker of the House of Representatives and to the Committee on Foreign Relations of the Senate which shall include the following:

''(A) A description of the steps taken and planned in furtherance of—

''(i) maximum compatibility among agencies utilizing the Foreign Service personnel system, as provided for in section 203, and

''(ii) the development of uniform policies and procedures and consolidated personnel functions, as provided for in section 204.

''(B) A workforce plan for the subsequent five years, including projected personnel needs, by grade and by skill. Each such plan shall include for each category the needs for foreign language proficiency, geographic and functional expertise, and specialist technical skills. Each workforce plan shall specifically account for the training needs of Foreign Service personnel and shall delineate an intake program of generalist and specialist Foreign Service personnel to meet projected future requirements.

''(5) If there are substantial modifications to any workforce plan under paragraph (4)(B) during any year in which a report under paragraph (4) is not required, a supplemental annual notification shall be submitted in the same manner as is required under paragraph (4).''.

SEC. 331. COMPENSATION FOR SURVIVORS OF TERRORIST ATTACKS OVERSEAS.

The Secretary of State shall examine the current benefit structure for survivors of United States Government employees who are killed while serving at United States diplomatic facilities abroad as a result of terrorist acts. Such a review shall include an examination of whether such benefits are adequate, whether they are fair and equitably distributed without regard to category of employment, and how they compare to benefits available to survivors of other United States Government employees serving overseas, including noncivilian employees.

TITLE IV—UNITED STATES INFORMATIONAL, EDUCATIONAL, AND CULTURAL PROGRAMS

SEC. 401. EDUCATIONAL AND CULTURAL EXCHANGES AND SCHOLARSHIPS FOR TIBETANS AND BURMESE.

(a) DESIGNATION OF NGAWANG CHOEPHEL EXCHANGE PROGRAMS.—Section 103(a) of the Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1996 (Public Law 104–319) is amended by inserting after the first sentence the following: ''Exchange programs under this subsection shall be known as the 'Ngawang Choephel Exchange Programs'.''.

(b) SCHOLARSHIPS FOR TIBETANS AND BURMESE.—Section 103(b)(1) of the Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1996 (Public Law 104–319; 22 U.S.C. 2151 note) is amended by striking ''for the fiscal year 1999'' and inserting ''for the fiscal year 2000''.

SEC. 402. CONDUCT OF CERTAIN EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.

Section 102 of the Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1996 (22 U.S.C. 2452 note) is amended by striking ''Director'' and all that follows through the period and inserting the following: ''Secretary of State, with the assistance of the Under Secretary for Public Diplomacy, shall—

''(1) include, as a substantial proportion of the participants in such programs, nationals of such countries who have demonstrated a commitment to freedom and democracy;

''(2) consult with human rights and democracy advocates from such countries on the selection of participants and grantees for such programs; and

''(3) select grantees for such programs only after a competitive process in which proposals are solicited from multiple applicants and in which important factors in the selection of a grantee include the relative likelihood that each of the competing applicants would be willing and able:

''(A) to identify and recruit as participants in the program persons described in paragraph (1); and

''(B) in selecting participants who are associated with governments or other institutions wielding power in countries described in this section, to identify and recruit those most likely to be open to freedom and democracy and to avoid selecting those who are so firmly committed to the suppression of freedom and democracy that their inclusion could create an appearance that the United States condones such suppression.''.

SEC. 403. NOTIFICATION TO CONGRESS OF GRANTS.

Section 705 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1477c(b)) is amended—

(1) by inserting ''(a)'' after ''705.''; and

(2) by inserting at the end the following new subsection:

''(b) For fiscal year 2000 and each subsequent fiscal year, the Secretary of State may not award any grant to carry out the purposes of this Act until 45 days after written notice has been provided to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate of the intent to award such grant. In determining whether to award a grant the Secretary shall consider any objections or modifications raised in the course of consultations with such committees.''.

SEC. 404. NATIONAL SECURITY MEASURES.

The United States Information and Educational Exchange Act of 1948 is amended by adding after section 1011 the following new sections:

''NATIONAL SECURITY MEASURES

''SEC. 1012. In coordination with other appropriate executive branch officals, the Secretary of State shall take all appropriate steps to prevent foreign espionage agents from participating in educational and cultural exchange programs under this Act.

''PROLIFERATION OF WEAPONS OF MASS DESTRUCTION

''SEC. 1013. The Secretary of State shall take all appropriate steps to ensure that no individual, who is employed by or attached to an office or department involved with the research, development, or production of missiles or weapons of mass destruction, from a country identified by the Central Intelligence Agency, the Department of Defense, the National Security Agency, or the Department of Energy, as a country involved in the proliferation of missiles or weapons of mass destruction is a participant in any program of educational or cultural exchange under this Act. Appropriate steps under this section shall include prior consultation with the Federal agencies designated in the first sentence with respect to all prospective participants in such programs with respect to whom there is a reasonable basis to believe that such prospective participant may be employed by or attached to an office or department identified under the first sentence.''.

SEC. 405. DESIGNATION OF NORTH/SOUTH CENTER AS THE DANTE B. FASCELL NORTH-SOUTH CENTER.

(a) DESIGNATION.—Section 208 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2075) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) SHORT TITLE.—This section may be cited as the 'Dante B. Fascell North-South Center Act of 1991'.'';

(2) in subsection (c)—

(A) by amending the section heading to read as follows: ''DANTE B. FASCELL NORTH-SOUTH CENTER.—''; and

(B) by striking ''known as the North/South Center,'' and inserting ''which shall be known and designated as the Dante B. Fascell North-South Center,''; and

(3) in subsection (d) by striking ''North/South Center'' and inserting ''Dante B. Fascell North-South Center''.

(b) REFERENCES.—

(1) CENTER.—Any reference in any other provision of law to the educational institution in Florida known as the North/South Center shall be deemed to be a reference to the ''Dante B. Fascell North-South Center''.

(2) SHORT TITLE.—Any reference in any other provision of law to the North/South Center Act of 1991 shall be deemed to be a reference to the ''Dante B. Fascell North/South Center Act of 1991''.

SEC. 406. ADVISORY COMMISSION ON PUBLIC DIPLOMACY.

Section 1334 of the Foreign Affairs Reform and Restructuring Act of 1998 (enacted as Division G of the Omnibus Consolidated and Emergency Supplemental Appropriations Act for Fiscal Year 1999; Public Law 105–277) is repealed.

SEC. 407. INTERNATIONAL EXPOSITIONS.

(a) LIMITATION.—Except as provided in subsection (b), notwithstanding any other provision of law, the Department of State may not obligate or expend any funds for a United States Government funded pavilion or other major exhibit at any international exposition or world's fair registered by the Bureau of International Expositions in excess of amounts expressly authorized and appropriated for such purpose.

(b) EXCEPTIONS.—

(1) The Department of State is authorized to utilize its personnel and resources to carry out its responsibilities—

(A) under section 102(a)(3) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2452(a)(3), to provide for United States participation in international fairs and expositions abroad;

(B) under section 105(f) of such Act with respect to encouraging foreign governments, international organizations, and private individuals, firms, associations, agencies and other groups to participate in international fairs and expositions and to make contributions to be utilized for United States participation in international fairs and expositions; and

(C) to encourage private support to the United States Commissioner General for participation in international fairs and expositions.

(2) Nothing in this subsection shall be construed as authorizing the use of funds appropriated to the Department of State to make payments for—

(A) contracts, grants, or other agreements with any other party to carry out the activities described in this subsection; or

(B) any legal judgment or the costs of litigation brought against the Department of State arising from activities described in this subsection.

(c) REPEAL.—Section 230 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 2452 note) is repealed.

SEC. 408. ROYAL ULSTER CONSTABULARY.

The Secretary of State shall take all appropriate steps to ensure that members of the Royal Ulster Constabulary (RUC) are not participants in any program of educational or cultural exchange or training through the National Academy Program at Quantico, Virginia, under the auspices of the Department of State or the Federal Bureau of Investigation of the Department of Justice unless the President certifies that complete, independent, credible and transparent investigations of the murders of defense attorneys Rosemary Nelson and Patrick Finucane have been initiated by the Government of the United Kingdom and that the Government has taken appropriate steps to protect defense attorneys against RUC harassment in Northern Ireland, in which case the President may permit any program, exchange, or training set forth herein.

TITLE V—INTERNATIONAL BROADCASTING

SEC. 501. PERMANENT AUTHORIZATION FOR RADIO FREE ASIA.

(a) REPEAL OF SUNSET PROVISION.—Section 309 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6208) is amended—

(1) by striking subsection (g); and

(2) in subsection (d)(2) by striking ''Government,'' and all that follows through the period and inserting ''Government.''.

(b) REPEAL OF FUNDING LIMITATIONS.—Section 309 of the United States International Broadcasting Act of 1994 is further amended—

(1) in subsection (d) by striking paragraphs (4) and (5) and by redesignating paragraph (6) as paragraph (4); and

(2) in subsection (c)—

(A) in paragraph (1)(A) by striking ''the funding'' and all that follows through the semicolon and inserting ''any funding limitations under subsection (d);''; and

(B) in paragraph (3) by striking ''the funding'' and all that follows through the period and inserting ''any funding limitations under subsection (d).''.

SEC. 502. PRESERVATION OF RFE/RL (RADIO FREE EUROPE/RADIO LIBERTY).

(a) REPEAL OF PRIVATIZATION POLICY STATEMENT.—Section 312 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6211) is repealed.

(b) INCREASE IN LIMITATION ON GRANT AMOUNTS.—Section 308(c) of the United States International Broadcasting Act of 1994 (22 U.S.C. 6207(c)) is amended by striking ''$75,000,000'' and inserting ''$80,000,000''.

SEC. 503. IMMUNITY FROM CIVIL LIABILITY FOR BROADCASTING BOARD OF GOVERNORS.

Section 304 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6203) is amended by adding at the end the following new subsection:

''(g) IMMUNITY FROM CIVIL LIABILITY.—Notwithstanding any other provision of law, the Volunteer Protection Act of 1997 shall apply to the members of the Broadcasting Board of Governors when acting in their capacities as members of the boards of directors of RFE/RL, Incorporated and Radio Free Asia.''.

TITLE VI—INTERNATIONAL ORGANIZATIONS AND COMMISSIONS

SEC. 601. INTERPARLIAMENTARY GROUPS.

(a) AMERICAN DELEGATIONS TO CONFERENCES.—Notwithstanding any other provision of law, whenever either the House of Representatives or the Senate does not appoint its allotment of members as part of the American delegation or group to a conference or assembly of the British-American Interparliamentary Group, the Conference on Security and Cooperation in Europe (CSCE), the Mexico-United States Interparliamentary Group, the North Atlantic Assembly, or any similar interparliamentary group of which the United States is a member or participates and so notifies the other body of Congress, the other body may make appointments to complete the membership of the American delegation. Any appointment pursuant to this section shall be for the period of such conference or assembly and the body of Congress making such an appointment shall be responsible for the expenses of any member so appointed. Any such appointment shall be made in same manner in which other appointments to the delegation by such body of Congress are made.

(b) TRANSATLANTIC LEGISLATIVE DIALOGUE.—Section 109(c) of the Department of State Authorization Act, Fiscal Years 1984 and 1985 (22 U.S.C. 276 note) is amended by striking ''United States-European Community Interparliamentary Group'' and inserting ''Transatlantic Legislative Dialogue (United States-European Union Interparliamentary Group)''.

SEC. 602. AUTHORITY TO ASSIST STATE AND LOCAL GOVERNMENTS.

(a) AUTHORITY.—The Commissioner of the U.S. Section of the International Boundary and Water Commission may provide technical tests, evaluations, information, surveys, or others similar services to State or local governments upon the request of such State or local government on a reimbursable basis.

(b) REIMBURSEMENTS.—Reimbursements shall be paid in advance of the goods or services ordered and shall be for the estimated or actual cost as determined by the U.S. Section of the International Boundary and Water Commission. Proper adjustment of amounts paid in advance shall be made as agreed to by the U.S. Section of the International Boundary and Water Commission on the basis of the actual cost of goods or services provided. Reimbursements received by the U.S. Section of the International Boundary and Water Commission for providing services under this section shall be credited to the appropriation from which the cost of providing the services will be charged.

SEC. 603. INTERNATIONAL BOUNDARY AND WATER COMMISSION.

(a) EXPANDED AUTHORITY TO RECEIVE PAYMENTS.—Section 2(b) of the American-Mexican Chamizal Convention Act of 1964 (Public Law 88–300; 22 U.S.C. 277d–18(b)) is amended by inserting ''operations, maintenance, and'' after ''cost of''.

SEC. 604. CONCERNING UNITED NATIONS GENERAL ASSEMBLY RESOLUTION ES–10/6.

(a) FINDINGS.—The Congress makes the following findings:

(1) In an Emergency Special Session, the United Nations General Assembly voted on February 9, 1999, to pass Resolution ES–10/6, Illegal Israeli Actions In Occupied East Jerusalem And The Rest Of The Occupied Palestinian Territory, to convene for the first time in 50 years the parties of the Fourth Geneva Convention for the Protection of Civilians in Time of War.

(2) Such resolution unfairly places full blame for the deterioration of the Middle East Peace Process on Israel and dangerously politicizes the Geneva Convention, which was established to deal with critical humanitarian crises.

(3) Such vote is intended to prejudge direct negotiations, put added and undue pressure on Israel to influence the results of those negotiations, and single out Israel for unprecedented enforcement proceedings which have never been invoked against governments with records of massive violations of the Geneva Convention.

(b) CONGRESSIONAL STATEMENT OF POLICY.—The Congress—

(1) commends the Department of State for the vote of the United States against United

Nations General Assembly Resolution ES–10/6 affirming that the text of such resolution politicizes the Fourth Geneva Convention which was primarily humanitarian in nature; and

(2) urges the Department of State to continue its efforts against convening the conference.

TITLE VII—GENERAL PROVISIONS

SEC. 701. SENSE OF THE CONGRESS CONCERNING SUPPORT FOR DEMOCRACY AND HUMAN RIGHTS ACTIVISTS IN CUBA.

It is the sense of the Congress that—

(1) the United States should increase its support to democracy and human rights activists in Cuba, providing assistance with the same intensity and decisiveness with which it supported the pro-democracy movements in Eastern Europe during the Cold War; and

(2) the United States should substantially increase funding for programs and activities under section 109 of the Cuban Liberty and Democratic Solidarity Act of 1996 (22 U.S.C. 6021 et seq.) designed to support democracy and human rights activists and others in Cuba who are committed to peaceful and democratic change on the island.

SEC. 702. RELATING TO CYPRUS.

(a) FINDINGS.—The Congress makes the following findings:

(1) At the urging of the United States Government, the Republic of Cyprus refrained from exercising that country's sovereign right to self-defense, a right fully recognized by the United States Government and by Article 51 of the Charter of the United Nations, and canceled the deployment on Cyprus of defensive antiaircraft missiles.

(2) In close cooperation with the United States Government and the Government of Greece, Cyprus rerouted the missiles to the Greek island of Crete.

(3) This extraordinarily conciliatory and courageous action was taken in the interest of peace.

(4) With this action, the Republic of Cyprus displayed its full compliance with the recently adopted United Nations Security Council Resolutions 1217 and 1218 which address the Cyprus issue, demonstrated its support for President Bill Clinton's December 22, 1998, commitment to ''take all necessary steps to support a sustained effort to implement United Nations Security Council Resolution 1218'', and continued its efforts of the last 25 years to take substantive steps to reduce tensions and move toward a Cyprus settlement.

(5) The Republic of Cyprus has no navy, air force, or army and faces one of the world's largest and most sophisticated military forces, just minutes away, in Turkey, as well as an area described by the United Nations Secretary General as, ''one of the most densely militarized areas in the world'' in the Turkish-occupied area of northern Cyprus.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) in light of this and other similar extraordinary actions taken by the Republic of Cyprus, as well as the importance of a Cyprus settlement to American security and other interests, the United States should do all that is possible to bring about commensurate actions by Turkey;

(2) the time has come for the United States to expect from Turkey actions on the Cyprus issue in the interest of peace, including steps in conformity with United States proposals concerning Cyprus and in compliance with provisions contained in United Nations Security Council Resolutions 1217 and 1218; and

(3) such an effort would also be in the best interest of the people of Turkey, as well as in the interest of all others involved.

The CHAIRMAN. Before consideration of any other amendment, it shall be in order to consider the first amendment printed in part A of House Report 106–235 if offered by the gentleman from New York (Mr. GILMAN) or his designee. That amendment shall be considered read, shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

If that amendment is adopted, the bill, as amended, shall be considered as the original bill for the purpose of further amendment.

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No further amendment shall be in order except those printed in the report and amendments en bloc described in section 2 of House Resolution 247. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment except as specified in the report, and shall not be subject to a demand for division of the question.

It shall be in order at any time for the chairman of the Committee on International Relations or his designee to offer amendments en bloc consisting of amendments printed in part B of the report not earlier disposed of or germane modifications of any such amendment.

The amendments en bloc shall be considered read, except that modifications shall be reported, shall be debatable for 20 minutes, equally divided and controlled by the chairman and ranking minority member, or their designees, shall not be subject to amendment and shall not be subject to a demand for division of the question.

The original proponent of an amendment included in the amendments en bloc may insert a statement in the CONGRESSIONAL RECORD immediately before disposition of the amendments en bloc.

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

AMENDMENT NO. 1 OFFERED BY MR. GILMAN

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

The CHAIRMAN pro tempore (Mr. PEASE). The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A amendment No. 1 offered by Mr. Gilman:

Page 4, after line 9, add the following (and conform the table of contents accordingly):

DIVISION A—DEPARTMENT OF STATE AND RELATED PROVISIONS

Page 12, line 4, before the period insert ''and for returned or returning refugees, displaced persons, and other victims of the humanitarian crisis within Kosovo''.

Page 15, strike lines 1 through 16, and insert the following:

(4) NATIONAL ENDOWMENT FOR DEMOCRACY.—For the ''National Endowment for Democracy'', $32,000,000 for the fiscal year 2000.

(5) REAGAN-FASCELL DEMOCRACY FELLOWS.—For a fellowship program, to be known as the ''Reagan-Fascell Democracy Fellows'', for democracy activists and scholars from around the world at the International Forum for Democratic Studies in Washington, D.C., to study, write, and exchange views with other activists and scholars and with Americans, $2,000,000 for the fiscal year 2000.

Page 17, after line 14, insert the following:

(5) UNICEF.—Of the amounts authorized to be appropriated under subsection (a), $110,000,000 for the fiscal year 2000 is authorized to be appropriated only for a United States contribution to UNICEF.

Page 21, line 25, strike ''such sums as may be necessary'' and insert ''$15,000,000''.

Page 56, strike line 16.

Page 67, after line 22, insert the following new section:

SEC. 332. PRESERVATION OF DIVERSITY IN REORGANIZATION.

Section 1613(c) of the Foreign Affairs Reform and Restructuring Act of 1998 (as enacted by division G of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999; Public Law 105-277) is amended in the first sentence by striking ''changed.'' and inserting ''changed, nor shall the relative positions of women and minorities in the administrative structures of the agencies subject to this section be adversely affected as a result of such transfers.''.

Page 68, strike line 21, and all that follows through line 4 on page 70 and insert the following:

SEC. 402. CONDUCT OF CERTAIN EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.

Section 102 of the Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1996 (22 U.S.C. 2452 note) is amended by striking ''Director'' and all that follows through the period and inserting the following: ''Secretary of State, with the assistance of the Under Secretary for Public Diplomacy, shall—

''(1) include, as a significant proportion of the participants in such programs, nationals of such countries who the Secretary has reason to believe are committed to freedom and democracy;

''(2) consult with human rights and democracy advocates from such countries on the inclusion of participants and grantee organizations for such programs;

''(3) take all appropriate steps to ensure that inclusion in such programs does not compromise the personal safety of participants; and

''(4) select grantee organizations for such programs through an open, competitive process in which proposals are solicited from multiple applicants and in which important factors inthe selection of a grantee include the relative likelihood that each of the competing applicants would be willing and able—

''(A) to recruit as participants in the program persons described in paragraph (1); and

''(B) in selecting participants who are associated with governments or other institutions wielding power in countries described in this section, to recruit those most likely to be open to an understanding of the principles of freedom and democracy, and to avoid—

''(i) giving such governments inappropriate influence in the selection process; and

''(ii) selecting those who are so firmly committed to the suppression of freedom and democracy that their inclusion could create an appearance that the United States condones such suppression.''.

Page 84, after line 16, add the following (and conform the table of contents accordingly):

DIVISION B—SECURITY ASSISTANCE PROVISIONS

SEC. 1001. SHORT TITLE.

This division may be cited as the ''Security Assistance Act of 1999''.

TITLE XI—TRANSFERS OF EXCESS DEFENSE ARTICLES

SEC. 1101. EXCESS DEFENSE ARTICLES FOR CENTRAL EUROPEAN COUNTRIES.

Section 105 of Public Law 104–164 (110 Stat. 1427) is amended by striking ''1996 and 1997'' and inserting ''2000 and 2001''.

SEC. 1102. EXCESS DEFENSE ARTICLES FOR CERTAIN INDEPENDENT STATES OF THE FORMER SOVIET UNION.

(a) USES FOR WHICH FUNDS ARE AVAILABLE.—Notwithstanding section 516(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(e)), during each of the fiscal years 2000 and 2001, funds available to the Department of Defense may be expended for crating, packing, handling, and transportation of excess defense articles transferred under the authority of section 516 of that Act to Georgia, Kazakhstan, Kyrgyzstan, Moldova, Turkmenistan, Ukraine, and Uzbekistan.

(b) CONTENT OF CONGRESSIONAL NOTIFICATION.—Each notification required to be submitted under section 516(f) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(f)) with respect to a proposed transfer of a defense article described in subsection (a) shall include an estimate of the amount of funds to be expended under subsection (a) with respect to that transfer.

TITLE XII—FOREIGN MILITARY SALES AUTHORITIES

SEC. 1201. TERMINATION OF FOREIGN MILITARY FINANCED TRAINING.

Section 617 of the Foreign Assistance Act of 1961 (22 U.S.C. 2367) is amended—

(1) by inserting in the second sentence ''and the Arms Export Control Act'' after ''under this Act'' the first place it appears;

(2) by striking ''under this Act'' the second place it appears; and

(3) by inserting in the third sentence ''and under the Arms Export Control Act'' after ''this Act''.

SEC. 1202. SALES OF EXCESS COAST GUARD PROPERTY.

Section 21(a)(1) of the Arms Export Control Act (22 U.S.C. 2761(a)(1)) is amended in the text above subparagraph (A) by inserting ''and the Coast Guard'' after ''Department of Defense''.

SEC. 1203. COMPETITIVE PRICING FOR SALES OF DEFENSE ARTICLES.

Section 22(d) of the Arms Export Control Act (22 U.S.C. 2762(d)) is amended—

(1) by striking ''Procurement contracts'' and inserting ''(1) Procurement contracts''; and

(2) by adding at the end the following:

''(2) Direct costs associated with meeting additional or unique requirements of the purchaser shall be allowable under contracts described in paragraph (1). Loadings applicable to such direct costs shall be permitted at the same rates applicable to procurement of like items purchased by the Department of Defense for its own use.''.

SEC. 1204. REPORTING OF OFFSET AGREEMENTS.

(a) GOVERNMENT-TO-GOVERNMENT SALES.—Section 36(b)(1) of the Arms Export Control Act (22 U.S.C. 2776(b)(1)) is amended in the fourth sentence by striking ''(if known on the date of transmittal of such certification)'' and inserting ''and, if known on the date of transmittal of such certification, a description of the offset agreement. Such description may be included in the classified portion of such numbered certification''.

(b) COMMERCIAL SALES.—Section 36(c)(1) of the Arms Export Control Act (22 U.S.C. 2776(c)(1)) is amended in the second sentence by striking ''(if known on the date of transmittal of such certification)'' and inserting ''and, if known on the date of transmittal of such certification, a description of the offset agreement. Such description may be included in the classified portion of such numbered certification''.

SEC. 1205. NOTIFICATION OF UPGRADES TO DIRECT COMMERCIAL SALES.

Section 36(c) of the Arms Export Control Act (22 U.S.C. 2776(c)) is amended by adding at the end the following new paragraph:

''(4) The provisions of subsection (b)(5) shall apply to any equipment, article, or service for which a numbered certification has been transmitted to Congress pursuant to paragraph (1) in the same manner and to the same extent as that subsection applies to any equipment, article, or service for which a numbered certification has been transmitted to Congress pursuant to subsection (b)(1). For purposes of such application, any reference in subsection (b)(5) to 'a letter of offer' or 'an offer' shall be deemed to be a reference to 'a contract'.''.

SEC. 1206. EXPANDED PROHIBITION ON INCENTIVE PAYMENTS.

(a) IN GENERAL.—Section 39A(a) of the Arms Export Control Act (22 U.S.C. 2779a(a)) is amended—

(1) by inserting ''or licensed'' after ''sold''; and

(2) by inserting ''or export'' after ''sale''.

(b) DEFINITION OF UNITED STATES PERSON.—Section 39A(d)(3)(B)(ii) of the Arms Export Control Act (22 U.S.C. 2779a(d)(3)(B)(ii)) is amended by inserting ''or by an entity described in clause (i)'' after ''subparagraph (A)''.

SEC. 1207. ADMINISTRATIVE FEES FOR LEASING OF DEFENSE ARTICLES.

Section 61(a) of the Arms Export Control Act (22 U.S.C. 2796(a)) is amended in paragraph (4) of the first sentence by inserting after ''including reimbursement for depreciation of such articles while leased,'' the following: ''a fee for the administrative services associated with processing such leasing,''.

TITLE XIII—STOCKPILING OF DEFENSE ARTICLES FOR FOREIGN COUNTRIES

SEC. 1301. ADDITIONS TO UNITED STATES WAR RESERVE STOCKPILES FOR ALLIES.

Paragraph (2) of section 514(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h(b)(2)) is amended to read as follows:

''(2)(A) The value of such additions to stockpiles of defense articles in foreign countries shall not exceed $340,000,000 for fiscal year 1999 and $60,000,000 for fiscal year 2000.

''(B)(i) Of the amount specified in subparagraph (A) for fiscal year 1999, not more than $320,000,000 may be made available for stockpiles in the Republic of Korea and not more than $20,000,000 may be made available for stockpiles in Thailand.

''(ii) Of the amount specified in subparagraph (A) for fiscal year 2000, not more than $40,000,000 may be made available for stockpiles in the Republic of Korea and not more than $20,000,000 may be made available for stockpiles in Thailand.''.

SEC. 1302. TRANSFER OF CERTAIN OBSOLETE OR SURPLUS DEFENSE ARTICLES IN THE WAR RESERVES STOCKPILE FOR ALLIES.

(a) ITEMS IN THE KOREAN STOCKPILE.—

(1) IN GENERAL.—Notwithstanding section 514 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h), the President is authorized to transfer to the Republic of Korea, in return for concessions to be negotiated by the Secretary of Defense, with the concurrence of the Secretary of State, any or all of the items described in paragraph (2).

(2) COVERED ITEMS.—The items referred to in paragraph (1) are munitions, equipment, and material such as tanks, trucks, artillery, mortars, general purpose bombs, repair parts, ammunition, barrier material, and ancillary equipment, if such items are—

(A) obsolete or surplus items;

(B) in the inventory of the Department of Defense;

(C) intended for use as reserve stocks for the Republic of Korea; and

(D) as of the date of enactment of this Act, located in a stockpile in the Republic of Korea.

(b) ITEMS IN THE THAILAND STOCKPILE.—

(1) IN GENERAL.—Notwithstanding section 514 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h), the President is authorized to transfer to Thailand, in return for concessions to be negotiated by the Secretary of Defense, with the concurrence of the Secretary of State, any or all of the items in the WRS–T stockpile described in paragraph (2).

(2) COVERED ITEMS.—The items referred to in paragraph (1) are munitions, equipment, and material such as tanks, trucks, artillery, mortars, general purpose bombs, repair parts, ammunition, barrier material, and ancillary equipment, if such items are—

(A) obsolete or surplus items;

(B) in the inventory of the Department of Defense;

(C) intended for use as reserve stocks for Thailand; and

(D) as of the date of enactment of this Act, located in a stockpile in Thailand.

(c) VALUATION OF CONCESSIONS.—The value of concessions negotiated pursuant to subsections (a) and (b) shall be at least equal to the fair market value of the items transferred. The concessions may include cash compensation, services, waiver of charges otherwise payable by the United States, and other items of value.

(d) PRIOR NOTIFICATIONS OF PROPOSED TRANSFERS.—Not less 30 days before making a transfer under the authority of this section, the President shall transmit to the chairmen of the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives a detailed notification of the proposed transfer, which shall include an identification of the items to be transferred and the concessions to be received.

(e) TERMINATION OF AUTHORITY.—No transfer may be made under the authority of this section more than three years after the date of enactment of this Act.

TITLE XIV—INTERNATIONAL ARMS SALES CODE OF CONDUCT ACT OF 1999

SEC. 1401. SHORT TITLE.

This title may be cited as the ''International Arms Sales Code of Conduct Act of 1999''.

SEC. 1402. FINDINGS.

The Congress finds the following:

(1) The proliferation of conventional arms and conflicts around the globe are multilateral problems. The only way to effectively prevent rogue nations from acquiring conventional weapons is through a multinational ''arms sales code of conduct''.

(2) Approximately 40,000,000 people, over 75 percent of whom were civilians, died as a result of civil and international wars fought with conventional weapons during the 45 years of the cold war, demonstrating that conventional weapons can in fact be weapons of mass destruction.

(3) Conflict has actually increased in the post cold war era.

(4) It is in the national security and economic interests of the United States to reduce dramatically the $840,000,000,000 that all countries spend on armed forces every year, $191,000,000,000 of which is spent by developing countries, an amount equivalent to 4 times the total bilateral and multilateral foreign assistance such countries receive every year.

(5) The Congress has the constitutional responsibility to participate with the executive branch in decisions to provide military assistance and arms transfers to a foreign government, and in the formulation of a policy designed to reduce dramatically the level of international militarization.

(6) A decision to provide military assistance and arms transfers to a government that is undemocratic, does not adequately protect human rights, or is currently engaged in acts of armed aggression should require a higher level of scrutiny than does a decision to provide such assistance and arms transfers to a government to which these conditions do not apply.

SEC. 1403. INTERNATIONAL ARMS SALES CODE OF CONDUCT.

(a) NEGOTIATIONS.—The President shall attempt to achieve the foreign policy goal of an international arms sales code of conduct with all Wassenaar Arrangement countries. The President shall take the necessary steps to begin negotiations with all Wassenaar Arrangement countries within 120 days after the date of the enactment of this Act. The purpose of these negotiations shall be to conclude an agreement on restricting or prohibiting arms transfers to countries that do not meet the following criteria:

(1) PROMOTES DEMOCRACY.—The government of the country—

(A) was chosen by and permits free and fair elections;

(B) promotes civilian control of the military and security forces and has civilian institutions controlling the policy, operation, and spending of all law enforcement and security institutions, as well as the armed forces;

(C) promotes the rule of law, equality before the law, and respect for individual and minority rights, including freedom to speak, publish, associate, and organize; and

(D) promotes the strengthening of political, legislative, and civil institutions of democracy, as well as autonomous institutions to monitor the conduct of public officials and to combat corruption.

(2) RESPECTS HUMAN RIGHTS.—The government of the country—

(A) does not engage in gross violations of internationally recognized human rights, including—

(i) extra judicial or arbitrary executions;

(ii) disappearances;

(iii) torture or severe mistreatment;

(iv) prolonged arbitrary imprisonment;

(v) systematic official discrimination on the basis of race, ethnicity, religion, gender, national origin, or political affiliation; and

(vi) grave breaches of international laws of war or equivalent violations of the laws of war in internal conflicts;

(B) vigorously investigates, disciplines, and prosecutes those responsible for gross violations of internationally recognized human rights;

(C) permits access on a regular basis to political prisoners by international humanitarian organizations such as the International Committee of the Red Cross;

(D) promotes the independence of the judiciary and other official bodies that oversee the protection of human rights;

(E) does not impede the free functioning of domestic and international human rights organizations; and

(F) provides access on a regular basis to humanitarian organizations in situations of conflict or famine.

(3) NOT ENGAGED IN CERTAIN ACTS OF ARMED AGGRESSION.—The government of the country is not currently engaged in acts of armed aggression in violation of international law.

(4) FULL PARTICIPATION IN UNITED NATIONS REGISTER OF CONVENTIONAL ARMS.—The government of the country is fully participating in the United Nations Register of Conventional Arms.

(b) REPORTS TO CONGRESS.—(1) In the report required in sections 116(d) and 502B of the Foreign Assistance Act of 1961, the Secretary of State shall describe the extent to which the practices of each country evaluated meet the criteria in paragraphs (1) through (4) of subsection (a).

(2) Not later than 6 months after the commencement of the negotiations under subsection (a), and not later than the end of every 6-month period thereafter until an agreement described in subsection (a) is concluded, the President shall report to the appropriate committees of the Congress on the progress made during these negotiations.

(c) DEFINITION.—The term ''Wassenaar Arrangement countries'' means Argentina, Australia, Austria, Belgium, Bulgaria, Canada, the Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Poland, Portugal, the Republic of Korea, Romania, Russia, Slovakia, Spain, Sweden, Switzerland, Turkey, Ukraine, and the United Kingdom.

TITLE XV—AUTHORITY TO EXEMPT INDIA AND PAKISTAN FROM CERTAIN SANCTIONS

SEC. 1501. WAIVER AUTHORITY.

(a) AUTHORITY.—

(1) IN GENERAL.—Except as provided in subsection (b), the President may waive, with respect to India or Pakistan, the application of any sanction or prohibition (or portion thereof) contained in section 101 or 102 of the Arms Export Control Act (22 U.S.C. 2799aa or 2799aa–1), section 620E(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2375(e)), or section 2(b)(4) of the Export Import Bank Act of 1945 (12 U.S.C. 635(b)(4)).

(2) EFFECTIVE DATE.—A waiver of the application of a sanction or prohibition (or portion thereof) under paragraph (1) shall be effective only for a period ending on or before September 30, 2000.

(b) EXCEPTION.—The authority to waive the application of a sanction or prohibition (or portion thereof) under subsection (a) shall not apply with respect to a sanction or prohibition contained in subparagraph (B), (C), or (G) of section 102(b)(2) of the Arms Export Control Act.

(c) NOTIFICATION.—A waiver of the application of a sanction or prohibition (or portion thereof) contained in section 541 of the Foreign Assistance Act of 1961 shall not become effective until 15 days after notice of such waiver has been reported to the congressional committees specified in section 634A(a) of such Act in accordance with the procedures applicable to reprogramming notifications under that section.

SEC. 1502. CONSULTATION.

Prior to each exercise of the authority provided in section 1501, the President shall consult with the appropriate congressional committees.

SEC. 1503. REPORTING REQUIREMENT.

Not later than August 31, 2000, the Secretary of State shall prepare and submit to the appropriate congressional committees a report on economic and national security developments in India and Pakistan.

SEC. 1504. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

In this title, the term ''appropriate congressional committees'' means—

(1) the Committee on International Relations and the Committee on Appropriations of the House of Representatives; and

(2) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

TITLE XVI—TRANSFER OF NAVAL VESSELS TO CERTAIN FOREIGN COUNTRIES

SEC. 1601. AUTHORITY TO TRANSFER NAVAL VESSELS.

(a) DOMINICAN REPUBLIC.—The Secretary of the Navy is authorized to transfer to the Government of the Dominican Republic the medium auxiliary floating dry dock AFDM 2. Such transfer shall be on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

(b) ECUADOR.—The Secretary of the Navy is authorized to transfer to the Government of Ecuador the ''OAK RIDGE'' class medium auxiliary repair dry dock ALAMOGORDO (ARDM 2). Such transfer shall be on a sales basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761).

(c) EGYPT.—The Secretary of the Navy is authorized to transfer to the Government of Egypt the ''NEWPORT'' class tank landing ships BARBOUR COUNTY (LST 1195) and PEORIA (LST 1183). Such transfers shall be on a sales basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761).

(d) GREECE.—(1) The Secretary of the Navy is authorized to transfer to the Government of Greece the ''KNOX'' class frigate CONNOLE (FF 1056). Such transfer shall be on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

(2) The Secretary of the Navy is authorized to transfer to the Government of Greece the medium auxiliary floating dry dock COMPETENT (AFDM 6). Such transfer shall be on a sales basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761).

(e) MEXICO.—The Secretary of the Navy is authorized to transfer to the Government of Mexico the ''NEWPORT'' class tank landing ship NEWPORT (LST 1179) and the ''KNOX'' class frigate WHIPPLE (FF 1062). Such transfers shall be on a sales basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761).

(f) POLAND.—The Secretary of the Navy is authorized to transfer to the Government of Poland the ''OLIVER HAZARD PERRY'' class guided missile frigate CLARK (FFG 11). Such transfer shall be on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

(g) TAIWAN.—The Secretary of the Navy is authorized to transfer to the Taipei Economic and Cultural Representative Office in the United States (which is the Taiwan instrumentality designated pursuant to section 10(a) of the Taiwan Relations Act) the ''NEWPORT'' class tank landing ship SCHENECTADY (LST 1185). Such transfer shall be on a sales basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761).

(h) THAILAND.—The Secretary of the Navy is authorized to transfer to the Government of Thailand the ''KNOX'' class frigate TRUETT (FF 1095). Such transfer shall be on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

(i) TURKEY.—The Secretary of the Navy is authorized to transfer to the Government of Turkey the ''OLIVER HAZARD PERRY'' class guided missile frigates FLATLEY (FFG 21) and JOHN A. MOORE (FFG 19). Such transfers shall be on a sales basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761).

SEC. 1602. INAPPLICABILITY OF AGGREGATE ANNUAL LIMITATION ON VALUE OF TRANSFERRED EXCESS DEFENSE ARTICLES.

The value of a vessel transferred to another country on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j) pursuant to authority provided by section 1601 shall not be counted for the purposes of section 516(g) of the Foreign Assistance Act of 1961 in the aggregate value of excess defense articles transferred to countries under that section in any fiscal year.

SEC. 1603. COSTS OF TRANSFERS.

Any expense incurred by the United States in connection with a transfer of a vessel authorized by section 1601 shall be charged to the recipient.

SEC. 1604. EXPIRATION OF AUTHORITY.

The authority to transfer vessels under section 1601 shall expire at the end of the 2-year period beginning on the date of the enactment of this Act.

SEC. 1605. REPAIR AND REFURBISHMENT OF VESSELS IN UNITED STATES SHIPYARDS.

The Secretary of the Navy shall require, to the maximum extent possible, as a condition of a transfer of a vessel under section 1601, that the country to which the vessel is transferred have such repair or refurbishment of the vessel as is needed, before the vessel joins the naval forces of that country, performed at a shipyard located in the United States, including a United States Navy shipyard.

SEC. 1606. SENSE OF THE CONGRESS RELATING TO TRANSFER OF NAVAL VESSELS AND AIRCRAFT TO THE GOVERNMENT OF THE PHILIPPINES.

(a) SENSE OF THE CONGRESS.—It is the sense of the Congress that—

(1) the President should transfer to the Government of the Philippines, on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j), the excess defense articles described in subsection (b); and

(2) the United States should not oppose the transfer of F–5 aircraft by a third country to the Government of the Philippines.

(b) EXCESS DEFENSE ARTICLES.—The excess defense articles described in this subsection are the following:

(1) UH–1 helicopters, A–4 aircraft, and the ''POINT'' class Coast Guard cutter POINT EVANS.

(2) Amphibious landing craft, naval patrol vessels (including patrol vessels of the Coast Guard), and other naval vessels (such as frigates), if such vessels are available.

TITLE XVII—MISCELLANEOUS PROVISIONS

SEC. 1701. ANNUAL MILITARY ASSISTANCE REPORTS.

Section 655(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2415(b)) is amended to read as follows:

''(b) INFORMATION RELATING TO MILITARY ASSISTANCE AND MILITARY EXPORTS.—Each such report shall show the aggregate dollar value and quantity of defense articles (including excess defense articles), defense services, and international military education and training activities authorized by the United States and of such articles, services, and activities provided by the United States, excluding any activity that is reportable under title V of the National Security Act of 1947, to each foreign country and international organization. The report shall specify, by category, whether such defense articles—

''(1) were furnished by grant under chapter 2 or chapter 5 of part II of this Act or under any other authority of law or by sale under chapter 2 of the Arms Export Control Act;

''(2) were furnished with the financial assistance of the United States Government, including through loans and guarantees; or

''(3) were licensed for export under section 38 of the Arms Export Control Act.''.

SEC. 1702. PUBLICATION OF ARMS SALES CERTIFICATIONS.

Section 36 of the Arms Export Control Act (22 U.S.C. 2776) is amended in the second subsection (e) (as added by section 155 of Public Law 104–164)—

(1) by inserting ''in a timely manner'' after ''to be published''; and

(2) by striking ''the full unclassified text of'' and all that follows and inserting the following: ''the full unclassified text of—

''(1) each numbered certification submitted pursuant to subsection (b);

''(2) each notification of a proposed commercial sale submitted under subsection (c); and

''(3) each notification of a proposed commercial technical assistance or manufacturing licensing agreement submitted under subsection (d).''.

SEC. 1703. NOTIFICATION REQUIREMENTS FOR COMMERCIAL EXPORT OF SIGNIFICANT MILITARY EQUIPMENT ON UNITED STATES MUNITIONS LIST.

(a) NOTIFICATION REQUIREMENT.—Section 38 of the Arms Export Control Act (22 U.S.C. 2778) is amended by adding at the end the following:

''(i) As prescribed in regulations issued under this section, a United States person to whom a license has been granted to export an item identified as significant military equipment on the United States Munitions List shall, not later than 15 days after the item is exported, submit to the Department of State a report containing all shipment information, including a description of the item and the quantity, value, port of exit, and destination of the item.''.

(b) QUARTERLY REPORTS TO CONGRESS.—Section 36(a) of the Arms Export Control Act (22 U.S.C. 2776(a)) is amended—

(A) in paragraph (11), by striking ''and'' at the end;

(B) in paragraph (12), by striking ''third-party transfers.'' and inserting ''third-party transfers; and''; and

(C) by adding after paragraph (12) (but before the last sentence of the subsection), the following:

''(13) a report on all exports of significant military equipment for which information has been provided pursuant to section 38(i).''.

SEC. 1704. ENFORCEMENT OF ARMS EXPORT CONTROL ACT.

The Arms Export Control Act (22 U.S.C. 2751 et seq.) is amended in sections 38(e), 39A(c), and 40(k) by inserting after ''except that'' each place it appears the following: ''section 11(c)(2)(B) of such Act shall not apply, and instead, as prescribed in regulations issued under this section, the Secretary of State may assess civil penalties for violations of this Act and regulations prescribed thereunder and further may commence a civil action to recover such civil penalties, and except further that''.

SEC. 1705. VIOLATIONS RELATING TO MATERIAL SUPPORT TO TERRORISTS.

Section 38(g)(1)(A)(iii) of the Arms Export Control Act (22 U.S.C. 2778(g)(1)(A)(iii)) is amended by adding at the end before the comma the following: ''or section 2339A of such title (relating to providing material support to terrorists)''.

SEC. 1706. AUTHORITY TO CONSENT TO THIRD PARTY TRANSFER OF EX-U.S.S. BOWMAN COUNTY TO USS LST SHIP MEMORIAL, INC.

(a) FINDINGS.—Congress makes the following findings:

(1) It is the long-standing policy of the United States Government to deny requests for the retransfer of significant military equipment that originated in the United States to private entities.

(2) In very exceptional circumstances, when the United States public interest would be served by the proposed retransfer and end-use, such requests may be favorably considered.

(3) Such retransfers to private entities have been authorized in very exceptional circumstances following appropriate demilitarization and receipt of assurances from the private entity that the item to be transferred would be used solely in furtherance of Federal Government contracts or for static museum display.

(4) Nothing in this section should be construed as a revision of long-standing policy referred to in paragraph (1).

(5) The Government of Greece has requested the consent of the United States Government to the retransfer of HS Rodos (ex-U.S.S. Bowman County (LST 391)) to the USS LST Ship Memorial, Inc.

(b) AUTHORITY TO CONSENT TO RETRANSFER.—

(1) IN GENERAL.—Subject to paragraph (2), the President may consent to the retransfer by the Government of Greece of HS Rodos (ex-U.S.S. Bowman County (LST 391)) to the USS LST Ship Memorial, Inc.

(2) CONDITIONS FOR CONSENT.—The President should not exercise the authority under paragraph (1) unless USS LST Memorial, Inc.—

(A) utilizes the vessel for public, nonprofit, museum-related purposes;

(B) submits a certification with the import application that no firearms frames or receivers, ammunition, or other firearms as defined in section 5845 of the National Firearms Act (26 U.S.C. 5845) will be imported with the vessel; and

(C) complies with regulatory policy requirements related to the facilitation of monitoring by the Federal Government of, and the mitigation of potential environmental hazards associated with, aging vessels, and has a demonstrated financial capability to so comply.

SEC. 1707. EXCEPTIONS RELATING TO PROHIBITIONS ON ASSISTANCE TO COUNTRIES INVOLVED IN TRANSFER OR USE OF NUCLEAR EXPLOSIVE DEVICES.

(a) IN GENERAL.—Section 2 of the Agriculture Export Relief Act of 1998 (Public Law 105–194; 112 Stat. 627) is amended—

(1) by striking subsection (d); and

(2) by striking the second sentence of subsection (e).

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act or September 30, 1999, whichever occurs earlier.

SEC. 1708. CONTINUATION OF THE EXPORT CONTROL REGULATIONS UNDER IEEPA.

To the extent that the President exercises the authorities of the International Emergency Economic Powers Act to carry out the provisions of the Export Administration Act of 1979 in order to continue in full force and effect the export control system maintained by the Export Administration regulations issued under that Act, including regulations issued under section 8 of that Act, the following shall apply:

(1) The penalties for violations of the regulations continued pursuant to the International Emergency Economic Powers Act shall be the same as the penalties for violations under section 11 of the Export Administration Act of 1979, as if that section were amended—

(A) by amending subsection (a) to read as follows:

''(a) IN GENERAL.—Except as provided in subsection (b), whoever knowingly violates or conspires to or attempts to violate any provision of this Act or any license, order, or regulation issued under this Act—

''(1) except in the case of an individual, shall be fined not more than $500,000 or 5 times the value of any exports involved, whichever is greater; and

''(2) in the case of an individual, shall be fined not more than $250,000 or 5 times the value of any exports involved, whichever is greater, or imprisoned not more than 5 years, or both.'';

(B) in subsection (b)—

(i) in paragraphs (1)(A) and (2)(A) by striking ''five times'' and inserting ''10 times'';

(ii) in paragraph (1)(B) by striking ''$250,000'' and inserting ''$500,000''; and

(iii) in paragraph (2)(B) by striking ''$250,000, or imprisoned not more than 5 years'' and inserting ''$500,000, or imprisoned not more than 10 years'';

(C) in subsection (c)(1)—

(i) by striking ''$10,000'' and inserting ''$250,000''; and

(ii) by striking ''except that the civil penalty'' and all that follows through the end of the paragraph and inserting ''except that the civil penalty for a violation of the regulations issued pursuant to section 8 may not exceed $50,000.''; and

(D) in subsection (h)(1), by inserting after ''Arms Export Control Act (22 U.S.C. 2778)'' the following: ''section 16 of the Trading with the enemy Act (50 U.S.C. 16), or, to the extent the violation involves the export of goods or technology controlled under this or any other Act or defense articles or defense services controlled under the Arms Export Control Act, section 371 or 1001 of title 18, United States Code,''.

(2) The authorities set forth in section 12(a) of the Export Administration Act of 1979 may be exercised in carrying out the regulations continued pursuant to the International Emergency Economic Powers Act.

(3) The provisions of sections 12(c) and 13 of the Export Administration Act of 1979 shall apply in carrying out the regulations continued pursuant to the International Emergency Economic Powers Act.

(4) The continuation of the provisions of the Export Administration Regulations pursuant to the International Emergency Economic Powers Act shall not be construed as not having satisfied the requirements of that Act.

The CHAIRMAN pro tempore. Pursuant to House Resolution 247, the gentleman from New York (Mr. GILMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York (Mr. GILMAN).

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

Mr. Chairman, this is a bipartisan, noncontroversial amendment put together in conjunction with the ranking minority member on the Committee on International Relations, the gentleman from Connecticut (Mr. GEJDENSON), and the ranking minority member on the subcommittee on international operations and human rights, the gentlewoman from Georgia (Ms. MCKINNEY).

This amendment makes technical corrections. It provides $110 million for the U.S. contribution to the U.N. Children's fund, UNICEF. It authorizes $15 million for a grant to the Asia Foundation. It amends the Foreign Affairs Reform and Restructuring Act of 1998 to provide that personnel transfers from the agencies being consolidated into the State Department shall not adversely affect the relative positions of women and minorities.

This amendment also modifies section 402 of H.R. 2415 which requires the inclusion of persons committed to democracy in U.S. international exchange programs.

The amendment also requires periodic reports on the investigation into the March 1997 grenade attack in Cambodia that killed 17 democracy activists.

Finally, the amendment adds a new division B, the Security Assistance Act of 1999. This provision is identical to H.R. 973 which passed the House under suspension of the rules on June 15, 1999. It modifies authorities with respect to the provision of security assistance. These provisions address the transfer of excess defense articles, the foreign military sales program, new reporting requirements for offset agreements associated with arms transfers, and ensuring the Department of Defense charges foreign customers for the administrative costs of processing leases.

Accordingly, I urge Members to support this bipartisan amendment.

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

Mr. GEJDENSON. Mr. Chairman, while not in opposition, I ask unanimous consent to have the time allotted in opposition.

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

There was no objection.

Mr. GEJDENSON. Mr. Chairman, I yield myself such time as I may consume. I join the chairman in supporting this en bloc amendment.

There are a number of important provisions here. One that I am particularly interested in, of course, is the multilateral code of conduct to get this administration to take a lead in establishing some controls on arms proliferation. The world is not made safer when particularly poor, impoverished countries are entered into arms races time and time again, increasing the volatility and diverting important resources from the needs of their own people and feeding and educating them. So I think that is a particularly important amendment.

I also think the waiver authority of the Glenn amendment sanctions is particularly important. India and Pakistan are two important countries. We have to figure out a way to deal with this problem and we have to find a way to engage particularly the Indians, the world's most populous democracy.

The increased penalties in the Export Administration Act of 1979 are important. Some of these fines are so antiquated that it is frankly cheaper for many companies to take the fines even if they know they are violating the rules then under the present regime. Increasing these fines will make at least the fines be a deterrent.

This amendment is an important amendment. There are a number of other critical provisions in this bill. I join with the chairman for its passage.

Ms. SANCHEZ. Mr. Chairman, I rise today to express my strong support for Section 274 of ''The State Department Authorization Act''.

This section seeks to resolve the serious problems in our refugee programs in Vietnam. Serious problems that many of my constituents face on a daily basis.

In my hand I hold copies of hundreds of unresolved constituent cases. My constituents are facing situations which none of us in this chamber would ever want to face.

Many refugees resettled in Orange County without their children and have not been able to re-unite with their loved ones because the INS refuses to reconsider their cases.

This section would correct this situation. This section also calls for the retention of the JVA as an advocate for refugees.

As many of you know, this organization has been most helpful in helping applications in Viet Nam overcome the communist bureaucracy and rampant corruption.

I recently traveled to Viet Nam and met with U.S. consular officials and Immigration and Naturalization Service personnel who participate in the refugee programs. I discussed with them the problems many individuals face including: bribery, corruption and extortion. I expressed to them my support of the recommendations offered in Section 274.

I urge my colleagues to support this effort and vote ''yes'' on Section 274.

Mr. ROEMER. Mr. Chairman, I rise to express my support for a provision in this bill of great importance to the future of U.S. public diplomacy. This legislation reestablishes the U.S. Advisory Commission on Public Diplomacy, an important bipartisan, advisory and oversight committee responsible for the promotion and improvement of U.S. international information and exchange programs.

In particular, I would like to express my sincere gratitude to the gentleman from New Jersey (Mr. CHRIS SMITH), the chairman of the Subcommittee on International Organizations and Human Rights for his support and hard work to reestablish the advisory commission. I also thank the other Members of the Committee for their continued support and recognition that public diplomacy is an integral component of our foreign policy objectives.

Mr. Chairman, the Advisory Commission on Public Diplomacy, which is currently part of the U.S. Information Agency—is bipartisan and presidentially-appointed, with the consent of the U.S. Senate. Its membership has included distinguished Americans like Father Ted Hesburgh, George Gallup, William F. Buckley, Frank Stanton and James Michener, who have all served without compensation save travel reimbursements.

Before USIA was created and when the overseas information and cultural programs were still located in the State Department, Congress decided in the Smith-Mundt Act that distinguished Americans be asked to provide ''great constructive value to the Secretary of State and the Congress in the best development of public relations programs in the foreign relations of the United States .'' I strongly believe this policy remains relevant today more than ever.

Currently, the advisory commission has a budget of less than $500,000 and it has returned an average of $75,000 to the taxpayers in each of the last three years. Certainly, American taxpayers are getting their money's worth. For more than 50 years, the advisory commission and its predecessor bodies have issued several intelligent and thoughtful reports in which relevant public diplomacy

issues have been examined and recommendations delivered to the American public, the Congress and the U.S. Information Agency, which will be merged into the Department of State later this year.

For example, the advisory commission helped USIA expand its research and program evaluation to target information to women's and labor groups abroad during the 1960s and 1970s. Furthermore, it helped improve Voice of America programming and signal delivery, in addition to direct broadcast satellite research. Without question, the advisory commission's contributions in these areas have gone a long way to help the United States communicate its message to the rest of the world regarding democracy, human rights, free market principles, as well as other traditional American values.

In the 1980s, the commission broke new ground when it released a special report entitled ''Terrorism and Security: The Challenge for Public Diplomacy,'' which recommended ways to make the difficult and dedicate balance between the need to protect our diplomats and overseas installations and the need to reach out to overseas publics. It has done so again in the 1990s by focusing on a new diplomacy for the information age.

Mr. Chairman, our country enjoys a considerable ''edge'' in public diplomacy, both in reaching publics through advanced technology and in communicating our message of democracy, human rights, free markets as well as ethnic and cultural diversity. Clearly, it is to our advantage to use that edge. In the post-Cold war era of instant global journalism and people power, foreign public opinion is critical to the success of American foreign policy initiatives. The advisory commission's reports illustrate how the increase in global communications and technology makes foreign publics far more important than ever and why we should use our advanced skills in these areas to inform, understand and influence those foreign publics.

For instance, last year's report—entitled ''A New Diplomacy for the Information Age''—explains how Saddam Hussein used public diplomacy to his advantage when he shifted the focus of the world media from his arsenal of weapons of mass destruction to the tragic suffering of Iraqi children, a campaign that did nothing to help the United States build the same coalition in 1998 as assembled against Saddam's sinister regime in 1991. The advisory commission's report, which can be accessed via USIA's web page, also includes intelligent and thoughtful recommendations on how to deal with such problems in the future. I believe this represents one of the most important advisory functions of the commission, and I encourage my colleagues to read the report.

Mr. Chairman, the new State Department we have created since enacting the reorganization bill last year must be a responsive and flexible diplomatic institution that can deal as effectively with foreign publics as with foreign governments. We need the insight and experience of the advisory commission to make this transition successful and to achieve our foreign policy goals. In this age of information and democracy, of globalized free markets and the Internet, foreign publics are far more important than ever. As we are developing a new diplomacy for the 21st Century, the U.S. Advisory Commission on Public Diplomacy is of even greater constructive value to the Congress and the Administration.

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

Mr. GILMAN. Mr. Chairman, I want to thank the gentleman for his supporting remarks and for his working with the majority in trying to work out this amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. GILMAN).

The amendment was agreed to.

Mr. GILMAN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PEASE) having assumed the chair, Mr. KOLBE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2415) to enhance security of United States missions and personnel overseas, to authorize appropriations for the Department of State for fiscal year 2000, and for other purposes, had come to no resolution thereon.

GENERAL LEAVE

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the following three bills that were considered today: H.R. 1033, H.R. 31, and H. Con. Res. 121.

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

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 6 p.m.

Accordingly (at 4 o'clock and 7 minutes p.m.), the House stood in recess until approximately 6 p.m.

□ 1802

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PETRI) at 6 o'clock and 2 minutes p.m.

COMMUNICATION FROM HON. J.C. WATTS, CHAIRMAN, HOUSE REPUBLICAN CONFERENCE

The SPEAKER pro tempore laid before the House the following communication from the Honorable J.C. WATTS, Chairman of the House Republican Conference:

HOUSE REPUBLICAN CONFERENCE,
Washington, DC, July 19, 1999.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to inform you that pursuant to clause 5(b) of rule X, Representative Michael P. Forbes is no longer a member of the Republican Conference.

Sincerely,

J.C. WATTS, Jr.,
Chairman.

COMMUNICATION FROM THE SPEAKER

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

THE SPEAKER'S ROOMS,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 19, 1999.

Hon. C.W. BILL YOUNG,
Chairman, Committee on Appropriations,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: This is to advise you that Representative MICHAEL P. FORBES' election to the Committee on Appropriations has been automatically vacated pursuant to clause 5(b) of rule X effective today.

Sincerely,

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

COMMUNICATION FROM THE SPEAKER

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

THE SPEAKER'S ROOMS,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 19, 1999.

Hon. JAMES M. TALENT,
Chairman, Committee on Small Business,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: This is to advise you that Representative Michael P. Forbes's election to the Committee on Small Business has been automatically vacated pursuant to clause 5(b) of rule X effective today.

Sincerely,

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 8 of rule XX, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed earlier today in the order in which that motion was entertained.

Votes will be taken in the following order: H.R. 1033 by the yeas and nays, H. Con. Res. 121 by the yeas and nays, and H.R. 1477, by the yeas and nays.

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

LEWIS AND CLARK EXPEDITION BICENTENNIAL COMMEMORATIVE COIN ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 1033.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nebraska (Mr. BEREUTER) that the House suspend the rules and pass the bill, H.R. 1033, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 381, nays 1, not voting 51, as follows:

[Roll No. 308]

YEAS—381

Abercrombie
Ackerman
Aderholt
Archer
Armey
Bachus
Baird
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coburn
Combest
Condit
Conyers
Cook
Costello
Cox
Coyne
Cramer
Crane
Cubin
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Nethercutt
Ney
Northup
Nussle
Oberstar
Obey
Ortiz
Ose
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Portman
Price (NC)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Ryan (WI)
Sabo
Salmon
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Talent
Tancredo
Tanner
Tauscher
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Tiahrt
Tierney
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—1

Paul

NOT VOTING—51

Allen
Andrews
Baker
Barrett (NE)
Berman
Brown (FL)
Chenoweth
Coble
Collins
Cooksey
Crowley
Danner
Edwards
Fossella
Fowler
Gutierrez
Hayes
Hinchey
Houghton
Jefferson
Johnson (CT)
Kennedy
Klink
Larson
Lewis (GA)
McDermott
McIntosh
Meeks (NY)
Mollohan
Moore
Neal
Norwood
Olver
Owens
Peterson (PA)
Porter
Pryce (OH)
Rush
Ryun (KS)
Sanchez
Sanders
Sessions
Smith (TX)
Sweeney
Tauzin
Taylor (NC)
Thurman
Toomey
Towns
Weiner
Wise

□ 1828.

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. SANCHEZ. Mr. Speaker, during rollcall vote No. 308 on July 19, 1999, I was unavoidably detained. Had I been present, I would have voted ''aye.''

Mr. RYUN of Kansas. Mr. Speaker, on rollcall No. 308, I was not able to be here due to a delayed airline flight. Had I been present, I would have voted ''yea.''

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PETRI). Pursuant to the provisions of clause 8 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 will be taken on each additional motion to suspend the rules on which the Chair has postponed further proceedings.

EXPRESSING SENSE OF CONGRESS REGARDING UNITED STATES VICTORY IN THE COLD WAR AND FALL OF THE BERLIN WALL

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, House Concurrent Resolution 121, as amended.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 121, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 381, nays 0, answered ''present'' 2, not voting 50, as follows:

[Roll No. 309]

YEAS—381

Abercrombie
Ackerman
Aderholt
Archer
Armey
Bachus
Baird
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coburn
Combest
Condit
Conyers
Cook
Costello
Cox
Coyne
Cramer
Crane
Cubin
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hutchinson

Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Nethercutt
Ney
Northup
Nussle
Oberstar
Obey
Ortiz
Ose
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Portman
Price (NC)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Sabo
Salmon
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Talent
Tancredo
Tanner
Tauscher
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Tiahrt
Tierney
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—2

Kucinich
Lee

NOT VOTING—50

Allen
Andrews
Baker
Barrett (NE)
Berman
Brown (FL)
Chenoweth
Coble
Collins
Cooksey
Crowley
Danner
Edwards
Fossella
Fowler
Granger
Gutierrez
Hayes
Hinchey
Houghton
Jefferson
Johnson (CT)
Kennedy
Klink
Larson
Lewis (GA)
McDermott
McIntosh
Meeks (NY)
Mollohan
Moore
Neal
Norwood
Olver
Owens
Peterson (PA)
Porter
Pryce (OH)
Ryun (KS)
Sanchez
Sanders
Sessions
Smith (TX)
Sweeney
Tauzin
Taylor (NC)
Thurman
Toomey
Towns
Wise

□ 1836

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. SANCHEZ, Mr. Speaker during rollcall vote No. 309 on July 19, 1999, I was unavoidably detained. Had I been present, I would have voted ''aye.''

Mr. RYUN of Kansas. Mr. Speaker, on rollcall No. 309, I was not able to be here due to a delayed airline flight. Had I been present, I would have voted ''yea.''

IRAN NUCLEAR PROLIFERATION PREVENTION ACT OF 1999

The SPEAKER pro tempore (Mr. PETRI). The pending business is the question of suspending the rules and passing the bill, H.R. 1477.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and pass the bill, H.R. 1477, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 383, nays 1, not voting 49, as follows:

[Roll No. 310]

YEAS—383

Abercrombie
Ackerman
Aderholt
Archer
Armey
Bachus
Baird
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coburn
Combest
Condit
Conyers
Cook
Costello
Cox
Coyne
Cramer
Crane
Cubin
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
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Jackson (IL)
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Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
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Kelly
Kildee
Kilpatrick
Kind (WI)
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NAYS—1

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NOT VOTING—49

Allen
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Toomey
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Wise

□ 1843

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. SANCHEZ. Mr. Speaker, during rollcall vote No. 310, I was unavoidably detained. Had I been present, I would have voted ''aye.''

Mr. RYUN of Kansas. Mr. Speaker, on rollcall No. 310, I was not able to be here due to a delayed airline flight. Had I been present, I would have voted ''yea.''

AMERICAN EMBASSY SECURITY ACT OF 1999

The SPEAKER pro tempore. Pursuant to House Resolution 247 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2415.

□ 1843

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2415) to enhance security of United States missions and personnel overseas, to authorize appropriations for the Department of State for fiscal year 2000, and for other purposes, with Mr. MILLER of Florida (Chairman pro tempore) in the Chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose earlier today, amendment number 1 printed in part A of House Report 106–235 offered by the gentleman from New York (Mr. GILMAN) had been disposed of.

□ 1845

AMENDMENTS EN BLOC OFFERED BY MR. GILMAN

Mr. GILMAN. Mr. Chairman, pursuant to the authority granted in H. Res. 247, I offer amendments en bloc.

The CHAIRMAN pro tempore (Mr. MILLER of Florida). The Clerk will designate the amendments en bloc.

The text of the amendments en bloc is as follows:

Part B amendments en bloc offered by Mr. GILMAN, consisting of the following:

Amendment No. 5 offered by Mr. CAPUANO:

Page 12, after line 4, insert the following:

(F) INTERNATIONAL RAPE COUNSELING PROGRAM—Of the amounts authorized to be appropriated in paragraph (1), $2,500,000 for the fiscal year 2000 are authorized to be appropriated only for a United States based rape counseling program for assistance to women who have been victimized by the systematic use of rape as a weapon in times of conflict and war.

Amendment No. 7 offered by Mr. SANDERS:

Page 15, after line 20, insert the following:

(6) ISRAEL-ARAB PEACE PARTNERS PROGRAM.—Of the amounts authorized to be appropriated under clause (i), $1,500,000 for the fiscal year 2000 is authorized to be available only for people-to-people activities (with a focus on young people) to support the Middle East peace process involving participants from Israel, the Palestinian Authority, Arab countries, and the United States, to be known as the ''Israel-Arab Peace Partners Program''. Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit a plan to the Committee on International Relations of the House of Representatives for implementation of such program, The Secretary shall not implement the plan until 45 days after its submission to the Committee.

Amendment No. 14 offered by Mr. SANDERS:

Page 35, after line 9, insert the following:

SEC 211. GENDER RELATED PERSECUTION TASK FORCE.

(a) ESTABLISHMENT OF TASK FORCE.—The Secretary of State, in consultation with other Federal agencies, shall establish a task force with the goal of determining eligibility guidelines for women seeking refugee status overseas due to gender-related persecution (including but not limited to domestic and workplace violence and female genital mutilation).

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary of State shall prepare and submit to the Congress a report outlining the guidelines determined by the task force under subsection (a).

Amendment No. 17 offered by Mr. ANDREWS:

Page 46, after line 22, insert the following:

SEC. 257. DENIAL OF PASSPORTS TO NONCUSTODIAL PARENTS SUBJECT TO STATE ARREST WARRANTS IN CASES OF NONPAYMENT OF CHILD SUPPORT.

The Secretary of State is authorized to refuse a passport or revoke, restrict, or limit a passport in any case in which the Secretary of State determines, or is informed by competent authority, that the applicant or passport holder is a noncustodial parent who is the subject of an outstanding State warrant of arrest for nonpayment of child support, where the amount in controversy is not less than $2,500.

Amendment No. 19 offered by Mr. EHLERS:

Page 57, after line 18, insert the following:

SEC. 303. SCIENCE AND TECHNOLOGY ADVISER TO SECRETARY OF STATE.

(a) ESTABLISHMENT OF POSITION.—Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a) is amended by adding at the end the following new subsection:

''(g) SCIENCE AND TECHNOLOGY ADVISER.—

''(1) IN GENERAL.—There shall be within the Department of State a Science and Technology Adviser (in this paragraph referred to as the 'Adviser'). The Adviser shall have substantial experience in the area of science and technology. The Adviser shall report to the Secretary of State through the Under Secretary of State for Global Affairs.

''(2) DUTIES.—The Adviser shall—

''(A) advise the Secretary of State, through the Under Secretary of State for Global Affairs, on international science and technology matters affecting the foreign policy of the United States; and

''(B) perform such duties, exercise such powers, and have such rank and status as the Secretary of State shall prescribe.''.

(b) REPORT.—Not later than six months after receipt by the Secretary of State of the report by the National Research Council of the National Academy of Sciences with respect to the contributions that science, technology, and health matters can make to the foreign policy of the United States, the Secretary of State, acting through the Under Secretary of State for Global Affairs, shall submit a report to Congress setting forth the Secretary of State's plans for implementation, as appropriate, of the recommendations of the report.

Amendment No. 20 offered by Mrs. CAPPS:

Page 68, after line 20, insert the following:

(c) SCHOLARSHIPS FOR PRESERVATION OF TIBET'S CULTURE, LANGUAGE, AND RELIGION.—Section 103(b)(1) of the Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1966 (Public Law 104–319; 22 U.S.C. 2151 note) is further amended by striking ''Tibet,'' and inserting ''Tibet (whenever practical giving consideration to individuals who are active in the preservation of Tibet's culture, language, and religion),''.

Amendment No. 21 offered by Mr. ENGEL:

Page 75, line 7, strike ''The Secretary of State'' and insert ''(a) IN GENERAL.—Except as provided in subsection (b), the Secretary of State''.

''Page 75, line 8, strike ''that members'' and insert ''the following:

(1) Members''.

Page 75, beginning on line 13, strike ''unless'' and insert a period.

Page 75, after line 13, insert the following:

(2) Items designated as crime control and detection instruments and equipment for purposes of section 6(n) of the Export Administration Act (50 U.S.C. app. 2405(n)) are not approved for export for use by the RUC.

Page 75, line 14, strike ''the President'' and insert the following:

''(b) EXCEPTION.—Subsection (a) shall not apply if the President''.

Page 75, beginning on line 20, strike '', in which case'' and all that follows through line 21 and insert a period.

Amendment No. 38 offered by Mr. ENGEL:

Page 84, after line 16, add the following (and conform the table of contents accordingly):

SEC. 703. RECOGNITION OF THE MAGEN DAVID ADOM SOCIETY IN ISRAEL AS A FULL MEMBER OF THE INTERNATIONAL RED CROSS AND RED CRESCENT MOVEMENT.

(a) FINDINGS.—The Congress finds the following:

(1) It is the mission of the International Red Cross and Red Crescent Movement to prevent and alleviate human suffering, wherever it may be found, without discrimination

(2) The International Red Cross and Red Crescent Movement is a worldwide institution in which all National Red Cross and Red Crescent Societies have equal status and share equal responsibilities.

(3) The state of Israel has ratified the Geneva Conventions which govern the International Red Cross and Red Crescent Movement.

(4) The Magen David Adom Society is the national humanitarian society in the state of Israel.

(5) The Magen David Adom Society follows all the principles of the International Red Cross and Red Crescent Movement.

(6) Since the founding of the Magen David Adom Society in 1930, the American Red Cross has regarded it as a sister national society and close working ties have been established between the two societies.

(7) The Magen David Adom Society is excluded from full membership in the International Conference of the Red Cross and Red Crescent Movement solely because the Society is not an official protective symbol recognized by either the Geneva Conventions governing the International Red Cross and Red Crescent Movement or the Statutes of the International Red Cross and Red Crescent Movement.

(8) During the past 25 years the American Red Cross has consistently advocated recognition and membership of the Magen

David Adom Society in the International Red Cross and Red Crescent Movement.

(9) The state of Israel has unsuccessfully tried in the past to amend the Geneva Conventions to allow for the emblematic recognition of the Magen David Adom Society.

(10) Recognition of the Magen David Adom Society in Israel as a member of the International Red Cross and Red Crescent Movement would help fortify the spirit of goodwill in the Middle East peace process.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that—

(1) the President should, at the earliest possible date, enlist the cooperation of all nations that are signatory to the Geneva Conventions to ensure that the recognition of the Magen David Adom Society in Israel as a full member of the International Red Cross and Red Crescent Movement is resolved at the forthcoming 27th International Conference of the Red Cross and Red Crescent; and

(2) the President should support a resolution by that Conference requesting the International Committee of the Red Cross to waive on an exceptional basis the 5th condition of recognition in article 4 of its Statutes of the Movement, thus enabling the full participation of the Magen David Adom Society as a member of the International Red Cross and Red Crescent Movement.

Amendment No. 39 offered by Mr. DELAHUNT:

Page 84, after line 16, add the following (and conform the table of contents accordingly):

SEC. 703. ANNUAL REPORTING ON WAR CRIMES, CRIMES AGAINST HUMANITY, AND GENOCIDE.

(a) SECTION 116 OF FOREIGN ASSISTANCE ACT OF 1961.—Section 116(d) of the Foreign assistance Act of 1961 (22 U.S.C. 2151n(d)) is amended—

(1) in paragraph (6), by striking ''and'' at the end;

(2) in paragraph (7), by striking the period at the end and inserting ''and''; and

(3) by adding at the end the following:

''(8) wherever applicable, consolidated information regarding the commission of war crimes, crimes against humanity, and evidence of acts that may constitute genocide.''.

(b) SECTION 502B OF THE FOREIGN ASSISTANCE ACT OF 1961.—Section 502B(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(b)) is amended by inserting after the first sentence the following: ''Wherever applicable, such report shall include consolidated information regarding the commission of war crimes, crimes against humanity, and evidence of acts that may constitute genocide.''.

The CHAIRMAN pro tempore. The Clerk will report the amendments, as modified.

The Clerk read as follows:

Amendment No. 9, as modified, offered by Mr. ROHRABACHER:

Page 34, strike line 18, and all that follows through line 9 on page 35, and insert the following:

SEC. 210. EFFECTIVE REGULATION OF SATELLITE EXPORT ACTIVITIES.

(a) LICENSING REGIME.—

(1) ESTABLISHMENT.—The Secretary of State shall establish a regulatory regime for the licensing for export of commercial satellites, satellite technologies, their components, and systems which shall include expedited approval, as appropriate, of the licensing for export by United States companies of commercial satellites, satellite technologies, their components, and systems, to NATO allies, major non-NATO allies, and other friendly countries, but not to the Peoples Republic of China.

(2) REQUIREMENTS.—For proposed exports to those nations which meet the requirements of paragraph (1) above, the regime should include expedited processing of requests for export authorizations that—

(A) are time-critical, including a transfer or exchange of information relating to a satellite failure or anomaly in-flight or on-orbit;

(B) are required to submit bids to procurements offered by foreign persons;

(C) relate to the re-export of unimproved materials, products, or data; or

(D) are required to obtain launch and on-orbit insurance.

(b) FINANCIAL AND PERSONNEL RESOURCES.—Of the funds authorized to be appropriated in section 101(1)(A), $11,000,000 is authorized to be appropriated for the Office of Defense Trade Controls for fiscal year 2000, to enable that office to carry out its responsibilities.

(c) IMPROVEMENT AND ASSESSMENT.—The Secretary shall, not later than six months after the date of enactment of this Act, submit to the Congress a plan for—

(1) continuously gathering industry and public suggestions for potential improvements in the State Department's export control regime for commercial satellites; and

(2) arranging for the conduct and submission to Congress, not later than 15 months after the date of enactment of this Act, an independent review of the export control regime for commercial satellites as to its effectiveness at promoting national security and economic competitiveness.

Amendment No. 12, as modified, offered by Mr. ROHRABACHER:

Page 35, after line 9, insert the following:

SEC. 211. REPORT CONCERNING ATTACK IN CAMBODIA.

Not later than 30 days after the date of the enactment of this Act, and every 6 months thereafter until the investigation referred to in this section is completed, the Secretary of State, in consultation with the Attorney General, shall submit a report to the appropriate congressional committees, in classified and unclassified form, containing the most current information on the investigation into the March 30, 1997, grenade attack in Cambodia, including a discussion of communication between the United States Embassy in Phnom Penh and Washington.

Amendment No. 16, as modified, offered by Mr. SALMON:

Page 46, after line 22, insert the following new section:

SEC. 257. REPORT ON TERRORIST ACTIVITY IN WHICH UNITED STATES CITIZENS WERE KILLED AND RELATED MATTERS.

(a) IN GENERAL.—Not later than six months after the date of enactment of this Act, and every 6 months thereafter, the Secretary of State shall prepare and submit a report, with a classified annex as necessary, to the appropriate congressional committees regarding terrorist attacks in Israel, in territory administered by Israel, and in territory administered by the Palestinian Authority.

(b) CONTENTS.—Each report under subsection (a) shall contain the following information:

(1) A list of formal commitments the Palestinian Authority has made to combat terrorism.

(2) A list of terrorist attacks, occurring between September 13, 1993 and the date of the report, against United States citizens in Israel, in territory administered by Israel, or in territory administered by the Palestinian Authority, including—

(A) a list of all citizens of the United States killed or injured in such attacks;

(B) the date of each attack and the total number of people killed or injured in each attack;

(C) the person or group claiming responsibility for the attack and where such person or group has found refuge or support;

(D) a list of suspects implicated in each attack and the nationality of each suspect, including information on—

(i) which suspects are in the custody of the Palestinian Authority and which suspects are in the custody of Israel;

(ii) which suspects are still at large in areas controlled by the Palestinian Authority or Israel; and

(iii) the whereabouts (or suspected whereabouts) of suspects implicated in each attack.

(3) Of the suspects implicated in the attacks described in paragraph (2) and detained by Palestinian or Israeli authorities, information on—

(A) the date each suspect was incarcerated;

(B) whether any suspects have been released, the date of such release, and whether any released suspect was implicated in subsequent acts of terrorism; and

(C) the status of each case pending against a suspect, including information on whether the suspect has been indicted, prosecuted, or convicted by the PalestinianAuthority or Israel.

(4) The policy of the Department of State with respect to offering rewards for information on terrorist suspects, including any information on whether a reward has been posted for suspects involved in terrorist attacks listed in the report.

(5) A list of each request by the United States for assistance in investigating terrorist attacks listed in the report, a list of each request by the United States for the transfer of terrorist suspects from the Palestinian Authority and Israel since September 13, 1993, and the response to each request from the Palestinian Authority and Israel.

(6) A description of efforts made by United States officials since September 13, 1993, to bring to justice perpetrators of terrorist acts against United States citizens as listed in the report.

(7) A list of any terrorist suspects in each such case who are members of Palestinian police or security forces, the Palestine Liberation Organization, or any Palestinian governing body.

(c) CONSULTATION WITH OTHER DEPARTMENTS.—In preparing each report required by this section, the Secretary of State shall consult and coordinate with all other Government officials who have information necessary to complete the report. Nothing contained in this section shall require the disclosure, on a classified or unclassified basis, of information that would jeopardize sensitive sources and methods or other vital national security interests or jeopardize ongoing criminal investigations or proceedings.

(d) INITIAL REPORT.—The initial report filed under this section shall cover the period between September 13, 1993, and the date of the report.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES.—For purposes of this section, the term ''appropriate congressional committee'' means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

Amendment No. 40, as modified, offered by Mr. HALL of Ohio:

Page 84, after line 16, insert the following:

SEC. 703. SENSE OF CONGRESS SUPPORTING HUMANITARIAN ASSISTANCE TO THE PEOPLE OF BURMA.

It is the sense of the Congress that the United States Government should support

humanitarian assistance that is targeted to the people of Burma and does not support the State Peace and Development Council (SPDC) and is only implemented and monitored by international or private voluntary organizations that are independent of the SPDC.

Mr. GILMAN (during the reading). Mr. Chairman, I ask unanimous consent that the amendments, as modified, be considered as read and printed in the RECORD.

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

There was no objection.

The CHAIRMAN pro tempore. Pursuant to House Resolution 247, the gentleman from New York (Mr. GILMAN) and the gentleman from Connecticut (Mr. GEJDENSON) each will control 10 minutes.

The Chair recognizes the gentleman from New York (Mr. GILMAN).

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

Mr. Chairman, I want to thank our colleagues who have agreed to place their amendments in this en bloc amendment. This is the product of a bipartisan effort to incorporate amendments and to expedite consideration of H.R. 2415, the American Embassy Security Act.

As the Clerk read, we have included 13 amendments in this en bloc. These amendments make improvements such as adding the reporting of genocide to the Human Rights Reports, the establishment of a qualified science advisor to the State Department, requiring a report on the grenade attack in Cambodia, requiring a report outlining terrorists attacks in Israel, and establishing an Israel-Arab Peace Partners program.

The report on terrorist attacks is important because it allows killers of American citizens to be brought to justice. It is important to the conduct of our foreign policy and to the oversight of our foreign aid that Congress know whether an entity receiving assistance is cooperating in the apprehension of those who kill and maim our U.S. citizens in terrorist incidents.

We welcome the contributions these Members are making to this bill, and I urge support to the en bloc amendment.

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

Mr. GEJDENSON. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts (Mr. DELAHUNT).

Mr. DELAHUNT. Mr. Chairman, in 1976 Congress passed legislation mandating the State Department to produce reports on human rights practices in countries around the world. To the credit of the State Department, these reports have become the most accepted and widely used resource for highlighting human rights abuses and have become invaluable to the work of any individual or any organization serious about protecting human rights.

Additionally, they have become a critical component in fashioning our own bilateral relationships with foreign governments. They also help us to determine how we should exercise our influence in multilateral organizations such as the IMF and the World Bank.

However, the reports are not presently required to provide information on crimes against humanity, war crimes, or evidence of acts that may constitute genocide in a manner that most clearly profiles these most serious, I would submit, of human rights abuses.

This amendment would address that omission and would mandate inclusion of such information in a separate section of the annual country reports. I would submit that evidence of acts of genocide should be particularly noted, as I would submit that genocide represents the ultimate violation of human rights.

In fact, many of us in this Chamber were convinced to support the administration's policy in Kosovo based upon our concern that Milosevic's targeting of Albanians for ethnic cleansing would lead to another Holocaust.

I urge support of this amendment.

Mr. Chairman, in 1976 Congress passed legislation mandating the State Department to produce reports on human rights practices in countries around the world. To the State Department's credit, these reports have become the most accepted and widely-used resource for highlighting human rights abuses and have become invaluable to the work of any individual or organization serious about protecting human rights. Additionally, they have become a critical component in fashioning our own bilateral relationships with foreign governments. They also help us to determine how we should use our influence in multilateral organizations such as the IMF and the World Bank.

However, the reports are not presently required to provide information on crimes against humanity, war crimes, or evidence of acts that may constitute genocide in a manner that most clearly profiles these most serious of human rights abuses. This amendment would address that omission and would mandate inclusion of such information in a separate section in the annual country reports. Evidence of acts of genocide should be especially noted, as I would submit that genocide represents the ultimate violation of human rights.

Many of us in this chamber were convinced to support the Administration's policy in Kosovo based upon our concern that Milosevic's targeting of Albanians for ethnic cleansing would lead to another genocide. Unfortunately, in 1994 there were some in the State Department who debated whether what was happening in Rwanda constituted "genocide"—even as 800,000 people were slaughtered because of their ethnic origin. This House passed a Concurrent Resolution on June 15, condemning the genocidal acts and crimes against humanity committed by the Government of Sudan. And yet this year's country report on Sudan does not call those crimes what they are. If it is a war crime, call it a war crime. If it is genocide, call it genocide.

Adoption of this amendment would focus the attention of the State Department on the issues of war crimes, crimes against humanity, and genocide in a timely manner and make that information available in a clear and unequivocal form to the family of nations. It should strengthen the genocide early warning initiative the Administration announced last year. It could save thousands—if not millions—of lives throughout the world by directing world attention to these atrocities, hopefully provoking early diplomatic intervention.

I urge my colleagues to support this amendment.

AMNESTY INTERNATIONAL USA,
600 PENNSYLVANIA AVENUE, SE,
Washington, DC, July 15, 1999.

Hon. WILLIAM DELAHUNT,
1317 Longworth House Office Building,
Washington, DC.

DEAR CONGRESSMAN DELAHUNT: I understand that you have offered an amendment that would ask the Department of State to include information on the commission of war crimes and genocide, where applicable, in its annual volume of Country Reports on Human Rights Practices. We welcome your initiative and feel that it can only serve to support the Administration's announcement last December 10th of the creation of a genocide early warning initiative.

The Department of State's annual report has become an important and very comprehensive treatment of human rights conditions which already includes reports of individual killings. However, a single murder may also amount to a war crime or represent part of a pattern of genocide which should be noted when applicable as well. Your proposal that the Department look for and report patterns of behavior amounting to genocide and war crimes is a useful one which we are confident the drafters of the annual report sections will support.

Your interest in this issue and your continued strong support for human rights are deeply appreciated.

Sincerely,

STEPHEN RICKARD,
Legislative Director.

CENTERS FOR RELIGIOUS FREEDOM,
Washington, DC, June 15, 1999.

Hon. WILLIAM DELAHUNT,
U.S. House of Representatives,
Washington, DC.

DEAR CONGRESSMAN DELAHUNT: Freedom House applauds your efforts to direct the State Department to report on genocide, crimes against humanity and war crimes on a timely basis.

Too many times the world has ignored serious evidence of genocide while it was occurring. For example, the fact that genocidal acts and crimes against humanity are being conducted by the government of Sudan, as noted in House Resolution 75 of June 15, has gone uncommented on in the most recent State Department Human Rights Reports on country practices. Improved reporting could lead to thousands, even millions of lives, being saved. We enthusiastically support your important initiative.

Sincerely,

NINA SHEA,
Director.

THE INTERNATIONAL CAMPAIGN
TO END GENOCIDE
Washington, DC, July 15, 1999.

Congressman WILLIAM D. DELAHUNT,
Longworth House Office Building,
Washington, DC.

DEAR CONGRESSMAN DELAHUNT: I am writing on behalf of the Campaign to End Genocide, an international coalition of over a dozen human rights groups dedicated to ending genocide in the coming century.

We strongly support the Delahunt Amendment to H.R. 2415, which will require the State Department in its annual Human Rights Report to include annual reporting on war crimes, crimes against humanity, and genocide.

Genocides and other mass murders have killed more people in this century than all the war combined. ''Never again'' has turned into ''Again and again.'' Again and again, the response to genocide has been too little and too late.

During the Armenian genocide and the Holocaust, the world's response was denial. In 1994, while 800,000 Tutsis died in Rwanda, State Department lawyers debated whether it was ''genocide'', and the U.N. Security Council withdrew U.N. peacekeeping troops who could have saved hundreds of thousands of lives. By focusing State Department attention on war crimes, crimes against humanity and genocide, we hope that such moral callousness in U.S. policy-making will never again be repeated.

We are encouraged that this amendment has received the bipartisan support it deserves. Opposition to such heinous crimes dates back to the beginning of our republic when President Jefferson sent American warships to end the depredations of the Barbary pirates. President Bush mobilized the U.N. forces that defeated the genocidal war criminal, Saddam Hussein. And now President Clinton has led the NATO defeat of the indicted war criminal Slobodan Milosovic.

Please let us know how we can be of further help.

Sincerely,

DR. GREGORY H. STANTON,
Director.

Mr. GILMAN. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida (Mr. SHAW).

Mr. SHAW. Mr. Chairman, the plane of the gentlewoman from Connecticut (Mrs. JOHNSON) has been delayed because of weather. She chairs the Subcommittee on Human Resources of the Committee on Ways and Means.

When I chaired that committee, we did a great deal of work as part of the welfare reform bill, the child support provision. In that, we put a provision into the law regarding passports. This goes directly towards what the gentleman from New Jersey (Mr. ANDREWS) has suggested in amendment number 17.

I would ask that the gentleman from New York (Mr. GILMAN) work with the gentlewoman from Connecticut (Mrs. JOHNSON) and Members of the Committee on Ways and Means in order that we not have an inconsistency in the law with regard to the issuance of passports on past-due child support payments.

Mr. Chairman, I yield to the gentleman from New York (Mr. GILMAN).

Mr. GILMAN. Mr. Chairman, I want to assure the gentleman from Florida (Mr. SHAW) that I appreciate the concern with regard to the work of the Committee on Ways and Means and will work with the gentleman on any concerns pertaining to the amendment he has referred to.

The CHAIRMAN pro tempore. Does the gentlewoman from Georgia (Ms. MCKINNEY) seek to control the time of the gentleman from Connecticut (Mr. GEJDENSON)?

Ms. MCKINNEY. I absolutely do, Mr. Chairman.

The CHAIRMAN. Without objection, the gentlewoman from Georgia will control the remaining 8½ minutes.

There was no objection.

Ms. MCKINNEY. Mr. Chairman, I yield 1½ minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Chairman, I rise in strong support of the en bloc amendment, and I thank the gentleman from New York (Chairman GILMAN) and the gentleman from Connecticut (Mr. GEJDENSON) for their hard work on this bill.

I am pleased that the amendment includes a provision that I have authored to encourage the study and preservation of Tibetan culture. For many years, the Tibetan people have suffered tremendously under a succession of oppressive regimes in China.

The United States Information Agency currently offers 30 scholarships to Tibetan students who wish to study in the United States. My amendment directs the USIA to consider, whenever practical, individuals who are active in the preservation of Tibet's culture, language, and religion when granting these scholarships.

My amendment is the result of conversations that I have held with U.S. experts on Tibet, some of whom reside in my district at the University of California at Santa Barbara. It is clear that these subtle changes to the program will be very helpful in our efforts to preserve this ancient culture.

I urge the adoption of this amendment.

Mr. GILMAN. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from California (Mr. ROHRABACHER), a member of our committee.

Mr. ROHRABACHER. Mr. Chairman, I rise in support of the en bloc amendment to H.R. 2415. I have two provisions included in the en bloc regarding export of U.S. satellite technology, and I am the original cosponsor of a third provision that calls for the United States to support and defend the democratic Republic of China on Taiwan.

I congratulate the gentleman from New Jersey (Mr. ANDREWS) for his timely provision in support of the Taiwanese allies.

My first amendment will strongly improve the State Department's process of approving export licenses for American satellites and related technologies.

Last year, the Congress made a bipartisan decision to transfer the licensing of satellite exports from Commerce back to the State Department. Our intention was obvious. We wanted someone to scrutinize proposed exports to potentially threatening countries like Communist China. Instead, the bureaucracy clamped down on everyone, stopping even normal business transactions with friendly nations like Canada and Sweden.

The en bloc amendment before us today includes my amendment forcing the State Department to create and properly fund a streamlined export regime which would apply to allies and friendly countries, but which would not be available for Communist China and other hostile powers.

I appreciate both the chairman's and the ranking member's acceptance of this amendment as well as the strong support shown by the U.S. aerospace industry. With all of their continued support in conference, I believe we can enact this mandate and funding into law that will serve America's security as well as our economic and commercial interest.

My other amendment calls for the State Department to provide the appropriate congressional committee a report in classified and unclassified form on the March 30, 1997 grenade attack on Democrats in Cambodian. In this attack, where 17 Cambodian men, women and children were killed, among the 120 persons wounded was an American citizen named Ron Abney who is a member of the International Republican Institute. Thus, we need to see that report.

I thank the chairman and the ranking member for including my provisions in the en bloc amendment.

Ms. MCKINNEY. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Mr. Chairman, I thank the gentleman from New York (Chairman GILMAN) and the gentleman from Connecticut (Mr. GEJDENSON), the ranking member, for their cooperation in including in this en bloc amendment two amendments in which I have an interest.

The first is a matter which I worked on with the gentleman from Arizona (Mr. SALMON) and the gentleman from New Jersey (Mr. SAXTON) which requires systematic and thorough reporting on the efforts of the United States Government to extradite those accused of committing crimes under the jurisdiction of U.S. law against U.S. citizens. These are important provisions that I believe will help us crack down on terrorism.

I also thank the chairman and the ranking member for including my legislation which will deny passports to custodial parents who have accrued a child support obligation of more than $2,500. I think it is very important that, before Americans enjoy the privilege of traveling abroad, that they make meet their obligations to their own children here at home.

This is an important tool in our effort to step up child support enforcement. I again thank the chairman and the ranking member for their cooperation by adding this to the en bloc. I urge the adoption of the en bloc amendment.

Mr. SALMON. Mr. Chairman, I am pleased that the amendment that I have proposed with Representatives ANDREWS and SAXTON, which

would require the State Department to issue periodic reports on the investigations of Palestinian terrorists who have murdered Americans, will be included in the American Embassy Security Act. I thank Chairman BEN GILMAN for his personal involvement in this matter. The Senate unanimously accepted this anti-terrorism amendment to the Senate State Department Authorization bill.

At least twelve American citizens have been killed by Palestinian terrorists in Israel since the signing of the Oslo Accords in September 1993. Over 20 suspects in the attacks currently reside in territory controlled by the Palestinian Authority. Several of these suspects are walking about free. Some have reportedly been given positions in Palestinian police forces.

The United States has the right and the responsibility under U.S. law to prosecute the terrorist killers of Americans. The House of Representatives strongly endorsed this principle last year when it voted 406 to 0 in favor of a resolution declaring that the ''[Palestinian] suspects should be tried in the United States unless it is determined that such action is contrary to effective prosecution.'' While the administration should be commended for sending investigative teams to Israel to investigate these attacks, the effort has been incomplete. For example, no rewards have yet been offered by the U.S. government for information leading to the capture of the Palestinian killers of the murdered Americans, even though multimillion dollar rewards have been offered in other cases of Americans killed by terrorists abroad. And despite reams of evidence implicating certain individuals in the murders of Americans—including in one case an outright confession—no indictments have been secured by U.S. authorities. The reports will help to respond to concerns that political considerations may be stalling these investigations.

The bipartisan amendment responds to the lack of progress in the investigations. Specifically, the amendment would require the administration to provide Congress with regular, detailed reports on the status of the investigations into the killers of Americans. The report would also contain information on the policy of the State Department with respect to offering rewards for information leading to the capture of the terrorist suspects and a list of suspected terrorists serving in Palestinian security forces.

Smartly, the language protects against the disclosure of information that would impede ongoing investigations. Obviously, the American families that have lost loved ones in terrorist attacks do not want these investigations compromised in any way.

The families of the victims support our effort. I quote from a letter signed by three of the families: ''Your legislation addresses a serious and immediate problem. We have constantly been frustrated and disappointed at the difficulty of finding out the most basic information about the status of U.S. investigators into the attacks in which our children were killed. This legislation will help rectify the problem. Reports to Congress on these investigations will help to make it possible for Congress to play a crucial supportive role in facilitating efforts to apprehend, prosecute, and punish terrorists who have murdered American citizens in Israel or the administered territories.'' The letter continues: ''Keeping a spotlight on these issues is a crucial component in the process of achieving Middle East Peace. . . . The peace process can only be strengthened by a move toward justice.''

The amendment is about achieving justice, and achieving peace for the families who have lost loved ones in terrorist attacks. It's about recognizing that American life isn't cheap, and that if you're an American citizen killed abroad, the United States will never forget you.

Mr. SMITH of New Jersey. Mr. Chairman, Mr. ENGEL's amendment (amendment #47, part of the en bloc) builds on Section 408 of the bill, a section which was added as a result of an amendment I successfully offered with Mr. PETER KING of New York during consideration of this legislation in the International Relations Committee. Section 408—and, by extension, the language offered today—seeks to end the intimidation of defense attorneys in Northern Ireland, and to secure just and impartial investigations of the murders of two heroic defense attorneys, Rosemary Nelson and Patrick Finucane.

As adopted by the full committee, Section 408 cuts off funding authority for U.S.-sponsored training and exchange programs offered to Northern Ireland's police force, the Royal Ulster Constabulary (RUC), unless the President certifies that the United Kingdom has initiated independent investigations into the murders of two Catholic defense attorneys. It also conditions the funds on the President certifying that the UK is appropriately protecting other defense attorneys who have been harassed by the Royal Ulster Constabulary (RUC).

On September 29, 1998, Rosemary Nelson, a defense attorney from Northern Ireland, testified before the Subcommittee on International Operations and Human Rights and told us that, as a defense attorney working on high-profile, political cases, she feared the RUC. She reported that she had been ''physically assaulted by a number of RUC officers,'' and that the harassment included, ''at the most serious, making threats against my personal safety including death threats.''

Six months later, on March 15, 1999, Rosemary Nelson was murdered, the victim of a car bomb. Because of Rosemary's own stated fears, and because of subsequent reports issued by Northern Ireland's Independent Commission on Police Complaints, several questions have been raised about RUC complicity in her murder.

Amazingly, however, the British government insists that the RUC be the agency most involved in investigating Rosemary's murder.

In addition to the Nelson family, numerous international human rights organizations, the European Union, the Northern Ireland Law Society, elected officials from both sides of the divide in Northern Ireland, and the U.S. Congress have all called for independent inquiries—RUC-free inquiries—into Rosemary Nelson's murder. Similarly, leading human rights activists are calling for an independent judicial inquiry into the allegations of government collusion in the murder of slain defense attorney Patrick Finucane.

In an extraordinary show of bipartisan support, this past April, the U.S. House of Representatives passed my bill, H. Res. 128, condemning the Finucane and Nelson killings and calling on the British government to adequately protect defense lawyers. The resolution unequivocally linked Ms. Nelson's murder with that of Patrick Finucane, recognizing the hostile environment within which Northern Ireland's defense lawyers function, particularly aggravated by threats coming directly or indirectly from the police.

Section 408 of this bill renews our previous calls for the independent inquiries as but one step toward accountability for human rights violations against defense lawyers in Northern Ireland. It blocks U.S. funds to RUC programs and requires the President and the State Department to do more to persuade the Blair government to mitigate the harassment of defense attorneys in Northern Ireland. Mr. ENGEL's amendment extends our efforts in Section 408 by restricting the export of law enforcement equipment to the RUC until the Section 408 goals are met. While the RUC does not currently receive the equipment banned by the Engel amendment, the added language precludes them from doing so, or even qualifying for such equipment, until the standards are met.

It is important to note that even while negotiations have been stalled and the future of the new Northern Ireland Assembly is in jeopardy, the British government can take some unilateral steps to restore confidence in the peace process. As recommended in this bill, the Blair government should pull the RUC off the Rosemary Nelson murder case, take decisive action to protect defense attorneys, and initiate an objective, public inquiry into the murder of Patrick Finucane.

Mr. ANDREWS. Mr. Chairman, I would like to take this opportunity to speak in support of my amendment to HR 2415, which would allow the Secretary of State to deny, revoke, or limit passports to non-custodial parents who owe $2,500 or more in child support. Current law sets the threshold at $5,000—an amount that does not go far enough to protect America's children.

Only half of all custodial parents who are awarded child support actually receive the full amount ordered by a court. Over $5 billion is owed in delinquent child support payments each year. In a time when millions of American children live below the poverty level, the government must make a strong statement that significant delinquency in child support payments will not be tolerated. I believe we must stand up for personal responsibility and the well being of children around the nation and I thank the Chairman for offering this en bloc amendment and including this important provision.

Ms. MCKINNEY. Mr. Chairman, I support this amendment, and I want to make clear why I do. One of the most depraved and beastly actions toward defenseless civilians by armed men in recent conflicts has been the commission of rape as a tool of war. It's been done in Kosovo and in Rwanda. This isn't ''date rape''; it isn't even rape by someone who knows the person he's doing it to. It is rape as a kind of ultimate demonstration of power and control and of contempt for the women being raped and the groups they belong to.

As a result, the number of women who have been raped in this way and for these reasons has continued to grow. Like any other form of torture or degradation in wartime, rape as war crime leaves behind devastating physical and especially psychological effects that can last a

lifetime. People become unable to sleep, unable to work, unable to trust other people, unable to escape from the constant feeling of the events themselves.

The Human Rights subcommittee of which I am the ranking member just held a hearing on the U.S. response to victims of torture. It is obvious that one of the consistent characteristics of the 160 centers worldwide for torture victims—not enough to have live-in facilities for people in the greatest need, not enough to provide even outpatient counseling.

We need to do more to help. I commend my colleague MIKE CAPUANO for recognizing that fact and finding a way to start doing so. I strongly support this amendment and I encourage the House to adopt it.

Mr. ENGEL. Mr. Chairman, I rise in support of the en bloc amendment and my two amendments contained therein.

In the United States, people know that in the event of an emergency they can always count on the American Red Cross to come to the rescue. Other countries' Red Cross or Red Crescent societies perform similar functions.

The Israeli counterpart to the American Red Cross is the Magen David Adom (MDA) society. MDA carries out all of the traditional roles of a voluntary medical aid society, such as emergency medical services, maintenance of blood supplies, first aid, and disaster relief. Unfortunately, unlike the American Red Cross and every other nation's ICRC component organization, MDA is not accepted as a member of the International Red Cross and Red Crescent Movement.

The Magen David Adom Society is excluded from full membership in the International Conference of the Red Cross and Red Crescent Movement solely because the Red Shield of David, the organization's emblem, is not officially recognized by either the Geneva Conventions or the Statutes of the International Red Cross and Red Crescent Movement. I have the fullest respect for the religious traditions represented by the red cross and red crescent, but I also respect the decision of Israel, as a Jewish state, to choose a sign more in line with its religious tradition. With peace slowly but surely coming to the Middle East and Israel developing progressively more relations with its neighbors, it is time that the ICRC accepts the Magen David Adom as a full member.

The amendment, which I offer with my friend, the gentleman from New York, Mr. WEINER, seeks to shine light on this problem and presses our government to seek a solution. Specifically, it urges the President to work with other nations to achieve recognition of MDA as a full member of the International Red Cross and Red Crescent Movement at the forthcoming 27th International Conference of the Red Cross and Red Crescent.

My second amendment, Mr. Chairman, conditions exports of crime control equipment—such as batons, hand cutts, or tear gas—to the Royal Ulster Constabulary on independent investigations into the murders of defense attorneys Patrick Finucane and Rosemary Nelson. Section 408 of the underlying bill already conditions FBI and police training of the RUC on independent investigations of these suspicious murders. My amendment adds to that section by restricting exports of police items.

I share the fear of many members of Congress and human rights groups that the RUC will white wash these investigations. My amendment and the bill, itself, are designed to send the signal that we will no longer stand for bungled investigations and cover-ups of politically-motivated killings. It is time that peace and justice came to northern Ireland.

I would like to thank Chairman GILMAN, Ranking member GEJDENSON, and Subcommittee Chairman CHRIS SMITH for their exceptional cooperation and support during this process.

Mr. ANDREWS. Mr. Chairman, I rise in support of the Salmon-Andrews-Saxton amendment to H.R. 2415, which requires the Administration to provide Congress with regular, detailed reports on the status of the investigations into the killers of Americans. Over 20 suspects in the deaths of twelve American citizens currently reside in the territory controlled by the Palestinian Authority, and several of these suspects are walking free.

While the United States has a right and responsibility to prosecute the terrorist killers of Americans, the Administration's effort has been incomplete. This amendment would hold the Administration responsible for following through with the pursuit of justice. We must be active in our fight against terrorism, and this bill will aid in the maintenance of U.S. vigilance against terrorism.

I would like to express my sincere thanks to my colleagues, Mr. SALMON, who are tireless foes of terrorism, and I would also like to thank Mr. GILMAN for offering the en bloc amendment and for including this important provision in his amendment.

Mr. SMITH of New Jersey. Mr. Chairman, during this past week the Communist People's Republic of China started a series of events to threaten Taiwan:

Starting just this last weekend and going into this week, China has been conducting the first military exercise in the Taiwan Strait since 1996, with soldiers chanting ''We will liberate Taiwan'';

Meanwhile the Communist Party newspapers ran the headline, ''Those who play with fire will get burnt'';

In addition, last Thursday, China declared that it has mastered the design technology for the neutron bomb.

In light of these imminent threats from mainland China, the U.S. Congress must send a clear message that we support our democratic ally Taiwan and that the U.S. will defend Taiwan from military attacks. Without that clear message, Communist China may be tempted to attack Taiwan and destabilize the world, hoping that the U.S. will stand aside, particularly when the Clinton Administration advocates for ''one China.'' If there were one democratic China, the U.S. Congress and the people of the United States would support it. For now, there is only one democratic State in China—The Republic of China on Taiwan—so we will support Taiwan.

The people of Taiwan have spoken with their votes to stay separate from the Communist mainland until there is democracy for all. We respect their votes and their voice. We commend them for building this flourishing democracy regardless of threats from the Beijing. I support the amendment from my colleagues Mr. ANDREWS, Mr. ROHRABACHER, Mr. DEUTSCH, Mr. MCNULTY, Mr. CALVERT, Mr. WU, and Mr. BILIRAKIS, to declare that we stand with our democratic allies, and we will defend democratic Taiwan.

Ms. MCKINNEY. Mr. Chairman, we have no further requests for time, and I yield back the balance of my time.

Mr. GILMAN. Mr. Chairman, I yield back the balance of our time.

The CHAIRMAN. The question is on the amendments en bloc offered by the gentleman from New York (Mr. GILMAN).

The amendments en bloc were agreed to.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 2 printed in part A of House Report 106–235.

AMENDMENT NO. 2 OFFERED BY MR. SMITH OF NEW JERSEY

Mr. SMITH of New Jersey. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A amendment No. 2 offered by Mr. SMITH of New Jersey:

Page 19, strike line 1 and all that follows through line 17, on page 21, and insert the following:

(d) CONTRIBUTION TO UNITED NATIONS POPULATION FUND.—

(1) LIMITATION.—Of the amounts made available under subsection (a) for United States voluntary contributions no funds may be made available to the United Nations Population Fund (UNFPA) unless the President submits to the appropriate congressional committees the certification described in paragraph (2).

(2) CERTIFICATION.—The certification referred to in paragraph (1) is a certification by the President that—

(A) the UNFPA has terminated all activities in the People's Republic of China, and the United States has received assurances that UNFPA will conduct no such activities during the fiscal year for which the funds are to be made available; or

(B) during the 12 months preceding such certification there have been no abortions as the result of coercion associated with the family planning policies of the national government or other governmental entities within the People's Republic of China.

(3) DEFINITION.—As used in this subsection, the term ''coercion'' includes physical duress or abuse, destruction or confiscation of property, loss of means of livelihood, and severe psychological pressure.

The CHAIRMAN. Pursuant to House Resolution 247, the gentleman from New Jersey (Mr. SMITH) and a Member opposed each will control 15 minutes.

PARLIAMENTARY INQUIRY

Mr. CAMPBELL. Mr. Chairman, I have a second-degree amendment at the desk which was made in order by the Committee on Rules.

The CHAIRMAN. Does the gentleman from California wish to offer his amendment at this time?

Mr. CAMPBELL. Mr. Chairman, I offer it at this time, but if I might ask a parliamentary inquiry, it might be most efficient simply to allocate all time and divide it fairly between the two sides on the issue, whether it be on my second-degree amendment or the first-degree amendment offered by the gentleman from New Jersey (Mr. SMITH). I would be willing to do so if that is possible.

Mr. GEJDENSON. Mr. Chairman, it is my understanding, and actually this is an inquiry to the Chair, that the

time on the Smith amendment will be divided. I would take that time in opposition. Then my understanding is that the gentleman from California (Mr. CAMPBELL) would have some time on his secondary amendment, and the gentleman from New Jersey (Mr. SMITH), I imagine, would be in opposition, and that would give us all an opportunity to divide the time.

Mr. CAMPBELL. Mr. Chairman, reclaiming my time, that is perfectly acceptable with me. I simply wish to offer my second-degree amendment at such a time as to protect the opportunity to present that. If I have now done so, then I will wait until the time that has been allocated to the gentleman from Connecticut (Mr. GEJDENSON) and the gentleman from New Jersey (Mr. SMITH) is expired. Is that acceptable?

□ 1900

Is that acceptable?

The CHAIRMAN pro tempore (Mr. MILLER of Florida). The gentleman may offer the substitute amendment at this point and the debate time will be allocated accordingly, and debate on the two amendments will be consumed simultaneously.

AMENDMENT NO. 3 OFFERED BY MR. CAMPBELL AS A SUBSTITUTE FOR AMENDMENT NO. 2 OFFERED BY MR. SMITH OF NEW JERSEY

Mr. CAMPBELL. Mr. Chairman, I offer an amendment as a substitute for the amendment.

The CHAIRMAN. The Clerk will designate the amendment offered as a substitute for the amendment.

The text of the amendment offered as a substitute for the amendment is as follows:

Part A amendment No. 3 offered by Mr. CAMPBELL as a substitute for Part A amendment No. 2 offered by Mr. SMITH of New Jersey:

Page 19, strike line 1, and all that follows through line 17 on page 21, and insert the following:

(d) CONTRIBUTIONS TO UNITED NATIONS POPULATION FUND.—

(1) LIMITATIONS ON AMOUNT OF CONTRIBUTION.—Of the amounts made available under subsection (a), not more than $25,000,000 for fiscal year 2000 shall be available for the United Nations Population Fund (hereinafter in this subsection referred to as the ''UNFPA'').

(2) PROHIBITION ON USE OF FUNDS IN CHINA.—None of the funds made available under subsection (a) may be made available for the UNFPA for a country program in the People's Republic of China.

(3) CONDITIONS ON AVAILABILITY OF FUNDS.—Amounts made available under subsection (a) for fiscal year 2000 for the UNFPA may not be made available to UNFPA unless—

(A) the UNFPA maintains amounts made available to the UNFPA under this section in an account separate from other accounts of the UNFPA;

(B) the UNFPA does not commingle amounts made available to the UNFPA under this section with other sums; and

(C) the UNFPA does not fund abortions.

(4) REPORT TO CONGRESS AND WITHHOLDING OF FUNDS.—

(A) Not later than February 15, 2000, the Secretary of State shall submit a report to the appropriate congressional committees indicating the amount of funds that the United Nations Population Fund is budgeting for the year in which the report is submitted for a country program in the People's Republic of China.

(B) If a report under subparagraph (A) indicates that the United Nations Population Fund plans to spend funds for a country program in the People's Republic of China in the year covered by the report, then the amount of such funds that the UNFPA plans to spend in the People's Republic of China shall be deducted from the funds made available to the UNFPA after March 1 for obligation for the remainder of the fiscal year in which the report is submitted.

Mr. SMITH of New Jersey. Mr. Chairman, I claim the time in opposition to that, and I understand that under regular order the gentleman from California (Mr. CAMPBELL) would proceed first?

The CHAIRMAN. The gentleman from California (Mr. CAMPBELL) will control 15 minutes; the gentleman from New Jersey (Mr. SMITH) will control 15 minutes on the Campbell amendment; the gentleman from New Jersey (Mr. SMITH) will control 15 minutes on his amendment; and the gentleman from Connecticut (Mr. GEJDENSON) will control 15 minutes in opposition.

PARLIAMENTARY INQUIRY

Mr. CAMPBELL. Mr. Chairman, one further inquiry, I think it would be efficient, but would it be possible simply to proceed with both together; the 30 minutes times two? In other words, the 1 hour of debate all at the same time, with alternating between various spokespersons?

The CHAIRMAN. The Chair will recognize for debate to be shared in the appropriate amount of time with each Member controlling 15 minutes.

Mr. CAMPBELL. So, the gentleman from Connecticut (Mr. GEJDENSON) would have 15, I would have 15 minutes to control, I would have 15 minutes to control, and the gentleman from New Jersey (Mr. SMITH) would have 30?

The CHAIRMAN. That is correct.

Mr. CAMPBELL. That is agreeable.

The CHAIRMAN. The Chair will entertain all debate before putting the question of the vote on the subtitle amendment offered by the gentleman from California.

Mr. CAMPBELL. Mr. Chairman, I yield such time as he may consume to the gentleman from New York (Mr. GILMAN), the chairman of the Committee on International Relations.

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

Mr. GILMAN. Mr. Chairman, I rise in strong support of the Campbell-Gilman-Gejdenson-Porter-Johnson amendment and in opposition to the Smith amendment.

I remain as dedicated as anyone in this chamber to the cause of human rights in China. From the freedom fighters of Tianamen to the Dalai Lama's loyal supporters in Tibet we have, in the Congress, have supported the cause of human rights in China. But that is not what is under debate at this moment. Under current law, no U.S. funds can be spent on abortions. The U.N. Population Fund does not support China's one-child policy and has condemned the abuses of that program. UNFPA operates in only 32 of China's counties to support maternal and child health, and that is all.

This debate should not be about China, it should be about the programs in over 100 other countries where UNFPA operates. And, Mr. Chairman, I would like to highlight one Nation for which U.S. support would be cut off by the Smith amendment, and that happens to be Mexico.

I believe that we can all agree that helping Mexican mothers space the births of their children is good for Mexico and good for our own Nation. Birth spacing is the best way to improve child survival and to limit Mexico's rapidly expanding population. We have no USAID mission in Mexico. UNFPA is the largest external donor to the Mexican family program. UNFPA is the only channel we have to support Mexican family planning. The Smith amendment, regrettably, would have the effect of cutting off all support to Mexico.

We must support that program and other vital UNFPA programs such as their anti-AIDS campaign in Haiti, not just to benefit Mexicans and Haitians but to also benefit our own Nation. If the countries south of our border develop into strong stable societies, it will help our exports and relieve some of the immigration pressure on our own Nation. Population growth in Latin America and the Caribbean drive the environmental pressures on Florida, on Texas, on New Mexico, Arizona, California, and some of our other States. This pressure will be relieved if UNFPA's voluntary family planning programs move forward in these regions with our own support.

The Smith amendment would have the effect of cutting off all U.S. support for those programs, like UNFPA's support to the victims of storms like Hurricane Mitch. It would also block U.S. support for UNFPA's program to stop the horrific practice of female genitalia mutilation.

Mr. Chairman, the Campbell amendment has been endorsed by 47 organizations, including the YWCA, the American Association of University Women, the American Public Health Association, the National Wildlife Federation, and the League of Conservation Voters.

Accordingly, Mr. Chairman, I urge our colleagues to support the Campbell amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I yield such time as she may consume to the gentlewoman from North Carolina (Mrs. MYRICK).

Mrs. MYRICK. Mr. Chairman, I support the amendment offered by the gentleman from New Jersey (Mr. SMITH) and the gentleman from Michigan (Mr. BARCIA), and I have great concerns about the policies and practices used by the United Nations Population Fund.

The United States cannot give taxpayer money to an organization that is intricately involved with human rights abuses that are taking place in China and other places around the world. I wish to read the words of a woman who worked to enforce China's population program. Mrs. Gao was the administrator at the Fujian Province Planned Birth Office from 1984 to 1988. These are her own words before the Subcommittee on International Operations and Human Rights of the Committee on International Relations.

My work at the planned birth office included establishing a computer data bank of all the women of childbearing age in the town. I also issued birth-allowed certificates to women who meet the policy and regulations of the Central and Provincial Planned Birth Committees and are, therefore, allowed to give birth to children. Should a woman be found pregnant without a certificate, an abortion is performed immediately, regardless of how many months pregnant she is.

This case about a Miss Chen Li-Ren who was a female resident of a village outside of Yonghe Town. In 1996, she became pregnant in spite of the fact she was not married and did not have a certificate. It's a violation of the planned birth policy to become pregnant without a birth-allowed certificate.

To avoid heavy monetary penalties and abortion, she in order to save the child's life, when she was 3 months pregnant, left the town. But when she was 9 months pregnant, somebody informed on her. The planned birth enforcement team of Yonghe Town began searching for her. They were unable to find her, so they tore down her husband's family's house and also threatened to also tear down the house of her parents.

One day, when she was at her parents house, the enforcement officials forced their way into the house. They found her and immediately stuffed her into a car and escorted her to the Municipality Planned Birth Induced Delivery Center where the abortion was performed.

This is the document that we issue to people who have already given birth to a son. It's the birth-not-allowed notices. Such notices are sent to the couple when the data concludes they do not meet the requirement of the policy and are not allowed to have any further children. Any couple who has already given birth to a son will receive this notice and such notices are made public. The purpose of this is to make it known to everyone that the couple, if they are having a second child, is in violation of the policy, therefore, facilitating supervision of the couple. We also issue control device inspection and pregnancy test notices.

According to the specific data on each woman, every woman of childbearing age is notified that she has to have a contraceptive device, reliability, and pregnancy examinations when necessary. Should she fail to present herself in a timely manner for these examinations, she will not only be forced to pay a fine, but our supervision team will apprehend her and force her to have such an examination. This is the document that we issue to women who must undergo sterilization or other birth control methods.

We also imposed monetary penalties on those who violated central and provincial regulations. If they refused to pay the penalties, our supervision team members would apprehend and detain them until they paid such fines.

We also analyze informant materials submitted in accordance with the informing system and then put these cases on file for investigation.

Most planned birth offices in Fujian Province's rural areas have their own detention facilities. In our town, the facility is right next door to my office. It has one room for males and one room for females, each with the capacity of about 25 to 30 people. To catch violators, our planned birth office does not need consent by the courts or judicial departments, or the public security departments. Our actions are completely independent of them. There are no paperwork formalities and there are no time limits associated with the detention. Detainees pay 8 RMB per day for food. They are not allowed to make phone calls or mail letters.

The majority of the detainees are, of course, either women who are pregnant without birth-allowed certificates or women who are to be sterilized or women who have been fined. As I explained previously, if we do not apprehend the women themselves, we detain their family members, such as a father, a mother, a sister, brothers, or their husband. And we detain them until the women themselves come forward to be sterilized or to have an abortion.

I led my subordinates to Yinglin Town Hospital to check on births. I found two women in Zhoukeng Town had extra-plan births. I led a planned birth supervision team composed of a dozen cadres and public security agents. With sledge hammers and heavy crowbars in hand, we went to dismantle their houses.

We were unable to apprehend the women in the case so we took their mothers in lieu of them and detained them in the planned birth office's detention facility. It wasn't until about half a month later that the women surrendered themselves to the planned birth office. They were sterilized, fined heavily, and their mothers were finally released. I myself did so many brutal things, but I thought that I was conscientiously implementing the policy of our party and that I was an exemplary citizen and a good cadre.

Once I found a woman who was 9 months pregnant, but did not have a birth-allowed certificate. According to the policy, she was forced to undergo an induced abortion. In the operating room, I saw the child's lips were moving and how its arms and legs were also moving. The doctor injected poison into its skull and the child died and it was thrown into the trash can. Afterwards the husband was holding his wife and crying loudly and saying, what kind of man am I? What kind of husband am I? I can't even protect my wife and child. Do you have any sort of humanity?

All of those 14 years, I was a monster in the daytime, injuring others by the Chinese Communist authorities' barbaric planned birth policy. But in the evening I was like all other women and mothers, enjoying my life with my children. I couldn't go on living with such a dual life any more.

It is also my sincere hope that what I describe here today can lead you to give your attention to this issue so that you can extend your arms to save China's women and children.

Mrs. MYRICK. So, if Members of the House agree with the UNFPA that what Mrs. Gao described is voluntary and suits China's current conditions, then by all means support the Campbell-Gilman substitute to give them at least $20 million. I, for one, will never give my vote to an organization that could look the other way when such atrocities are being committed against women and children.

I will vote for the Smith amendment and no on the Campbell-Gilman amendment, and I urge my colleagues to do the same.

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

If the gentlewoman wants to achieve a reduction in the kinds of incidents she just referenced, then she should vote for the Campbell amendment, because what is clear in every country where family planning activities have increased, abortions have been decreased.

We only need to look at our experience. In Tunisia, as contraceptive use increased by 94 percent, abortion rates plummeted. In South Korea, abortion rates were halved as contraceptive use went up by 80 percent.

What is absolutely clear is that if the gentleman from New Jersey (Mr. Smith) gets his way, if the gentlewoman from North Carolina (Mrs. MYRICK) gets her way, there will be more forced abortions in China. It is as simple as that.

If we cut back on the voluntary family planning funds, what will happen? More forced abortions.

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Now, if my colleagues talk to some folks, they will say they have got problems with family planning, they are against some of the methods used for birth control. Get up and make that debate. It is a slight of hand to talk about the forced abortions in China and to try to use that as an assault on family planning.

Every dollar that is cut from family planning, every time the gentleman from New Jersey (Mr. SMITH) succeeds, he increases forced abortion in China. It is absolutely clear. What happens is, if women do not have access to family planning, voluntary family planning, if they cannot get contraception, there will be more forced abortion.

In every country's experience, as family planning dollars increase, abortions decrease. It is not the gentleman from New Jersey that will decrease abortions and forced abortions in China. It is the gentleman from California. And those of us who support family planning funds that will reduce the number of abortions in China and all other countries, support family planning and we will reduce abortion. Limit family planning funds, and we increase the number of abortions.

Mr. Chairman, I'd like to give my colleagues a few statistics to think about as we debate whether to restore funding for UNFPA.

If each woman averages two children, world population would rise to 11 billion in the next century and level off.

If women average 2.5 children each, our globe would face a world with 27 billion people by 2150.

But if the fertility rate fell to 1.6 children per woman, population would reach a peak of 7.7 billion in 2050 and drop to 3.6 billion by 2150.

It's clear that rampant population growth affects governments' ability to provide waste treatment and sanitation, schools, food, transportation, health care and environmental protection.

World population is increasing by 78 million people a year—97 percent of this increase is in developing countries, where access to family planning and reproductive health services is limited and where pregnancy and childbirth are still a risk to the lives and health of women.

We know that in high-fertility countries in sub-Saharan Africa, between 36 and 55 percent of women report that their most recent birth was mistimed or unwanted.

We have the tools to give these women access to needed services and combat this global problem—it's called the UNFPA (UN Fund for Population Assistance)—but last year we slashed UNFPA's budget to zero.

In this one year alone, the impact of the U.S.'s decision to withdraw funding to UNFPA deprived 870,000 women of access to contraception. This resulted in 500,000 unwanted pregnancies, 234,000 unwanted births and 200,000 abortions.

We also hurt UNFPA's ability to encourage safe delivery practices, resulting in the deaths of an additional 1,200 maternal deaths and the loss of 22,500 infants who couldn't access UNFPA services.

I am here today to urge my colleagues not to make the same mistake again. The Smith Amendment will leave millions of women and men without a choice.

In the 30 years since the U.S. Government began helping other countries provide their citizens with family planning services, the number of couples using contraception in developing countries has multiplied tenfold and the average number of children per woman declined from nearly six to fewer than four.

As we all know, there are many countries around the world that have a population rate that is higher than their GDP. Their impressive economic advances become outweighed by their population growth, which means that they are effectively just treading water. By failing to fund UNFPA, we are leaving them to drown.

Why oppose the Smith Amendment?

First, the Smith Amendment requires UNFPA to leave China entirely or lose U.S. support. This puts UNFPA in an impossible Catch-22.

China, as a member of the United Nations, can ask for—and UNFPA must give—family planning assistance. UNFPA cannot choose its clientele. So asking UNFPA to leave China is a provision that they can never satisfy.

Second, conditioning UNFPA's funding on certification that there have been no forcible abortions in China by anyone—including the Chinese governments family planning program—is also an impossible task.

UNFPA's funding is for UNFPA programs which operate under stringent human rights standards and with a firm opposition to coercion in all of its forms. UNFPA does not support abortion—in no case is abortion allowed as a method of family planning. UNFPA also opposes quotas or targets in family planning programs and only works in those counties in China that have abolished such measures.

Contrary to what some people may think, UNFPA did not leave its conscience at the door when it agreed to provide family planning assistance to China.

We must remember that we are funding programs of UNFPA, not the Chinese government. UNFPA conducts a voluntary family planning program with a rigorous commitment to human rights. The Smith Amendment won't change China's policies but it will continue to cause suffering around the world.

Don't hold women and men in the nearly 150 other nations who need and use UNFPA's services hostage because you don't agree with the policies of one nation. Support UNFPA's lifesaving work in AIDS prevention, family planning assistance, and safe pregnancy and childbirth. Reject the Smith Amendment. Support the Campbell Amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, for 20 years the U.N. Population Fund has poured millions of dollars, about $157 million to be exact, provided technical assistance, and given effusive praise to China's program that relies on forced abortion and forced sterilization to achieve its goals.

For 20 years, the UNFPA has whitewashed these crimes, the kind the gentlewoman from North Carolina (Mrs. MYRICK) just talked about, and has heaped lavish praise on China's one-child-per-couple program. It has provided cover and covered up for the Beijing hardliners who oppress and victimize women and murder their children.

In fact, Nafis Sadik, the executive director of the UNFPA, has had this to say about the Chinese program: ''The implementation of the policy in China and the acceptance of the policy is purely voluntary. There is no such thing as a license to have a birth.'' That is an unmitigated lie, I say to my colleagues.

She has also said, ''The UNFPA firmly believes, and so does the Government of the People's Republic of China, that their program is a totally voluntary program.'' That, too, is a lie.

For 20 years, the UNFPA has participated with the perpetrators of the most egregious systematic abuse of women in history. My colleagues heard the gentlewoman from North Carolina (Mrs. MYRICK) talk about Mrs. Gao. She was one of those who ran the program in Fujian Province for 14 years. That is what the UNFPA has covered up for all of these years.

Let me just remind my colleagues that both Presidents Reagan and Bush, with the support of Democratic Congresses, barred all funding to the UNFPA because of its complicity and support of China's barbaric program.

Last year Congress passed and President Clinton signed the Omnibus Appropriations Act that included a total cut-off of UNFPA funding. Why? Because it includes heavily forced abortion and forced sterilization.

The amendment that the gentleman from Michigan (Mr. BARCIA) and I are offering would prohibit U.S. funding to the UNFPA unless the President certified that UNFPA has terminated all activities in the PRC; or, during the 12 months preceding such certification there have been no abortions as a result of coercion.

This is all about forced abortion. The UNFPA has been complicit. They have supported it. And they have said it with their statements and have been part of a cover-up.

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

Mr. CAMPBELL. Mr. Chairman, I yield myself ½ minute.

Mr. Chairman, this does not provide for money for abortion in China. The Campbell amendment takes away money for family planning in China for every dollar that the U.N. spends there. So this debate is very, very serious, but it is not on China's abortion policy.

The Campbell amendment authorizes no money for abortion, no money for China. And for every dime that the U.N. chooses to spend in China, we take back one dime from the U.N.

Mr. Chairman, I am pleased to yield 2 minutes to the gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. Mr. Chairman, I thank the gentleman, who is the introducer of the substitute that I support very strongly, for yielding the time to me.

So I rise in support of the Campbell substitute and in opposition to the Smith amendment.

The U.N. Population Fund is one of the world's leading international agencies providing for women's sexual and reproductive health. It collaborates with government agencies and NGOs to develop and implement effective policies and programs dealing with female genital mutilation, HIV/AIDS, comprehensive care for refugees, as we saw in Kosovo, child and maternal nutrition, and family planning methods and services.

Contrary to what we have heard this evening, UNFPA does not fund or provide abortion services or related equipment. The UNFPA does not support China's despicable population programs.

The Campbell amendment prohibits U.S. funds from being used in UNFPA's China program. It addresses the concern of some Members about the fungibility of funding by reducing our UNFPA contribution dollar for dollar for the agency spending in China. It restates U.S. law forbidding funding for any abortion services.

The goal of the Smith amendment is to force UNFPA to leave China, even though its current program gives it exclusive control of the family planning programs in 32 countries. Passage of the Smith amendment will cut off the U.S. contribution to UNFPA's work worldwide unless China stops its policies of coercive abortion.

Mr. Chairman, more than 500 million women and girls live in China. That is one in every five women on this planet. The irony of the efforts of the gentleman from New Jersey (Mr. SMITH) is that if UNFPA were to pull out of China, the only source which Chinese women will have for family planning and reproductive health services is the Chinese Government. Again, if the Smith amendment passes, the Chinese Government will be women's only option for reproductive health care.

It is important that we support the Campbell substitute.

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself 1¼ minutes.

Mr. Chairman, I would like to ask the gentlewoman a question if she would return to the microphone.

She mentioned a moment ago that this program will be run exclusively by the UNFPA. Is that her statement?

Mrs. MORELLA. Mr. Chairman, will the gentleman yield?

Mr. SMITH of New Jersey. I yield to the gentlewoman from Maryland.

Mrs. MORELLA. Mr. Chairman, I said China is in charge of the reproductive health and services for the 32 countries.

Mr. SMITH of New Jersey. Mr. Chairman, reclaiming my time, but who is running the family planning/population program?

Mrs. MORELLA. Mr. Chairman, if the gentleman would continue to yield, UNFPA.

Mr. SMITH of New Jersey. Mr. Chairman, just so the record is very clear on this, the question was asked by our former U.S. ambassador to the United Nations, what will be the role of the Chinese Government? And the answer back from the executive director of the UNFPA was as follows:

> The Chinese Government, at the central and provincial levels, will be in charge of coordination, internal monitoring, guidance, and evaluation, all of which will be conducted in accordance with ICPD principles. The local government will be in charge of the actual implementation of project activities at the county level program.

Mr. Chairman, that is exactly the problem. The Chinese Government, as they have been doing for the last 20 years, will run this program; and again, the UNFPA will give it more cover, which it certainly does not deserve.

Women, it even says in the document, will be assessed a social compensation fee if they do not conform to the guidelines, the one-child-per-couple program.

Mrs. MORELLA. Mr. Chairman, if the gentleman would continue to yield, I say to the gentleman from New Jersey (Mr. SMITH) but no money for UNFPA goes for Chinese abortion policies or abortion.

Mr. GEJDENSON. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Chairman, I rise to oppose the Smith amendment, with great respect for the maker of this amendment but in complete disagreement, because it would eliminate funding for international family planning under the United Nations Population Fund, UNFPA, and to support the Campbell–Maloney amendment.

The Smith amendment, if enacted, would punish women and families around the world in a misguided effort to affect China's family planning program.

I do not understand why the poorest women on this planet, year in and year out, must be held hostage to the conservative politics of the Republican party. And I say that, as I say, with respect for the individuals involved here.

We should ask, who suffers from the Smith amendment? The World Health Organization estimates that nearly 600,000 women die each year of pregnancy and child-birth related causes. Nearly all of these women are in developing countries.

The UNFPA funds program to reduce this mortality and related health problems. Women around the world, particularly impoverished women, will be harmed by this amendment.

I understand my colleagues' concern about some of the horrible practices in China. That is why this amendment says that any funds used in China by UNFPA will be deducted from the UNFPA. None of us, none of us, support forced abortions or forced sterilizations.

The Campbell–Gilman-Maloney-Crowley amendment addresses these concerns by specifically banning U.S. funds from being spent in China. Furthermore, it requires that for every dollar that UNFPA spends in China, America's contribution will be reduced, as I have mentioned.

Mr. Chairman, let me say that I follow closely the human rights violations in China. The gentleman from New Jersey (Mr. SMITH) is a leader on that subject, and I support what he wants to do about China. And that is what we do in the Campbell–Gilman-Maloney-Crowley amendment.

While current law already bans U.S. funding for abortions or abortion services, to once and for all overcome any misunderstanding, this amendment once again reiterates that prohibition of U.S. funding for abortions.

We should note that UNFPA is already on record in opposing coercion and UNFPA conforms to universal human rights standards. The UNFPA does not fund abortions nor abortion-related activities anywhere in the world. UNFPA opposes China's one-child-per-family policy.

I urge my colleagues to oppose the Smith amendment and to support the Campbell–Gilman-Maloney-Crowley amendment.

With these legal protections and the tremendous need for family planning efforts around the world, Congress should not block important programs that promote women's safety and health.

UNFPA programs work and these programs should be given the opportunity to go forward.

Mr. SMITH of New Jersey. Mr. Chairman, I would like to inquire as to how much time remains on both sides.

The CHAIRMAN pro tempore (Mr. MILLER of Florida). The gentleman from New Jersey (Mr. SMITH) has 19¼ minutes remaining. The gentleman from California (Mr. CAMPBELL) has 9 minutes remaining. The gentleman from Connecticut (Mr. GEJDENSON) has 11 minutes remaining.

Mr. SMITH of New Jersey. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Florida (Mr. WELDON).

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

Mr. Chairman, today I rise in support of the Smith–Barcia amendment to the American Embassy Security Act.

The Smith–Barcia amendment would prohibit U.S. contributions to the UNFPA until UNFPA terminates its involvement with the Chinese coercive population control program or until China ends its brutal and abusive one-child-per-family policy.

For 20 years, the UNFPA has been a supporter and defender of China's population control program, giving the Chinese Government over $150 million.

It is a tragedy that some of my colleagues on the other side of the aisle would even suggest that we should vote to send taxpayer money to support this brutal Chinese program. This is a tragic and wasteful expenditure of U.S. taxpayer money.

Why would we contribute taxpayer money to a program that has been a partner to some of the most heinous population control programs in the world, including incarcerating pregnant women in barracks until they consent to abortions or sterilizations, forcing pregnant women to attend ''study sessions'' away from their families until they agree to have abortions, and carrying about sterilizations without the consent or knowledge of the women while rendering other medical services?

The worst part of this is that UNFPA is turning a blind eye to these atrocities against the women of China. In fact, UNFPA has publicly praised their forced abortion program in China. UNFPA even provides cover for China's program by calling it voluntary.

This program is anything but voluntary. Here are some horrifying examples. It is reported that Australia has deported at least three pregnant women to China, and one of them was very close to her delivery date. So what happened? Just days before this woman was to give birth, she was forced to have an abortion.

This abuse is beyond tragic. I do not understand how anyone, in good conscience, could support UNFPA while they are funding and actively promoting China's oppressive population control program.

Now, my colleagues will hear our colleagues on the other side of the aisle push for a compromise with the Gilman-Campbell amendment. Do not be fooled.

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The Gilman-Campbell amendment is merely an attempt to block an up-or-down vote on this issue, an attempt to block an up-or-down vote on Smith–Barcia. It is window dressing for those who are afraid to admit they are supporting China's policy.

In fact, this amendment proposal was defeated by the House when it was last offered in 1997 and it should be rejected again today. Why do we need to keep going over this again and again?

This is plain and simple. The U.S. already contributes to activities to promote women's health and well-being by contributing to other international organizations and NGOs that work in this field. It is not necessary to finance organizations such as UNFPA which collaborate with programs that violate the fundamental human rights of women and children.

Mr. CAMPBELL. Mr. Chairman, in a show of our bipartisan strength the Republican side wishes to yield a 2-

minute slot to the gentlewoman from Georgia (Ms. MCKINNEY).

Ms. MCKINNEY. Mr. Chairman, there is something about the debate on UNFPA up to this point that has been really interesting. The people against UNFPA do not really want to talk about UNFPA. Instead, they want to talk about China and how bad China's policies are. You could never figure from these folks that UNFPA spends less than 2 percent of its worldwide budget in China and is active in only 32 of China's 2,700 counties.

Now, I do not like China's policies on controlling family size, forced abortion or forced sterilization and UNFPA's program in China moves China away from these practices.

I would rather talk about the 98 percent rather than the 2 percent. In Uganda, UNFPA runs programs to eliminate female genital mutilation and reduce the number of mothers who die giving birth. In the Philippines, UNFPA helps women achieve economic empowerment. In Kosovo, UNFPA gave pregnant refugee women thousands of clean delivery kits. They did the same thing in Central America after Hurricane Mitch and in Papua-New Guinea after a tidal wave. In Africa, UNFPA is cooperating with UNICEF and WHO on a pilot initiative in seven countries to prevent mother-to-child transmission of HIV.

This is what UNFPA does. What UNFPA does not do is support or fund abortions. UNFPA does not condone coercion in family planning nor do they support China's one-child policy and they do not support forced sterilization.

If we vote against UNFPA, we will ensure that more mothers will die giving birth, that more children will contract HIV disease and that female genital mutilation will not go away. That cannot be what we want and that is why we have to support UNFPA.

Mr. GEJDENSON. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. MILLENDER-MCDONALD).

Ms. MILLENDER-MCDONALD. Mr. Chairman, I rise in opposition to the Smith amendment to H.R. 2415, the American Embassy Security Act of 1999, and in support of the Gilman-Campbell substitute amendment. While the Smith amendment claims to protect women from coerced abortions in China, its real effect is to deny poor women around the world access to voluntary family planning. Further, the Smith amendment fails to acknowledge that the United Nations Population Fund does not support abortion as a family planning method, opposes quotas in family planning programs, and works only in counties in China that have abolished such practices.

The Gilman-Campbell substitute amendment, on the other hand, provides the needed funds for millions of women and men around the world who depend on international support for family planning, AIDS prevention, and approved infant and maternal mortality. Simply put, the lives of poor women around the world are at stake if we should pass the Smith amendment. Poor resources make these women highly vulnerable to death-related delivery practices, sexually-transmitted diseases, and other horrible conditions.

Please support the Campbell-Gilman amendment and let us defeat the Smith amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I yield 4 minutes to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Chairman, I rise to support the Smith-Barcia amendment and to oppose the Campbell amendment. This amendment prevents U.S. funding for China's deplorable population control program which includes coercion, forced abortion and forced sterilization for both Chinese men and women.

Women all over China are victimized daily due to their desire to bear children. Let me share with Members a few of the methods used in China's so-called family planning policy that are a matter of record:

Arresting pregnant women and taking them to abortion clinics tied up or in handcuffs; incarcerating pregnant women in barracks until they acquiesce to abortions and/or sterilizations; forcing pregnant women to attend ''study sessions'' away from their families until they agree to have abortions; carrying out sterilization or abortion without the consent or knowledge of the women while rendering other medical services; crushing the skulls of babies with forceps during delivery or injecting iodine, alcohol or formaldehyde into the soft spots of their tiny heads as they are crowning so that they are born dead; imprisoning husbands until their wives submit to child-killing procedures; cutting off food, electricity, water and wages for couples who refuse to comply with the Chinese government's barbaric policies; confiscating the furniture, livestock and even homes of families who refuse to comply; finally, demolishing the homes of those who refuse to comply, as reportedly occurred in two Catholic villages in the Hepel province.

When Steven Mosher wrote from his research in China, he said this:

> From Sandhead Brigade there were 18 women, all 5 to 9 months pregnant, and many red-eyed from lack of sleep and crying. They sat listlessly on short plank benches arranged in a semicircle about the front of the room, where He Kaifeng, a commune cadre and Communist Party member, explained the purpose of the meeting. He said slowly and deliberately, ''None of you has any choice in this matter. The two of you who are 8 or 9 months pregnant will have a caesarean; the rest of you will have a shot which will cause you to abort.''

In order to return home to their families, the women had to agree to abort their babies no matter how far along their pregnancies were.

This is not family planning. These are outright human rights abuses. I do not believe that this is a pro-life or a pro-choice issue. It is a human issue. It is a woman's issue. It is a family issue. This is an issue of blatant government abuse and the United States taxpayers should not in any way be a part of it.

Whether you are pro-life or pro-choice, we should agree that China's so-called family planning techniques are inhumane. Their slogan is, this is what China uses to market their campaigns, ''Better to have more graves than more than one child.''

Mr. Chairman, we cannot stand by claiming that we see no evil, hear no evil as the UNFPA assists the China program, holding it up as an excellent example for other countries. Until the UNFPA stops aiding in the abuse of women in China, we should not fund it.

I urge my colleagues to support the Smith–Barcia amendment.

Mr. GEJDENSON. Mr. Chairman, I ask unanimous consent to have the gentlewoman from California (Ms. LEE) control my time.

The CHAIRMAN pro tempore (Mr. MILLER of Florida). Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. CAMPBELL. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. HORN).

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

Mr. HORN. Mr. Chairman, what the gentleman from California (Mr. CAMPBELL) and the gentleman from New York (Mr. GILMAN) have done here has been truly on a bipartisan basis.

I was sorry to hear the comments of the gentlewoman from San Francisco (Ms. PELOSI) that seemed to put a partisan tinge on this. This is the Campbell-Frelinghuysen-Gilman-Greenwood-Horn-Houghton-Nancy Johnson-Kelly-Morella-Shays amendment and we tried to match every one of those with a Democratic Member of the House and that has been done. This amendment is truly bipartisan.

When the Chinese Nationalists moved from the mainland to Taiwan in 1949, they established one of the world's most dynamic economies. In the 1960s and the 1970s, there were billboards throughout Taiwan. On those billboards were happy faces and smiles in the family of four of which two were little kids. Then there was the family and maybe six little kids and they had unhappy faces. The government educated the population. They did that with contraception, not abortion.

This is what we are talking about in the Campbell amendment. It is not funds for abortion. It is funds for contraception, not abortion. A wise population policy is sorely needed in this world. Over population is the most serious problem in the world today. There has been a population explosion in Africa, Asia, and the developing nations of Latin America. Without educating their people, those countries will not have a prosperous economy as is the Republic of China on Taiwan. The Taiwanese will have opportunities.

I happen to be particularly interested in the country of Cambodia. There are 50,000 to 60,000 Cambodians in Long Beach, California, where I live. These refugees chose freedom and have opportunity. When I look at what is going on in the homeland which was devastated by the murderous Pol Pot. He killed more than a million of his fellow countrymen. People who live in Cambodia need a population program. Those in this chamber who want to stop an effective United Nations Population Program are just plain wrong. We need these funds for contraception. Women not only in the United States but in developing nations, in Africa, Latin America and South Asia, need those funds. The House should not be shortsighted as we have been too often in this Chamber. If you want to reduce abortions, then encourage contraception and family planning.

How can you not have contraception and let impoverished women be forced to have abortions. Provide family planning and contraception? Then you will not need abortions. Think of the success on Taiwan. That is what other nations must do. Taiwan's success showed that a nation does not need to chew up its economic human resources. Taiwan has provided a good life for most of its people. The people Mr. Campbell's amendment would help do not have a good life. Vote for the Campbell amendment and help thousands of people out of poverty.

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

Mrs. LOWEY. Mr. Chairman, I rise in strong support of the Campbell-Maloney-Gilman amendment and in opposition to the Smith amendment.

The debate is very simple. If you support the work that the United Nations Population Fund is doing around the world to reduce unintended pregnancies and abortions, encourage child spacing and proper nutrition for mothers and babies, and help women deliver healthy babies in high risk areas, then vote for the Campbell amendment. If you support cutting off this critical assistance and leaving women around the world without the resources they need to keep themselves and their babies healthy and strong, then vote for the Smith amendment. It is just that simple.

Mr. Chairman, I rise in strong support of the Campbell-Maloney-Gilman Amendment and in opposition to the Smith Amendment.

This debate is very simple. If you support the work that the United Nations Population Fund is doing around the world to reduce unintended pregnancies and abortions, encourage child spacing and proper nutrition for mothers and babies, and help women deliver healthy babies in high risk areas, then vote for the Campbell Amendment. If you support cutting off this critical assistance and leaving women around the world without the resources they need to keep themselves and their babies healthy and strong, then vote for the Smith Amendment. It's that simple.

The fact is: UNFPA does not support coercive abortion policies in China or anywhere else. UNFPA only operates in counties in China that have eliminated the use of any coercive family planning measures, and encourages voluntary family planning and the elimination of coercive policies throughout China.

No one can deny that the need for family planning services in developing countries is urgent and the aid we provide is both valuable and worthwhile.

My colleagues, in forty years our planet's population will more than double. As a responsible world leader, the United States must do more to deter the environmental, political, and health consequences of this explosive growth.

And let us not forget what family planning assistance means to women around the world. Complications from pregnancy, childbirth and unsafe abortion are the leading killers of women of reproductive age throughout the developing world. One million women die each year as a result of reproductive health problems.

Mr. Chairman, this vote comes down to one question: Do you support family planning? If you support voluntary family planning to reduce unintended pregnancies and abortions around the world, you *must* vote yes on the Campbell Amendment and no on the Smith Amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself 2 minutes.

Just let me remind the gentleman from California (Mr. HORN) regarding his statement earlier, we provide about $385 million to nongovernmental organizations and governments. Hopefully it will have the Mexico City conditions attached to it. But that money goes for contraception and for family planning. We also provide AIDS money and child survival money. There is an enormous amount of humanitarian aid and I support much of that aid.

Let me also point out, Mr. Chairman, that Amnesty International recently did a report on coercion in China. They pointed out with an absolute, declarative sentence, this is something that many of the human rights groups have pointed out, including the State Department in its Country Reports on Human Rights Practices. Here is Amnesty's statement: ''Birth control has been compulsory in China since 1979.'' There is no right to choice on birth control. That includes, by the Chinese government's definition, abortion. It is estimated that in excess of 10 million abortions are performed in China every year, 90 percent of which are coerced in some way. Brothers and sisters, I say to my colleagues, are illegal in China. It is a one-child-per-couple policy. That is not family planning. That is Big Brother control.

I would hope my colleagues would realize that the means to implementing that just happen to be IUDs, abortion, things that many people in this Chamber, particularly on the other side of this issue, have no problem with. But when it is coerced, when that line of demarcation is crossed and forced abortion, which was properly construed to be a crime against humanity at the Nuremberg War Crimes Tribunal, is looked at by the UNFPA year in and year out as being a voluntary program, that is where we have to draw the line and say, ''Wait a minute. The judgment of this organization is suspect.'' It is a very coercive program. Read the State Department's report. It is replete with examples and statements about how coercive it truly is. And read Amnesty's report. These are human rights organizations that have come out and said it is coercive.

I hope that we can draw the line and withhold this $20 million because an organization that does this kind of thing does not deserve it.

Ms. LEE. Mr. Chairman, I yield 1 minute and 10 seconds to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentlewoman very much for yielding me this time. I rise in opposition to the Smith amendment and in support of the Campbell-Gilman-Maloney bipartisan amendment. Frankly I think it is important to emphasize what the United Nations Population Fund really does. The Smith amendment simply prevents it from doing the good work that it does all over the world. That is the important statement that we make today. The UNFPA is the largest internationally funded source of population assistance to developing countries. It is funded through voluntary contributions by 88 member nations.

This is not an isolated group. This is not a group that participates in coercing forced abortions in China. In fact, they stand up against it. Most of their work deals with family planning. Their donors are the United States, Japan, Netherlands, Germany, Norway, Denmark, Sweden, among others. They provide support to 150 countries in Africa, Latin America, the Caribbean, Asia, the Pacific, the Arab states and in Europe. Since 1969, UNFPA has provided almost $4 billion for voluntary family planning.

□ 1945

Mr. Chairman, I think it is unreasonable to suggest that someone who provides a safe delivery kit is involved in forced and coercive abortions. This is a kit that saves lives, and I would argue very vigorously, Mr. Chairman, that the work of the UNFPA should be supported and this amendment, the Smith amendment, voids what we are trying to do, Mr. Chairman, and I would like to support wholeheartedly the amendment of the gentlewoman from New York (Mrs. MALONEY) and the gentleman from New York (Mr. GILMAN) and the gentleman from California (Mr. CAMPBELL) and all others in a bipartisan way to promote family planning.

Mr. Chairman, I rise in strong support of this amendment offered by Representative CAMPBELL, GILMAN, and MALONEY. This amendment restores funding to the United Nations Population Fund (''UNFPA'') but ensures that no U.S. funds will be spent in China. It allows the U.S. to maintain control over the funds it provides to the UNFPA and requires that any funds used for a program in China shall be deducted from the funds made available to the UNFPA.

The UNFPA is the largest internationally funded source of population assistance to developing countries. It is funded through voluntary contributions by 88 member nations. The major donors are the United States, Japan, the Netherlands, Germany, Norway, Denmark, Sweden, Great Britain, Canada, Finland, Switzerland, France, Belgium, Australia and Italy. However, U.S. funding for UNFPA was eliminated for FY 1999.

UNFPA provides support to 150 countries in Africa, Latin America, the Caribbean, Asia and the Pacific, the Arab states in Europe. Since 1969, UNFPA has provided almost $4 billion for voluntary family planning and reproductive health care. UNFPA does not provide support for abortions or abortion-related activities anywhere in the world.

The services provided by the UNFPA are crucial in developing countries. Each year an estimated 600,000 women die as a result of pregnancy and childbirth where pregnancy and childbirth are among the leading causes of death for women of childbearing age.

For example, this safe delivery kit is provided to women in developing countries. This kit contains a bar of soap, a disposable razor, a surgical blade, two rolls of umbilical tap, plastic sheeting and 12 rolls of gauze bandage. This kit saves the lives of the mother and the child.

Women in these countries must have access to information that will allow them to make informed reproductive health decisions. These decisions can mean the difference between life and death.

We all condemn the human rights abuses conducted by China. Therefore, this amendment requires that U.S. funds contributed to UNFPA be placed under specific restrictions. U.S. funds will be kept in a separate account and may not be commingled with other UNFPA funds. It also deducts dollar for dollar the funds that UNFPA spends in China.

I urge my Colleagues to support this amendment. It restores the U.S. funding to UNFPA on behalf of women around the world. It also places restrictions on UNFPA funding to China. This amendment renews our commitment to save the lives of women around the world.

Mr. CAMPBELL. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from New York (Mr. BOEHLERT).

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

Mr. BOEHLERT. Mr. Chairman, governments in many countries that have experienced rapid growth for nearly two generations are now bursting at the seams and are unable to meet the challenge of providing even the most basic services for their citizens. This is the arena in which the UNFPA works, an arena in which every action has a reaction. In the most extreme cases, population growth along with poverty, ethnic tensions, and the misgovernance has resulted in vile conflict. The UNFPA is one of the most effective means available to address the problems caused by rapid population growth around the world. Its 900 staffers work in more than 150 countries to provide voluntary family planning and reproductive health services. By doing so, it allows women and men to freely choose to limit the size of their families, and it helps to reduce the number of unintended pregnancies and abortions.

I would like to ask my colleagues to ask themselves a few questions when voting on this, questions like:

Who would do this work if the UNFPA did not?

Where would some countries be without UNFPA?

I know the answers I think of are unsettling, and I am sure many here, when they stop and think about the bigger picture, will come up with their own stark conclusions.

I urge my colleagues to support the Campbell amendment and support funding for UNFPA. And finally let me say in response to my partner in this effort, the gentlewoman from California (Ms. PELOSI) I am disappointed. I would like to point out that both Democrats and Republicans are supportive of family planning; just as, sadly, some Democrats and some Republicans oppose it.

Ms. LEE. Mr. Chairman, I yield 1 minute to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Chairman, at least 350 million couples worldwide do not have access to information about family planning and a full range of contraceptives. Each day, 55,000 unsafe abortions take place, 95 percent of them in developing countries.

Unsafe abortions result in nearly 600,000 maternal deaths. It is estimated that the impact of the $20 million cut off will lead to half a million more unintended pregnancies, 200,000 more abortions, 1,200 maternal deaths, 22,500 infant deaths. And while we are worried about human rights in China, of course, we are, let us worry about what desperate women will do. They will try to induce abortions by inserting objects like sticks and wires and knitting needles into the uterus, drinking harmful or poisonous substances. They will take dangerous doses of over-the-counter medication, douche with poisonous and caustic substances, inflict physical abuse like falling down stairs and blows to the belly and jumping from heights.

This is the kind of violence against women we need to worry about, and we can prevent if we support the amendment offered by the gentleman from California (Mr. CAMPBELL) and the gentlewoman from New York (Mrs. MALONEY) and oppose the amendment offered by the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, I yield 4 minutes to the gentleman from South Carolina (Mr. DEMINT), my good friend.

Mr. DEMINT. Mr. Chairman, I rise in strong support of the Smith-Barcia amendment and in opposition to the Campbell-Gilman amendment.

Mr. Chairman, there have been many efforts to make the Campbell amendment look reasonable and rational and easy for a cross-section of Members to support. However, this amendment merely masks support for the inhumane treatment of women in China and all around the world. We cannot overlook the horrendous treatment of women because the United Nations Population Fund provides some needed services.

Just recently, the world was confronted with the reality of China's forced abortion policy when a woman who was deported from Australia to China was forced to go to the People's hospital just 10 days before she was due to give birth, and she was forced to undergo a mandatory abortion. Fellow Members of the House, this is totally unacceptable and intolerable, yet the organization we are talking about funding today, the United Nations Population Fund, does not even acknowledge a problem with China's policies. We should not add $20 million in funding to this organization.

Mr. Chairman, China is not the only place where the United Nations Population Fund is active in implementing questionable and sometimes outrageous policies. Peru's population program has violated the human rights of women by coercing them into sterilization. This may include offering poor women food in exchange for sterilization or pressing health workers to reach sterilization quotas and women being sterilized without their consent.

The U.N. Population Fund is also active in Vietnam and North Korea which have been credibly accused of coercive practices. They have not only turned a blind eye to forced abortions and sterilizations, but have even given China an award in its population control program.

I believe we must stand up and say this is enough. We should not fund the United Nations Population Fund until the organization has reformed and renounced coercive and abusive policies. The United States of America should not give the United Nations Population Fund $25 million in taxpayers' money until they stop these practices.

According to the Campbell amendment, we will give 25 million to the United Nations Population Fund, and we will take it away if we can prove that they are involved.

Mr. CAMPBELL. Mr. Chairman, will the gentleman yield since he referred to my amendment?

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

Mr. CAMPBELL. Can the gentleman kindly point where in my amendment I give any money to the UNFPA?

Mr. DEMINT. As I understand it, the gentleman's amendment does fund.

Mr. CAMPBELL. If the gentleman would continue to yield, the underlying bill funds, and my amendment takes away from that funding dollar for dollar whatever UNFPA spends in China.

Mr. DEMINT. Okay, but it does not address, reclaiming my time, this does not address what this organization is doing around the world, and it does not

send a signal to the organization that we want accountability to this horrendous treatment of women.

We must strike at the heart of the issue, we must do whatever we can to send a message to the world that while we appreciate the good things that this organization does, we expect them to stop this inhumane treatment.

Please join me in sending a clear message to the Chinese, the United Nations, that we do not condone this behavior.

Mr. SMITH of New Jersey. Ms. Chairman, will the gentleman yield?

Mr. DEMINT. I yield to the gentleman from New Jersey.

Mr. SMITH of New Jersey. I would like to ask the gentleman from California, in a Dear Colleague dated July 15 signed by the gentleman from California (Mr. CAMPBELL) he points out as a truth UNFPA manages its own program in China.

Does he stand by that statement?

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

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

Mr. CAMPBELL. Mr. Chairman, I recognize that the UNFPA arrangement with China yields to China the management of the program within China, and for that reason I do not, in my amendment, give a dime to China.

In fact, if the United Nations spends one dime in China, my amendment takes that dime back from the U.N. so that the United States tax dollars are not going to China.

Mr. SMITH of New Jersey. Mr. Chairman, if the gentleman will yield further, the point I am trying to make is that in a Dear Colleague that was sent to every Member on the Hill, every House Member, the statement has been made that the UNFPA manages its own program in China. That is demonstrably false.

As I pointed out earlier in this discussion, the United Nations Population Fund on January 7, 1998, assigned by Dr. Sadik what will be the role of the U.S. government or the Chinese government was the question. The answer: The Chinese government at the central and provincial levels would be in charge of coordination in terms of monitoring, guidance, and evaluation. It also points out that the local government; that is, the Chinese government, will be in charge of the actual implementation of project activities at the county level. The UNFPA will not be managing this program, so that it is false and misleading, and I hope Members will take that into consideration.

Ms. LEE. Mr. Chairman, I yield 30 seconds to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Chairman, I rise in support of the bipartisan Gilman-Campbell amendment, and I place into the RECORD a letter to the ambassador, the American ambassador at the U.N., outlining UNFPA's policy that states there will be no birth quotas, that all birth quotas are lifted, and if there is any coercion it will be investigated and the program will be suspended. And also, a letter from the State Planning Commission of China, I would like to have that placed into the RECORD, and I repeat that this debate is not about China. It is about helping the 149 other countries where UNFPA is saving the lives of women giving birth to children and family planning.

The letters referred to are as follows:

UNITED NATIONS POPULATION FUND,
New York, NY, 7 January 1998.

His Excellency, Mr. BILL RICHARDSON,
Ambassador Extraordinary and Plenipotentiary, Permanent Representative of the United States of America to the United Nations, United States Mission to the United Nations, New York, NY.

DEAR MR. AMBASSADOR: I am writing to provide you with information in response to the questions and concerns raised by your Government in your letter of 2 December regarding the UNFPA Programme of Assistance to China, which will be presented to the UNDP/UNFPA Executive Board at this month's session.

Your questions with our responses are attached. We hope that this information will answer the queries to your satisfaction. We shall stay in close contact with you and your staff in preparation for the Executive Board, and remain available to answering further questions you may have.

I remain, dear Mr. Ambassador,

Yours sincerely,

NAFIS SADIK,
Under-Secretary-General.

RESPONSES TO QUESTIONS RAISED BY U.S. GOVERNMENT ON THE UNFPA PROGRAMME OF ASSISTANCE TO THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA (1998–2000)

1. WHICH COUNTIES WILL BE INCLUDED IN THE PROGRAM? WHAT IS THEIR POPULATION AND HOW DO THEY COMPARE TO NATIONAL AVERAGES IN ICPD THRESHOLD INDICATORS? HOW DID UNFPA ASCERTAIN THE COMMITMENT OF LOCAL AUTHORITIES TO ICPD GOALS AND PRINCIPLES?

Below is a list of the counties to be included under the program. The UNFPA field office in Beijing is in the process of preparing a detailed profile of all 32 counties. The most important input into these profiles, however, will be a baseline study which will be carried out in February 1998 with the technical assistance of an expert from Tulane University, USA. Unfortunately, it was not possible to carry out this baseline survey ahead of time owing to the fact that no UNFPA funding was available to be spent in China in 1996 and 1997. This survey will provide a clear picture of the RH situation prevailing in selected counties.

ICPD indicators, while available nationally are not broken down to the county level. This is because the sources of data are sample surveys which may not be representative at the county level. The counties were selected based on criteria agreed to with the Government: the commitment of local authorities to the projects and to the principles of the ICPD and the availability and commitment to a minimum of counterpart funding toward project activities; the existence of a good working relationship between State Family Planning Commission and the Ministry of Health at the county level; counties were selected where we are optimistic that results can be obtained within the three year time frame. Hence counties that are too poor, too remote, or too lacking in counterpart funding and enlightened leadership were not chosen. For the same reason the selection process also tried to include a cross section of counties from different regions of the country.

UNFPA worked with the national Government to ensure that local authorities possessed a commitment to the ICPD, political will and the availability of counterpart resources.

County and province

Fengnin—Hebei.
Luanxian—Hebei.
Wenshui—Shanxi.
Aohanqi—Inner Mongolia.
Guichi—Ahui.
Xuanzho—Ahui.
Jianou—Fujian.
Yushui—Jiangxi.
Dongmi—Shandong.
Xinyang—Henan.
Mengzh—Henan.
Yingsha—Hubei.
Qianjian—Hubei.
Linwu—Hunan.
Youxian—Hunan.
Sihui—Guangdong.
Lipu—Guangxi.
Longan—Guangxi.
Wencha—Hainan.
Bazhong—Sichuan.
Yilong—Sichuan.
Pingba—Guizhou.
Zhenfen—Guizhou.
Xinping—Yunnan.
Xiangyu—Yunnan.
Luonan—Shaanxi.
Xixiang—Shaanxi.
Yuzhong—Gansu.
Datong—Qinghai.
Pingluo—Ningxia.
Kuerle—Xinjiang.
Rongcha—Chongqing.

2. WILL BIRTH QUOTAS REMAIN IN EFFECT IN THESE COUNTIES, AND WILL WOMEN FACE SANCTIONS IF THEY BECOME PREGNANT OR BEAR A CHILD OUTSIDE THE QUOTA?

No birth quotas or targets will be applied in the counties participating in the project. Funds will be released only after the UNFPA field office has received official written commitment from the provincial authorities that quotas and targets have been removed in each of the participating counties.

In the project counties couples will be allowed to have as many children as they want, whenever they want, without requiring birth permits or being subject to quotas; however, they may still be subject to a ''social compensation fee'' if they decide to have more children than recommended by the policy. State Family Planning Commission has indicated that it is the Government's intention to gradually eliminate incentives and disincentives from the family planning programme.

3. WILL FOREIGN OBSERVERS, INCLUDING NGO'S AND DIPLOMATIC PERSONNEL, HAVE ACCESS TO PROJECT COUNTIES AND TO RELEVANT COUNTY OFFICIALS?

It has been agreed with the Chinese Government that the project will follow all UNFPA procedures for monitoring an evaluation. In addition, the government has agreed that the project counties will be open to monitoring and evaluation visits by foreigners and that county officials would be available to talk to foreign delegations.

As evidence to this openess it should be noted that recently (28 November-3 December 1997) a delegation of foreign diplomats representing 17 countries on the UNFPA Executive Board participated in a field visit to project counties to gain a better understanding of the prevailing situation in the field and of the proposed project activities. The delegation which included 6 ambassadors was composed of representatives from Argentina, Brazil, Canada, the Czech Republic,

France, Ghana, India, Ireland, the Republic of Korea, Libya, Malaysia, Norway, Romania, Tanzania, Thailand, Ukraine and the U.S.A.

4. WHAT PROCEDURES WILL BE IN PLACE TO SEE THAT THERE ARE NO COERCIVE PRACTICES IN THE COUNTIES ASSISTED BY UNFPA?

Frequent and rigorous monitoring visits and activities will be undertaken by UNFPA and independent consultants as part of the project work plan, which includes inter-alia, surveying client satisfaction, surveying FP service provider skills, and qualitative and quantitative assessment of progress made under the project.

The first important crucial step is the written commitment of the local Government authorities to the principles of ICPD, and specifically to ensuring that no coercion takes place in the selected counties. As mentioned earlier, no funds will be released until written commitment has been received from each of the local authorities of all the participating Provinces.

5. WHAT WILL BE THE ROLE OF THE CHINESE GOVERNMENT? WHAT WILL BE THE ROLE OF UNFPA?

The Chinese Government at the central and provincial levels will be in charge of coordination, internal monitoring, guidance and evaluation, all of which will be conducted in accordance to ICPD principles. The local government will be in charge of the actual implementation of project activities at the county level.

UNFPA's role will include monitoring and evaluation at the county level (as discussed above).

The projects will be executed by UN agencies and international NGOs.

6. WHAT PROCEDURES WOULD UNFPA FOLLOW AND WHAT RECOURSE IS AVAILABLE IF PHYSICAL, PSYCHOLOGICAL OR ECONOMIC COERCION IS REPORTED IN PROJECT AREAS? UNDER WHAT CIRCUMSTANCES WOULD UNFPA CONSIDER TERMINATION OF ALL OR PART OF ITS PROGRAM?

If UNFPA finds that there have been violations of the project guidelines in any county UNFPA will suspend operations of the project activities until the situation has been corrected.

If the situation is not corrected it will be reported to the Executive Board.

THE STATE FAMILY PLANNING COMMISSION OF CHINA,
Beijing, June 30, 1998.

DR. NAFIS SADIK,
Executive Director, United Nations Population Fund, New York, USA.

DEAR DR. SADIK. It has been a great pleasure to meet with you last March during the High Level Meeting in Bangkok convened by ICOMP in cooperation with UNFPA. As you have been informed the orientation meeting for the project on RH/FP was held in April of this year. The more than 160 participants to the meeting include government officials from the State Family Planning Commission (SFPC), the Ministry of Foreign Trade and Economic Cooperation (MOFTEC), Ministry of Health (MOH), relevant provinces, prefectures and counties as well as project managers, consultants and representatives from NGOs. Mr. Sven Burmester, UNFPA representative in Beijing also addressed the meeting.

Agenda items of the meeting comprise the principles of ICPD-POA, project objectives and activities, strengths and challenges in achieving the project objectives as well as project implementation plan. An outcome of the meeting is the consensus on how to implement the project. Following the meeting, the project counties have made considerable preparatory work for the project: the setting up of project leading groups headed by county governors or their deputies, drafting of tentative work plans and even county-level project orientation meetings in some cases.

Following the ICPD, in the light of ICPD-POA, and China's national reality and drawing on both China and other countries' experiences, the Chinese government has made some new decisions and initiatives in implementing its population and family planning program. In 1995, SFPC announced that the approach and practice of the family planning program will undergo two transformations. In the same year, China's State Council organized a national meeting to promote the integrated approach for the family planning program. With a view to meeting the need of the public on reproductive health and family planning, a pilot project on quality service was initiated by SFPC in 11 counties, and approaches of informed choice of contraceptive methods are widely promoted across the country. With still 50 million impoverished population in the country, SFPC, in cooperation with other ministries and departments, conducted activities which integrate family planning with poverty alleviation, aiming at helping rural women in income generation and thus improving their status. Welcomed by the local people, these efforts have also created favorable conditions and beneficial experiences for the implementation of the project.

After the orientation meeting, the project counties reaffirmed their commitment to implementing the project in the light of ICPD-POA, their local characteristics and with a view of drawing on both domestic and foreign experiences. The project counties promise to adopt an integrated approach: one that will combine the promotion of family planning with economic development, universal education, improvement of women's status and provision of quality FP/RH services, and ensure that implementation of the project is not in the form of imposing birth quotas and acceptor targets on FP providers. While the counties are fully aware that they will be facing various challenges in the implementation of the project, they have expressed their confidence in the project's success, believing that the project objectives are in conformity with that of China's reproductive health and family planning program. Besides, China's post-ICPD experiences in its reproductive health and family planning program have also laid the required foundation for the implementation of the project.

I am very pleased to learn that the project document has been finalized between the Government and UNFPA Beijing Office and sent to the headquarters for approval. In the meantime, we very much hope that the headquarters will speed up the process to review and approve the project document so as to ensure the achievement of the project objectives within the limited project period. It is my belief that a good implementation of the project will greatly facilitate the fulfillment of the objectives set in ICPD-POA in China—a country which is home to nearly a quarter of the world's population and step up China's reproductive health and family planning program. It is also the hope of both myself and my colleagues that you yourself could come and visit some of the project counties after the project starts.

With my best wishes,
Yours sincerely,

LI HONGGUI,
Vice Minister.

Ms. LEE. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina (Mr. PRICE).

(Mr. PRICE of North Carolina asked and was given permission to revise and extend his remarks.)

Mr. PRICE of North Carolina. Mr. Chairman, I rise in strong support of the bipartisan Campbell-Maloney-Gilman amendment to restore funding to the United Nations Population Fund and in opposition to the Smith amendment. And in response to the most recent speaker on the other side, I think it is important to underscore once again the Campbell amendment provides no family planning money to China, it provides no family planning money for abortions. International family planning assistance is essential though in addressing two of the greatest challenges that face the developing world, providing better health care to women and reducing the rate of child mortality.

That is what we ought to be focusing on here tonight. Over 585,000 women a year die from complications due to pregnancy and childbirth. UNFPA extends prenatal and postnatal care and counseling, increasing the chance for survival for Third World children and their mothers. By simply teaching women to space their children 2 years apart, the UNFPA helps increase the survival rate for these children by almost 30 percent.

U.S. contributions to UNFPA also help prevent abortions, and we seem in some danger of losing sight of that tonight. I presume we all share that goal. Continuing to withhold U.S. funding for UNFPA will contribute to an estimated 500,000 unplanned pregnancies. That means abortions, perhaps 200,000 more abortions it has been estimated, as well as 1,200 maternal deaths, and 22,500 infant deaths. Studies show a clear link between the introduction of family planning services in Mexico, Columbia, Hungary, Russia, central Asian republics and a decline in the number of abortions.

With this one vote, Mr. Chairman, we can help improve women's health, we can decrease child mortality, we can dramatically reduce the number of abortions worldwide. The United States cannot fail to meet these responsibilities. I urge a ''yes'' vote on the Gilman-Campbell-Maloney amendment.

Mr. CAMPBELL. Mr. Chairman, I yield 1½ minutes to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Chairman, I thank the gentleman for yielding this time to me, and allowing me to participate in this debate. And I continue to wonder, if my colleagues do not support abortions, why would they oppose family planning? And when they oppose family planning, what it says to me is they want more abortions, because that is the direct outcome.

And I also wonder why so many men stand up and do not want women to have knowledge about family planning, particularly in poor countries where they need it the most. I wonder what is humane about that? What is loving, what is kind about that? I am embarrassed by the opposition of so many to allow women to have family planning

information. I support the measly $25 million that we would provide to the United Nations Population Fund, and I regretfully support the Campbell-Maloney-Gilman-Crowley amendment of which I am cosponsor, which says that any money for family planning that goes to China would be deducted, so the gentleman from New Jersey (Mr. SMITH) cannot continue to make these false charges. There is no U.S. money going to China because we deduct it, and that is the bottom line.

I support family planning because I am concerned about the projected growth of 800 million new people from 1990 to 2000, and projections of another 800 million new people from 2000 to 2010, and I wonder what this world is going to be like with so much poverty and death.

□ 2000

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

Mr. DAVIS of Florida. Mr. Chairman, I rise in support of the Maloney-Campbell-Gilman amendment and in opposition to the Smith amendment. I think it is very important that we get back to the facts here.

As has been pointed out, the funding that we are talking about tonight goes into maternal and child health services and devices. This includes family planning; it includes birth control devices. These are exactly the types of tools that we need to put in the hands of men and women, particularly in our developing countries, who are seeking to improve the lives of themselves and their families and to better their own countries. There are many men and women in these countries who are struggling to support their families, and we should be encouraging them to engage in responsible family planning.

Now, the gentleman from New Jersey (Mr. SMITH) has expressed a multitude of concerns about practices in China. I think it is fair to say here that every Member of Congress standing here tonight deplores those activities. But it is also very clear and should be beyond dispute that there is not a single dollar proposed to go to China and to endorse any of those practices and, instead, will go to other countries.

I urge adoption of the Campbell-Gilman-Maloney amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself 20 seconds.

I respect the previous speaker very much, and when he says every Member deplores what is going on in China, I believe that. The problem is the UNFPA does not deplore it. They have been fronting and whitewashing crimes against women for 20 years and they continue to do so. It speaks volumes of an organization when it says there is no coercion, when every human rights group and every Member of Congress says that there is.

Ms. LEE. Mr. Chairman, I yield 2 minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Chairman, I rise in opposition to the Smith amendment and in very strong support of the bipartisan Gilman - Campbell - Greenwood - Porter - Horn - Johnson - Kelly - Morella - Shays - Boehlert amendment, and I thank the ranking member, the gentleman from Connecticut (Mr. GEJDENSON) for his leadership.

Our amendment has deep and strong bipartisan support. What it says is that we want to do something to help women and the 149 countries receive maternal health care and child health care. Over 500,000 women die in childbirth each year. That is equivalent to one or two jumbo jets crashing every day. When there is just one crash, it is headline news for weeks; but the slow toll on women around the world is hardly on our radar screen.

It is about giving out safe delivery kits as were handed out to the women refugees in Kosovo. These are handed out to poor women and children, and it saves lives. It is health care.

Mr. Chairman, 179 countries support UNFPA. Let me tell my colleagues what it is not about. It is not about China; no money goes to China. And it is not about abortions, because no family planning money can be spent for abortions. If we continue the UNFPA cutoff, it will not hurt China. What it will hurt are women and children and lead to more abortions in the other 149 countries in which UNFPA works. It is about saving lives; it is about health care.

There is a solution to the suffering, and that is family planning support. Support the Gilman-Campbell amendment, cosponsored by many, many others of our colleagues. I thank the deep, bipartisan coalition that has worked to correct the action of our country cutting off funds when 179 other countries have supported that effort.

Mr. Chairman, I include for the RECORD at this time documentation in support of my position.

[From the New York Times, July 15, 1999]

VOTE TODAY TO SUPPORT MATERNAL AND CHILD HEALTH—FAMILY PLANNING UNDER FIRE

SUPPORT THE GILMAN-CAMPBELL-MALONEY-CROWLEY AMENDMENT TO STATE DEPARTMENT REAUTHORIZATION

(Submitted by Carolyn B. Maloney, Member of Congress)

Last year Congress disgracefully cut off funding to the United Nations Population Fund, an agency that supports voluntary family planning services, maternal and child health initiatives, and AIDS and sexually transmitted disease prevention programs in 150 countries. In April the House International Relations Committee wisely voted to restore $25 million for the program in 2000. A House vote on the State Department authorization bill containing that contribution is expected today.

Once again, however, this worthy program is under attack by anti-abortion forces. The Population Fund does not provide or pay for abortion services in any country, and can actually reduce the need for abortions. Yet Representative Christopher Smith, a fervent abortion opponent, is expected to offer an amendment to block funds for the program. He and others have argued that the United States should contribute no money to the agency unless it ceases all family planning activities in China.

This is senseless, because the fund's pilot project in China is actually designed to end coercive population policies. Under the program, the Chinese authorities have agreed to abandon quotas like the one-child policy in 32 areas covered by the pilot project, and adopt instead new strategies to slow birth rates, such as better contraception, health care and expanded economic opportunities for women.

Even so, as a tactical move, the program's supporters have agreed to deduct any amount the Population Fund spends in China, which is expected to be $5 million a year, from the $25 million United States contributions. The House now has no excuse for not financing family planning efforts that can improve the lives of women all over the world.

[From the Des Moines Register, May 28, 1999]

DEFUSING THE POPULATION BOMB—BALANCE IS WITHIN GLOBAL REACH WITH ENOUGH UNSELFISH HELP

It took 1,900 years from the birth of Christ to the dawning of the 20th century for the world's human population to reach 2 billion. In a single century since, it will have tripled. The 6-billion mark will be reached this October. An additional billion should be on hand by about 2014.

The good news is that life expectancy at birth has increased by two-thirds in this century, as more infants survive their first year. Further, while the population boom continues, it has been slowed by family-planning efforts. Not one industrialized country has a fertility rate higher than the replacement level, according to the Population Reference Bureau. The bad news is that, in the underdeveloped areas, the slowing of population growth is due to a rising death rate. Overtaxing the environment increases scarcities of basic necessities, and could accelerate that increase.

The world is running out of water to drink or use to grow crops. Eight percent of the world's population faces chronic water shortages, according to the United States Agency for International Development, and by 2025, more than one-third will face that danger. Hunger now kills 6 million a year. Water shortages could reduce the grain harvest in India, where already more than half of all children are malnourished.

The developed world, meanwhile, is reproducing responsibly. Americans have achieved stability with a 2.0 fertility rate (two children per woman). Our swelling population results from immigration. Europe's fertility rate stands at 1.4. Asia and Latin America show remarkable declines in the past 50 years, from 5.9 to 2.8 in Asia, 5.9 to 3.0 in Latin America. But in Africa, the rate has fallen only from 6.6 to 5.6. And where efforts to control population fail, starvation and disease move in. World Watch Institute says the HIV virus is reversing gains made in life expectancy in Africa. Since 1990, life expectancy in Botswana has dropped from 62 years to 44.

It means we have a very long way to go to find a healthy population balance.

The most hopeful note in the population statistics is that 50 percent of the world's married women of childbearing age now practice family planning, compared to fewer than 10 percent just 30 years ago. The tragedy is that the percentage isn't far higher than 50 percent.

As the Population Reference Bureau notes, the decline in childbearing was "brought

about by investments in family planning and other health programs, in education, and in greater social and economic opportunities, especially for women.'' Control of their childbearing means greater health and opportunity for both them and their children.

The greatest accomplishment mankind could muster in the coming century would be a guarantee that all of its newborns, everywhere on the globe, enter the world with a decent chance at a decent life. With unselfish help from the industrialized nations, it is within our reach.

[From the Houston Chronicle, July 7, 1999]

POPULATION FUNDING WILL HELP TO PREVENT ABORTIONS

As the century prepares to close, the world's population is shooting inexorably toward the 6 billion mark and will surpass it later this year. One billion will be teenagers moving into their reproductive years, and the population explosion can reasonably be expected to continue increasing exponentially.

This means a number of problems around the world, including simply meeting the needs of education and jobs and the need for family planning. World population has doubled since 1950. What effect will it have on the environment, waste disposal and immigration when it reaches 15 billion or more?

The United Nations Population Fund, which plays a critical role for millions of women and their families, has been made a scapegoat in this country in recent years, with U.S. funding for the UNPF caught up in a clash of ideologies that is more about political grandstanding than about dealing with the real issues and solutions to explosive population growth.

In 1994 a program of action was adopted at the International Conference on Population and Development, of which the United States was a major architect. Five years after its inception, significant progress can be cited in nations where the plan is in place. But the greatest obstacles, say supporters, have been a lack of financial resources and the unfulfilled commitment of donor nations such as the United States. Congress, under the false impression that tax money would be paying for abortions, defunded the U.S. commitment last September.

Earlier this year, the U.S. House International Relations Committee took the first step in reversing this mistake when it voted to restore funding. In the coming days, the full House is expected to vote on that measure contained in the State Department Authorization (HR 1211). Some in the House, however, are threatening to strip this provision from the funding legislation. That would be a very shortsighted and misguided move.

The sad irony is that the population program would actually do far more in the way of family planning and the prevention of unwanted pregnancies and abortions than its critics are willing to admit. If the motivation for opposition to this measure is truly to halt abortions, then those who would kill it are actually doing the legislative equivalent of throwing gasoline onto a fire.

Members of the Texas congressional delegation will shortly have an opportunity to do the right thing by leaving the funding intact. Or they may opt to take the low road and exacerbate the problem they claim they are trying to solve.

We hope they choose the former over the cynical political grandstanding and rhetorical sleight of hand.

[From the Star, June 16, 1999]

WORLD POPULATION

The House of Representatives soon should consider renewal of funding for the United Nations Fund for Population Activities. That is always a difficult issue in Congress, where last fall the House voted against this program as part of the omnibus budget resolution.

Family-planning assistance through the United Nations fund is one of the most important foreign assistance programs Congress considers because it contributes to universal access to family planning, prenatal care and reproductive disease services around the globe.

Support for the $17 billion per year commitment to population spending has been dwindling, particularly in this country that formerly was a leader in international family planning.

Partly because of questions over paying for abortions in China, Congress has capped spending for international family planning at 70 percent of its 1995 level. However, the legislation to be considered by the House would authorize $25 million in each of the next two fiscal years to the United Nations fund as long as certain conditions are met. Among them: None of the U.S. money would go to China and U.S. funds would not be mixed with other United Nations funds.

Further, the United Nations would have to meet other restrictions in regards to its spending in China or the United States could reduce its contributions. These conditions should satisfy critics.

World population growth is slowing, but it is problematic in developing nations. This year the world reaches 6 billion people. In another 14 years, the number is expected to rise to 7 billion, a total that could be reached faster depending on regional birth rates, the effect of AIDS, longer life expectancies and family-planning programs.

The United States plays a pivotal role, particularly in leading other developed nations, in slowing population growth. Congress should reauthorize effective programs through the United Nations fund.

[From the Courier-Journal, July 5, 1999]

UN POPULATION EFFORTS NEED OUR HOUSE MEMBERS' VOTES

Five years after the United Nations Population Fund's historic Cairo conference, there's still no consensus on issues such as abortion, family planning and sex education. As a result, final agreement on an action plan was still being blocked at the UN last week by a group of small nations mostly Catholic and Muslim and including the likes of Libya and Sudan.

The good news is that population growth has, in fact, slowed in many places, thanks in part to the UN's efforts. But one big obstacle to more progress has been money. In a week or so, the U.S. House of Representatives will be able to do something about that, by restoring funds for the UN population program to the Foreign Relations Authorization Act.

Supporters fear that, if past attitudes are indicative, GOP members from this area will say no. But they hope that two new Democrats—Ken Lucas of Kentucky and Baron Hill of Southern Indiana—will say yes. We hope so, too.

The Cairo conference produced surprising agreement among disparate people: the Pope, Vice President Al Gore, leaders of Christian and Islamic countries, feminists, greens, scientists, prophets of doom, and condom salesmen. The abortion issue stymied unanimity, but there was broad commitment to more family planning, more education, and more effort to improve women's and children's health.

Sometime this fall, the world's population will reach 6 billion, one-sixth of them teenagers entering their reproductive years. But, thanks to efforts by governments, charities and the UN, there's still a chance to hold the total to something like 9.8 billion by 2050. Mexico is showing how it can be done.

Earlier this month, New York Times reporter Sam Dillon described the spectacular drop in Mexico's birth rate, from seven children per woman in 1965 to 2.5 today. That decline has produced what population experts call a demographic bonus—what Dillon described as ''the opportunity to generate higher savings rates and domestic investments that can bring rapid development, if the bonus is managed shrewdly.''

Such progress is crucial for a country that already can't supply jobs for the 1.3 million new workers who enter the job market each year. It's also important north of the border. Economic troubles have pushed the yearly total of workers leaving Mexico for the United States from 27,000 in the 1960s to more than 277,000 now.

Mexico's record is being duplicated, sometimes exceeded, around the world, especially in Latin America. But more could have been accomplished had it not been for the hundreds of millions in cuts imposed on overseas family planning by the GOP Congress, which defunded the U.N. effort last September.

Democratic Reps. Lucas and Hill may have conservatives in their districts pushing for a ''no'' vote, but they won't be under the same pressure as their GOP colleagues to oppose renewal of appropriations for the United Nations Population Fund.

They can do the right thing. And their GOP colleagues always have the option of surprising everyone by casting sensible, humane votes.

[From the San Francisco Examiner, July 9, 1999]

REPRODUCTION ERROR—CONGRESSIONAL CONSERVATIVES PERSIST IN THEIR MISTAKEN NOTION THAT GLOBAL FAMILY PLANNING EFFORTS DON'T DESERVE U.S. MONEY

Ample reasons exist to continue the worldwide fight to control population. Survival is the first, but quality of life is an important byproduct. Still, the battle expected this summer in the U.S. Congress will be over whether managing the Earth's population is a goal worthy to pursue.

Capitol Hill, unfortunately, is where domestic politics and notions of morality get mixed up with sound public policy and good science. The Hill also is where this country will soon decide whether to support the United Nations Population Fund. Congress' action will occur shortly before the world's population is predicted to top 6 billion (as soon as late July). Last year, Congress nixed $25 million for the U.N. office.

The controversy is created by a misperception. Some congressional conservatives are confused about international family planning efforts. By law, the United States cannot provide funds for abortions overseas, but the religious right carries the debate further. It argues that the U.S. should not give funds for other family planning activities to an organization that also provides abortions or even just abortion counseling. Its bizarre reasoning is that U.S. support will allow those organizations to shift money into promoting abortion.

There's no evidence of that. But there's plenty of evidence that denying women birth control information creates more abortions, more unwanted babies and more misery. Where's the compassion in these Capitol Hill conservatives?

Experts say the world adds 78 million people a year, or the equivalent of San Francisco's population every three days.

The prospect of overpopulation ought to worry everyone. As the Earth's resources become more and more strained, the misery

won't be confined to Third World women denied facts or contraception. Hardship will intrude into middle class neighborhoods, country clubs and even onto the floor of the House of Representatives.

Full funding of U.N. population efforts constitutes common sense.

The CHAIRMAN. The Chair wishes to announce the remaining time.

The gentleman from New Jersey (Mr. SMITH) has 6 minutes remaining; the gentleman from California (Mr. CAMPBELL) has 2 minutes remaining; and the gentlewoman from California (Ms. LEE) has 1¼ minutes remaining. The gentlewoman from California (Ms. LEE) will have the right to close.

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

Mr. Chairman, this is what the bill says. The bill gives $25 million to the United Nations Family Planning Agency and it says, no money for abortions. This is what the bill does. It says money from the U.S. taxpayer cannot go for abortion. It also says money from the U.S. taxpayer cannot go to China. That is what the bill says, the underlying bill. No money for abortion; no money for China.

Our good friend from New Jersey says, but this is not enough, because the United Nations might give some money of its own, some other people's money to China. So what the gentleman from New Jersey does is punish every other country on earth that might receive help from the United Nations Family Planning Agency.

I have been to sub-Saharan Africa almost every break that I can over the last 5 years. Zimbabwe is facing 1 million orphans from AIDS. My colleagues heard about Uganda and its female genital mutilation. These are deep and important problems that are helped by U.N. family planning.

Why can we not help some other way? Because the Brook amendment bars the United States assisting a country if that country has defaulted on its debts, and the truth is sub-Saharan Africa and Latin America have largely defaulted on their debts, so there is no other way that we can assist people in need in Africa, in India, in Bangladesh, in South America. Why would we punish them to make a statement, just to make a statement?

We are not seeing any assistance to China under the bill. My amendment says if the U.N. gives one dollar to China, we take a dollar back from what the United States gives to the U.N. My amendment does not add a dime; it takes away money in order to be sure that the China issue does not control this debate.

Mr. Chairman, I have been at pains to explain this. If colleagues think it is the same vote as last year, it is not. The Mexico City issue is not in this. What is in this bill is compassion for the people of Africa, South America, and Asia. I ask for a ''yes'' vote on the Maloney-Campbell amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself the remainder of my time.

First of all, I believe and I hope the House will believe and vote that the Campbell amendment trivializes forced abortion and coercive population control. The Amnesty International report made it very clear that birth control, and I quote again, ''has been compulsory since 1979.'' Get this, this is right out of the report: ''Women must have official permission to bear children.'' The government has to tell them when and if, by issuing, as the gentlewoman from North Carolina (Mrs. MYRICK) pointed out earlier, these coupons, these certificates that say that you can have a child. Who is the Chinese government to say that? And then the UNFPA comes in and says it is a voluntary program. It is anything but a voluntary program.

Let me also point out, again from Amnesty International's reporting, that what happens in China constitutes cruel, inhumane, and degrading treatment of detainees and restricted persons by government officials. They hold women. They put them into cells until they have their abortions. This is outrageous, and the UNFPA has given its good housekeeping stamp of approval year in and year out to this egregious practice.

Mr. Chairman, the supporters of the Campbell amendment, which is really a killer amendment, have made some arguments tonight. I would respectfully submit they are wrong, and most of them are internally contradictory. First, they argue that the UNFPA program in China is a force for good, that it helps the women and children in China and not the brutal PRC program of population control.

But here is what Wei Jingsheng, the great Chinese democracy advocate, had to say about that argument, and I quote: ''When the United Nations gave the Chinese government its population control award, the Chinese people were flabbergasted. UNFPA,'' he goes on to say, ''extended extensive help to the Chinese Communist Government. By doing that, it has set itself on the opposite side of the Chinese people.''

That is Wei Jingsheng talking, not CHRIS SMITH or the gentleman from Michigan (Mr. BARCIA) or the gentleman from Illinois (Mr. HYDE). That is the leading democracy activist who spent years in the laogai because of his beliefs. UNFPA's argument that they are not involved in the coercive aspects of the Chinese program, that just by being there they might make it more free and voluntary, is exactly what they argued in 1986 when the UNFPA supporters sued the Reagan administration for finding that the UNFPA, and I quote, ''supports or participates in the management of a program of coercive abortion.''

Here is what Judge Abner Mikva, who later became President Clinton's White House counsel, had to say. He and two other judges found that AID's, and I quote, ''careful explanation of how the UNFPA's activities in China aid the aspects of China's program that Congress condemned amply supports his conclusion that funding UNFPA is prohibited.''

In other words, Judge Mikva, again he was the counsel for the White House and he was a judge, upheld the determination that UNFPA supports or participates in the management of a program of coercive abortion.

The second argument made by supporters is that UNFPA is not about forced abortion. It is about opposing female genital mutilation and other violations of rights of women and children.

Mr. Chairman, this is an argument born of desperation. UNFPA is trying to reinvent itself in order to deflect attention from the real issue of UNFPA's complicity in the Chinese forced abortion program.

Mr. Chairman, when this argument started to surface, I asked my staff to find out how much the UNFPA spends on female genital mutilation. But despite repeated inquiries by my staff and other congressional staff, they absolutely refuse to give us any statistics on what, if anything, it has spent on anti-FGM projects.

The only mention of FGM in UNFPA's 1998 annual report is a single sentence describing the efforts of a super model who serves as a volunteer public relations worker for the UNFPA. The budget document that accompanied the report contained not a single mention of FGM.

Dozens, I would point out to my colleagues, of international organizations and NGOs do work on female genital mutilation and other good works as well. We must help those organizations, but we do not need to fight this evil by giving millions of dollars to an organization that collaborates with an equally egregious evil.

Finally, Mr. Chairman, look at what the Campbell amendment would actually do. Contrary to the claims of some of its supporters, it is not really a cutting amendment. Let us dispense with that. It starts out by increasing UNFPA's funding from zero, which is what is in the fiscal year 1999 budget, to $25 million; then it reduces the increase by $5 million. So the net effect is that if their amendment passes, it would give the UNFPA $20 million more next year. It cries crocodile tears over the victims of Chinese forced abortion, but its net effect is to give a $20 million reward to the principal international collaborator with that program.

Mr. Chairman, if someone proposed that we give millions of dollars to an organization that actively assisted in the management of a prison program in which prisoners were routinely tortured, what would we do? Would we say fine, you can have $25 million, but first we are going to subtract $5 million because that is what you actually contributed to the torture program? No, Mr. Chairman.

I believe we would cut off that organization without a dime. We would

want to disassociate ourselves completely from the torturers and their accomplices. But even more important, we would want to impose a severe punishment, and more importantly, a deterrent against possible collaboration in a program that included torture, because we want to put an end to torture. And the way to stop a bad practice, I would submit, whether it be torture or genocide or, in this case, forced abortion, is not to give $20 million to its collaborators. Vote ''no'' on the Campbell amendment and ''yes'' on Smith–Barcia.

The CHAIRMAN. The gentlewoman from California (Ms. LEE) is recognized for 1¼ minutes.

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

I rise in strong support of the United Nations Population Fund and in firm opposition to the Smith amendment.

The United Nations Population Fund provides basic information on family planning. It is just that simple. It targets families in developing countries who otherwise would have to go without basic services such as prenatal and postnatal care. This United Nations program is also leading the charge in confronting the AIDS epidemic in Africa by working to prevent mother-to-child transmission of the AIDS virus. These types of infections account for roughly a third of new HIV infections.

This program should be commended and not burdened with the irrelevant restrictions on China as found in the Smith amendment which will deprive women in dire economic and personal circumstances from receiving the essential family planning that this program provides. A vote for the Smith amendment is a vote against the thousands of refugees who are women in the Balkans who have received kits which help to prevent the infections and diseases associated with giving birth and in unsanitary conditions.

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Furthermore, we should not accept the fact that an estimated 1,200 additional women and 22,500 infants are projected to die if this House refuses to support the Nation's Population Fund. That would be immoral. I urge my colleagues to vote against the Smith amendment and for the Campbell - Maloney - Gilman - Crowley - Greenwood amendment for responsible family planning

Mr. FARR of California. Mr. Chairman, if we are serious about reducing the number of abortions and improving the health and welfare of women and children around the world, then the U.S. must continue to contribute to the United Nations Population Fund (UNFPA).

UNFPA works in more than 150 countries in the poorest regions of the world providing family planning services, maternal and child heath care, and the prevention and treatment of sexually transmitted diseases. Cutting off the U.S. contribution to UNFPA only penalizes the more than 870,000 women who depend on this program for quality, safe, preventive and voluntary family planning services. Instead of preventing abortions, the loss of $25 million in funds will actually cause 500,000 additional unplanned pregnancies, more than 200,000 abortions, 1,200 more maternal deaths, and 22,500 infant deaths. When women are unable to control the number and timing of births, they may have no choice but to seek an unsafe and illegal abortion. Each year, 75,000 women in developing countries die from such abortions, many of which are self-induced. By denying women birth control information, we only create more abortions and more unwanted babies.

Contrary to popular myth, UNFPA does not support or promote abortion as a method of family planning. It does not support or promote China's population. In fact, the UNFPA program in China explicitly prohibits coercive practices and forced abortions. What UNFPA does do is support the right of women and families everywhere to make free and responsible decisions about the number and spacing of their children. It does assist women and men to deliver healthy babies in safe and sterile conditions and to protect and promote their health.

This debate is not about China. This debate is about empowering people across the globe so that they can plan both their families and their lives instead of forcing them to accept illness and poverty as a way of life. If we are to be a compassionate nation, then the U.S. must work to improve the lives and health of women all over the world and contribute to UNFPA.

Mr. BARCIA. Mr. Chairman, we are all concerned about protecting the health of women and children, not only in the United States, but around the world. No one in this chamber wants to see more abortions performed or more women forced into sterilization. Unfortunately, there are cases around the world, including China, where these kinds of actions take place. And, unfortunately, the United Nations Populations Fund is doing little to end these abuses. We need to send a strong message to the UNFPA that until they stop supporting China and its brutal one-child abortion policy, we will not support their efforts.

At first glance, the Campbell substitute appears to be very similar to ours and even appears to achieve the same goal. We all agree that China is still involved in forced abortion and involuntary sterilization and we all agree that the UNFPA is doing nothing to discontinue this policy. We all agree that their actions and treatment of their citizens are horrific. That is why the Campbell Amendment decreases funding for the UNFPA, but our amendment goes a step further and will prohibit funding unless the President certifies that the UNFPA has either ceased its activities in the People's Republic of China or China stops using coerced abortion in the enforcement of its population control program.

Mr. Chairman, the China policy is a violation of a most basic right, the right to life. The Campbell amendment is a simple slap on the wrist and does not address the underlying problem of a violation of basic human rights. I urge my colleagues to vote for the Smith/Barcia amendment and oppose the Campbell amendment.

Mr. GEPHARDT. Mr. Chairman, I rise to support the Gilman/Maloney/Crowley amendment to HR 2415. We shouldn't jeopardize international family planning efforts because of legitimate concerns about China's family planning policies. We are all against forced abortion. It is wrong, and must be unequivocally condemned. But that is not the issue here today.

The issue here is: do we empower women and families across the globe with the ability to plan for the number of children they can have, or do we pull the rug out under these important efforts. For me, the choice is clear. We must continue to work to give every woman the right and educated choices necessary to plan the size of her own family, free of any coercion.

I believe that opponents of international family planning efforts are using the issue of forced abortion as a stalking horse for an attack on our support of the United Nations Population Fund (UNFPA). UNFPA funding has nothing to do with Chinese government policy on abortion. First of all, none of the funds that we give to the UNFPA are used in China. Not one cent of US contributions can be used in China. Secondly, the UNFPA does not support abortion in any of its work in China or anywhere else. Its program is specifically based on the premise that abortion is not a method of family planning. And thirdly, the UNFPA program is fully voluntary. Women choose to participate in the program without coercion.

Family planning is the best tool to eliminate unplanned pregnancies across the world. Better family planning means fewer abortions—something that pro-choice and pro-life groups can all support. The UNFPA works in 149 countries. Cutting off US funds will lead to more abortions, not less.

Let's work together to reduce the number of abortions. Let's join to support this amendment to help ensure that all women across the globe can receive access to voluntary family planning and allow them to control their own destiny.

Mrs. MINK of Hawaii. Mr. Chairman, I rise to express my support for the vital work of the United Nations Population Fund (UNFPA) and to urge my colleagues to oppose the Smith/Barcia amendment and support the Campbell/Maloney/Gilman/Crowley amendment.

The UNFPA provides essential primary health services to women in 150 developing countries. It supports the right of couples and individuals to decide freely and responsibility the number and spacing of their children and to have the information and means to do so free of discrimination, coercion, or violence. UNFPA relies on voluntary contributions of member states to provide women and men with access to safe, effective, affordable, and voluntary contraceptive methods of their choice, as well as access to health care for safe pregnancy and childbirth. UNFPA does not support or fund abortion; rather it works to prevent abortion by providing effective family planning services.

Mr. MCGOVERN. Mr. Chairman, I rise in very strong support of the Campbell/Gilman amendment to restore funding to the United Nations Population Fund.

H.R. 2415 provides $25 million for UNFPA, the world's largest organization providing family planning services to 150 countries in the poorest regions of the world. Restoring U.S. funding will help hundreds of thousands of women around the world gain access to family planning services.

Five years ago, the U.N. set out a new approach to the complex problem of population

control. This new approach emphasized improving the lives of women, improving the economic well-being of communities and women, and safeguarding the environment. This effort is called the United Nations Funding Program of Action (UNFPA) and is coordinated through the United Nations Population Fund (UNFP). The United States and other western nations pledged to share the annual $17 billion cost, but the Action Plan has struggled to secure those funds since the beginning.

UNFPA provides reproductive health services, education of women and girls, involvement of men in family planning, education on HIV and AIDS, help with community-based sustainable development, and environmental awareness programs. In Latin America, the program is credited with dramatically reducing fertility rates.

The provision in H.R. 2415 balances the critical public health need for U.S. support for UNFPA and the human rights need to address concerns about coercive reproductive health practices in China. Although there are legitimate concerns about China's family planning program, the UNFPA program in China explicitly prohibits coercion and works to promote voluntary family planning.

Withholding UNFPA funds has serious consequences: it increases the worldwide unmet need for family planning services; deprives approximately 870,000 women of access to effective modern contraception; results in 500,000 unintended pregnancies; results in 234,000 births; results in 200,000 abortions; and results in thousands of preventable maternal and child deaths. In brief, it endangers the health and welfare of women and children and their families.

I urge my colleagues to support the Campbell/Gilman amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise in opposition to this amendment offered by Mr. SMITH. This amendment prohibits a contribution to the United Nations Population Fund (''UNFPA'') unless it ceases all activity in China. This amendment unfairly prohibits funding for reproductive health care and family planning services in developing countries.

While we all condemn the human rights practices in the People's Republic of China, we should not penalize the rest of the world by withholding this funding.

The UNFPA provides essential family planning and reproductive health care services to women in developing countries. All women should have access to quality reproductive health care. Family planning services are an important part of reproductive health care.

Each year an estimated 600,000 women die as a result of pregnancy and childbirth in developing countries. In these countries, pregnancy and childbirth are among the leading causes of death for women of childbearing age.

Women in these countries must have access to information that will allow them to make informed reproductive health decisions. These decisions can mean the difference between life and death. UNFPA funding puts this information in those communities.

The choice between saving millions of women around the world and punishing the government of China is clear. No one condones the coercive practices of the Chinese government in terms of family planning. But, none of us can condone keeping women around the world in the dark about their reproductive health needs.

I urge my Colleagues to vote against this amendment. Women around the world must have access to information that will ensure that their children will be born into a loving and stable environment.

Mr. MORAN of Virginia. Mr. Chairman, I rise in opposition to the Smith amendment as written and in strong support of the Campbell, Maloney, Gilman, Crowley, Greenwood amendment. The Campbell, Maloney, Gilman, Crowley, Greenwood amendment clarifies once and for all, the purpose of the United Nations Population Fund which is not to provide abortion services for women in foreign lands, but rather to provide basic reproductive health care to women which reduces the number of abortions and provide pediatric health care for infants. It also clarifies that no U.S. funds will be used in China.

The UNFPA has been portrayed by its opponents as a vestige of American imperialism bearing down on countries that are struggling to keep their nations free of the evils of abortion and aiding countries like China with a proven record of coerced abortion. The Smith amendment supports this portrayal by cutting all funding in the bill for UNFPA unless it complies with impossible demands.

What this position fails so poorly to report is that international family planning programs supported and originally intimated by the United States have nothing to do with abortion except that they have the potential to reduce the number of abortions performed legally or illegally internationally. They do so by preventing unplanned pregnancy and educating women and men about the importance of planned and timed pregnancy. Sadly, what should be a common ground for debaters on both sides of the polar abortion issue has become a battleground for maternal and child health advocates on either side of the debate.

The fact is that productive health programs represent a continuum of care for mothers and children that provide prenatal and pediatric care for children. Equally importantly, these programs provide lessons in how to effectively space pregnancies to prevent maternal and infant mortality. Planning and timing pregnancy is not just a theory that makes it easier for parents to manage their children. Children who are born less than two years apart are twice as likely to die as an infant. This nation has the resources to provide those less fortunate with the ability to control their own lives. With proper education, those in developing countries can plan their families just as we in the United States do. It is unconscionable, as leaders of the most prosperous nation on Earth, that we would deny these vital resources to the least prosperous on Earth.

The Smith amendment claims to fund UNFPA after certifying the program's withdrawal from China, or certification that there are no forced abortions associated with China's population control program. This amendment shows a lack of understanding of the way UNFPA works. China has requested UNFPA assistance in 32 countries. When assistance is requested UNFPA goes to work. It cannot withdraw unless the country asks them to withdraw. Accordingly, the President cannot certify all of China's population control program because UNFPA does not operate in all China. They could, however, certify the countries in which they are engaged.

The clarifying amendment offered by Representatives CAMPBELL and MALONEY, and others would simply prevent U.S. funds from being used in China by reducing our contribution to the fund by the amount UNFPA spends in China. In addition, the amendment would withhold the entire U.S. contribution if any UNFPA funds are being used for abortion services.

I would ask my colleagues, if we can affirmatively certify that this money is not being used for abortions, and that no U.S. funds are being used in China, why would we not support maternal and child health programs? I urge my colleagues to support Representative CAMPBELL's clarifying amendment.

The CHAIRMAN pro tempore (Mr. MILLER of Florida). The question is on the amendment offered by the gentleman from California (Mr. CAMPBELL) as a substitute for the amendment offered by the gentleman from New Jersey (Mr. SMITH).

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

Mr. SMITH of New Jersey. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 247, further proceedings on the amendment offered by the gentleman from California (Mr. CAMPBELL) as a substitute for the amendment offered by the gentleman from New Jersey (Mr. SMITH) will be postponed.

It is the understanding of the Chair that amendment No. 4 will not be offered.

It is now in order to consider amendment No. 6 printed in part B of House Report 106–235.

AMENDMENT NO. 6 OFFERED BY MR. SANFORD

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 6 offered by Mr. SANFORD:

Page 14, line 23, strike ''$17,500,000'' and insert ''$12,000,000''.

Page 15, strike lines 19 and 20, and insert ''$1,500,000 for the fiscal year 2000.''.

Page 21, line 25, strike ''$15,000,000'' and insert ''$8,000,000''.

The CHAIRMAN pro tempore. Pursuant to House Resolution 247, the gentleman from South Carolina (Mr. SANFORD) and the gentleman from Nebraska (Mr. BEREUTER) each will control 5 minutes.

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

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

Mr. Chairman, this amendment would simply set at 1998 funding, the funding for the Asia Foundation, the Center for Cultural Exchange East-West, and the Dante B. Fascell North-South Center. It would save $13.5 million each year, which though not viewed as a large amount of money in Washington, with many folks back home it is still, I think, a great sum of money.

Finally, this is an amendment that is supported by Citizens for a Sound

Economy, Citizens Against Government Waste, the National Taxpayers Union and Americans for Tax Reform. I think they support this amendment for a number of reasons, and I think it has a number of great things standing behind it.

The first thing that I think stands out in terms of why this amendment would make sense would be, whether a Republican or whether a Democrat, whether a liberal or whether a conservative, I think all of us would agree on the simple idea that we would not want a foundation out there receiving in essence disproportionate care. In other words, we would not want the care for these foundations to be above or, frankly, below that of which a foundation in one's home district receives. In other words, we would want it to be on par.

Yet, that is not at all the case, because these three foundations, which are each in university settings, receive disproportionate care and feeding from the Federal Government, because, unlike a foundation in any one of the 435 congressional districts across this country that have to go out and compete for grants, these three foundations receive not only a Federal guaranteed flow of money but then they can also pick up private grants as well.

The Congress recognized that back in 1995, and as a result, cut funding for these three foundations by $25 million.

Well, what has happened since then is that the funding has crept back up basically to the level prior to the cut. I do not think this is fair to foundations we might have in any of our respective congressional districts. I will give an example of just a few of the outside funding sources I saw here.

For instance, East-West Center received $100,000 from the Taipei Economic and Cultural Office. The William H. Gates Foundation provided $2.3 million for population and health research to East-West Center. The government of Japan contributed $363,000 to the East-West Center, and I could go down a long list, again, of grants in the marketplace that have been received by these foundations when they are also receiving Federal Government money.

Second, I would say there is a lot of duplication in each of these foundations. We could look up these topics, whether it is with the U.N., whether it is the World Health Organization, the Department of State, the Department of Commerce, there are a long list of agencies that also handle these type studies.

Third, I would say maybe they deserved disproportionate funding during the Cold War, but the Cold War is over. As an instrument of national policy, that policy is now gone. I mean, Asia Foundation has been around for 44 years. East-West Center has been around for over 30 years, and I think it ought to be brought back to par, again, which is what we did as a Congress in 1995.

Finally, I would just mention the fact that a number of these grants are just plain bogus. I mean, I looked here at a number of the grants, methods of multiple stakeholding management of community forest, management in community-based forestry. Given the free enterprise system that we know works so well, if one really wants to manage a forest, put one person in charge of it and give them reason to be in charge of it, as opposed to community-based forestry whatever that means.

I see a second grant here on young adult sexuality. This collaborative project involving institutions in the Philippines, Thailand, Hong Kong, Indonesia, Nepal, Taiwan, and the United States will assess the extent, nature, determinants and reproductive consequences of premarital sex.

Call me old fashioned on this, but determinants I think simply to be attraction. Reproductive consequences I think are fairly simple. Sperm meets egg; somebody is going to get pregnant. I do not know that we need another study to tell us this.

I see with the Asia Foundation, a study on nuclear weapons in North Korea. The study went on to argue that the media reports of the construction of an alleged underground nuclear facility in North Korea are the results of deliberate leaks by the U.S. intelligence community.

Now how in the world is that in the best interest of the American taxpayer? How is that a benefit to U.S. overall interest?

So I would just say that there are a number of these studies that are funded with American tax dollars that do not make a whole lot of sense. I would again remind folks of the fact that it is supported by Citizens for a Sound Economy, supported by Citizens Against Government Waste, the Americans for Tax Reform and the National Taxpayers Union. I would urge a ''yes'' vote.

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

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

Mr. BEREUTER. Mr. Chairman, I rise in opposition to the gentleman's amendment. Although this Member shares his colleague's interest in reducing wasteful spending, the institutions targeted by his amendment certainly do not fall in that category. On the contrary, on closer examination, the Asia Foundation, the East-West Center, the Dante B. Fascell North-South Center, and other successful programs will confirm their cost effective contributions to American interests around the world.

Indeed, our modest investment in these institutions is money well spent.

As chairman of the Subcommittee on Asia and the Pacific, this Member would like to focus briefly on just one of the affected institutions: the Asia Foundation. The foundation has a 45-year proven track record. Programs and investments in reform-minded individuals in Korea, Taiwan, and the Philippines directly supported the incredible democratic and economic transformations there. The Asia Foundation remains on the front lines doing the same today in Asia's new, emerging democracies like Indonesia and Bangladesh and helping lay the foundation for positive change in authoritarian countries like China and Vietnam.

Fundamental changes are happening in Asia as a result of the recent economic crisis. Now is the time to take advantage of this climate of change and expand programs advancing democracy, the rule of law, human rights, economic reform and sustainable recovery. That is why the International Relations Committee restored full funding for the Asia Foundation. Over ½ of the world's population is within the Asia Foundation's operating area. The Sanford amendment would cut the foundation back to its FY1998 appropriated level—a level $7 million or 46 percent below this authorization and also below last year's appropriation. The authorization in the pending bill merely returns the Asia Foundation to its FY1995 funding level.

Helping Asia develop into a stable, market-oriented and democratic region is an important American national security objective. The programs of the Asia Foundation and others like the East-West Center support this national security objective. The Sanford amendment would severely cut these NGOs' programs and further restrict our ability to influence positive change. The long term cost of this amendment to U.S. feign policy objectives certainly outweighs any short-term savings it may have.

For example, the developing countries in Asia are in desperate need of legal reforms. American commerce and local human rights are early beneficiaries of such Rule of Law programming. By defeating the Sanford amendment, we are supporting new legal reform initiatives for Indonesia, Thailand, the Philippines, Sri Lanka, Vietnam, and China.

All three institutions targeted by the Sanford amendment are small, very cost effective private institutions that play very important complementary roles in advancing U.S. foreign policy interests around the world. We need their effort. This Member urges his colleagues to support the authorization levels reported by the International Relations Committee and oppose the Sanford amendment.

OPPOSE THE SANFORD AMENDMENT

Asia Foundation, East-West Center and Dante Fascell North-South Center are small, but cost effective private organizations that play very important complementary roles in advancing US foeign policy interests around the world. We need this effort.

Asia Foundation: 45-year proven track record. Over ½ of the world's population is within its programming jurisdiction. Following on its previous successes in Korea, Taiwan and the Philippines, the Asia Foundation is now focusing on emerging democracies like Indonesia and Bangladesh and promoting reform in China and Vietnam.

International Relations Committee authorized $15 million (the Administration-requested level of funding). This restores Asia Foundation funding to its FY'95 (and pre-FY'95) funding levels. The Sanford Amendment would ''freeze'' the Asia Foundation at the FY'98 appropriation level of $8 million. This is a $7 million or 46 percent cut and even a reduction from the FY'99 level ($8.5 million).

Fundamental changes are happening in Asia as a result of the economic crisis. Now,

is the time to take advantage of this climate of change and expand programs advancing democracy, the rule of law, human rights, economic reform and sustainable recovery. The Sanford Amendment would severely hamper Asia Foundation efforts supporting these U.S. national security objectives.

Now programming supporting much-need legal reform in Indonesia would be jeopardized by the Sanford Amendment cuts. With the ouster of Suharto and the recent elections, Indonesia is in a very precarious transition. Asia Foundation programs supporting democracy, human rights, rule of law and economic restructuring will help steer this transition in the right direction. This is new programming that would be lost if the Sanford Amendment is adopted.

The long term costs of the Sanford Amendment to U.S. foreign policy objectives certainly outweigh any purported short-term savings.

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

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

Mr. SHAW. Mr. Chairman, I thank the gentleman from Nebraska (Mr. BEREUTER) for yielding me this time.

Mr. Chairman, I rise in opposition to the Sanford amendment that would reduce the funding for one portion of his bill, the Dante Fascell North-South Center. The Dante Fascell North-South Center is an independent policy research and educational center strategically located in Miami, which is the gateway to Latin America and the gateway to the Caribbean.

The center is dedicated to economic and integration efforts, economic stabilization and growth, and furthering democracy and managing immigration. The center is a key player in the anticipated free trade area of the Americas. United States exports to Latin America climbed from $31 billion in 1986 to over $130 billion in 1997, comprising 20 percent of United States global exports.

The Commerce Department estimates that exports to Latin America will surpass exports to Europe in 2000 and surpass exports to Europe and Japan combined by 2010. Clearly, Mr. Chairman, the gentleman perhaps has merit to his amendment. However, his net is far too wide and it should be defeated. I would urge defeat of the amendment.

Mr. Chairman, I rise today in opposition to the Sanford amendment, which would reduce funding to the Dante Fascell North-South Center.

The Dante Fascell North-South Center is an independent policy research and educational center, strategically located in Miami, the gateway to Latin America and the Caribbean. The center is dedicated to economic integration efforts, economic stabilization and growth, furthering democracy, and managing immigration.

The center is a key player in the anticipated Free Trade Area of the Americas. U.S. exports to Latin America climbed from $31 billion in 1986 to over $130 billion in 1997, comprising 20 percent of U.S. global exports. The Commerce Department estimates that exports to Latin America will surpass exports to Europe in 2000, and surpass exports to Europe and Japan combined in 2010. Clearly, trade and investment relations with Latin American countries are a vital interest to the United States.

Global financial volatility has highlighted the fact that stability and growth abroad has a direct impact on the U.S. economy. An Asia-type meltdown in Latin America would result not just in further economic crises, but would also manifest itself by increased drug trafficking, illegal immigration, civil unrest, and challenges to democratic rule. The North-South Center plays a crucial role in finding solutions for stability and prosperity in the region.

The North-South Center is an extraordinarily active force in education and discussion of U.S.-Latin American issues such as effects of the Castro regime, drug trafficking from Colombia, social causes of migration, food safety, and the role of the military in democratic society. The North-South Center is fueled by an internationally recognized staff which is dedicated to engaging diverse groups in inter-American issues from the perspective of the public good.

At the beginning of this century, the focal point of United States foreign policy was in Europe. During the mid-1900's, the United States focus shifted toward Asia as a source of commerce and trade. In the 21st century, the United States may very well be looking to Latin America as the center of economic cooperation and growth. We must be prepared for this shift, and we need the North-South Center to continue paving our way.

The Dante Fascell North-South Center's proven track record in facilitating international dialog among governments, nongovernmental organizations, and business interests makes it a vital asset for the United States in this new era of inter-American relations.

Mr. Chairman, I strongly urge my colleagues to recognize the importance of the Dante Fascell North-South Center and oppose the Sanford amendment.

Mr. BEREUTER. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida (Mr. GOSS).

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

Mr. GOSS. Mr. Chairman, I rise in unambiguous and unequivocal opposition to this amendment.

Mr. BEREUTER. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Connecticut (Mr. GEJDENSON), the ranking minority member of the Committee on International Relations.

Mr. GEJDENSON. Mr. Chairman, I think all of us here are concerned about government expenditures, but when we take a look at what these institutions do in helping develop Democratic institutions in countries throughout the world, resolve disputes, to have the kind of dialogue, think about what just happened in Kosovo. One helicopter, $16 million. We lost two of them; $32 million. One F–117 stealth fighter, in excess of $100 million. One F–16, $25 million. The money we spend here in these centers helps dialogue, helps democracy and helps defend and protect America's interests.

I urge we defeat this amendment.

Mr. BEREUTER. Mr. Chairman, I yield 45 seconds to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

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

Mr. FALEOMAVAEGA. Mr. Chairman, I do have the greatest respect and trust in the integrity of my good friend from South Carolina (Mr. SANFORD) for introducing this amendment but I have to respectfully object to the amendment and I urge my colleagues not to pass this amendment.

Mr. Chairman, in 1960 the Congress established the East-West Center in America's pacific to further the foreign policy interests of the United States by promoting better relations and understanding the peoples of the United States in the Asian Pacific region.

Mr. Chairman, because of the essence of time, given the dynamic changes and the enhanced importance of the Asian Pacific region, where two-thirds of the world's population and one-third of the current trade that we conduct in that region of the world, Mr. Chairman, the mission of the East-West Center is more relevant and vital to U.S. interests than ever before.

I urge my colleagues not to accept the gentleman's amendment.

Mr. Chairman, I rise with my esteemed colleagues on both sides of the aisle in strong opposition to the Sandford Amendment to H.R. 2415, the American Embassy Security Bill of 1999.

Mr. Chairman, the Sanford Amendment seeks to reduce the funding level approved by the House International Relations Committee for the Asia Foundation, the East-West Center and the North-South Center. The amendment should be defeated, as each of these important institutions clearly pursues vital foreign policy objectives on behalf of the United States.

Mr. Chairman, in 1960 the Congress established the East-West Center (EWC) in America's Pacific to further the foreign policy interests of the United States by promoting better relations and understanding between the peoples of the United States and the Asia-Pacific region. The East-West Center accomplishes this vital mission by attracting present and future leaders throughout the region who participate, along with America's leaders and experts in the Center's programs of cooperative study, training, and research of the issues most crucial to the region and to our nation.

Since the East-West Center's inception, over 45,000 individuals have participated in the Center's collaborative programs, providing the United States with an invaluable network of highly-placed alumni—an important link between the U.S. and the nations of the Asia-Pacific.

Mr. Chairman, in recent years as the Asia-Pacific region has undergone profound changes, it has also grown in fundamental importance to the United States for many reasons. With China and Japan, the region contains more than half the world's population and provides almost a third of the world's trade markets. The Asia-Pacific region is now the largest market for US exports, an economic trend that will significantly grow in the new millennium, and the establishment of the

East-West Center by the Congress almost forty years ago could not be more critical now—and what could be a better place to house this internationally acclaimed institution and forum than our fiftieth state of the Union—the State of Hawaii.

Mr. Chairman, over 100,000 U.S. military personnel are located in the Asia-Pacific, primarily in South Korea and Japan, underscoring the U.S. stake in and commitment to regional peace and security. With the recent disturbing developments in the Taiwan Strait, Mr. Chairman, this is a peace that is threatened as we debate today.

Moreover, Mr. Chairman, no global problem—from nuclear and ballistic missile proliferation, to the prevention of AIDS, to damage control of regional financial meltdowns, to the reduction in greenhouse gases—can be effectively addressed without the participation of the major nations of Asia and the Pacific.

Given the dynamic changes in and the enhanced importance of the Asia-Pacific region, Mr. Chairman, the mission of the East-West Center is more relevant and vital to U.S. interests than ever before.

Mr. Chairman, as a Pacific nation, America cannot afford not to take her rightful place of leadership in the affairs of the Asia-Pacific region. We must recognize the important work of the East-West Center in support of this vital mission.

Mr. Chairman, I cannot more strongly urge our colleagues to defeat the Sanford Amendment.

Mr. BEREUTER. Mr. Chairman, I yield 45 seconds to the distinguished gentlewoman from Florida (Mrs. MEEK).

(Mrs. MEEK of Florida asked and was given permission to revise and extend her remarks.)

Mrs. MEEK of Florida. Mr. Chairman, this is perhaps one of the most, I would say, harmful amendments I have heard in quite awhile on the floor. I respect the writer of the amendment but I am sure he does not understand the broad scope of the North-South Center named after Dante Fascell.

First of all, our intent is to spread democracy throughout the world. No one or no center has done any better job of this than the North-South Center. It is perhaps the only policy and research and social service kind of organization in this country. On the amount of money that it operates on, it is very, very good. It has a hemispheric agenda and it directly helps the American people in forms of jobs, prosperity, the drug program, the AIDS program.

Mr. Chairman, I think this particular amendment by the gentleman from South Carolina (Mr. SANFORD), though well designed, should be defeated.

I rise in strong opposition to the Sanford amendment which will cap funding in this bill for the North South Center at its FY 1998 level of $1.5 million. The current bill authorizes ''such sums as may be necessary.'' The Administration requested $2.5 million for the North South Center for FY 2000 for a reason. Additional funding beyond this amendment's cap is sorely needed.

The Dante Fascell North South Center is the only research, public policy studies, and information center of its type, exclusively dedicated to finding practical solutions to problems and policy issues facing the Americas.

This public policy and research center promotes better relations between the U.S. and nations of Latin America, the Carribean and Canada, and is dedicated to developing practical responses to regional challenges.

In carrying out its congressional mandate to promote better relations among the United States and the nations of Canada, Latin America, and the Caribbean, the center combines programs of public policy, cooperative study, research, and training.

The center responds to the hemispheric agenda that directly impacts the American people in the form of jobs and prosperity, drugs, migration, export opportunities, environmental quality, and the promotion of shared democratic values. Programs foster national and international linkages and partnerships through fellowships and collaborative efforts in both research and training.

Every Member of Congress who was here before 1992 remembers Rep. Dante Fascell. Throughout his decades of service in this body, Rep. Fascell worked fearlessly for an American foreign policy based on cultural, educational, trade and person to person exchanges between nations, in addition to normal government-to-government contacts. His vision became reality via the North South Center.

The Dante Fascell North South Center has been the foremost institution in bringing together the private sector, NGO's, and government representatives to monitor and evaluate the implementation of democratic governance in the Americas.

I strongly urge my colleagues to vote no on this misplaced amendment.

Mr. BEREUTER. Mr. Chairman, I urge strong opposition to the amendment. I yield the balance of my time to the gentleman from Hawaii (Mr. ABERCROMBIE).

The CHAIRMAN pro tempore (Mr. MILLER of Florida). The gentleman from Hawaii is recognized for 1 minute.

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

Mr. ABERCROMBIE. Mr. Chairman, I can fully understand why people would want to try and save money but this kind of approach is, I think, unpardonable. I wish the gentleman had discussed the issue perhaps with myself, with the gentlewoman from Florida (Mrs. MEEK), with some others who are familiar with these programs. They perform an invaluable service, and to simply take the position that we are going to hack them in half or chop dollars out and let them try to fend afterwards as best they may is such a cavalier approach to cost cutting that it undermines, I think, entirely the thrust of any attempt to try and save money genuinely.

These institutions are providing an intellectual foundation that gives us the opportunity, as Mr. GEJDENSON indicated, to formulate policy in an intelligent way that saves the taxpayer dollars and allows us to carry foreign policy, in particular, forward in a manner that befits the strategic interests of this Nation.

Mr. Chairman, this amendment is ill-timed. It is ill-founded and should be defeated.

Mr. Chairman, I rise to speak against this amendment to H.R. 2415, the State Department authorization for FY2000. The amendment makes an ill advised 31 percent reduction in the bill's funding for the Center for Cultural and Technical Interchange between East and West, more commonly known as the East-West Center.

The East-West Center has already suffered severe budget cuts during this decade. Further cuts would seriously compromise the national interests of the United States by weakening our full and constructive engagement in the Asia-Pacific area, which is emerging as the most dynamic region of the globe.

The East-West Center was established by the Congress in 1960 to improve mutual understanding and cooperation among the governments and peoples of the Asia-Pacific region, including the United States. The Center helps prepare the United States for constructive involvement in Asia and the Pacific through education, dialogue, research and outreach. The Congress and Executive Branch agencies turn to the Center for advice and information.

During the Center's 39 years of existence, more than 50,000 Americans, Asians and Pacific Islanders from over 60 nations and territories have participated in the East-West Center's educational, research and conference programs. Presidents, prime ministers, diplomats and distinguished scholars and statesmen from all parts of the region have used the Center as a forum to advance international cooperation. The Center has become one of the most highly respected institutions in the region.

The friendly relations which exist today between the United States and countries of Asia and the Pacific are attributable in large measure to the work of the East-West Center.

The 21st century will be the Pacific Century. Our relations with the nations of the region will determine America's role in the Pacific Century. Will we retain our position of leadership, or will we be relegated to the margins of the Pacific Century? The answer depends to a large extent on our commitment to understanding the region, demonstrating our involvement with its future, and nurturing our ties to its leaders of today and tomorrow.

I urge my colleagues to vote against this amendment and send a clear signal that U.S. interest in and commitment to the Asia-Pacific region remain undiminished.

Ms. MCKINNEY. Mr. Chairman, I intend to vote against the cuts called for in the Sanford Amendment and I urge my colleagues to join me in defeating this amendment.

Those of us on the International Relations Committee have been here before. These proposals were all offered to us at our markup, and they lost—badly. On both sides of the aisle, the conclusion then was that the East-West Center, the North-South Center, and the Asia Foundation deserved a substantial level of support. We were right then, and this amendment is wrong now.

These organizations do a lot of good for a small investment. The East-West Center is one of the best methods we have to build long-term relationships with the nations of the Pacific Ocean—places we neglect all too much. Part of the funding we proposed for the

East-West Center is intended to establish an Ocean Resources Institute to figure out the best way to use the great marine wealth in the Pacific in a way that is economically and environmentally sound. And the Asia Foundation, which has been in Indonesia for almost half a century, was one of the most important groups doing civic education before the Indonesian elections. They are also heavily involved in helping small to medium-sized businesses, especially those owned by women, get on their feet and keep going, even during Indonesia's economic crisis.

The money that would be provided here is well justified and will be well used. Join me in demonstrating your support for a responsible investment with a long-term payoff. Vote against these cuts.

Mrs. MINK of Hawaii. Mr. Chairman, I rise to express my opposition to the Sanford amendment to HR 2415, which seeks to delete $5.5 million in funding from the East-West Center, $1 million from the North-South Center, and $7 million from the Asia Foundation.

These institutions are small but very cost-effective. They complement the foreign policy objectives of the United States by providing another dimension of engagement with leaders in Asia, the Pacific, and Latin America and help to increase the mutual understanding and cooperation that is essential for constructive relationships among the nations of these important regions.

The East-West Center is the only national program that has a strategic mission of developing a consensus on key policy issues in U.S.-Asia Pacific relations through intensive cooperative research and training. Many who initially came to the Center as students or researchers have risen to positions of power and influence in government, academia, business, and the media in countries throughout Asia and the Pacific. These opinion leaders formed deep ties with the Center and understand first-hand the value of democracy, an open society, and a free press.

The Center has earned the trust and respect of the nations of this region and enjoys a prestige disproportionate to its small size. We cannot afford to continue to starve this unique and valuable institution.

I urge all my colleagues to defeat the Sanford amendment.

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

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

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

The CHAIRMAN. Pursuant to House Resolution 247, further proceedings on the amendment offered by the gentleman from South Carolina (Mr. SANFORD) will be postponed.

Mr. BEREUTER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CALVERT) having assumed the chair, Mr. MILLER of Florida, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2415) to enhance security of United States missions and personnel overseas, to authorize appropriations for the Department of State for fiscal year 2000, and for other purposes, had come to no resolution thereon.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 995, TEACHER EMPOWERMENT ACT

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 106–240) on the resolution (H. Res. 253) providing for consideration of the bill (H.R. 1995) to amend the Elementary and Secondary Education Act of 1965 to empower teachers, improve student achievement through high-quality professional development for teachers, reauthorize the Reading Excellence Act, and for other purposes, which was referred to the House Calendar and ordered to be printed.

AMERICAN EMBASSY SECURITY ACT OF 1999

The SPEAKER pro tempore. Pursuant to House Resolution 247 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2415.

□ 2030

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2415) to enhance security of United States missions and personnel overseas, to authorize appropriations for the Department of State for fiscal year 2000, and for other purposes, with Mr. MILLER of Florida (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

□ 2030

The CHAIRMAN pro tempore. When the Committee of the Whole House rose earlier today, a request for a recorded vote on amendment No. 6 printed in part B of House Report 106–235 had been postponed.

It is now in order to consider amendment No. 8 printed in Part B of House Report 106–235.

AMENDMENT NO. 8 OFFERED BY MR. PAUL

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 8 offered by Mr. PAUL:

Page 16, strike line 5 and all that follows through line 17 on page 21, and insert the following: None of the amounts authorized to be appropriated under subsection (a) are authorized to be appropriated for a United States contribution to the United Nations, any organ of the United Nations, or any entity affiliated with the United Nations.

The CHAIRMAN pro tempore. Pursuant to House Resolution 247, the gentleman from Texas (Mr. PAUL) and a Member opposed each will control 5 minutes.

Mr. SMITH of New Jersey. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN pro tempore. The gentleman from New Jersey (Mr. SMITH) will be recognized for 5 minutes.

Mr. SMITH of New Jersey. Mr. Chairman, I yield half of my time to the gentlewoman from Georgia (Ms. MCKINNEY) and ask unanimous consent that she be allowed to control that time.

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

There was no objection.

The CHAIRMAN pro tempore. The gentlewoman from Georgia (Ms. MCKINNEY) will be recognized for 2½ minutes.

The Chair recognizes the gentleman from Texas (Mr. PAUL).

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

Mr. PAUL. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, my amendment strikes the authorizations in section 106 for all U.N.-related operations. We have a bill here tonight dealing with embassy security, U.S. embassy security, and we are all very concerned about it.

But in typical fashion, about all we have been offered so far has been just to put more money into our embassies and never raising the question about why our embassies might be more vulnerable. My amendment deals with that, because I would like to deal with the foreign policy involved with our commitment to the United Nations.

There are many in this Congress who readily admit they are internationalists. I readily admit that I am not an internationalist when it comes to political action and warmongering. Therefore, I think much of what we do in foreign policy makes ourselves more vulnerable. If we look at the two most recent bombings in Africa, these were brought about by our own foreign policy.

Those supporters of internationalism generally accuse those of us who are opposed to it by saying that we are isolationists. This is not true. I am not an isolationist. But I do believe in national sovereignty. I happen to sincerely believe that one cannot become an endorser of some form of internationalism without some sacrifice of our own sovereignty. I think this is the subject that we must address.

I believe in free trade. I do not believe in protectionism. I am not a protectionist. I think people, goods, and services and ideas should flow across borders freely. But when it comes to our armaments, under the guise of the U.N. orders or NATO orders, I do not believe this should be called something favorably as internationalism and

those who oppose that as being isolationists.

I object to imposing our will on other people. I believe this is what we so often do. When we do that, we build hatreds around the world. That is why our embassies are less secure than many other nations. This is why we are bombed. We bomb Iraq endlessly. No wonder they hate us.

Iran right now, they have dissidents in the street; but they are blaming America, because there was a time when we put our dictator in charge of Iran as we have done so often around the world. Yet they only can come back by making our embassies vulnerable. It might be wiser for those countries that we cannot protect our embassies to put in a computerized operation because, in this day and age, we do not have to have embassies in the countries that are so dangerous.

But it is not the lack of security that is the problem, it is our type of policy that prompts the hatred toward America. I suggest we should look at some of this U.N. activity.

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in reluctant opposition to the gentleman from Texas (Mr. PAUL). I know that many of us are often frustrated with the U.N. and especially some of its activities. But I do believe that the amendment does risk throwing the baby out with the bath water.

The amendment would effectively take us out of the U.N., while it has its blemishes, and the previous amendments certainly underscored my concern that the UNFPA, for example, has been absolutely complicit in the forced abortion program in the People's Republic of China; and I do believe a calibrated focused approach like that is the way to make our point. But look at some of the good things that the U.N. has done again with blemishes and all.

I will never forget, back in the early 1980s, I was in El Salvador when the United Nations Children's Fund, UNICEF, under Jim Grant, working with the Catholic church, working with the Duarte government, and working with the FMLN, the Communist insurgency, headed days of tranquility. Hundreds of thousands of children were immunized against the world's leading killers of children and those that extract or impose a great morbidity on young lives. Pertussis, tetanus, all of these diseases were wiped away from these kids, and because of these immunizations. The U.N. played a very, very important role in that.

Look at the world food program which provides necessary foods to children and families, the victims of torture. Our subcommittee, and I offered the bill, it became law, provided an additional amount of money to the U.N. voluntary fund for torture to help the people who suffer from torture. There are 400,000 former torture victims living in the U.S. with posttraumatic stress and all kinds of other problems. Many hundreds of thousands abroad, they need our help.

Then when it comes to such things as peacekeeping, yes, it is flawed. The UNPROFOR was a very flawed deployment, but there are many that had been successful.

I would just remind Members that, when we had the Gulf War, the U.N. played a pivotal position in mobilizing, especially through the Security Council, our efforts to try to mitigate the abuses of Saddam Hussein.

While I deeply respect the gentleman from Texas (Mr. PAUL), I do think it overreaches, and I would hope that Members would vote it down.

But remembering that it does have its problems, the U.N. certainly is not a perfect organization, it is far from it, but it does have some agencies and things that do some very, very good things. I missed it, but on refugees, the UNHCR is vital to proceeding refugee protection and assistance.

So I do ask Members to vote ''no''.

The CHAIRMAN pro tempore. The gentlewoman from Georgia (Ms. MCKINNEY) will have the right to close.

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

Mr. Chairman, I am not addressing the imperfections of the United Nations. I am addressing the imperfection of our policy with the United Nations, which is a lot different.

We ignore the rule of law; we ignore international law when it pleases us. We did not accept the United Nations role when it came to Kosovo. We did not even accept NATO when it came to Kosovo. What we did, we just totally ignored it.

We invaded a sovereign nation. We did not abide by the rules of the United Nations. Then when we needed rescue from our policy, then we go limping to the United Nations to come in and please save our policy in Kosovo.

That is what I object to. I think that we should not renege and turn over our sovereignty to these international bodies. I believe there is motivation for this. When our commercial interests and financial interests are at stake, yes, we do get involved in the Persian Gulf; yes, we do get involved in Eastern Europe. But do we get involved in Rwanda? No, we do not. We ignore it.

So I say that we should have a policy that is designed for the sovereignty of this Nation; that we should not have troops serving under the United Nations; that we should not pretend to be a member of the United Nations and pretend to be a member of NATO and then not even follow the rules that have been laid down and that we have agreed to.

Generally, we always make our problems worse. Our wars are endless, and our occupations are endless. Someday we are going to have to wake up and design a new policy because this will not stop as long as we capitulate to the use of the United Nations and try to sacrifice our sovereignty to these international parties.

Now, this does not get us out of the United Nations. It is a step in that direction, obviously. But it is a step in the right direction because I think it is the proper use of our military if we do not capitulate and put it under NATO and put it in the United Nations. We need to use our military strictly in the defense of U.S. sovereignty.

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

Mr. Chairman, I agree that bad diplomacy does make us more vulnerable. But this amendment represents the height of bad diplomacy. We should be trying to pay our more than $1 billion debt that we owe to the United Nations. Great nations should pay their bills.

Unfortunately, the gentleman from Texas (Mr. PAUL) compounds our shame by introducing an amendment to eliminate all funds for the United Nations, an action that would effectively end U.S. participation in the U.N. Make no mistake, this would spell the demise of the world's most universal forum.

Why would anyone want to kill an organization that has brought food to the starving, help to the homeless, pure water to the thirsty, health to the diseased, stability to peoples in conflict, and free elections to the oppressed?

But this is not just about altruism. Withholding funds from the U.N. would harm collective efforts to deal with threats that cut across borders, from terrorists to organized crime, and from drug traffickers to environmental damage.

Poll after poll has shown that Americans want to participate in solving global problems, but they do not want to do it alone. Americans want to share the burden of responsibility with the peoples of other nations, and we can best do that through the United Nations.

Mr. Chairman, the very introduction of this amendment sends a message to the world that there are Americans who live in fear, fear of others and fear of the loss of control. I believe that this fear is a greater threat than that posed by the United Nations.

The children of the 21st century deserve a world of peace, stability, and prosperity across the globe. The United States cannot achieve this dream alone. However, with an effective United Nations, the dream can become a reality.

I suggest that my colleagues should not kill this dream, but kill this amendment.

Mr. HALL of Ohio. Mr. Chairman, I rise in strong opposition to the Paul amendment which will prohibit all authorizations for appropriations from the United States to the United Nations or any entity affiliated with the United Nations. This is an irresponsible amendment which, if passed, would do severe damage to the United States ability to conduct foreign policy, and to humanitarian efforts around the world.

The United Nations, while not perfect, is a forum where member states can come together to work for peaceful solutions to international problems. Currently, the U.N. is operating 16 peacekeeping missions in different countries which are upholding cease-fires, ensuring free and fair elections, monitoring troop withdrawals, deterring violence, and creating free countries. These endeavors deserve our support, not our condemnation.

Finally, Mr. Chairman, this amendment would do damage to U.N. humanitarian efforts around the world which I have seen in such places like Sudan, North Korea, Bosnia, and Kosovo. I have seen first hand the U.N.'s humanitarian work through organizations like the World Food Program, U.N. Development Program, the U.N. High Commissioner for Refugees, and UNICEF. The U.N. is a leader in humanitarian and development work. It has helped to eradicate smallpox, provide safe drinking water for over one billion people, deliver aid to millions of refugees, and generate a worldwide commitment to the needs of children.

Mr. Chairman, the Paul amendment should be defeated soundly because if it is passed, it would show that the United States simply does not care about the U.N.'s humanitarian work around the world or its efforts to find peaceful solutions to international problems.

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

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

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

Mr. PAUL. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 247, further proceedings on the amendment offered by the gentleman from Texas (Mr. PAUL) will be postponed.

The point of no quorum is considered withdrawn.

AMENDMENT NO. 10 OFFERED BY MR. BEREUTER

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 10 offered by Mr. BEREUTER:

Page 35, after line 9, insert the following:

SEC. 211. LEASE-PURCHASE AGREEMENTS.

Whenever the Department of State enters into lease-purchase agreements involving property in foreign countries pursuant to section 1 of the Foreign Service Buildings Act (22 U.S.C. 292), budget authority shall be scored on an annual basis over the period of the lease in an amount equal to the annual lease payments.

Mr. CHAMBLISS. Mr. Chairman, I reserve the right to raise a point of order on the amendment of the gentleman from Nebraska (Mr. BEREUTER).

The CHAIRMAN pro tempore. The point of order is reserved.

Pursuant to House Resolution 247, the gentleman from Nebraska (Mr. BEREUTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Nebraska (Mr. BEREUTER).

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

Mr. BEREUTER. Mr. Chairman, I yield myself 4 minutes.

Mr. Chairman, this Member offers this amendment for one simple reason, a glitch in the current interpretation, or the misinterpretation, of the Budget Act has resulted in a situation where Americans overseas are needlessly being placed at risk.

There is no question that many of America's diplomatic facilities are at risk from terrorist attack. Recommendations were made in 1985 by the Inman Commission to significantly upgrade security and replace outdated facilities. But a decade and a half later, only 15 percent of the U.S. embassies meet Inman standards.

The reason is that it takes decades to go through the labyrinth of bureaucracy associated with the U.S. government constructing a new embassy. The addition to the Moscow embassy took almost two decades. The State Department has been considering additions to the terribly outdated Beijing chancery for almost a decade, and construction has yet to begin.

There are many, many facilities that do not receive much-needed attention because the few contractors the State Department relies upon are overwhelmed.

In desperation, our U.S. ambassadors are taking it upon themselves to cut through the red tape, contacting private engineering firms to develop plans for necessary embassy upgrades. The notion is that private firms are able to construct diplomatic facilities that meet the Inman standards, and then lease the facilities to the United States.

□ 2045

Such lease-purchase arrangements for facilities built by the private sector would eliminate the likely delays caused by the tortuous, slow State Department bureaucracy, where decisions on embassy construction literally require decades.

According to the Assistant Secretary of State for Administration, ''The bottom line is I can get more embassies built faster if the private sector was doing the construction with its own money.''

This Member's amendment would permit budgetary scoring of leased properties on an annual basis. This amendment permits the speedy construction of more secure diplomatic facilities.

I would tell my colleagues this has, in fact, long been the intent of this body. Section 134 of the Foreign Relations Act for fiscal years 1994 and 1995 spoke directly to this problem. According to that legislation, ''Whenever the Department of State enters into lease-purchase agreements involving property in foreign countries, the Department shall account for such transactions in accordance with fiscal year obligations.''

Regrettably, the administration has written an opinion stating that this provision of law does not alter Office of Management and Budget scoring rules. OMB is steadfastly opposed to lease-purchase scoring on an annual basis. Rather, they insist the entire value of the lease be scored on the first year of the lease. As a result, there is no incentive to engage in lease-purchases and we lose a highly creative approach to addressing our security concerns.

This Member's amendment simply would permit scoring of lease-purchase properties on an annual basis. If this amendment is offered, we will have secure embassy facilities years earlier. Thus, the security of U.S. diplomatic personnel overseas will be dramatically increased.

The bottom line is this: The current OMB interpretation of lease-purchase scoring regulations needlessly endangers American lives overseas. This Member would ask his colleagues to work to address this situation by allowing lease-purchase scoring on an annual basis. And I urge my colleagues to support the Bereuter amendment on embassy construction.

Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. SMITH), the chairman of the subcommittee.

Mr. SMITH of New Jersey. Mr. Chairman, I want to thank the chairman of our Subcommittee on Asia and the Pacific of the Committee on International Relations for a very, very fine amendment. I would hope the Committee on the Budget would not object, but it looks like they may.

We need safe embassies now, Mr. Chairman, and our diplomatic personnel overseas need and deserve that security. Moreover, the image of the U.S. should not be one of easy vulnerability. Where our posts are not secure and cannot be made secure, we need to build safe posts as soon as we can.

The fastest way to build them is for the private sector to put up the money and build them. We then lease-purchase over the years. The current rule requires us to score the whole multi-year lease-purchase in the first year. This amendment, instead, allows us to score only the annual expenditure. This change will expedite the necessary and urgent construction of safe posts without increasing any costs.

The scoring of lease-purchase properties on an annual basis was already included in the Foreign Relations Act for fiscal years 1994 and 1995, yet the administration has opined otherwise.

So I support this amendment of my colleague from Nebraska. It is a good amendment, it is common sense, and we should support it.

Mr. BEREUTER. Mr. Chairman, I yield myself such time as I may consume to simply state that the previous

act I mentioned, PL 103–236, made it very clear that the Congress intended that we were going to overrule the Budget Act that will be cited here in a few seconds, and the President's signing statement simply flew in the face of that clear legislative intent. So I urge my colleagues to support the amendment.

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

Ms. MCKINNEY. Although I am not in opposition to this amendment, Mr. Chairman, I would like to claim the time in opposition.

The CHAIRMAN pro tempore (Mr. MILLER of Florida). Without objection, the gentlewoman from Georgia (Ms. MCKINNEY) is recognized for 5 minutes.

There was no objection.

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

Mr. Chairman, I strongly support the amendment on embassy construction proposed by the gentleman from Nebraska (Mr. BEREUTER), and I urge the House to adopt it.

This amendment goes perfectly with the Embassy Security Act. The goal of the act is to provide serious money to improve embassy security. This amendment allows that money to be spent in a serious and intelligent way.

Instead of having to charge off the entire cost of leasing buildings to own the first year, the Department of State could have these costs scored annually based on the amount of the leased payments. That is not a radical idea. It is how we all buy houses here.

If people in the United States had to have enough money up front to pay for their houses in the year they bought them, hardly anyone would own a house. The State Department is in the same situation. That needs to change if we are going to get moving fast on security. And if we do not get moving fast, more people will get hurt.

To be serious on embassy security, we need this amendment, and I urge my colleagues to support the Bereuter amendment.

POINT OF ORDER

The CHAIRMAN pro tempore. Does the gentleman from Georgia (Mr. CHAMBLISS) insist on his point of order?

Mr. CHAMBLISS. I do, Mr. Chairman.

I object to the amendment under section 306 of the Congressional Budget Act.

Mr. Chairman, the amendment violates section 306 of the Congressional Budget Act of 1974. Section 306 prohibits the consideration of any amendment that is within the jurisdiction of the Committee on the Budget and which is offered to a bill that was neither reported or discharged from the Committee on the Budget.

The amendment of the gentleman from Nebraska modifies the budgetary treatment of certain leases entered into by the State Department. The budgetary treatment of such leases prescribed in the Balanced Budget Act and Emergency Deficit Control Act of 1985, which is, pursuant to clause 1 of House Rule X, within the jurisdiction of the Committee on the Budget.

Under current law and existing scoring procedures, the Federal Government is required to appropriate the full cost of any multi-year lease of office space in the fiscal year in which it enters into the lease agreement. This amendment permits the State Department to commit the Federal Government to a long-term lease agreement with an appropriation for only the first year of the cost of the lease. However, once the lease is agreed to, the Federal Government is saddled with a long-term financial commitment.

So I do object to the gentleman's amendment.

The CHAIRMAN pro tempore. Does the gentleman from Nebraska (Mr. BEREUTER) wish to be heard on the point of order?

Mr. BEREUTER. Yes, Mr. Chairman. It is my intention to attempt to amend the Budget Act to permit for lease-purchasing by the State Department for embassies and consulates and related facilities, but I do reluctantly, with great regret, acknowledge that a point of order does pertain against the amendment under the rule.

Mr. CHAMBLISS. Mr. Chairman, I would just say to the gentleman that we look forward to working with him to reconcile any concern he has.

The CHAIRMAN pro tempore. The point of order is sustained.

The Chair understands that amendment No. 11 is not offered at this point.

It is now in order to consider amendment No. 13, printed in Part B of House Report 106–235.

AMENDMENT NO. 13 OFFERED BY MR. KUCINICH

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 13 offered by Mr. KUCINICH:

Page 35, after line 9, insert the following:

SEC. 211. REPORT CONCERNING THE DIPLOMATIC INITIATIVES OF THE UNITED STATES AND OTHER INTERESTED PARTIES IN THE FEDERAL REPUBLIC OF YUGOSLAVIA.

No later than 1 year after the date of the enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees assessing the diplomatic initiatives of the United States and other interested parties in the period leading up to and during the war in Kosovo. The report shall be written by an independent panel of experts (from the National Academy of Sciences). The report shall give particular consideration to the Rambouilliet negotiations, diplomatic initiatives undertaken by representatives of Russia, Cyprus, Finland, United States congressional members, other United States citizens, and other parties. The report analysis will evaluate the role of diplomacy in ending the war and compare the final agreement with various proposed agreements dating from before the commencement of the bombing campaign.

The CHAIRMAN pro tempore. Pursuant to House Resolution 247, the gentleman from Ohio (Mr. KUCINICH) and a Member opposed each will control 5 minutes.

Mr. SMITH of New Jersey. Mr. Chairman, I am not opposed, and I know of no opposition to this, but I would ask to claim the 5 minutes.

The CHAIRMAN pro tempore. Without objection, the gentleman from New Jersey (Mr. SMITH) will control the time in opposition.

There was no objection.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Ohio (Mr. KUCINICH).

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

My amendment is a simple amendment. It is not a controversial amendment. It would commission the Secretary of State, after 1 year, to submit an independent study of the diplomatic initiatives undertaken by the United States and other parties involved in the Balkans. It would carefully examine the role of diplomacy in the Kosovo conflict in the Balkans.

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

Mr. SMITH of New Jersey. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. WELDON), who has done yeoman's work on diplomacy related to this with the Duma.

Mr. WELDON of Pennsylvania. Mr. Chairman, I thank the gentleman for yielding me this time, and I want to rise to applaud the distinguished member for this amendment.

Mr. Chairman, I think it is very important that we look back at the Kosovo crisis and see what steps were taken, those that we are not aware of, in an effort to find a diplomatic solution.

As I am well aware, the gentleman from Ohio (Mr. KUCINICH) spent countless hours himself trying to find a diplomatic way to end this crisis. I saw his efforts firsthand. I know of his contacts, I have applauded him for that publicly.

I think it is important that we ask the administration to go back and look at what lessons can be learned from this situation, what kinds of, perhaps, opportunities we may have missed, what kinds of things worked well. Because there were successes and, perhaps, failures in both regards in terms of this crisis, and it is important to look back to see what we can do differently if a similar crisis occurs in the future.

The gentleman and I were both involved, with nine of our colleagues, in trying to find a diplomatic solution. The Members on the gentleman's side of the aisle were as aggressively involved as were Members on my side to trying to find an alternative to the bombing that occurred as a way of solving the crisis.

So I think the amendment is well worded, it is well intended, and I think it will be an overall help to future administrations. I applaud the gentleman

for the effort he has undertaken, and hope that my colleagues on this side of the aisle would accept the amendment and work with the gentleman to see that his ultimate report is, in fact, issued so this body can learn lessons from the Kosovo crisis.

Mr. Chairman, I want to also thank the gentleman from New Jersey (Mr. SMITH), my distinguished chairman, who has also been a tireless advocate for finding peaceful solutions to international crises, and I look forward to adding my support to the vote on this amendment.

Mr. KUCINICH. Mr. Chairman, I yield myself such time as I may consume to first say that my work on this amendment was inspired by the leadership of the gentleman from Pennsylvania (Mr. WELDON), who saw a very important moment in the history of the Kosovo conflict and rallied Members from both sides of the aisle to a higher level of participation, and I want to publicly thank him not only for supporting the amendment but also for his almost singular leadership in this House on behalf of peace. So I thank him for his support.

Mr. Chairman, I yield 1 minute to the gentlewoman from Georgia (Ms. MCKINNEY).

Ms. MCKINNEY. Mr. Chairman, I join my colleagues in commending the gentleman from Ohio for his amendment and for the wonderful work that was done during this period of crisis that we have recently faced. I want to lend my voice of support for the work that the gentleman does, his efforts on behalf of peace and on this amendment, and I thank him for introducing it.

Mr. KUCINICH. Mr. Chairman, I reserve the balance of my time, but also want to thank the gentlewoman from Georgia for her support and for her participation and her efforts over the past year.

Mr. SMITH of New Jersey. Mr. Chairman, I would like to inquire as to how much time remains.

The CHAIRMAN. The gentleman from New Jersey (Mr. SMITH) has 3 minutes remaining.

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I agree with my good friend, the gentleman from Ohio (Mr. KUCINICH), who has sponsored this amendment calling for a study of the role of diplomacy regarding the Kosovo conflict, and I want to thank him for his very thoughtful amendment. Everything he does is thoughtful, and this is just another example.

I personally voted against military action, Mr. Chairman, and history will someday give us a clue and perhaps some real answers as to whether or not diplomacy before the conflict was working and whether diplomacy during the conflict was responsible for ending the conflict.

I support the notion of an independent panel to examine this. We have ample reason for concern that a report by the administration about its own policies would simply be a defense or an apology for those policies and little more. This administration certainly has a record of paying, at best, lip service to congressional initiatives in foreign policy.

I would also like to say that the report must, in addition to considering the question of diplomacy versus military intervention, assess the situation on the ground in Kosovo to which the international community was seeking to respond. The ideas of conflict resolution, preventive diplomacy, and negotiated settlements are theoretical concepts, and they do not incorporate the notion that one side might not have had one ounce of good will and instead had a clear willingness and desire to commit genocide instead.

Finally, diplomatic initiatives are supposed to be motivated by good intentions, and most are, but the report should consider that not all motivations are good. Having just returned from St. Petersburg session of the OSCE Parliamentary Assembly, many of us were subject to a heavy dose of Russian propaganda which, among other things, alleged that there was no dissent here to the administration's policies. That is obviously false, and I must say I would not want to see Russian initiatives to have been considered well intentioned just because they were diplomatic.

As a critic of the NATO action, I do not want to see a report which would simply vindicate my own beliefs. It must also assess whether diplomatic alternatives in dealing with a regime with a track record like that of Slobodan Milosevic might have made a just solution to the Kosovo crisis all the more elusive. Otherwise, the report would be no different than the latest administration proclamation of the wisdom of its ways.

Having said this, Mr. Chairman, I strongly support the gentleman's thoughtful amendment and I recommend the full House adopt it.

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

Mr. KUCINICH. Mr. Chairman, I yield myself the balance of my time, and I wish to thank the gentleman from New Jersey for his thoughtful and analytical approach to this important question. I also want to thank him for his leadership on human rights, which has animated his support not only for this amendment but for his work in so many vital areas in this Congress.

□ 2100

I am very pleased to have the support on both sides of the aisle.

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

The CHAIRMAN pro tempore (Mr. MILLER of Florida).

The question is on the amendment offered by the gentleman from Ohio (Mr. KUCINICH).

The amendment was agreed to.

Mr. SMITH of New Jersey. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BEREUTER) having resumed the chair, Mr. MILLER of Florida, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that the Committee, having had under consideration the bill (H.R. 2415) to enhance security of United States missions and personnel overseas, to authorize appropriations for the Department of State for fiscal year 2000, and for other purposes, had come to no resolution thereon.

ELECTION OF MEMBER TO COMMITTEE ON APPROPRIATIONS

Mr. CALVERT. Mr. Speaker, I offer a resolution (H.Res. 225) and I ask unanimous consent for its immediate consideration in the House.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 255

Resolved, That the following named Member be, and he is hereby, elected to the following standing committee of the House of Representatives:

Committee on Appropriations: Mr. BLUNT of Missouri.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. OSE). 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.

HONORING ASTRONAUT PETE CONRAD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. CALVERT) is recognized for 5 minutes.

Mr. CALVERT. Mr. Speaker, I rise today on the sad occasion of the recent loss of a great American hero. Pete Conrad truly embodied our Nation's preeminence in space exploration and the progress of our Nation's space program.

As a lifetime fan of space exploration, I have been inspired by Captain Conrad's achievements in space and devotion to building America's space program.

I recently had the honor of meeting this great man, a brief meeting that I will never forget. In the short amount of time we spent together, I sensed the passion and dedication he held for our Nation's space program. As I shook his hand to say goodbye, I knew that I had just met a true American hero.

Captain Conrad's memorable career as an astronaut is very well documented. He was the third man to walk on the Moon. He was aboard four missions to space. He set numerous records for space travel, including the endurance record for an individual in space and the world space altitude record. His achievements helped pave the way for our Nation's success in space exploration, which have recently included the early stages of the International Space Station and the successful mission to Mars.

For these heroic efforts, he received the Congressional Space Medal of Honor among his other distinguished career awards and medals.

Not so well known, however, were his activities following his retirement from NASA and the Navy. Pete Conrad continued his dedication to our Nation's space program by promoting America's commercial activities in space.

Throughout his 20-year career at McDonnell Douglas, Captain Conrad led many efforts to advance our Nation's emergence in space exploration. During this time, he earned the reputation as a leader in private space industry. More recently, through his establishment of a group of companies called the Universal Space Lines, Captain Conrad continued his activities to ensure that America would remain the preeminent Nation in space.

The continued development of commercial activities in space will be the lasting memory of Captain Conrad.

I believe Pete Conrad was intricately responsible for our Nation's long-standing posture as a leader in space. As we develop commercial space activities and benefit from them, we should remember that without the leadership, dedication, bravery, and ingenuity of Captain Pete Conrad, these would not have been possible.

I send my condolences to Pete's family, friends, associates.

Pete, thank you for inspiring me and our entire Nation.

When I think of Pete's lifetime achievements, I get inspired to gleefully exclaim the first word he spoke as he took his first step on the Moon: ''Whoopee'' .

Godspeed, Pete. I will remember you always.

Mr. Speaker, I yield to my friend, the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Speaker, I would like to at this moment to submit for the RECORD a testimony that Pete Conrad gave before my subcommittee, and I chair the Subcommittee on Space and Aeronautics in this House Committee on Science, on October 1, 1998, which was his testimony at the 40th anniversary of NASA. The title of his testimony was ''Life Begins at Forty.''

It is a terrific, terrific vision for the future that Pete outlined his goals for America's space program in the next millennium.

Mr. Speaker, I commend my friend, the gentleman from California (Mr. CALVERT), for being here tonight. I will have 5 minutes a little bit later on to say my piece, as well.

The gentleman from California (Mr. CALVERT) is just one of many people like myself who have been inspired by Pete Conrad, a man who is not just a great pilot and a great technician but a beautiful human being, a person with an incredible sense of humor.

And of course, let me just say to the gentleman from California (Mr. CALVERT) that when he quoted Pete and his first word when he stepped onto the Moon, I think he had to give a little bit more umph to it. It was ''whoopee!'' And not just ''whoopee,'' because Pete Conrad had a zest for life and was just a fantastic human being. He was a naval pilot who was a very successful naval pilot.

Today we buried Pete Conrad in Arlington Cemetery. And as we stood there and as his body was about to be lowered down, a team of naval pilots flew over that site and one pilot peeled off and headed straight for the heavens. And that is Pete heading straight for the heavens. It was a glorious sight.

We just thank God for men and women in our military and in the service of our country as astronauts and the rest like Pete Conrad, leading the way for America.

NASA 1998: LIFE BEGINS AT FORTY

TESTIMONY BEFORE THE SUBCOMMITTEE ON SPACE AND AVIATION OF THE HOUSE COMMITTEE ON SCIENCE, CONGRESSMAN DANA ROHRABACHER, CHAIRMAN

CHARLES ''PETE'' CONRAD, JR., CHAIRMAN AND CHIEF EXECUTIVE OFFICER, UNIVERSAL SPACE LINE, INC., NEWPORT BEACH, CA, OCTOBER 1, 1998

Good afternoon Chairman Rohrabacher, Congressman Gordon, and other honored members of the Space and Aeronautics Subcommittee. I'd like to thank you for inviting me to speak to the Subcommittee about the future, and the role NASA can play to develop that future. Having been a long time NASA team member on Gemini, Apollo and Skylab, I rode the wave of public support and popularity the U.S. space program engendered through the 1960s and early 1970s.

I enjoyed the rare opportunity of being an astronaut for this great country, but the bigger legacy I hope to leave behind is a robust commercial space industry making money for America in the 21st Century. I can't speak for the entire industry, but I would like to speak for my part of it, Universal Space Lines (USL). USL is a small business just over two years old, but already with over fifty employees. Our long-term company goal is to position ourselves as the world's premier provider of affordable commercial space transportation services, including purchase and operation of both expendable and reusable launch vehicles. Our current products range from the commercial tracking and commanding of satellites, to a near term, low cost expendable launch vehicle for small to medium payloads. And Mr. Goldin will be interested to hear we've begun planning for the eventual transition to reusable launch vehicles as their technology matures.

Our success will primarily be driven by the growing commercial space sector. Commercial space revenues will exceed $100 billion annually at the turn of this Century, a figure far greater than today's combined NASA and Air Force space budgets. And remember: this new millennium is only 15 months away!

As many as a thousand or more new commercial communications satellites will be placed in orbit during the next decade, extending the World Wide Web into the sky. Iridium, Globalstar, Teledesic and others are literally betting tens of billion dollars on the opportunity to cash in on an annual trillion-dollar global communications market.

My company and others are gambling we will be a part of the emerging commercial space industry. However, we should not become too sanguine about the power of the word ''commercial.'' Both NASA and the Defense Department will also play a major role, for good or for bad, in the ultimate environment that emerges. In the years ahead my hope is that this Congress will help guide our nation to establish a free and competitive market in which all companies can participate fairly. NASA, if it so chooses, can be a major player helping the transition to a commercially focused profitable space industry.

As an example of how our country dealt with a similar issue from our past, I'd like to draw your attention to the early history of commercial aviation. Between the late 1940s and early 1960s, during a post war era of declining budgets, NASA (and its predecessor agency, the NACA) and the Air Force invested in a host of experimental aircraft that opened America's skies to military and commercial aviation. In particular, experimental and military jet aircraft spawned the thriving commercial aviation industry we have inherited today.

During those early pivotal years after World War II, visionary leaders in the Air Force and NACA pursued a technology policy of building and flying demonstration hardware; hardware that was build quickly and flown often. These early investments pushed aviation into a thriving, commercially focused and profitable industry. Our challenge today is to ensure the same opportunity is afforded our budding commercial space industry. Just as the success of our aviation industry hinged on the introduction of affordable and reliable aircraft, the commercial space industry can't truly take off without affordable and reliable launch vehicles.

FORTY YEARS HENCE: THROUGH A GLASS DARKLY

Mr. Chairman, history is a funny thing, full of unexpected discontinuities. So before I try to look forward into the middle of the next Century, I'd like to briefly look back to the middle of this Century.

Forty years after the Wright Brothers first flew at Kill Devil Hills, B–17s and B–24s were bombing Germany, and the B–29 was in initial full scale production. In Germany, the Me–262, a jet fighter (and probably the finest airplane in the war) was also just entering initial full scale production. So, too, was the A.4 (the V–2)—an honest-to-God war rocket.

But we haven't seen the same sort of progress in the forty years since the founding of NASA in 1958. Why? In 1903, people aboard an airplane were called ''aeronauts.'' Forty years later, they were called ''passengers.'' Where are the passenger tickets to space available for purchase today?

A second cautionary analogy. USL is a business being run virtually. We depend upon the interconnectivity of the Internet. I have no idea how I would do my job without access to the information resources of the World Wide Web.

But the Web only came into existence around 1992—just six years ago!

And we're not at all unique—scores of other businesses are also now totally dependent upon the Web's existence.

How do you predict the coming of something like the Web? It's roughly equivalent

to being able to predict, in 1900, that the coming of the automobile is going to lead to the suburb, or to drive-through fast food stands. . . .

I'm a bit reluctant, then, about trying to predict or describe what 2038 might look like. But I can describe what I'd like it to look like.

STRATEGIC U.S. GOALS IN SPACE FOR THE NEXT 40 YEARS

The committee has asked, ''What should be the strategic goals of the U.S. in space for the next forty years?'' I think that there are four overarching goals. (1) Foster a commercial space industry. (2) Explore the Solar System. (3) Settle the Solar System. (4) Explore the Universe.

For the first time, there now exists a nascent commercial launch services industry. It came slowly into existence during the last part of the 1990s, and it came into existence primarily because, for the first time, NASA didn't try to strangle this new industry in its cradle. The foremost thing a medical doctor learns is ''First, do no harm.'' This prime principle of medicine should also become the foremost policy of the Federal Government with respect to the newborn commercial launch industry.

Exploration of the Solar System will be done by robots and by humans. In the case of robots, these missions will be primarily scientific, and could be pursued by the Government, or by academia, or both. Commercial data purchase is one method that either or both could pursue as a means to achieve their exploration goals, and at the same time save money, and again at the same time help to foster a commercial space sector.

Exploration by humans will probably be confined to the inner Solar System over the next forty years—i.e., Luna, Mars, and the small bodies (asteroids). These explorations will also be primarily scientific, certainly so in the case of Mars, but in the case of Luna and the asteroids, one can easily see economic rationales. There are thus business cases that can be made and that will be pursued.

Settlement of the Solar System may begin with Luna. There's lunar water ice at both poles, making settlements and outposts on Luna tremendously easier to accomplish than might have been otherwise. Lunar water ice, in a phrase, changes everything. One might even speak of a lunar ''Cold Rush. . . .''

The exploration of the Universe is primarily a scientific one, using space-based astronomy facilities. Such work, of course, is done to ''do'' science, but a lot of this science will begin to lay the ground work for the first robotic missions to the near stars, possibly in the 22nd Century.

THE SINGLE ISSUE THAT MUST BE ADDRESSED

But before any of the above can be attempted, much less accomplished, there must be Cheap Access to Space. You need to be able to get to low Earth orbit (''LEO'') easily, frequently, reliably, and cheaply. There is no inherent technical barrier to the creation of such a capability—''only'' engineering development need occur for cheap, easy to operate, robust access to low Earth orbit to become available.

And as has been pointed out, once you're in LEO, in terms of energy, you're halfway to anywhere else in the Solar System.

ROLES OF THE FEDERAL GOVERNMENT

The second issue the Subcommittee wished addressed is ''What are the appropriate roles of the federal government in pursuing those goals?'' I would argue that there are four roles for the Federal Government. The first appropriate role is to support and encourage science, both directly funding it as well as helping to encourage and underwrite its accomplishment by the private sector and academia. This also applies to exploration activity, both human and robot. The Government ought to help academia and the private sector explore, through underwriting, partnerships, tax credits, and other such mechanisms. In some rare cases, the Government itself might also mount its own explorations. These were the patterns and methods of exploration employed by Spain and England in the 1500s and 1600s, as well as by the United States in the 1800s.

The second appropriate role of the Federal Government in my opinion is to foster long-term, high-risk technology development. The Federal Government should strongly invest in next generation technology, including experimental reusable launch vehicles and military demonstration hardware.

The third activity that I feel is appropriate for the Federal Government to pursue is that of the use of space for the defense of the United States.

Finally, the Federal Government has, I believe, an important, if not critical, role in the encouragement and incentivization of the growth of the nascent entrepreneurial commercial launch industry.

SHORT TERM POLICIES TO ACCOMPLISH THESE GOALS

''What policies and priorities should Congress and the Administration be putting in place in the near term to begin the transition to the future?''

Here are a few of the possible options I think would go a long way in the short term for encouraging and incentivizing the growth of our emerging commercial launch industry.

NASA and the Air Force should procure all launch services via competitive bids that are truly open to all companies, not just the largest defense contractors. These ''fly before buy'' launch service contracts must not develop new launch vehicles; instead, they should be structured like the Air Mail ''service'' contracts of the 1930s to encourage private investment. During the next forty years NASA should transition totally out of operating space launch vehicles, or of on-orbit support infrastructure.

Space science data should be purchased by NASA in order to help to support science and the development of a commercial space sector. Resupply and support of the International Space Station should be provided commercially by the private sector, so as to also help support the development of a commercial space sector. The International Space Station should also be commercially operated.

In parallel, Congress can also pass legislation providing incentives to the commercial space transportation sector. One possibility is investment tax credits to incentivize the creation of launch service providers. Such credits ought to be able to be traded. Other possibilities include interest write-offs, legislated market incentives like ''air-mail,'' and regulatory improvements. All of these incentives can help give birth to a thriving commercial launch industry modeled after today's aviation industry. The one thing we must not do is create a monopoly where a single company controls the ability to launch critical commercial and military assets into space. Guaranteeing government loans or market share for a single company would be catastrophic to the emerging commercial industry.

In the future tax credits may also be an appropriate mechanism for helping to encourage long term goals, such as Lunar missions and settlement.

A third policy thrust should be to robustly invest in the experimental technology and military demonstration hardware that supports truly low cost space launch vehicles. No technology investment is required for expendable launch vehicles, as the commercial sector is well positioned to develop such vehicles today. Instead, the government should be investing in the longer term, higher risk reusable launch vehicle technologies that promise to reduce launch costs by two orders of magnitude.

Mr. Goldin at NASA has already done a good job with his early investments in experimental vehicles, but it's just the first step. NASA's early, but underfunded plan to fly many ''Future-X'' experimental vehicles is an excellent blueprint for the future. In the past, Mr. Goldin has shared his vision of ''blackening the sky with X-vehicles''—not prototypes or commercial vehicles, but pure experimental demonstrators. If we truly want low cost launch vehicles, it will require the flight of many experimental vehicles built by many different companies.

The policy goal of flying X-vehicles for technology demonstrations should become the basic way that the government (and NASA) should approach technology development. Build 'em, fly 'em, and break 'em—both by intent and accident, this approach has led to today's thriving commercial aviation industry.

In coordination with NASA, DoD should also be investing in their own experimental vehicles and early military demonstration hardware. Either the Air Force or the Navy should develop a Military Spaceplane capability that supports global reach and the ability to defend U.S. interests ''anywhere, anytime,'' with dramatically smaller force structures than exist today. Blue ribbon panel after blue ribbon panel has advocated the need for such technology investments starting with General Moorman's Space Launch Modernization Panel in 1994. Most recently, the Defense Science Board is recommending an ongoing investment in the Space Maneuver Vehicle flight tested at Holloman AFB just last month.

Finally, while institutional changes are not necessarily required at NASA, the mindset must change. NASA should be the leading advocate of change and the transition to a primarily commercial space industry. Nonetheless, the real change is up to Congress. NASA, the Administration, and Congress must decide to place funding and budget priorities on the side of change. The Government should be investing in technology, experimental vehicles, and military hardware for the defense of the country.

2038: FREE PEOPLE IN FREE SPACE

The United States is at a seminal point in our transition to a commercial space industry. If we choose to encourage and incentivize the move towards a commercially based space industry we can accelerate and fundamentally enable America's move into space. We did this once before when America invested in the technology of commercial aviation, and it paid handsome dividends. Now it's time to build the same bridge to the future of commercial space.

Thank you, Mr. Chairman, for this opportunity to present USL's views. I would be pleased to answer any questions you or any other Members might have.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. HASTINGS) is recognized for 5 minutes.

(Mr. HASTINGS of Florida addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

COMMON STATE PROPOSAL BETWEEN NAGORNO KARABAGH AND AZERBAIJAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Mr. Speaker, I wanted to spend just a short amount of time this evening talking about the optimism that many of us are seeing as a result of the meeting that took place in Geneva last week between President Kocharian of Armenia and President Aliyez of Azerbaijan.

I am sure that many people know, particularly those of us who have been involved with the Armenia Caucus for many years, that we are very hopeful that, as a result of this meeting and some other activities that have taken place over the last few months, that we could see a resolution of the conflict in Nagorno Karabagh, which has been basically a bone of contention, if you will, between the two countries for some time.

I think many people know that Nagorno Karabagh is an independent republic that is Armenian speaking, ethnically Armenian, that fought a war, if you will, about 10 years ago that at the time when the Soviet Union broke up, and even though it has been independent and has been a state for all practical purposes, for about 10 years it is not recognized by the United States and there is a continued conflict, albeit mostly peaceful conflict, between Armenia and Azerbaijan over the future of Nagorno Karabagh.

It would certainly behoove anyone who is concerned about peace in the Caucasus region to see if these two countries could come to an agreement over the future of Nagorno Karabagh that, of course, involves the people of Nagorno Karabagh, as well.

The Presidents of Armenia and Azerbaijan met last week in Geneva for talks that seek a political settlement of the Nagorno Karabagh conflict. President Robert Kocharian of Armenia went to Geneva directly from Warsaw, where he had been for other business, and while there he told the news conference that he was optimistic about the meeting with President Aliyev. He said that there had been serious progress since active talks have begun with President Aliyev, most recently in April during the NATO summit conference when both leaders were here in Washington.

I must say also and give praise to U.S. Secretary of State Madeleine Albright, who had written to both presidents after those Washington talks urging further direct discussions between the two presidents.

The latest proposal of the OSCE Minsk Group, and the Minsk Group has been set forth by the United States and other countries to try to come to a settlement of the Nagorno Karabagh conflict, basically last fall the Minsk Group put forth a proposal called the ''common state proposal,'' which essentially sets up a sort of confederation, if you will, between Nagorno Karabagh and Azerbaijan where the two countries would be part of a confederation or common state with equal status.

We know that Azerbaijan very quickly after that announcement last fall by the Minsk Group rejected the common state proposal. But there have been strong indications recently that if it was not for the actual label ''common state'' that Baku and Azerbaijan essentially might be willing to accept the idea of what the common state proposal is all about.

In other words, they may not like the term ''common state,'' but if another term like ''confederation'' or ''free association'' or something like that was used that they might be willing to go along with it.

I must say, Mr. Speaker, that what I am hoping and I think the atmosphere is ripe for it is that after this meeting of the two presidents that it might be possible to engage in some kind of direct negotiations between the three parties, between Armenia, Azerbaijan, and Nagorno Karabagh, which is something that I and most members of the Armenia Caucus have been talking about for some time, that we can see the three sides, if you will, get together perhaps at some point nearby and simply start negotiations using the common state proposal or something like it and ultimately come up with a peaceful settlement.

I wanted to praise our own House of Representatives and particularly the House Committee on Foreign Operations Appropriations because in the bill that they reported out of the subcommittee last week and I think will be considered by the full committee on appropriations tomorrow that bill incorporated several constructive initiatives to help jump start the Karabagh peace initiative.

□ 2115

If I could just give some examples, in the report language for the Foreign Ops bill, it specifically says that the primary national interest of the United States in the Southern Caucasus is peace, and it recommends continued support for the people of Armenia and Azerbaijan, and says that the extent and timing of United States assistance should depend on whether or not the parties move towards a peaceful settlement.

I want to commend our own Foreign Operations appropriations subcommittee for what it did and that this leads in the long run to a peaceful settlement of the conflict.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. METCALF) is recognized for 5 minutes.

(Mr. METCALF addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Guam (Mr. UNDERWOOD) is recognized for 5 minutes.

(Mr. UNDERWOOD addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

TRIBUTE TO ASTRONAUT PETE CONRAD, AMERICAN HERO

The SPEAKER pro tempore (Mr. OSE). Under a previous order of the House, the gentleman from California (Mr. ROHRABACHER) is recognized for 5 minutes.

Mr. ROHRABACHER. Mr. Speaker, earlier the gentleman from California (Mr. CALVERT) spoke about Pete Conrad whom we laid to rest today in Arlington National Cemetery, an American hero and a member of the team that walked on the Moon, in fact the third man to have walked on the Moon. It was my honor to have represented Mr. Conrad in Congress. In fact, he lived in Huntington Beach, California. I had many, many meetings with Pete. I was very honored to not only know him but I was very, very pleased to have had the guidance that he gave me over the years in dealing with American space policy. Now as the chairman of the Subcommittee on Space and Aeronautics, that advice that he was giving me was of real importance and of real value. Pete was such a wonderful person. It was a sad day, but then again knowing Pete and his spirit, it was a day that we know that the spirit of Pete Conrad lives on.

Over the years, I have observed that real heroes do not look like the ones in the movies. John Wayne never risked his life for his country, but he was certainly tall and handsome. No, the real heroes that I have met generally have been short and balding. Jimmy Dolittle was like that. I met Jimmy Dolittle on one occasion. And so was Pete Conrad.

If Pete were here today, he would be really embarrassed to hear me compare him to such a courageous and heroic man as Jimmy Dolittle. But that trait of being humble was one of the traits that made Pete Conrad himself such a great man.

When you think about it, great people, the great people of our country, just what is Americanism, who are these great Americans that people have thought about? In the past, the personification of the American ideal, perhaps let us say back in the 19th century, one would have to say that the personification of the American ideal was the pioneer or the frontiersman, with perhaps a little bit of cowboy or industrialist thrown in as well. Well, in this century, we need look no further than Pete Conrad, the man whom we laid to rest in Arlington today.

Pete Conrad was the quintessential 20th century American hero. It is fitting, then, that Pete was buried today among America's most noble champions in Arlington National Cemetery.

Pete's accomplishments in the space program, of course, speak for themselves. He was the third human being

to have walked on the Moon. He did an incredible job in front of the whole world as it watched in repairing Skylab. He piloted or commanded four different space flights. Before that, he had a career as a naval officer and, yes, during some of the other space missions, Pete was an intricate part of the team that backed up those people who were flying the missions.

I would also like to pay tribute not only to his accomplishments but to those personal qualities that made him much more than a space age technician and a flight jockey. He was a man with enthusiasm for life and adventure. He had wit and optimism. His vision, his humble demeanor, his positive can-do spirit with which he approached every task, every challenge, was something that inspired and energized everyone with whom he worked. His spirit itself was an immeasurable contribution to America's space program. And, yes, his persona became a part of the personalities and the personality of America's space effort. He took his job seriously but never took himself too seriously, which was part of his charm and an example to others. He did not dwell on the past which of course is a trap for both individuals and institutions of great accomplishment.

Pete instead, yes, he looked back and he thought about that and he talked about that when he was asked about it, but he was busy laying the foundation for America's next exciting era in space, the era of space commercialization, when space becomes the arena of entrepreneurship, open to all with boundless opportunity rather than the confines of bureaucratic management and government planning. This, too, is the epitome of Americanism. We are a people who want to lead the way, maintaining a fun-loving spirit as we do but making no apologies about wanting to make a profit by doing what is right as well.

I chaired the hearing of the Subcommittee on Space and Aeronautics on NASA's 40th birthday, its anniversary. Pete testified, his testimony was superb, or should I say, as Pete would, super. He said, ''It was a crazy time of excitement and adventure and new worlds to explore,'' of the 1960s and 1970s. But Pete said, ''I would like to go on record as saying those days are not half as exciting as the coming age of commercial space.''

That was Pete Conrad, a man who was pointing the way to the future. We laid him to rest today. We are all grateful for the things he did for his country, for the world, and I am grateful tonight to have had the opportunity to speak on his behalf.

God bless Pete Conrad and God bless the United States of America.

ON HATE CRIMES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. DAVIS) is recognized for 5 minutes.

Mr. DAVIS of Illinois. Mr. Speaker, this year the celebration of our Nation's birthday, July the 4th, was shattered by a string of hate crime attacks in the Chicago area, apparently the attacks of Benjamin-Smith who had links to the World Church of the Creator.

The targets of his attacks included African Americans, Asian Americans and Orthodox Jews. Northwestern University basketball coach Ricky Byrdsong, and Indiana University student Won-Joon Yoon died as a result of these attacks.

Followers of the church have been linked by police and civil rights groups to numerous other incidents, including the 1991 murder of an African American sailor in Neptune Beach, Florida; the 1993 fire bombing of the NAACP office in Tacoma, Washington; the 1997 beating of a black man and his son in Sunrise, Florida; and the 1998 beating and robbery of a Jewish businessman in Hollywood, Florida.

Two brothers held on stolen property charges related to the slaying of a gay couple are being investigated in arson attacks at three synagogues. The brothers' relationship to the World Church is being investigated. But hate crimes are not new or uncommon in the Chicago region. Looking over newspaper headlines, we find that in May, a mosque in DuPage County was desecrated, only the latest in a string of such desecrations.

A group of white teenagers attacked a black police officer near the Dan Ryan Woods.

A Gurnee man convicted and awaiting sentence for a hate crime against a biracial couple was arrested and charged with illegal possession of several weapons.

A 27-year-old was charged with a hate crime for intentionally running down two African American teenagers as they rode their bikes along a Kenosha sidewalk.

A Crystal Lake man was charged with shooting and killing a Japanese store owner just because of his ethnicity.

A Federal jury convicted a Blue Island man of cross burnings before the home of black neighbors in an effort to drive them from the neighborhood.

A Pakistani gas station attendant was attacked by a customer because of his ethnicity.

A retired Chicago firefighter settled a racial harassment suit, admitting his guilt of hate crimes against his Hispanic neighbors and apologizing for his acts.

Pizza Hut in Godfrey, Illinois settled a suit brought by an African American family which they refused to serve and threatened in the parking lot after they left the restaurant.

An Hispanic couple was subjected to repeated incidents of racial hate crimes, including the painting of their homes and garages with racist graffiti.

Three men who beat 13-year-old Lenard Clark into a coma because they did not like African Americans cycling through their neighborhood were convicted.

A Chicago Heights man was convicted of attacking a biracial couple in Chicago's Lakeview neighborhood.

Four teenagers, professed skinheads, were arrested for spray-painting anti-Semitic slogans on roads, signs and overpasses.

An African American man in Mokena was the victim of repeated hate crimes after receiving newspaper clippings covered with racial slurs.

A Waukegan man was convicted of kicking a Mexican-American teenager who lay dying in the street after a traffic accident.

Three white teenagers in Belleville admitted to dragging a black teen beside their sport utility vehicle.

A Rolling Meadows man was convicted of hate crimes after shouting racial slurs and attacking an African American in a bowling alley.

The list is much longer. Though the Justice Department is required to publish a report of hate crimes, police agencies are not required to report crimes to the Department of Justice. Hundreds of agencies do not report hate crimes. Many individuals are afraid to report hate crimes.

In Illinois, 114 departments reported one or more hate crimes totaling 333 for 1996. The remaining 787 agencies reported no hate crimes. It is obvious that hate crimes are running rampant throughout not only Illinois but throughout our country. They cannot, should not and must not be tolerated.

I urge America to come into the 21st century as one Nation with enough room for everybody to live.

Hate crimes are an attack on individuals or groups of individuals. But they are also an attack on our communities and our nation. The strength of our nation flows directly from the powerful notion that democracy and equality form the inseparable, interlinked foundation for our economic, social and cultural progress.

Our democracy succeeds because the notions of democracy and equality and the constant struggle to expand and deepen democracy and equality have grown and spread and taken root in the psyche of our people.

The struggle for equality for African Americans, Latinos, Asian Americans, Native Americans and women have not been easy or painless. These struggles are far from complete.

I believe the historical record is clear: every American has benefitted, our Nation has been enriched, by breaking down the barriers which prevent some Americans from fully participating in, contributing to and benefitting from all that America has to share.

Hate crimes, and those who perpetrate such crimes, crimes which target victims based on race, religion, gender or sexual orientation, tear at the heart of America, at the ideal that people all over the world look to for inspiration. Hate crimes are twice as likely to cause injury and four times as likely to result in hospitalization as assaults in general.

Our Nation fought a bloody civil war to determine whether a nation conceived in liberty and dedicated to the proposition that all men (and women) are created equal can long endure. The resounding answer to that question,

written in the blood of so many Americans, was nothing less than a second American Revolution.

It is no accident that our Department of Justice was born in 1871 following the Civil War as a response to the wave of hate crime terror instituted by the Ku Klux Klan. And, within the space of a few years the DOJ brought more than 500 prosecutions under the Enforcement Acts which broke the back of the Klan. It is unfortunate that the second and third incarnations of the Klan were not met with similarly forceful responses.

We need additional legislation on the Federal level to reinforce and upgrade the tools, both criminal and civil which give law enforcement the ability to prevent and punish hate crimes. Now is the time for state and local government to review their hate crime laws and upgrade the training of law enforcement officials to respond to hate crimes.

Most important, we must rally every American, every man, woman and child to join in defending our democracy. The best defense against hate crime is mass revulsion and rejection of racism, sexism and homophobia.

To paraphrase the remarks of Frederick Douglass, of July 4, 1852 condemning slavery and racism:

> * * * It is not light that is needed, but fire; it is not the gentle shower, but thunder. We need the storm, the whirlwind and the earthquake. The feeling of the nation which is insensitive to such crimes must be quickened; the conscience of the nation which tolerates such crimes must be roused; the propriety of the nation which ignores such crimes must be startled; the hypocrisy of the nation which tolerates such crimes must be exposed; and these crimes against God and community, men and women must be proclaimed and denounced and fought against with every fiber of our national will.

Hate crimes must not be tolerated at any level in our society.

AN ACCURATE READING OF THE COX COMMITTEE REPORT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nebraska (Mr. BEREUTER) is recognized for 5 minutes.

Mr. BEREUTER. Mr. Speaker, following the public release of the Final Report of the Select Committee on U.S. National Security and Military/Commercial Concerns with the People's Republic of China, more commonly referred to as the Cox Committee report, there have been attempts to discredit the work of the select committee.

As one of the nine members of the select committee, this Member would like to reemphasize the truly bipartisan nature of the select committee and underscore that every finding made by the Cox committee in its report is fully corroborated with evidence detailed either in the public report itself or in the classified version.

The Cox committee report is not and has never claimed to be a comprehensive report, nor was it ever meant to be one. When rumors first arose that sensitive military technology was being illegally transferred to the People's Republic of China, the House of Representatives created a select committee to investigate such allegations with emphasis on the launch failure investigations of the failures of two Chinese rockets carrying commercial satellites produced by American companies and an investigation of the sale of high performance computers to China.

In the course of our investigation, far more disturbing information came to light that took us into unanticipated directions. Even as we were trying to close the select committee's operations, new revelations kept being brought to our attention by whistleblowers. It became clear that a very deep institutional problem had existed for some time in some of our Federal agencies and particularly the Department of Energy and its national laboratories, there at least since the late 1970s. I believe that these lapses of security at the DOE weapons laboratories taken together resulted in the most serious espionage loss and counterintelligence failure in American history. Moreover, these lapses facilitated the most serious theft ever of sensitive U.S. technology and information.

Clearly, what the select committee revealed is very disturbing. Americans should be angry that their own government's lax security, indifference, naivete and incompetence resulted in such serious damage to our national security. The loss of sensitive nuclear weapons information to China is a national embarrassment and an incredibly important loss.

The bipartisan Cox committee report should be used as the starting point in our efforts to fix the serious problems the select committee identified. Rather, some have focused on discrediting the report by improperly interpreting the very clear language we used and questioning the construction of the report. Instead, they should just focus their attention on the actual meaning of straightforward, plain English meanings of the words we used. We were very careful in what we said and how we said it.

The most recent distortion circulated in Washington and in the national media is a document written by Dr. James Gordon Prather entitled ''A Technical Reassessment of the Conclusions and Implications of the Cox Committee Report.'' It was released personally by the Honorable Jack Kemp after Empower America, the organization to which Mr. Kemp belongs and which sponsored Dr. Prather's research, refused to endorse the final document. The Prather document was also the subject of a Wall Street Journal article and one of Robert Novak's columns last week.

□ 2130

Dr. Prather claims that our select committee erred in finding that Chinese espionage penetrated U.S. weapons labs. Indeed he claims there was no evidence of Chinese espionage, that the real culprit is the Clinton administration's policy of unilateral nuclear disarmament and opening up the Nation's nuclear secrets to the world.

That is pure nonsense. Of course there was espionage. After careful review of the Prather document, this Member concludes that it was written with an underlying political agenda in mind; that is, to focus attention and blame on the Clinton administration, particularly its policy of engagement with China and its declassification of nuclear secrets. There is plenty of blame that might be headed that direction, but that should not discredit the Cox Committee Report.

If partisan politics is the purpose of the report, then we should recognize it as such, but it is a disservice to the Nation to discredit the work of the Cox committee if the result is that their recommendations are not implemented.

The cover letter to the Prather document clearly states, quote, ''the White House is using the espionage angle to mask the real security risk which comes not from foreign spies, but rather from the Clinton administration's own ill-conceived strategy,'' end of quote. Of course the United States is a target of foreign espionage, including Chinese espionage. To ignore or fail to act on such evidence is an embarrassment to the Clinton administration, and it is dangerous.

Without the Cox Committee, we would still not know of this massive failure or be seeing corrective action. There is a significant difference between analyzing the motive behind whatever partisan spin and public relations angle the White House has given to the Cox Committee Report and the Prather analysis of the contents and conclusions of the report itself.

It appears to this Member that the Prather document mixes up these distinctions for its partisan purposes. In order to better support and prove its conclusions, the Clinton administration policy alone, and not any Chinese espionage, is responsible for American national security losses. The Prather analysis necessarily had to redefine the Cox committee report in a critical way. Unfortunately the overall credibility of the Prather document is suspect, given its numerous flaws and its noticeable selective cherry picking of the Cox committee report.

For example, the Prather document essentially dismisses the charge that China stole design information for the neutron bomb with the help of Taiwan-born Peter Lee.

This dismissal is based on a deliberately selective reading of our report, faulty assumptions and a disregard for other information which is still classified. The Prather document called this theft charge (quote) ''ridiculous'' (unquote) and opined that the Cox Committee, in its zeal to be bipartisan, claimed the Chinese stole neutron bomb information (quote),

''because the alleged spying happened on Reagan's watch, not Clinton's watch.'' (unquote). Notwithstanding Dr. Prather's interpretations, Peter Lee pled guilty to willfully passing classified U.S. defense information to PRC scientists and to providing false statements to a U.S. government agency.

The Prather document also introduces the case of Wen Ho Lee, another scientist at Los Alamos. In fairness, the Prather document states that ''Wen Ho Lee is not mentioned by name in the Cox Report . . .'' He is not. However, aside from the caveat, Prather treats the Wen Ho Lee case as if it was the lynchpin of our investigation. It was not and furthermore the allegations against Wen Ho Lee are, at this time, still just that—allegations.

This Member does not disagree with Dr. Prather that through our open system, smart people can gather significant amounts of information other countries would consider very sensitive. Mr. Speaker, our colleagues may recall the publicity that was given to the book ''Mushroom'' which was written back in 1978 by John Phillips, then an undergraduate student at Princeton University. Mr. Phillips wrote about how he was able to design an atomic bomb using only the open-source information available in the university's library. Experts confirmed the design was valid. This Member is sure that the Chinese and others have similarly used our open system, as Dr. Prather states. However, the detailed design plans and other extremely sensitive information relating to the neutron bomb and other thermonuclear warheads have not been declassified and are not in Princeton's library or on the Los Alamos public website.

There are numerous other instances in the Prather document of inaccurate interpretations and distortions of the Cox Committee Report for which there is not enough time this evening to detail. However, given the apparent political objectives of the Prather document and the questionable selectivity of its analysis, it should be seen for what it really is: a partisan attack or a partisan counterattack to a Clinton Administration selective leak and spin operation against the findings of the Cox Committee, and it therefore does not warrant any further attention.

Mr. Speaker, the Congress has just begun the job of implementing many of the 38 recommendations made in the Cox Committee Report. Most can be implemented by the executive branch without legislation. Some recommendations, such as increasing the penalties for export control violations, are relatively easy to legislate. Others such as reauthorizing the Export Administration Act, are not so simple and will take time and effort. This Member strongly urges his colleagues to concentrate on implementing these recommendations and not be distracted and dissuaded from this duty by those critics like the author of the Prather Report who all too apparently has a different agenda.

LT. COL. EILEEN COLLINS, FIRST FEMALE PILOT OF A SPACE SHUTTLE

The SPEAKER pro tempore (Mr. OSE). Under a previous order of the House, the gentleman from Texas (Mr. LAMPSON) is recognized for 5 minutes.

Mr. LAMPSON. Mr. Speaker, I rise this evening to talk about a first that is, in my opinion, long overdue. Early tomorrow morning, shortly after midnight, Lieutenant Colonel Eileen Collins, the first woman in the history of NASA, will command a 5-day Columbia space shuttle mission to launch NASA's most powerful space telescope, the Chandra X-ray Observatory.

Lieutenant Collins, who also can boast that she is the first female pilot of a space shuttle, is a good example of how far our space program has come since the first lunar landing 30 years ago tomorrow.

In these days of economic progress and budget surpluses, I urge all of my colleagues to support continued funding of the manned space program so that today's little girls can grow up knowing that they may be one of the first to walk on Mars or to conduct research in the international space station right alongside scientists from Italy, Russia, Japan, or wherever else in the world.

As a member of the House Committee on Science, and I guess a confirmed space nut, it makes me proud that I represent Johnson Space Center and its efforts to put more women into manned or, perhaps I should say, womaned space program.

Lieutenant Colonel Collins, I wish her Godspeed, a most successful mission, and a safe return for her and her crew.

HMO REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Iowa (Mr. GANSKE) is recognized for 60 minutes as the designee of the majority leader.

Mr. GANSKE. Mr. Speaker, here we are again. Another week has gone by, and the House of Representatives, United States of America, has done nothing to address HMO abuses in this country.

Of course we had, Mr. Speaker, a big debate on the other side of the capital last week, and I want to talk a little bit about that, that bill that passed, because I think that my colleagues on both sides of the aisle will need to educate themselves on some of the details of that bill that passed the Senate last week.

I think we may be looking at that bill in the near future. I hope at least we will be looking at some bill on the floor in the near future. After all, it was about 2 weeks ago that the Speaker of the House told me personally that it was his intent to have HMO reform legislation on the floor by the middle of July.

Well, Mr. Speaker, I am looking at my dates here, and here we are, it is past the middle of July; and furthermore, we are going to find time this week to debate a tax bill and other bills, and there is nothing in sight to even be having a committee markup in the Committee on Education and the Work Force or in the Committee on Commerce on HMO reform.

It is not exactly, Mr. Speaker, like we have not been dealing with this issue for the last 3 or 4 years in Congress. It is not exactly as if earlier this year we were overworked here on the floor when we were naming post offices. Mr. Speaker, I think it is time that we get this issue to the floor. There are people that are losing their lives and losing their limbs and their health is being injured because HMOs are making medical decisions that are not in the best interests of their clients, their patients.

Mr. Speaker, I want to talk specifically about some of the provisions that are in Senate bill S. 1344, which passed last week in the Senate, because, Mr. Speaker, I have the bill here, and I have been reading through this bill, and you know, there is an old saying here in Congress: the devil is in the details. You can have awfully good headings, Mr. Speaker, but once you start looking at the language, you can find out that it comes up rather empty.

So let me just go over a few problems and deficiencies with the bill that passed the Senate last week.

Now a couple years ago we here in the House, the other body, passed a bill for Medicare and Medicaid recipients that was signed into law by President Clinton. It said that if you were having a chest pain, severe chest pain in the middle of the night such that a prudent lay person would say, hey, that could be a heart attack, you could go to the nearest emergency room and be treated, and your health plan would be responsible for covering the cost because we know from the American Heart Association that if you delay prompt treatment, diagnosis and treatment of a heart attack, you could be dead before you get your treatment; and unfortunately many HMOs have said, as my colleagues know, you could go to that emergency room, but if they find out that instead of having a heart attack that you just had a severe case of inflammation of your esophagus, for instance, well, that proves that you did not have a heart attack and we are not going to pay for it.

The problem with that, Mr. Speaker, is that once that information gets out, people are a little bit hesitant to go to the emergency room when they have crushing chest pain because they think, oh, my goodness, what if I am not having a heart attack? Then I could be left with thousands of dollars of bills. So maybe I will just be a little extra careful, and I will just stay at home here sweaty, really sick, until I am really sure that I have a heart attack.

Mr. Speaker, we wanted to fix that. We did that in Medicare and Medicaid. We passed what is called a lay person's definition of an emergency, and we told the Medicare health plans that you have to cover those services if a patient goes to the emergency room.

Mr. Speaker, you would think that it would not be too difficult to get the language right in a patient bill of

rights that would apply to all Americans, the same as we have for those who are elderly in Medicare or those who are poor in Medicaid. After all, people are spending a lot of money for their health insurance, it ought to be worth something if one did wake up with that case of crushing chest pain in the middle of the night.

You would think it would not be too hard to simply take that language that we did in Medicare and put it into a bill that would apply to all Americans. That should not be difficult, should it? I mean, that is actually not one of the more contentious issues. But no, no, S. 1334, as reported, could not get that right either.

Let me give you an example. The bill fails to guarantee that health plans will cover emergency care at the nearest hospital. That should not be so difficult. If you do not take my word, just take my word for it and read Page 7, Line 1 through 20. The bill that passed the other body last week would allow plans to refuse to cover emergency services.

What are the details? Well, look at Page 8, Lines 3 through 7. The plan's obligations to pay for cost of treatment for stabilization, maintenance ends when the plan contacts the provider to arrange for discharge or transfer even if in the opinion of the treating physician the patient is not ready for transfer.

Or how about the provision that would allow plans to shift the cost of refusing to pay for emergency care to the health providers? That is Page 8, Lines 8 through 14. I mean, that should be a relatively noncontentious issue, but they could not get it right. They could not get it right. They had to write a bill that was an HMO protection bill for emergency provisions.

How about gag rules that HMOs have had in their contracts that say before you, the treating physician, can tell your patient all of his treatment options, you first have to get an okay from us, the health plan. Now think about that.

Now say a woman goes to her treating doctor, she has a lump in her breast. The doctor takes the history, the physical exam, and then he says, excuse me, leaves the room, has to get on the phone, phone the HMO and says, You know, I have Mrs. So and So. She has a lump in her breast, and she has three treatment options. I would like to tell her about all three treatment options.

And the health plan says, well, you know, according to our definition we only cover two of those, so we would rather not have you tell that patient about the third one because she might want it, might be appropriate for her.

Those are what are called gag clauses in contracts. Mr. Speaker, once again a couple years ago we passed a Medicare, a Medicaid rule that forbade those types of impediments to communications between their health care providers and their patience, doctors and nurses and their patients. We said you cannot do that in Medicare; you cannot do that in Medicaid. Not a big deal. It has not added really anything significant to the cost of premiums. But it is an important reassurance to patients so that they know they are getting the whole story.

Well, why could we not just take that language and put it into a bill that applies to all Americans? A bill that I have in the House here, the Managed Care Reform Act of 1999, does that; a bill that the gentleman from Michigan (Mr. DINGELL) has, Patient Bill of Rights, does that; a bill that the gentleman from Georgia (Mr. NORWOOD) has does that.

Could they get it right over in the other body? No, no. All they needed to do was add a few little words, but they are important words. They needed to add a provision that said all current contractual language prohibiting health communications is null and void. Could not do it. Could not force themselves to buck up to the HMOs on that.

Mr. Speaker, let me tell my colleagues what the two really big problems were with the bill that passed the other body last week, and that has to do with the definition of medical necessity and who gets to define that and whether you have an enforcement provision to make all of the other provisions in the bill mean anything.

Now, before I go into the language of S. 144, let me just set this up for my colleagues a little bit and tell them about testimony that a medical reviewer for an HMO gave before the Committee on Commerce.

□ 2145

It was May 30, 1996. A small nervous woman testified before the House Committee on Commerce. Her testimony came at the end of a long day of testimony about the abuses of managed care. This woman's name was Linda Peno. She had been a claims reviewer for several health care plans and she told of the choices that plans are making every day when they determine the medical necessity of treatment options.

Here is her story, quote: I wish to begin by making a public confession. In the spring of 1987, I caused the death of a man. Although this was known by my people, I have not been taken to any court of law or called to account for this in any professional or public forum. Just the opposite occurred. I was rewarded for this. It brought me an improved reputation in my job and contributed to my advancement afterwards. Not only did I demonstrate that I could do what was expected of me, I exemplified the good company reviewer. I saved the company a half a million dollars, unquote.

Well, it was clear to see her anguish over causing harm to patients as she testified. Her voice got husky. She continued, and the audience shifted uncomfortably and grew very quiet. The industry representatives and lobbyists who were there started looking at the floor and shifting their eyes.

She continued. Since that day, I have lived with this act and many others eating into my heart and soul. For me, a physician is a professional charged with the care of healing of his or her fellow human beings. The primary ethical norm is, do no harm. I did worse. I caused death.

She continued. Instead of using a clumsy, bloody weapon, I used the simplest, cleanest of tools: My words. This man died because I denied him a necessary operation to save his heart. I felt little pain or remorse at the time. The man's faceless distance soothed my conscience. Like a skilled soldier, I was trained for that moment. When any moral qualms arose, I was to remember that I am not denying care, I am only denying payment.

She continued. At the time, that helped me avoid any sense of responsibility for my decisions. Now I am no longer willing to accept the escapist reasoning that allowed me to rationalize that action. I accept my responsibility now for this man's death, as well as for the immeasurable pain and suffering many other decisions of mine caused.

At that point, Ms. Peno described many ways that health care plans deny care, but she emphasized one in particular; the right to decide which care is medically necessary. She said, quote, there is one last activity that I think deserves a special place on this list, and this is what I call the smart bomb of cost containment, and that is medical necessities denials. Even when medical criteria is used by the health plan, it is rarely developed in any kind of standard traditional clinical process. It is rarely standardized across the field. The criteria are rarely available for prior review, review by the physicians or members of the plan, and we have had enough experience from history to demonstrate the consequences of secretive unregulated systems that go awry.

The room was stone cold quiet, and the chairman mumbled, thank you.

Well, Mr. Speaker, I wish that this were an isolated instance, but I can say what health plans are doing around the country. Under Federal law, under Federal law called the Employee Retirement Income Security Act, passed 25 years ago, employer health plans can define medical necessity in any way they want to. Let me give you an example.

There is a health plan in Texas that has defined medical necessity as the cheapest, least expensive care as determined by us, the health plan. Think about that. The cheapest, least expensive care as determined by us.

Well, Mr. Speaker, before I came to Congress I was a reconstructive surgeon. I took care of children who were born with birth defects, birth defects like cleft lips and palates. This is an anomaly that occurs in about one in

500 live births. The child is born with a big hole right in the middle of their face. Their lip is separated. They have a big hole in the roof of their mouth. It needs to be surgically corrected. That is the standard treatment, surgical correction.

But, Mr. Speaker, under Federal law, instead of a surgical correction of the roof of that child's mouth so that that child can learn to speak normally, so that that child does not have food coming out of their nose, that health plan, under their own contractual definition of the cheapest, least expensive care, under Federal law, could say, well, we are just going to provide a little piece of plastic, kind of like an upper denture, that will keep some of the food from going up. After all, that is the cheapest, least expensive care.

I do not think very many people in the public understand this. I do not think many people understand that by Federal law we have told HMOs that provide insurance under employer plans that they can determine any type of medical necessity they want, whether it meets prevailing standards of care, whether it has anything to do with the medical literature, whether it follows NIH guidelines, standard care for treatment, for cancer treatment. They do not have to follow it because they can write a little definition in their own health plan and under Federal law that is all they have to follow.

So I get back, Mr. Speaker, to the bill that passed the Senate last week, after a lot of partisan debate, but the underlying problem with that bill is this: I urge my colleagues to look at page 116 in the bill that passed the Senate, where it is dealing with external review where an independent panel could review denials of care.

What can that independent panel under that bill review? Items or services that would have been covered under the terms of the plan or coverage if provided by the plan or issuer. In other words, Mr. Speaker, they are just reiterating what current law is. They are saying that independent panel, which is looking at a denial of care that could be lifesaving for a patient, at the end of the day the only thing one can appeal is whether the plan has followed its own definition of medical necessity. That is not reform. That is why that bill ought to be called the HMO Protection Act.

I want to talk about something I have not talked about on the floor as it relates to this issue. This Congress may deal with an issue of physician-assisted suicide. There are people on both sides of that issue, but we have to remember what that debate is going to be like if we do not correct Federal law that says the HMO, in an employer plan, can decide what is medically necessary.

Assisted suicide is now legal in Oregon, and there exists a natural cost incentive for health plans to support assisted suicide over other more expensive treatment options, according to Nelson Lund, professor of law at George Mason University. He is an expert on assisted suicide.

Protecting patients from unscrupulous cost shifting is very difficult, he says Quote, it is very hard to think of a law that could make a distinction between legitimate cost cutting by an insurance company in long-term care and cancer treatments and an illegitimate cost reduction. Inevitably you have pressures develop. Unquote.

Insurance companies can exert an enormous amount of pressure on health systems as a whole and on individual physicians, Professor Lund says. Quote, once strong incentives are created through cost cutting, through the managed care system, you naturally are going to get more of the cheaper treatments and less of the expensive treatments. That has to be true. That is why things are done, unquote.

Mr. Speaker, although there are protections written into the Oregon law, I can guarantee that physicians will face subtle pressures to view patients' options as more limited than they otherwise may consider them. Lund says, quote, even though the law requires a diagnosis of less than 6 months to live, that is an incentive for the physician to say, this person only has 6 months to live.

Once eliminating the patient is considered a form of treatment, the economic incentives are there that I think are unstoppable, quote/unquote.

That is part of the reason why we have to change this Federal law. Look, it may cost an HMO only $500 to get an opinion that this patient should have a physician-assisted suicide. There is primary care referral. There is a mental health evaluation and there are the drugs. $500 is a lot less expensive than taking care of a patient with cancer towards the end of their life.

That is part of the reason why it is very, very important that this Congress, especially in the context of States looking at this issue of physician-assisted suicide, and I do not care whether one is on one side of the issue or the other side of the issue, nobody wants an HMO pushing providers to get rid of patients who may be expensive. That is why we need to have a definition of medical necessity, not determined by the plan as the cheapest, least expensive care but as something that would include looking at prevailing standards of care, looking at the medical literature, looking at NIH cancer treatment statements, consensus statements and, yes, looking at the health plan's own guidelines as long as they are peer reviewed.

All of those things should be taken into consideration, but none of them should be determinative and should not be determinative that the health plan, as under current Federal law, can simply say this is it. We do not care whether someone can provide us with a table full of medical literature that says that that treatment is the standard of care and efficacious, because we did not define it that way.

Well, that is one of the main things that, unfortunately, the bill that passed the Senate last week did not address. It simply allows those health plans to go on even in the independent external appeals to define medical care however they want to.

What is the other big issue? The other big issue is whether those health plans should be responsible for those medical decisions that they make.

Mr. Speaker, let me just give you one example of how an HMO made a decision that resulted in a tragedy. A couple of years ago, a young mother was taking care of her 6-month-old infant. A little baby boy at 3:30 in the morning was really sick. He was hot, sweaty, temperature of 104.

Moms and dads can tell when their kids are really sick. So mom and dad thought he better go to the emergency room. So they phoned the 1–800 number for the HMO. They get a voice a thousand miles away who says, yes, I will let you go to the emergency room but I am only going to authorize this one emergency room, and the mother said, well, where is it? And the reviewing voice at the end of the line said, well, I do not know. Find a map.

Well, it turns out that it was a long ways away, 60 some miles away. Mom and dad wrap up little Jimmy, get in the car at 3:30 in the morning and start out on their trek.

About halfway through the trip, Jimmy is looking sicker, but mom and dad are not health care professionals. They do not know that they need to stop right away, but they do know if they did stop at an unauthorized hospital they are now stuck with potentially a very big bill. This family does not have that kind of resources. Most families do not have that kind of resources.

So they kept driving. They passed three emergency rooms that they could have stopped at. But they did not have an okay from the company. That company had made that medical decision, we are only going to allow you to go to that one hospital.

Well, about 10 or 15 miles from that hospital little Jimmy's eyes rolled back in his head and he stops breathing. Picture dad driving like crazy to get to the hospital, mom trying to keep little Jimmy alive.

They tear into the emergency room entrance. Mom leaps out of the car with little Jimmy, screaming save my baby, save my baby. A nurse comes out, gives him mouth-to-mouth resuscitation. They bring the crash cart out; they start the lines; they give him the medicines and somehow or another they get him back to life. That nurse blew the breath of life into little Jimmy again.

Well, he was a tough little guy and he managed to survive, but because of that delay by that medical decision by that HMO and that cardiac arrest with the loss of circulation, little Jimmy

ends up with gangrene in both hands and both feet and they all have to be amputated.

Little Jimmy today is learning how to put on his bilateral leg prosthesis, with his arm stubs. His mom has to help him put on his bilateral hooks. He is getting along pretty good for a kid who has lost both hands and both feet, but he will never play basketball.

□ 2200

I would tell the Speaker of the House that he will never wrestle. I would say that someday, when he gets married, he will never be able to caress the face of the woman that he loves with his hand.

I hear the opponents of this legislation say, ''Ah, but these are just anecdotes. We do not legislate on the basis of anecdotes.'' I would say to them, this anecdote, if it had a finger, and you pricked it, it would bleed, if he had a hand.

Do my colleagues know what? Under Federal law, that health plan is liable for nothing other than the cost of the amputations. Can my colleagues believe that? It is the only industry in this country that has blanket immunity of that nature.

A judge reviewed this case. He determined that the margin of safety by that HMO for little Jimmy was, ''razor thin.'' I would add, as razor thin as the scalpel that had to amputate his hands and feet.

Now, I ask my colleagues on both sides of the aisle, many of us in the past, we have talked a lot on this floor about responsibility. When we were doing welfare reform, we said, ''Do you know what. If you are able bodied, you can go out and get a job, and you can support your family. That is responsibility. We will give you some education. But then it is your responsibility to support your family.''

There have been a number of times on the floor, this floor right here, where we have voted in a bipartisan fashion for the death penalty for somebody who has killed or raped one of our fellow citizens because we say that is responsibility.

I think people need to examine their hearts. Conjure up in your mind the goddess of justice, Themis. She is holding the scales. She is blindfolded. Under current Federal law, she has written across her chiton ''HMOs do not need to follow justice.'' We need to fix that.

There needs to be an enforcement mechanism. I looked at the Senate bill which passed last week, and do my colleagues know what the enforcement mechanism is? A $10,000 fine if it is found that the health plan followed its own definition of medical necessity. That is a joke. That is a travesty. To my colleagues, I say we need to fix that.

This will not result in a huge number of lawsuits. Texas passed a law, a good law. It had a strong external appeals process. It did make the health plans responsible in the end. Do my colleagues know how many lawsuits they have had? One. And one or two are pending in the 2 years, not that explosion of lawsuits. It has not resulted in an explosion of premiums. Texas premiums are below national average.

Before Texas legislature almost unanimously passed that law, the HMOs were saying, ''The sky will fall. The sky will fall. It will kill managed care in Texas.'' There were 30 HMOs in Texas at that time. There are 51 in Texas today. The President of Aetna described Texas today, after passing a strong patient protection law with liability provisions, he described Texas as the filet mignon, the filet mignon of States to have insurance in.

Mr. Speaker, I have given my colleagues a couple of examples tonight of some of the abuses of managed care that have resulted in terrible personal tragedies. Picture little Jimmy as your child or your grandchild, and tell me, when you examine your heart, if you think HMOs under Federal protection should be shielded from the consequences of their negligence. I do not think so.

Should we not have a strong appeals process, something that really means something so that an independent panel can determine medical necessity, not on the basis of some contorted contractual language definition that only serves the basis to increase the HMO's bottom line and profits?

That is what we are dealing with, Mr. Speaker. We are dealing with a bill that, on the surface, if one looks at the surface headings, is called a patient protection bill. But when one reads the fine print, it is an HMO protection bill. It is worse than the status quo in many ways.

I will be happy to share with my colleagues references, the page numbers, the line numbers of any of the statements I have made tonight. But I will tell my colleagues what, if this bill comes to the floor, and we bypass our committee process, then I think every citizen in the country should demand that their Representative know what they are voting on and that their Representative be accountable for improving the situation, not making it worse.

TOO MANY UNKNOWNS FOR ''PROJECTED'' SURPLUS

The SPEAKER pro tempore (Mr. OSE). Under the Speaker's announced policy of January 6, 1999, the gentleman from Tennessee (Mr. TANNER) is recognized for 60 minutes as the designee of the minority leader.

Mr. TANNER. Mr. Speaker, I want to thank the gentleman from Iowa (Mr. GANSKE) for that very interesting special order.

This is, I think, the first time I have asked for a special order in the 10 years that I have been in Congress. So my colleagues can readily see this is not something I do routinely or every night. My colleagues, I hope, can understand why I feel so deeply about the matter about which we are going to talk about here for a few minutes with the gentleman from Texas (Mr. STENHOLM) and the gentleman from Texas (Mr. TURNER).

There has been a lot of talk in this town around the country of a surplus. There are projections of a huge surplus over the next decade, and many people are running around with all sorts of ideas about how to spend it.

But what really upset me last week was the mark-up that we had in the Committee on Ways and Means on which I served and in which this surplus, 87 percent of the nonSocial Security surplus for the next 10 years, was marked up in a tax cut bill.

Now, one of the reasons I ran for Congress in 1988 was because of my concern for the financial integrity of the United States. I am going to show this chart. I do not know if my colleagues can see it or not, but this is the way the country spent money from 1980, when I was in the Tennessee General Assembly, until now, and how we either paid or did not pay for what we spent.

The yellow part here is the administration of President Nixon. The green lines are President Ford. The yellow-red lines here are President Carter. The orange looking lines are President Reagan. This aqua green is President Bush. Then down here on the end, the dark blue lines is the administration of President Clinton.

I saw through the 1980s, as my colleagues did, a Republican President submit to, for 6 of the 8 years President Reagan was President, a Republican Senate and a Democratic House budgets that were never within $100 billion of being balanced. I saw the Congress, Republican Senate and Democratic House, in collusion with the administration, borrow the money necessary to fund those budgets.

When I came here in 1988, we were borrowing in the name of our children and grandchildren over $250 billion a year to pay for the consumption that people of my generation have enjoyed. I thought that was wrong then, and I think it is wrong now.

This is what it looks like on a bar chart in terms of building the national debt. In 1980, it was a little less than $1 trillion. Today, it is over $5 trillion.

Now, my colleagues might ask, who owns this debt? Who do my colleagues and I, we the people, who do we owe this 5 plus trillion dollars? Well, we owe the Federal Reserve and government accounts; that is, the Social Security Trust Fund and some other trust funds, about $2.3 trillion. We owe other people in the country a little over $2 trillion. Foreigners hold over $1.2 trillion of this debt, foreign interests.

So if we take away the money that we the Treasury, we the people owe to ourselves, we come up with about $3.6 trillion in outside held debt that we are paying interest on every day.

Put another way, we spend more on interest, or spent more on interest, this is fiscal year 1998, we spent more on interest right here, $364 billion, than we did on any other government program, save Social Security. Social Security is $379 billion. But it has its own funding stream, the FICA tax.

We spent more money on interest than we did on national defense, which is right here in green. More than we did on medicine, and we heard the gentleman from Iowa (Mr. GANSKE), the previous speaker, talk about medicine in this country, the orange right here. Agriculture, we can barely see, the little green line. We spent more on interest than we did education, than we did veterans.

In short, we spent more on interest last year, almost $1 billion a day than we spent on anything that my colleagues and I can do for our children's future today.

Now, part of this projected, and I want to underline the word projected, none of this money is here yet that they say is going to come into the Treasury from 2000 to 2009, this is the Social Security surplus, the blue. This is what the Congress and the President have agreed is off limits. We will not spend that. The red, $1 trillion is what is projected to come into the Treasury as a surplus over the next 10 years.

Now, mind you, 6 months ago, part of this money did not exist. It is only through reforcasting what we think the economy is going to be in the next 10 years that this has grown to the extent that it has. The money is not yet here. I do not know what the unknowns out there are. We may have a war, tornados, hurricanes, other natural disasters. This is only a projection that, as it changed 6 months ago, could change 6 months from now and this money never show up.

Now, here is why I was so upset last week. Here is the Social Security money in blue. That is off limits. That is for the people in this country who pay into the system and who expect to earn and draw their Social Security benefits when they retire. That is off limits.

What is available, if one believes the projections, to spend or to cut taxes with is this part right here. Do my colleagues know what happened last week? Knowing of this horrendous suffocating debt that our children and grandchildren have, the majority party in the Committee on Ways and Means reported out a bill, I guess it will come to the House this week or next, that spends 87 percent of this projected surplus in terms of a tax cut.

Now, nobody is against tax cuts. Certainly not me. But I will tell my colleagues, I think this is irresponsible from two standpoints. Number one, the money is not yet here. If it does not materialize, if the economy turns south, it may never get here. So to use 87 percent of it in tax cuts today betting on what is going to happen tomorrow I think puts our financial Treasury and our financial integrity as a Nation at risk.

□ 2215

But it is worse than that, and this is why. We have a suffocating national debt. The interest that we pay every day is more than we pay for defense, it is more than we pay for education, it is more than we pay for anything save Social Security. By spending all the money now that is projected as a surplus for the next 10 years, all we are doing is shoving this note and all the interest due on every schoolchild in this country that went to school today. They do not even know Congress met today. They were in school somewhere; or, worse yet, they are not even here yet. And all we are doing is shoving down all of these notes and this debt for them to pay. I think that is wrong.

When we take 87 percent of the budget surplus that is projected and use it now to satisfy our own immediate desires for a tax cut, what is the message from this Congress to the kids of America? We took the money and ran. That is the message.

Tom Brokaw, some of my colleagues know, has written a book called ''The Greatest Generation,'' and I have received some letters from some of those folks and they say, ''John, if I must do without, so be it. I don't want you to send this suffocating debt down on the heads of my kids and grandkids. They deserve a better Nation. You are putting the country at risk, you, the Congress, if you take all of this projected surplus, do an almost $1 trillion tax cut today and do nothing about the debt.''

I think it is not only selfish and wrong, but I think it could really endanger the future of this country. Because if the world economy collapses, if there is a downturn, if there is a recession, and if interest rates go up as we have to roll these notes, what is going to happen to the interest on them? It is going to have to go up, too. And right now we are already paying almost $1 billion a day. How much more can we stand before we have to say this country is in such bad shape we can no longer pay our bills?

I think it is as serious a situation as we have faced or experienced. Because I know that a country that is bankrupt is unable to defend itself, it is unable to help its citizens, and it is unable to be a force for peace in the world.

Mr. Speaker, I want to now yield to the gentleman from Texas (Mr. TURNER), because he has some comments he would like to make regarding this projected surplus.

Mr. TURNER. Mr. Speaker, I thank the gentleman from Tennessee for yielding to me, and I appreciate very much the presentation that the gentleman has made. Each of us here tonight feel very strongly that we must, in order to be fair to our children and our grandchildren, we must take a fiscally conservative and responsible course of action with regard to the projected surplus.

Those of us here tonight, Mr. Speaker, feel that we should, instead of devoting the vast majority of the projected surplus to tax cuts, we must devote the vast majority of the projected surplus to paying down that horrendous $5.6 trillion national debt, which is taking interest every year in every annual budget to the tune of about 15 percent of all Federal spending. In fact, I am told that just to cover the interest on that national debt we spend about 25 percent of the total revenue from the Federal income tax just to pay that interest on that debt every year.

Mr. Speaker, we know that really paying the national debt down can give average working families more than any of these pie-in-the-sky tax-reduction schemes, that are mostly designed to benefit the wealthy. Because we know that paying down the debt, according to every economist we know, would result in even lower interest rates than we have today. And lower interest rates means for the American people lower house payments, lower car payments, or lower payments on those student loans they have taken out to send their children to college.

In fact, every 1 percent decrease in interest rates saves the American people between $200 and $250 billion in mortgage costs. Paying down the national debt is the smart way to help average working men and women and their families have more in their pocket.

We also know, as the gentleman from Tennessee pointed out, it is the morally correct thing to do. Why should we, now that we have good economic times, continue to jeopardize the future economic stability of this Nation and cause the preschoolers of today to be the ones that have to deal with the $5.6 trillion national debt that was accumulated over all those years, as was pointed out on the chart, that shows all those successive Democrat and Republican administrations that incurred those annual deficits that have resulted in our $5.6 trillion national debt?

There is one question I want to address here tonight that even is a more fundamental question than the issue of what should we do with this projected surplus; should we cut taxes or should we pay down the debt? Let us look at the projected surplus itself. Because if the truth be known, we may not even have a surplus over the next 10 years.

If we look at the numbers of the Congressional Budget Office projections, what we see is that they have estimated annual numbers over 10 years cumulatively totaling a $2.9 trillion surplus. That starts off in this year with a projected $120 billion surplus for fiscal year 1999. Those numbers go up steadily all the way up to the year 2009, where the projected surplus is about $413 billion. All those numbers together total the projected $2.9 surplus over 10 years.

But let us just look at the last year, 2009, that $413 billion projected surplus.

Those numbers are based on current law. Current law has in place some budget caps that we are now struggling to live within that were put in place in the Balanced Budget Act of 1997. What if we fail as a Congress to meet those budget caps? Those budget caps, in fact, will require us to reduce spending over the next 3 years by 8 percent. Can we do that? I am not sure. If we cannot do that, we know that these numbers are totally unrealistic in terms of the projected surplus.

Let us just suppose that the caps that we have in place are reached, and that discretionary spending, instead of staying within those caps and going down 8 percent over the next 3 years, ends up going up with inflation over the next decade. That would not be an unreasonable expectation; that is for government programs and costs to go up with inflation. That $413 billion surplus in the year 2009 would immediately shrink to $331 billion. And, in fact, discretionary spending could rise faster than that. Sooner or later it is likely to grow again at least as fast as the population or the real economy.

Let us leave all that aside and let us see what would happen if, for example, the projected surplus for 2009 did not only shrink to $331 billion because of inflation, but let us just say it stayed at the same level as the percentage of the gross domestic product that it stayed at for several years since 1970. We would then have only $151 billion in actual surplus in 2009.

Today's surplus projections also assume that the growth in the health benefit costs will be relatively slow over the next decade. Every one of us know that hospitals in this country are under a great deal of pressure. Some of the cuts in Medicare have put great strain on our hospitals and other health care providers, and the CBO estimate says that health care spending, Medicare spending, will rise at 4.2 percent. That is a full percentage point below its long-term average since 1970. So what happens if health care costs continue to go up, as they have since 1970 every year? This would mean that the projected surplus for the year 2009 would only be $95 billion.

Beyond those cost estimates that may be incorrect in the CBO estimate, consider productivity in our Nation, which has grown at 1.1 percent since 1973. The CBO estimates of the surplus says productivity will grow at an average of 1.8 percent over the next decade. Let us say it does not quite make 1.8. Say it is only half that. So it is somewhat closer to the 1.1 percent that we have had since 1973. That would mean that the projected surplus for the year 2009 becomes only $27 billion instead of the $413 billion that we started out with in the original estimate.

Further, what if the number of workers grows just one quarter of a percent, one quarter of a percent slower than the CBO projections estimate, due perhaps to a combination of fewer people seeking jobs and maybe fewer people finding them? In that case the deficit would grow to $102 billion.

So, Mr. Speaker, looking at only five assumptions in the CBO estimate, we can see there may not even be a surplus over the next 10 years. Fiscal conservatism requires that we recognize that the projections upon which the surplus is made by the Congressional Budget Office may not be worth the paper they are written on. We do not even have to talk about, as many people often do, whether the stock market may crash, because all the things I referred to are very minor changes in the direction of the economy that completely erases the surplus of $2.9 billion that we are using to base a major tax cut on, which could result in our children and grandchildren having an even greater national debt to pay off than they already have today.

Mr. TANNER. I want to thank the gentleman for those comments, Mr. Speaker. I come from Tennessee, in a rural area, and if I just knew what the price of cotton or soybeans or a bushel of corn is going to be next week, I would be in pretty good shape. We do not know that, yet we are talking about 10-year numbers here, which as the gentleman suggested, may or may not materialize.

Let me say one other thing before I recognize the gentleman from Texas (Mr. STENHOLM), and that is that the term personal responsibility does not just apply to people on welfare. We have a responsibility here to try as best we can to keep the financial integrity of this country in at least as good as shape as it was when we got here.

I do not believe it is financially responsible, as the gentleman from Texas (Mr. TURNER) said, to base a massive tax cut on nothing more than a projected surplus. I do not think any prudent businessperson in America would say that they think that is a financially conservative doable thing and they wish we would do it.

Mr. Speaker, I would now like to ask my friend, the gentleman from Texas (Mr. STENHOLM) to say a few words. We have also been joined by the gentleman from Minnesota (Mr. MINGE). This looks like a Blue Dog gathering down here.

Mr. STENHOLM. Mr. Speaker, I thank the gentleman from Tennessee for yielding me this time and for taking this time tonight, and I appreciate my colleagues, the gentleman from Texas (Mr. TURNER) and the gentleman from Minnesota (Mr. MINGE), joining us. The gentleman is right, this is a joining of the Blue Dogs tonight, and my colleagues who are listening will hear us talking considerably about this very ill-conceived proposal that we have facing us very soon.

I want to emphasize a few points that have not yet been made tonight. But first, last week the largest newspaper in my district had an editorial entitled ''GOP Tax Cuts Founded Upon Play Money.'' And this is one point I want to emphasize. My colleague, the gentleman from Texas (Mr. TURNER), spoke very succinctly and very matter-of-factly regarding the absolute fact that all of these numbers we are talking about are projections, and for us to base the future, really, of our country on projections is very dangerous.

And here I want to make a point, since we have mentioned the Blue Dogs tonight. One of the things that we believe in, if we are going to be critical of the other side's proposal, and we are very critical of the proposed $864 billion tax cut with play money, we feel if we are going to be critical of the other side, it is incumbent to say what are we for; what it is that we propose.

And I have been asked by many of my colleagues and friends on the other side of the aisle, ''Charlie, what would you have done? What would you do?'' And we spelled this out very clearly in our budget proposal earlier this year in which we said the conservative thing to do is to be conservative. Do not spend the money until we have it. Let us realize that if we are going to use 10- and 15-year projections, we should use them for purposes of outlining what the effects are going to be. But, for Heaven's sake, do not spend the money until we have it in our hands.

□ 2230

We suggested very strongly, let us fix Social Security and Medicare first. The primary responsibility of this Congress should have been, should be, and I hope will be, let us fix Social Security. Save Social Security. Everyone now agrees, since all the rhetoric we have been hearing around here is a lock box, we are going to save the money, we are no longer going to spend the Social Security trust fund for anything other than Social Security. We all agree to that, we thought.

But if we carefully analyze this $864 billion tax cut as proposed, we will find I believe the numbers will show that we are spending Social Security trust fund dollars in that 10-year plan. I believe those numbers are there.

I have a new set of numbers tonight that we can use, but I think it is going to be important that we use CBO numbers when they come out. And if we are going to show that if we have this $864 billion tax cut over the next 10 years, we will use Social Security trust fund dollars in payment of that tax cut.

But here is the thing that I want to emphasize tonight, and it has to do with Social Security also. And this is something that is being overlooked thus far in this whole debate. What happens in the second 10 years? Once we put a tax cut in place, it goes on and on and on. And since there are pressures in the first 10 years to do all of which the Committee on Ways and Means majority has suggested, they have interestingly done, as Congress so often does, they allow the major part of the actions of the tax cut to occur in the second 10 years.

How much? It is now estimated $2.9 trillion will not make it to the Federal

Treasury in the second 10 years, to which a lot of people and a lot of our colleagues will say, hooray, that is what we were sent here for. Send the money back home.

The only problem with that is in 2014, only about 14 years from today, that is when the baby-boomers begin to retire in earnest. That is when the pressures on the current Social Security system will build to the highest level that we have seen since Social Security was first started.

Now, let us use a little bit of what I like to call west Texas tractor seat common sense. It can be Tennessee common sense. It can be Minnesota common sense. It can be any of our 50 States common sense.

If we have a program that has been clearly defined by most of us as one of the best government programs ever created, Social Security, and what it is doing for senior citizens today, and if we believe, as I do, that we need to do the same thing for our children and grandchildren, why would we pass a tax cut in 1999 that is going to guarantee that the Congress in the year 2014 will have a very difficult if not impossible hurdle to meet? Why would anyone suggest moving revenue of $2.9 trillion at exactly the same time that Social Security is going to have a need for those moneys in order to pay the promises off to those young men and women, all working men and women, who are working and paying in today, why would anyone have the gall to come to the floor of the House and suggest this is good policy, good economics, good anything?

But that is what we have been allowed to believe thus far by the rhetoric thus far. But we hope that with actions and discussions like tonight and the debate on the bill when it gets here and other discussions about this proposed tax cut, as much as I would like to see it, too, the gentleman from Tennessee (Mr. TANNER) said a moment ago he is for it, we are all for it, that is not the question.

The question is what is the fiscally responsible thing for this Congress to do? And again, I come back to this very simple statement to my colleagues that are asking what would we do. What I wished we would have done this year, I wish the Committee on Ways and Means would have spent the last four or five months debating a Social Security plan, a solvency plan, a proposal that would put Social Security on solid ground.

We have many out there, the gentleman from Arizona (Mr. KOLBE) on the other side of the aisle and I, joined by about nine cosponsors, now a partisan group, the gentleman from Michigan (Mr. SMITH), another Republican, has come up with some ideas. The gentleman from South Carolina (Mr. SANFORD), another Republican, has come up with some ideas. We have various bipartisan suggestions.

Why did not the Committee on Ways and Means deal with Social Security first? That is what the Blue Dogs suggested. Take care of Social Security first. Then let us deal with Medicare, as the gentleman from Texas (Mr. TURNER) mentioned a moment ago.

Most of us who represent rural districts are hearing from our hospitals saying, if you do not make some changes in the Balanced Budget Agreement of 1997, if you do not make some changes, we are going to be forced to close our doors.

Now, we heard an excellent presentation by the gentleman from Iowa (Mr. GANSKE) in the previous special order just before us today in talking about some of the problems associated with health care a moment ago. But there is another problem with health care that is very prevalent in rural America and that is whether we are going to have health care available. If we do not address the very real priority of medical spending, Medicare and Medicaid, and do it in a responsible, conservative way but do it in a way in which we allow our hospitals to stay open, for many of our rural communities there will be no money, there will be no hospitals. And that is not just crying wolf. That is something that is a very, very real fact.

There is one other area, then I will yield back and allow the gentleman from Minnesota (Mr. MINGE) to join us tonight. But we talk about we do not send the money back to those that paid it, we are going to spend it. One of the things that gets overlooked by this is the very real fact of who owes this debt? The American people.

Who is paying the interest, the $300-plus billion that the gentleman from Tennessee (Mr. TANNER) showed on his chart a while ago? Who is paying that? We are paying it.

It is consuming an increasing amount of the percentage of income tax that we pay. We forget that when we pay down debt, as the Blue Dogs have suggested, when we pay down debt we reduce the amount that we have to pay on interest.

One of the very real choices we are going to have to make very soon deals with military spending, defense spending of this country. And if we did as the current game plan, if we spend 87 percent of the projected available surplus for the next 10 years, there will be no money there for defense. Immediately folks will say that I am wrong about that, we propose to follow the President's suggestions on defense and, therefore, we will meet those numbers. Fine, I will concede that we will do that.

That means that we are going to have to cut 31 percent out of every other function of the budget, 31 percent out of veterans' programs, 31 percent out of agriculture, 31 percent out of education in order to meet the budget goal that has been set by the majority, who are saying that we can afford this $864 billion tax cut.

My colleagues, we cannot do this. I appreciate the fact that many of you are agreeing with us today privately. But we hope that we will find a way. And to those that are asking what is that way, the Blue Dogs set it out. Let us take any projected surplus and let us be conservative with it, whatever it is, you pick the number and let us wait until they are real.

First off, 100 percent of all Social Security surpluses go to pay down the debt. Then half of any non-Social Security surplus, pay down the debt with that also. And then the remaining, let us meet the priorities of this Nation, military, agriculture, health care, education, and veterans. And then let us deal with tax cuts targeted towards keeping this longest peacetime economy that we have seen in the history of our country.

That is a pretty good plan. We hope our colleagues will be joining us.

I yield back now to the gentleman and look forward to participating in a moment.

Mr. TANNER. Mr. Speaker, I would just say this. Both of my colleagues all have done an excellent job talking about this problem. But it does not take a lot of sense. We talk here in Congress and our eyes glaze over with all these projections and numbers. If we have a trillion-dollar projected surplus, we cannot take 87 percent of it and cut taxes today and then meet the needs of defense, education, health care, veterans and so on. We cannot do that.

People know that. I think the American people are way ahead of us quite frankly. If anybody believes they can save Social Security, that we can do all the things we need to do with the military and veterans and education and health care, then there is a bridge in Brooklyn that is going to be sold pretty quick. They know better. They know we cannot have it all.

And so, I hope that without regard to the numbers that make us glaze over, people know that we cannot have it both ways.

So I would like to call on the gentleman from Minnesota (Mr. MINGE) who helps the Blue Dogs with our budget, and he is going to talk a little bit I think about the budget priorities that the gentleman from Texas (Mr. STENHOLM) mentioned.

Mr. MINGE. Mr. Speaker, I appreciate the opportunity to address the body this evening.

We really face a situation here in the United States at the end of the decade that is intoxicating. We face the situation where we have balanced or are close to having balanced the budget after decades of deficit spending. It is historic. It is dramatic. It is exciting. Everybody is seeking credit.

Those of us in Congress are often boastful, we have a balanced budget. At the other end of Pennsylvania Avenue, the White House is talking about having balanced the budget. Talk of surplus rolls from the lips of all of us. But really we have not yet balanced the budget.

We are hopeful that in fiscal year 1999 there may be a surplus if we disregard what we are making on the Social Security trust fund. But the fact of the matter is in 1999 we are already appropriating funds for so-called emergencies; and if I not correct, these emergency spending measures are eating up any possible surplus that we might have had in fiscal year 1999.

Mr. TANNER. Money is money. It does not matter where it comes from. If it goes, it goes. My colleague is right.

Mr. MINGE. So 1999 there is no surplus. And we can talk about it, but really what we are doing is relying upon the Social Security trust fund. The baby-boom generation is at its peak earning years paying into the Social Security trust fund at a very fast clip. And the trust fund is not yet paying out on the benefits to that baby-boom generation. So that is why we are accumulating some additional money.

There is always this temptation to roll the Social Security trust fund into the rest of the budget and look at this temporary surplus that is being accumulated in Social Security as it ought to be accumulated but then act like this is a surplus in Federal operations overall.

But the sad fact is we have been borrowing this money from the Social Security trust fund. The Social Security trust fund has been forced to invest it in U.S. Government bonds, and then we are spending that money that we borrow from Social Security for current consumption. We are not putting it away as a long-term investment.

So I think one thing we have to be very clear on at the very outset is that in 1999 there is no surplus; and chances are in Fiscal Year 2000 there will not be a surplus either because we face the prospect of yet more so-called emergency spending for Kosovo, for agriculture, farm crises, and other matters and that is going to eat up the hope for surplus in fiscal 2000 if we put that Social Security trust fund to one side.

So I think that first it is very important that all of us here in Congress and the folks in the administration be straight with the American people.

One thing that troubles me about this is that I notice the news media is critical of those of us in Congress when we talk about surpluses and we disregard Social Security but then the news media proceeds to report news from the White House or news from the leadership here in Congress and not point out that often the talk of a surplus disregards what we are doing with Social Security.

□ 2245

So let us make sure that we put the Social Security business to one side.

Just to give all of us an idea of the magnitude of this and I think that the gentleman from Texas (Mr. TURNER) and the gentleman from Texas (Mr. STENHOLM) have alluded to this, but I would like to repeat it. If you are looking at the next 5 years, which is all that those of us in the Blue Dog Coalition have tried to do, just look out the next 5 years, we would have about a $1 trillion surplus if we were rolling Social Security in. But if you back Social Security out, even under the most optimistic projections as to surplus, we would have around a $250 billion surplus in that 5-year period once we have disregarded Social Security.

Now, the other thing I would like to emphasize with respect to this so-called claim of a surplus is that the intoxicating effect of the surplus is sort of overwhelming in the political process, that we are all trying to find ways to both take credit for it and then to somehow lavish benefits, supposed benefits on various constituencies in this country with that surplus before we have realized it.

So here we sit in 1999 and we are talking about surpluses that hopefully will occur in 2001, 2003, 2004 and on over the next 15 years. What we would like to do here in 1999 is commit Congress, commit the Federal Government, commit the American people to programs 5, 10, 15, even 30 years down the road, as the gentleman from Texas (Mr. STENHOLM) emphasized, before we really have the surplus.

What it reminds me of, we all talk about going on a diet. Everybody, even those that are quite thin and trim talk about going on diets, but here what we have is a situation where we have sort of fattened ourselves at the trough with Federal money for all sorts of things, and many of them very good programs. We are not talking about the money has been spent on things that are necessarily inappropriate. There are constituencies that ask for all these programs, but we have spent money on these programs, and we are overweight. We are trying to do something about it. So we are going to go on a diet. Now we see that we are shedding these excess pounds so that in the future, 5 years, 10 years, 15 years down the road, we are going to be shedding these excess pounds, so what we want to do is start eating again before we have even shed the weight. We are looking at shedding the weight 5, 10, 15 years down the road but we want to start eating those rich chocolate and ice cream desserts right now.

Mr. TANNER. What I think we have done is we have taken the Nation's credit card and we have maxed it out. Now all we can do are make the interest payments, and we are going to leave to our children, son or daughter, ''I'm going to give you a credit card. What I'm telling you though, is, it's going to take everything you're making just to pay the interest on what I have already consumed. The suit I've bought and put on the credit card is worn out. The meal that I had at one of these fancy restaurants is eaten, it's gone.'' And so we have maxed out, instead of taking the money that we see maybe as a surplus now and doing what I think is a pretty good thing, that is paying what you owe, where I come from, where you come from, that is considered poor form really if you come into money and you owe a fellow and you do not pay him. We owe our kids and grandkids. Instead of spending it now, I think we ought to pay them.

Mr. MINGE. Another thing about this, we are all looking for political advantage out here in Washington. All the Republicans would like to say, ''We've delivered tax cuts,'' or we did this or we did that. Democrats like to claim that we did this or that. The White House likes to make claims. If we can take this surplus being hopefully accrued in the future and say we are doing things with that surplus by making decisions now when the surplus is not even in hand yet, we are building points supposedly with the American public. But I do not think those are points that we are entitled to earn. We ought to be, if you are looking at your credit card situation or I was talking in terms of food, I guess it depends on what you need more at the time, a good meal or need to go out and do some binge spending, what we ought to be doing is eating our vegetables here. We have got a few more years here where we ought to be eating the vegetables and we should not be talking about that rich dessert. Or as I know the gentleman from Texas (Mr. STENHOLM) has said many times, the sun is shining now, now is the time to fix the roof, to fix the leak. What sense does it make to sort of languish there and try to get a suntan instead of doing the work of fixing the roof when the sun is shining?

What I would like to emphasize is that in this setting, we have come up with a proposal which is really very simple, or humble in the Blue Dog group, and the proposal is reflected by this chart. I would just point out quickly, we would take 100 percent of the Social Security surplus and devote it to Social Security. The surplus over and above what is accumulating in Social Security we would split three ways: 50 percent to pay down on the debt, reduce that credit card bill as you are talking about; 25 percent to invest in priority programs, and everybody has their list of priorities but this is an example of some things that many folks around the country recognize as priorities; and 25 percent and have certain targeted tax reductions. So it is a simple formula, it is a simple approach and by showing this level of fiscal responsibility, the economists who have looked at the American economy and who have studied the impact of fiscal restraint on interest rates and other things have said, we will have a dividend of $165 billion in interest savings to the Federal Government over the next 5 years if we show this type of fiscal restraint. That is, it will cost us that much less, we will save that much in interest on the Federal debt which is sort of an interest dividend.

Mr. STENHOLM. That is a point that I think needs to be reemphasized. If

you took the $864 billion and applied it to the debt instead of a tax cut, we would reduce the interest cost over the next 10 years by $155, $165 billion. But more importantly, this bill, in the second 10 years, that amount of money is $1.5 trillion that future generations are going to have to pay in interest in the next 20 years, and I hope we are still there part of that. But this is what is being overlooked by this frenzy among some to say that the only way we can save this money is to send it back to the people that paid it, forgetting that if we do not deal with the debt, we are going to continue to have to pay interest.

A moment ago, the gentleman from Texas (Mr. TURNER) made the observation, and it is a correct one, each one percentage point of interest cost the American people between $200 and $250 billion in increased mortgage cost, automobile cost, TV cost, daily living expenses. It is a built-in expense. Therefore, we feel that the most conservative thing we can do and the best tax cut we can give the American people, the absolute best tax cut, would be to keep interest rates where they are or lower. Remember what the Federal Reserve did a couple of weeks ago, they increased interest rates a quarter of a point. That cost, according to these numbers, about $60 billion, is what consumers are going to have to pay. Look at what that would have meant if that interest had not gone up. Why did the Federal Reserve choose to raise interest rates? They were afraid the economy was overheating.

Why do we have a tax cut, particularly the largest tax cut in modern history? To stimulate the economy. If we stimulate the economy, what might the Federal Reserve do? Increase the interest rates. Who is going to be the winner? It is not going to be the American people.

Mr. MINGE. It comes back to the Federal budget again, because the Federal Government is the largest single borrower in the U.S. economy. It costs the Federal Government money when interest rates go up just like it costs the homeowner and the business that has to go out and borrow. So that we are not doing any of us a favor when we set in motion the chain of events that provides the Fed with incentive to raise interest rates.

Mr. TURNER. I think it is interesting to note what the Federal Reserve Board Chairman Alan Greenspan said when he testified before the Committee on Ways and Means that the gentleman from Tennessee (Mr. TANNER) serves on. He was addressing the subject of reducing the debt. He said it is much better to use the surplus for debt reduction than tax cuts, and he said it this way and I am quoting him. He said, ''The advantages that I perceive that would accrue to this economy from a significant decline in the outstanding debt to the public and its virtuous cycle on the total budget process is a value which I think far exceeds anything else we could do with the money.''

I think that this debate that we are having this week in the Congress has redefined the party of fiscal conservatism, because just as the gentleman said a minute ago, all of these projections of the surplus that our friends in the other party want to base a huge blockbuster tax cut on are merely projections. What would be the conservative approach to take if it was at your house or mine? To do what is being proposed with this major tax cut that takes up 87 percent of the projected surplus is like a fellow sitting at his kitchen table with his wife and they are talking over their budget situation and somebody walks in and sits down over the kitchen table with them and says, ''Oh, by the way, you're going to get raises over the next 15 years and every year, we know you're going to be making more money.''

He says, ''Well, I guess I will. That sounds pretty good. I believe I'll buy me a new boat right now, I believe I'll go out and buy some new camping gear and I believe I'll go out and see if I can't find us a new house right now.''

Right then he would be making the wrong decision. He would be spending money that he does not even have, because somebody told him they think he is going to get a raise every year for the next 10 years. This is the same thing that has happened in this Congress. We do not need to be the Congress of fiscal irresponsibility. We do not need to be the Congress that took away the chance that we have today to pay down a $5.6 trillion national debt. We do not need to be the Congress that passes on that debt to our children and our grandchildren. We need to be the party of fiscal conservatism, the Congress of fiscal conservatism.

I am glad to know that as a member of the Blue Dog Democrat Coalition, we are standing up this week in this Congress for fiscal conservatism and for the children and grandchildren that we want to have a prosperous economy in the years ahead.

Mr. MINGE. I would like to emphasize another dimension, and, that is, folks in this country who have the most modest income are the ones that are hurt the most by higher interest rates. It is those folks who have accumulated some savings that will benefit from the high interest rates, at least theoretically, but it is the modest wage earner that is going to get hit. I think one point that is very important to make is that keeping interest rates low benefits those who are doing that borrowing or have debts, and also having a strong economy like this does a great deal to provide jobs and opportunity for the low-income people in America. We reduce the unemployment rate, low-income folks in our country are participating in our economy at a rate that they have not for many, many years, many decades and so trying to maintain what we have and not being irresponsible about it I think is one of the most effective ways to try to address the needs of modest income Americans.

Mr. TANNER. We did some calculations in the committee and if we could keep the United States Government out of the credit markets, keep the government from borrowing money, operate on an even keel, it is estimated that that would mean a two point difference on mortgage rates. Now, on a $115,000 home with a mortgage, that translates directly into the pockets of those homeowners almost $2,000, a little over $1,900 a year that is money that they are not paying on their mortgage, they are getting to keep. Not only that, it makes housing more affordable, it makes automobiles more affordable. What does all that do? It keeps the economy going. And so if we could keep the government from borrowing money, and let me say this while we are talking tonight. I think it is incumbent upon us to tell the people of this country that we want to pay the debt that we all collectively owe, that we have all consumed, we did not spend it, I was not here in the 1980s but we benefited from the increased consumption in some way and did not pay for it. If we could just say to them, we want to pay what we owe, we want to pay your children and mine and our grandchildren, but we are going to also tell you we are not going to engage in a lot of new, unnecessary spending, the Blue Dogs make that promise as well, because that would not do anyone any good.

So for those who say, ''Well, we cannot keep it here, it has got to be spent,'' I know of no compelling force to spend money around here. You have to vote to spend it the last time I looked. You have a voting card and you vote to spend it. Well, it goes both ways. And so we want to keep the money here and pay it on the debt, not spend it. I think that would be a message that all of us could embrace here tonight.

Mr. STENHOLM. If the gentleman will yield for one other point.

□ 2300

As my colleagues know, a 1 percent increase in interest rates, according to my arithmetic, costs the taxpayers $56 billion, 1 percent on a $5.6 trillion debt that we have to pay interest on. That quarter of a point costs us a little over $14 billion, the quarter of a point. Look how difficult it is for us to find $14 billion of spending cuts which went away just like that when interest rates went up.

Therefore, the whole message of the Blue Dogs tonight and earlier this year and will for the remainder of this year in this Congress is the fiscally-responsible, conservative thing for us to do is to pay down the national debt while we have the opportunity to do so and use this opportunity to fix Social Security for our children and grandchildren. You cannot do it both ways.

If you take 87 percent of the projected surpluses and spend them today

in a program that literally explodes in the second 10 years, it will make it fiscally impossible to meet the social security needs. It is one of the most irresponsible fiscal actions.

In fact, I have termed this. I have been here now 20 years, going on 21. This bill is the most fiscally irresponsible bill to come before the Congress in the 20½ years that I have been here, and I hope we will be able to turn that around, and I thank the gentleman.

Mr. TANNER. I called it a generational mugging in the committee the other day, and I believe that is what it is. I believe it is a generational mugging that we are taking money now and, as I said earlier, taking the money and running instead of paying what we owe on behalf of our kids and grandkids.

Mr. MINGE. Mr. Speaker, if my colleague will yield for another moment, finally I have a graph over here, a graphic display of what the Blue Dog budget is like, if you just think about the bones and the rewards that all of our dogs at home, they always like to have, and just take that bone. That is not a phony bone. We are talking about using half of a surplus that we hope will accrue to reduce the debt. That has its rewards throughout the economy, as we have said. We are talking about 25 percent for tax reductions.

All of us would like to have tax reductions. It goes without saying. It is a bipartisan goal. But the question is: How do we do it responsibly? And let us allocate a responsible amount to tax reduction and not have, let us say, the White House and the congressional leadership get in some sort of bidding war over spending and tax cuts. That is terribly destructive. That eats into the debt reduction.

And finally, we have all acknowledged that we have program priorities, and I agree with you. I have heard from the hospitals in rural Minnesota and in the metropolitan areas in Minnesota of the dramatic effect that the Balanced Budget Act of 1997 on health care and what this is doing to our institutions; and probably what is most dramatic and what is the saddest is what I see is happening with home health care and with nursing homes.

As my colleagues know, we have loyal, dedicated, hard-working nursing home employees in our country that could earn more by going to fast-food restaurants. But they are committed to working with seniors who are in nursing homes, and I think that it is just we ought to be ashamed at what is happening in nursing homes in our country and the wages that people that work there, and if we say that we cannot do anything to make sure that we can keep the doors open in those facilities and continue to provide home health care so that seniors can live at home as long as possible; and, instead, we are going to, whether it is launching into a new program or initiating tax cuts that we cannot afford. I think that is irresponsible.

Mr. Speaker, I would like to thank my colleague from Tennessee (Mr. TANNER) for contacting us and urging that we get together this evening to discuss this very important issue.

Mr. TURNER. Mr. Speaker, if the gentleman would yield, most of us who are members of the fiscally conservative Blue Dog coalition support tax cuts, but I was just discussing with my friend from Texas (Mr. STENHOLM) the tax cut bill that was on the floor of the House just a year ago, a tax cut that I voted for. In fact, I have voted for each of the two tax cut measures that have been before this Congress since I have been a Member.

Last year's tax cut bill was in the neighborhood of $150 billion over 10 years. It was an $80 billion over 5-year tax cut. That bill passed the House by a small margin, died in the Senate, never became law.

Here we are a year later, almost less than a year later, voting on a tax cut 5½ times as large as the one this House voted on less than a year ago.

Now you cannot tell me that the budget forecasts and the surplus estimates have changed that much in 1 year. Common sense would tell us that what we are talking about in this tax cut is fiscally irresponsible, and I want to thank the gentleman from Tennessee (Mr. TANNER) for bringing this issue before the floor tonight and for his leadership as a member of the Committee on Ways and Means.

Mr. TANNER. Mr. Speaker, I thank my colleagues very much, and I want to thank you all for coming, and I want to thank the folks here for staying around and listening to us, and I think maybe we might ought to do this again sometime with some more charts, not to glaze people's eyes over, but just to tell them we believe that we ought to pay our debts first and then have a responsible tax cut as well as bolster our military, our health care system, our education system through what we said we would do for our veterans and for our agricultural sector that is in real trouble.

Mr. Speaker, with that I want to thank my colleagues.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. THURMAN of Florida (at the request of Mr. GEPHARDT) for today on account of family illness.

Mr. TOOMEY of Pennsylvania (at the request of Mr. ARMEY) for today on account of family illness.

Mr. PETERSON of Pennsylvania (at the request of Mr. ARMEY) for today on account of medical reasons.

Mrs. FOWLER of Florida (at the request of Mr. ARMEY) for today on account of medical reasons.

Mr. TAUZIN of Louisiana (at the request of Mr. ARMEY) for today on account of personal reasons.

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. PALLONE) to revise and extend their remarks and include extraneous material:)

Mr. HASTINGS of Florida, for 5 minutes, today.

Mr. UNDERWOOD, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Mr. LAMPSON, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

(The following Members (at the request of Mr. CALVERT) to revise and extend their remarks and include extraneous material:)

Mr. MORAN of Kansas, for 5 minutes, July 20.

Mr. METCALF, for 5 minutes, today.

Mr. ROHRABACHER, for 5 minutes, today.

Mr. BEREUTER, for 5 minutes, today.

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. 2035. An act to correct errors in the authorizations of certain programs administered by the National Highway Traffic Safety Administration.

ADJOURNMENT

Mr. STENHOLM. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to. Accordingly (at 11 o'clock and 6 minutes p.m.), under its previous order, the House adjourned until tomorrow, July 20, 1999, at 9 a.m., for morning hour debates.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports and amended reports concerning the foreign currencies and U.S. dollars utilized for official foreign travel during the first quarter of 1999 by Committees of the House of Representatives, as well as a consolidated report of foreign currencies and U.S. dollars utilized for speaker-authorized official travel during the second quarter of 1999, pursuant to Public Law 95–384, and for miscellaneous groups in connection with official foreign travel during the calendar year 1999 are as follows:

AMENDED REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON WAYS AND MEANS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1, AND MAR. 31, 1999

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Bill Archer	1/9	1/13	Chile						4,516.55		4,516.55
	1/13	1/16	Brazil						3,749.00		3,749.00
Committee total									8,265.55		8,265.55

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

BILL ARCHER, Chairman, June 21, 1999.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO WARSAW, POLAND, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN MAY 27, AND JUNE 1, 1999

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Doug Bereuter	5/28	6/1	Poland		1,385.00						1,385.00
Hon. Tom Bliley	5/28	6/1	Poland		1,385.00						1,385.00
Hon. Herb Bateman	5/28	6/1	Poland		1,385.00						1,385.00
Hon. Sherwood Boehlert	5/28	6/1	Poland		1,385.00						1,385.00
Hon. Ralph Regula	5/28	6/1	Poland		1,385.00						1,385.00
Hon. Marge Roukema	5/28	6/1	Poland		1,385.00						1,385.00
Hon. Porter Goss	5/28	6/1	Poland		1,385.00						1,385.00
Hon. Floyd Spence	5/28	6/1	Poland		1,385.00						1,385.00
Hon. Joel Hefley	5/28	6/1	Poland		1,385.00						1,385.00
Hon. Vernon Ehlers	5/28	6/1	Poland		1,385.00						1,385.00
Hon. Scott McInnis	5/28	6/1	Poland		1,385.00						1,385.00
Hon. Roy Blunt	5/28	6/1	Poland		1,385.00						1,385.00
Hon. Robert Borski	5/28	6/1	Poland		1,385.00						1,385.00
Hon. Owen Pickett	5/28	6/1	Poland		1,385.00						1,385.00
Hon. John Tanner	5/28	6/1	Poland		1,385.00						1,385.00
Hon. Nick Lampson	5/28	6/1	Poland		1,385.00						1,385.00
Susan Olson	5/27	6/1	Poland		1,440.00						1,440.00
Jo Weber	5/27	6/1	Poland		1,440.00						1,440.00
John Herzberg	5/28	6/1	Poland		1,385.00						1,385.00
Jason Gross	5/28	6/1	Poland		1,235.00						1,235.00
Evan Field	5/28	6/1	Poland		1,385.00						1,385.00
Robin Evans	5/28	6/1	Poland		1,385.00						1,385.00
Linda Pedigo	5/28	6/1	Poland		1,385.00						1,385.00
David Goldston	5/28	6/1	Poland		1,385.00						1,385.00
Ron Lasch	5/28	6/1	Poland		1,385.00						1,385.00
Committee total					34,585.00						34,585.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

DOUG BEREUTER, Chairman, June 29, 1999.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO UNITED KINGDOM AND IRELAND, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN MAY 27, AND JUNE 2, 1999

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Amory Houghton, Jr	5/28	5/30	United Kingdom	50.62	81.00		(3)	NA		50.62	81.00
	5/30	5/31	Ireland				(3)	NA			
	5/31	6/2	United Kingdom				(3)	NA			
Hon. Ben Cardin	5/28	5/30	United Kingdom	50.62	81.00		(3)	NA		50.62	81.00
	5/30	5/31	Ireland	IP172.17	229.00		(3)	NA		IP172.17	229.00
	5/31	6/2	United Kingdom	456.25	730.00		(3)	NA		456.25	730.00
Hon. Michael McNulty	5/28	5/30	United Kingdom	50.62	81.00		(3)	NA		50.62	81.00
	5/30	5/31	Ireland	IP172.17	229.00		(3)	NA		IP172.17	229.00
	5/31	6/2	United Kingdom	456.25	730.00		(3)	NA		456.25	730.00
Hon. Collin Peterson	5/28	5/30	United Kingdom	50.62	81.00		(3)	NA		50.62	81.00
	5/30	5/31	Ireland	IP172.17	229.00		(3)	NA		IP172.17	229.00
	5/31	6/2	United Kingdom	456.25	730.00		(3)	NA		456.25	730.00
Hon. Jim Greenwood	5/28	5/30	United Kingdom	50.62	81.00		(3)	NA		50.62	81.00
	5/30	5/31	Ireland	IP172.17	229.00		(3)	NA		IP172.17	229.00
	5/31	6/2	United Kingdom	456.25	730.00		(3)	NA		456.25	730.00
Hon. Alcee Hastings	5/28	5/30	United Kingdom	50.62	81.00		(3)	NA		50.62	81.00
	5/30	5/31	Ireland	IP172.17	229.00		(3)	NA		IP172.17	229.00
	5/31	6/2	United Kingdom	456.25	730.00		(3)	NA		456.25	730.00
Hon. Eddie B. Johnson	5/28	5/30	United Kingdom	50.62	81.00		(3)	NA		50.62	81.00
	5/30	5/31	Ireland	IP172.17	229.00		(3)	NA		IP172.17	229.00
	5/31	6/2	United Kingdom	456.25	730.00		(3)	NA		456.25	730.00
Hon. Julia Carson	5/28	5/30	United Kingdom	50.62	81.00		(3)	NA		50.62	81.00
	5/30	5/31	Ireland	IP172.17	229.00		(3)	NA		IP172.17	229.00
	5/31	6/2	United Kingdom	456.25	730.00		(3)	NA		456.25	730.00
Hon. Jan Schakowsky	5/28	5/30	United Kingdom	50.62	81.00		(3)	NA		50.62	81.00
	5/30	5/31	Ireland	IP172.17	229.00		(3)	NA		IP172.17	229.00
	5/31	6/2	United Kingdom	456.25	730.00		(3)	NA		456.25	730.00
Rev. Dr. James Ford	5/28	5/30	United Kingdom	50.62	81.00		(3)	NA		50.62	81.00
	5/30	5/31	Ireland	IP172.17	229.00		(3)	NA		IP172.17	229.00
	5/31	6/2	United Kingdom	456.25	730.00		(3)	NA		456.25	730.00
Mr. Robert Van Wicklin	5/28	5/30	United Kingdom	50.62	81.00		(3)	NA		50.62	81.00
	5/30	5/31	Ireland	IP172.17	229.00		(3)	NA		IP172.17	229.00
	5/31	6/2	United Kingdom	456.25	730.00		(3)	NA		456.25	730.00
Ms. Karen Donfried	5/28	5/30	United Kingdom	50.62	81.00		(3)	NA		50.62	81.00
	5/30	5/31	Ireland	IP172.00	229.00		(3)	NA		IP172.17	229.00
	5/31	6/2	United Kingdom	456.25	730.00		(3)	NA		456.25	730.00
Mr. Chris Scheve	5/28	5/30	United Kingdom	50.62	81.00		(3)	NA		50.62	81.00
	5/30	5/31	Ireland	IP172.17	229.00		(3)	NA		IP172.17	229.00
	5/31	6/2	United Kingdom	456.25	730.00		(3)	NA		456.25	730.00
Committee total					12,561.00						12,561.00

[1] Per diem constitutes lodging and meals.

[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

AMORY HOUGHTON, Chairman, June 17, 1999.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMISSION ON SECURITY AND COOPERATION IN EUROPE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1, AND JUNE 30, 1999

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Mr. Chadwick R. Gore		5/25	United States				5,297.32				5,297.32
	5/26	6/1	Armenia		972.00						972.00
Mr. Robert Hand		4/25	United States				1,891.02				1,891.02
	4/26	4/30	Poland		940.00						940.00
Ms. Janice Helwig		4/21	United States				3,717.68				3,717.68
	4/22	6/30	Austria		12,607.73						12,607.73
		5/5	Austria				4,597.00				4,597.00
	5/5	5/8	Kyrgyzstan		408.00						408.00
	5/8	5/12	Kazakstan		1,044.00						1,044.00
	5/12	5/17	Uzbekistan		1,354.25						1,354.25
	5/17	5/18	Turkmenistan		191.00						191.00
Ms. Marlene Kaufmann		4/21	United States				4,488.01				4,488.01
	4/22	4/24	Denmark		618.25						618.25
		5/24	United States				5,709.85				5,709.85
	5/25	5/28	Czech Republic		700.00						700.00
Mr. Michael Koby		3/1	United States				4,807.79				4,807.79
	3/2	3/6	Germany		850.00						850.00
Ms. Karen Lord		3/19	United States				2,955.72				2,955.72
	3/20	3/25	Austria		895.00						895.00
	3/25	3/28	Belgium		928.00						928.00
	3/29	3/31	Germany		408.00						408.00
	3/31	4/7	France		1,278.00						1,278.00
Mr. Michael Ochs		4/25	United States				4,746.69				4,746.69
	4/26	5/2	Poland		1,190.00						1,190.00
		5/25	United States				4,180.36				4,180.36
			Armenia		924.00						924.00
			Georgia		2,004.00						2,004.00
			Azerbaijan		1,268.00						1,268.00
			Turkey		211.00						211.00
Ms. Erika Schlager		6/8	United States				4,447.13				4,447.13
	6/9	6/13	Romania		412.50						412.50
	6/13	6/18	Austria		865.00						865.00
Ms Dorothy Douglas Taft		4/27	United States				1,157.69				1,157.69
	4/28	5/5	Romania		562.50						562.50
Ms Maureen Walsh		4/26	United States				3,577.02				3,577.02
	4/27	5/5	Romania		322.84						322.84
		6/12	United States				4,309.13				4,309.13
	6/13	6/18	Austria		764.51						764.51
Committee total					31,718.58		55,882.41				87,600.99

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

CHRIS SMITH, Chairman, June 30, 1999.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

3092. A letter from the Manager, Federal Crop Insurance Corporation, Department of Agriculture, transmitting the Department's final rule—Common Crop Insurance Regulations; Onion Crop Insurance Provisions—received June 30, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3093. 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, Monterey Bay Unified Air Pollution Control District [CA079–149; FRL–6363–2] received June 15, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3094. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Technical Amendments to Approval and Promulgation of Implementation Plans: Oregon, Correction of Effective Date under CRA [FRL–6363–6] received June 15, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3095. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Final Determination to Extend Deadline for Promulgation of Action on Section 126 Petitions [FRL–6363–5] received June 15, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3096. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting the Commission's final rule—Electronic Service of Documents—received June 8, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3097. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting the Commission's final rule—Revisions of Existing Regulations Governing the Filing of Applications for the Construction and Operation of Facilities to Provide Service or to Abandon Facilities or Service under Section 7 of the Natural Gas Act—Docket No. RM98–9–000—received June 8, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3098. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting the Commission's final rule—Open Access Same-Time Information System (OASIS), Final Rule on OASIS Issues (RM98–3–000, Order No. 605) received June 8, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3099. A letter from the Administrator, National Aeronautics and Space Administration, transmitting the Administration's report entitled ''Annual Report to Congress—Progress on Superfund Implementation in Fiscal Year 1998,'' pursuant to 45 U.S.C. 9651; to the Committee on Commerce.

3100. 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. 99–24), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

3101. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of major defense equipment sold commercially under a contract to Egypt [Transmittal No. DTC 64–99], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3102. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Portugal [Transmittal No. DTC 16–99], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

3103. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for defense articles and defense services to Japan [Transmittal No. DTC 56–99], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3104. A communication from the President of the United States, transmitting a supplemental report to ensure that the Congress is kept fully informed on continued U.S. contributions in support of peacekeeping efforts in the former Yugoslavia; (H. Doc. No. 106–100); to the Committee on International Relations and ordered to be printed.

3105. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report concerning efforts made by the United Nations and the Specialized Agencies to employ an adequate number of Americans during 1998; to the Committee on International Relations.

3106. A letter from the Secretary of Education, transmitting the 38th Semiannual

Report of the Inspector General for the six-month period ending March 31, 1999, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

3107. A letter from the Administrator, General Services Administration, transmitting a semiannual report on Office of Inspector General auditing activity, together with a report providing management's perspective on the implementation status of audit recommendations, pursuant to Public Law 100–504, section 104(a) (102 Stat. 2525); to the Committee on Government Reform.

3108. A letter from the Chairman, National Endowment for the Arts, transmitting the Semiannual Report of the Inspector General and the Chairman's Semiannual Report on Final Action for the National Endowment for the Arts for the period of October 1, 1998 through March 31, 1999, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

3109. A letter from the Chairman, Securities and Exchange Commission, transmitting the Inspector General's Semiannual Report and the management response of the Securities and Exchange Commission, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

3110. A letter from the Secretary of Commerce, transmitting a report on the activities and progress made in protecting and restoring the living resources and habitat of the Chesapeake Bay; to the Committee on Resources.

3111. A letter from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting a report by the Attorney General regarding the results of a survey of the States to determine the extent to which prisoners have access to interactive computer services; to the Committee on the Judiciary.

3112. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—Veterans Education: Increase in Educational Assistance Rates (RIN: 2900–AJ37) received June 14, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

3113. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Qualified Zone Academy BONDS; Obligation of States and Political Subdivisions [TD 8826] (RIN: 1545–AX23) received June 30, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3114. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Qualified Zone Academy BOND Credit Rate [Notice 99–35] received June 30, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3115. A letter from the Deputy Executive Secretary to the Department, Health Care Financing Administration, Department of Health and Human Services, transmitting the Department's final rule—Medicare and Medicaid Programs; Hospital Conditions of Participation: Patients' Rights [HCFA–3018–IFC] (RIN: 0938–AJ56) received June 30, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GILMAN: Committee on International Relations. H.R. 850. A bill to amend title 18, United States Code, to affirm the rights of United States persons to use and sell encryption and to relax export controls on encryption; with an amendment (Rept. 106–117 Pt. 3). Ordered to be printed.

Mr. COMBEST: Committee on Agriculture. 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; with an amendment (Rept. 106–239). Referred to the Committee of the Whole House on the State of the Union.

Ms. PRYCE of Ohio: Committee on Rules. House Resolution 253. Resolution providing for consideration of the bill (H.R. 1995) to amend the Elementary and Secondary Education Act of 1965 to empower teachers, improve student achievement through high-quality professional development for teachers, reauthorize the Reading Excellent Act, and for other purposes (Rept. 106–240). 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. GILMAN (for himself, Mrs. KELLY, and Mr. FILNER):

H.R. 2548. A bill to suspend further implementation of the Department of Defense anthrax vaccination program until the vaccine is determined to be safe and effective and to provide for a study by the National Institutes of Health of that vaccine; to the Committee on Armed Services, 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 Mr. GREENWOOD:

H.R. 2549. A bill to provide that the United States District Court for the Eastern District of Pennsylvania be held at Doylestown, Pennsylvania, in addition to those other places currently provided by law; to the Committee on the Judiciary.

By Mr. DELAY:

H.R. 2550. A bill to compensate owners of private property for the effect of certain regulatory restrictions; to the Committee on the Judiciary.

By Mr. HOEKSTRA (for himself, Mr. FRANK of Massachusetts, Mr. COLLINS, Mrs. MALONEY of New York, Mr. HILLEARY, Mr. COBLE, Mr. KENNEDY of Rhode Island, Mr. SENSENBRENNER, Mr. CLAY, Mr. CUNNINGHAM, Mr. CONYERS, Mr. CHAMBLISS, Mr. ROEMER, Mr. SMITH of Texas, Mr. FROST, Mr. BALLENGER, Mr. EDWARDS, Mr. GILMAN, Mr. STUMP, Mr. BARCIA, Mr. MCINTOSH, Mr. DOYLE, Mr. SOUDER, Ms. STABENOW, Mr. EHLERS, Mr. WEYGAND, Mr. MANZULLO, Mr. BERRY, Mrs. CUBIN, Mr. FILNER, Mr. UPTON, Ms. WOOLSEY, Mr. CAMP, Mr. KLINK, Mr. EWING, Mr. DEAL of Georgia, Mr. KNOLLENBERG, Mr. NETHERCUTT, Mr. NORWOOD, Mr. MCKEON, Mr. SCHAFFER, Mr. TANCREDO, Mr. NEY, Mr. ROYCE, Mrs. MYRICK, Mr. BARTLETT of Maryland, Mr. COBURN, Mr. LINDER, Mr. SHADEGG, Mr. SAM JOHNSON of Texas, Mr. KINGSTON, Mr. HOSTETTLER, Mr. TERRY, and Mr. DUNCAN):

H.R. 2551. A bill to amend title 18, United States Code, to require Federal Prision Industries to compete of its Federal contracts to minimize unfair competition with private firms (depriving law-abiding workers of job opportunities), to save taxpayer dollars by empowering Federal contracting officers to be able to acquire commercial products that better meet agencies' needs, more quickly and at less cost without having to obtain permission from Federal Prison Industries, to further empower contracting officers to compel Federal Prison Industries to fully perform its contract obligations to the same extent as all other contractors, and for other purposes; to the Committee on the Judiciary.

By Mr. NADLER (for himself, Mr. ANDREWS, Mr. BRADY of Pennsylvania, Ms. DELAURO, Mr. FROST, Mr. GILMAN, Mr. HINCHEY, Ms. KILPATRICK, Mr. LANTOS, Mr. MEEHAN, Mrs. MEEK of Florida, Ms. SCHAKOWSKY, and Mr. WEINER):

H.R. 2552. A bill to promote the health and safety of children by requiring the posting of Consumer Product Safety Commission child care center safety standards in child care centers and by requiring that the Secretary of Health and Human Services report to Congress with recommendations to promote compliance with such standards; to the Committee on Education and the Workforce, 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 Mr. POMEROY (for himself, Mr. FROST, Mr. PAUL, Ms. LEE, and Mrs. CHRISTENSEN):

H.R. 2553. A bill to amend the Internal Revenue Code of 1986 to allow certain individuals a credit against income tax for elective deferrals and IRA contributions; to the Committee on Ways and Means.

By Mr. SMITH of New Jersey:

H.R. 2554. A bill to amend the Internal Revenue Code of 1986 to increase the amount of the deduction allowed for meals and entertainment expenses; to the Committee on Ways and Means.

By Mr. STEARNS (for himself, Mr. BURTON of Indiana, Mr. CANADY of Florida, Mr. COOK, Mr. DEFAZIO, Mr. DUNCAN, Mr. FALEOMAVAEGA, Mr. FARR of California, Mr. FOLEY, Mr. LOBIONDO, Mrs. MEEK of Florida, Mr. MCCOLLUM, Mr. OXLEY, Mrs. ROUKEMA, Mr. SENSENBRENNER, Mr. TAYLOR of North Carolina, Mrs. THURMAN, and Mr. UPTON):

H.R. 2555. A bill to establish limitations with respect to the disclosure and use of genetic information in connection with group health plans and health insurance coverage, to provide for consistent standards applicable in connection with hospital care and medical services provided under title 38 of the United States Code, to prohibit employment discrimination on the basis of genetic information and genetic testing, and for other purposes; to the Committee on Commerce, and in addition to the Committees on Education and the Workforce, Veterans' Affairs, and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WOLF:

H.R. 2556. A bill to require the Secretary of Transportation through the Congestion Mitigation and Air Quality Program to make a grant to a nonprofit private entity for the purpose of developing a design for a proposed pilot program relating to the use of telecommuting as a means of reducing emissions of air polluntants that are precursors to ground level ozone; 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. MEEK of Florida:

H.R. 2557. A bill to direct the Secretary of the Interior to conduct a feasibility study on the inclusion in Biscayne National Park, Florida, of the archaeological site know as the Miami Circle; to the Committee on Resources.

By Ms. SCHAKOWSKY (for herself, Mr. HOSTETTLER, and Mr. PORTER):

H. Res. 254. A resolution expressing the sense of the House of Representatives condemning recent hate crimes in Illinois and Indiana; to the Committee on the Judiciary.

By Mr. CALVERT:

H. Res. 255. A resolution designating majority membership to certain standing committees of the House; considered and agreed to.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

159. The SPEAKER presented a memorial of the House of Representatives of the State of Montana, relative to House Joint Resolution No. 8 memorializing Congress to oppose the designation of any river in Montana as an American Heritage River under the Federal American Heritage Rivers Initiative; to the Committee on Resources.

ADDITIONAL SPONSORS TO PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 21: Mr. ETHERIDGE and Mr. DOYLE.

H.R. 82: Mr. KING, Mr. MCINTYRE, Mr. PETERSON of Minnesota, and Mr. SHAW.

H.R. 170: Mr. MEEHAN.

H.R. 202: Mr. TOWNS and Mr. BEREUTER.

H.R. 274: Mr. WHITFIELD, Mr. PETERSON of Pennsylvania, and Mr. MANZULLO.

H.R. 275: Mr. CALVERT.

H.R. 316: Mr. OLVER.

H.R. 363: Mr. PETERSON of Minnesota and Mr. MASCARA.

H.R. 488: Mr. CLAY.

H.R. 583: Mr. CONYERS.

H.R. 637: Mr. MCINTYRE.

H.R. 710: Mr. GARY MILLER of California, Mr. MOORE, Mr. COBLE, Mr. BAIRD, and Mr. SKELTON.

H.R. 731: Mr. WYNN and Mr. GUTIERREZ.

H.R. 750: Mr. SMITH of Washington and Mr. DAVIS of Virginia.

H.R. 869: Mrs. ROUKEMA.

H.R. 904: Ms. STABENOW and Mr. SESSIONS.

H.R. 915: Mr. TIERNEY.

H.R. 976: Mr. BLAGOJEVICH.

H.R. 1046: Mr. MCGOVERN.

H.R. 1063: Mr. JACKSON of Illinois, Mr. UDALL of Colorado, and Mr. MOORE.

H.R. 1070: Mr. BARTLETT of Maryland, Mr. TALENT, and Mr. SHADEGG.

H.R. 1071: Mr. RUSH.

H.R. 1083: Mr. HILL of Montana and Mr. HILLARD.

H.R. 1180: Ms. SANCHEZ, Mr. MCKEON, Mr. JACKSON of Illinois, Ms. LOFGREN and Mr. DAVIS of Florida.

H.R. 1271: Mr. BONIOR, Mr. WYNN, Mr. CLYBURN, Ms. ESHOO, Mr. FILNER, Ms. SCHAKOWSKY, Ms. SLAUGHTER, Ms. CARSON, Mr. MARTINEZ, and Mr. EVANS.

H.R. 1324: Mr. LEWIS of Georgia, Ms. LOFGREN, Mr. RAHALL, Ms. CARSON, and Mr. FATTAH.

H.R. 1325: Mr. HINCHEY and FORD.

H.R. 1329: Mr. HYDE, Mr. SALMON, Mr. CHAMBLISS, and Mr. GRAHAM.

H.R. 1336: Mr. SMITH of Washington.

H.R. 1355: Mrs. CHRISTENSEN.

H.R. 1356: Mr. MCINTOSH, Mr. MCNULTY, Mr. TANCREDO, and Mr. GREEN of Wisconsin.

H.R. 1413: Mr. PETERSON of Minnesota.

H.R. 1433: Ms. WATERS and Mr. GORDON.

H.R. 1494: Mr. GILCHREST.

H.R. 1515: Mr. CONYERS, Ms. SLAUGHTER, Mr. GILCHREST, Mr. FORD, Mr. KENNEDY of Rhode Island, Mr. FROST, Ms. HOOLEY OF OREGON, Mr. WEINER, and Mr. MEEHAN.

H.R. 1556: Mr. FRANK of Massachusetts.

H.R. 1592: Mr. BLUNT, Mr. SOUDER, and Mr. HASTINGS of Washington.

H.R. 1622: Mr. BAIRD, Mr. DELAHUNT, and Mr. DAVIS of Illinois.

H.R. 1657: Ms. RIVERS.

H.R. 1747: Mr. ENGLISH, Mr. DOOLITTLE, Mr. LAHOOD, Mr. SESSIONS, Mr. SPENCE, and Mr. DAVIS of Virginia.

H.R. 1749: Mr. BURR of North Carolina.

H.R. 1776: Mr. ETHERIDGE, Mr. PHELPS, Mr. GOODLATTE, Mr. SMITH of Washington, and Mr. CALVERT.

H.R. 1779: Mr. KILDEE, Mr. CASTLE, and Mr. MCKEON.

H.R. 1850: Ms. SCHAKOWSKY and Mr. GEKAS.

H.R. 1863: Mr. WU.

H.R. 1883: Ms. DELAURO, Mrs. MALONEY of New York, Mr. ADERHOLT, Mr. DICKS, Mrs. TAUSCHER, Mr. BURR of North Carolina, Mr. SWEENEY, Mr. ABERCROMBIE, Mr. DUNCAN, Mr. HUNTER, Mr. CLYBURN, Mr. SKELTON, Mr. RODRIGUEZ, Mr. GARY MILLER of California, Mr. LOBIONDO, Mr. LAZIO, Mr. BAKER, Mr. GREEN of Texas, Mr. KLECZKA, Mr. LATOURETTE, Mr. BATEMAN, Mr. MASCARA, Ms. BALDWIN, Mr. LINDER, Mr. WHITFIELD, Mr. HINCHEY, Mr. KNOLLENBERG, Mr. BEREUTER, Mr. WICKER, Mr. BARTON of Texas, Mr. SUNUNU, Mr. TERRY, Mr. COSTELLO, Mr. COOK, Mr. BILBRAY, Mr. WAXMAN, Mr. FRANK of Massachusetts, Mr. KILDEE, Mr. VITTER, Ms. LEE, Mrs. KELLY, Mr. BOEHLERT, Mr. STRICKLAND, Mr. CARDIN, Ms. PRYCE of Ohio, Mrs. MCCARTHY of New York, Mr. WATTS of Oklahoma, Mr. FLETCHER, Mr. BRYANT, Mr. LARGENT, Ms. DEGETTE, Mr. TOWNS, Mr. WOLF, Mrs. CUBIN, Mr. BRADY of Pennsylvania, Mr. STUPAK, Mr. MARKEY, Ms. STABENOW, Mr. BLAGOJEVICH, Mr. HEFLEY, Mr. DAVIS of Illinois, Mr. KENNEDY of Rhode Island, Mr. KIND, Mr. MATSUI, Mr. ANDREWS, Mr. TIAHRT, Mr. WELDON of Florida, Mr. RYAN of Wisconsin, Mr. WAMP, Mr. REYNOLDS, Ms. PELOSI, and Mr. DEMINT.

H.R. 1885: Mr. BEREUTER and Mr. VENTO.

H.R. 1907: Mr. PORTMAN and Mr. DAVIS of Florida.

H.R. 1932: Mr. ETHERIDGE, Mr. LANTOS, Mr. STRICKLAND, Mr. MENENDEZ, Mr. MCGOVERN, and Ms. DUNN.

H.R. 1937: Mr. CALVERT and Mr. UNDERWOOD.

H.R. 1964: Mr. GREEN of Texas and Mr. SHAYS.

H.R. 1990: Mr. CALVERT.

H.R. 1999: Mr. RANGEL.

H.R. 2028: Mrs. CUBIN.

H.R. 2172: Mr. PORTER and Ms. BERKLEY.

H.R. 2243: Mr. RAHALL and Mr. BEREUTER.

H.R. 2265: Mr. KILDEE and Mr. WALSH.

H.R. 2267: Mr. HINCHEY, Ms. BALDWIN, Mr. FOLEY, Mr. RODRIGUEZ, Mr. BOEHLERT, and Mr. COOK.

H.R. 2395: Mr. NETHERCUTT, Mrs. EMERSON, Mr. HILL of Montana, Mr. GANSKE, and Mr. PICKERING.

H.R. 2409: Mr. FROST.

H.R. 2414: Mr. CALVERT.

H.R. 2427: Mr. CONDIT, Mr. LEWIS of California, Mr. CUNNINGHAM, and Mr. ROHRABACHER.

H.R. 2436: Mr. KINGSTON, Mr. HILLEARY, Mr. DEMINT, Mr. GREEN of Wisconsin, and Mr. COBURN.

H.R. 2441: Mr. HILL of Montana, Mr. BUYER, Mr. CUNNINGHAM, Mr. GEKAS, and Mr. CALVERT.

H.R. 2444: Mr. CUMMINGS.

H.R. 2446: Mr. CLAY, Mr. BOUCHER, Mr. RODRIGUEZ, Mr. COSTELLO, Mr. DELAHUNT, and Mr. HASTINGS of Florida.

H.R. 2539: Ms. WATERS, Mr. MATSUI, and Mr. FILNER.

H.J. Res. 46: Mr. FORBES, Mr. GILMAN, and Mr. HOUGHTON.

H.J. Res. 48: Mr. BISHOP, Mr. TANCREDO, Mr. EWING, Mr. SMITH of New Jersey, Mr. ROEMER, Mr. WAMP, and Mr. FRELINGHUYSEN.

H. Con. Res. 80: Mrs. MYRICK, Mr. SHOWS, Mr. FOLEY, Mr. NEAL of Massachusetts, Mr. COYNE, Mr. GILCHREST, Mr. SHAYS, Mr. PETERSON of Minnesota, Ms. SANCHEZ, Mr. HOLT, and Mr. ADERHOLT.

H. Con. Res. 100: Mrs. MCCARTHY of New York, Ms. SANCHEZ, Mr. SHOWS, Mr. FOLEY, Mr. NEAL of Massachusetts, Mr. SHAYS, Mr. WAMP, and Mr. PETERSON of Minnesota.

H. Con. Res. 124: Mr. GEORGE MILLER of California, Mrs. LOWEY, and Mr. WAMP.

H. Con. Res. 129: Mr. HILLIARD.

H. Con. Res. 147: Ms. KAPTUR, Ms. JACKSON-LEE of Texas, Mr. LANTOS, Mrs. LOWEY, Ms. CARSON, Mr. ROHRABACHER, Mr. WEXLER, Mr. MCGOVERN, Mr. BONIOR, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. MCKINNEY, Mr. PORTER, and Mr. DIXON.

H. Con. Res. 154: Ms. ESHOO, Mr. HINCHEY, and Mr. DIXON.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 1995

OFFERED BY: MR. FATTAH

AMENDMENT NO. 2: Page 41, line 25, strike the closing quotation marks and the final period and insert the following:

"SEC. 2404. EDUCATIONAL EQUITY.

''(a) IN GENERAL.—Notwithstanding any other provision of this title, no State shall receive funds under this title unless the State certifies annually to the Secretary that—

''(1) the per pupil expenditures in the local educational agencies of the State are substantially equal, taking into consideration the variation in cost of serving pupils with special needs and the local variation in cost of providing education services; or

''(2) the achievement levels of students on reading and mathematics assessments, graduation rates, and rates of college-bound students in the local educational agencies with the lowest per pupil expenditures are substantially equal to those of the local educational agencies with the highest per pupil expenditures.

''(b) GUIDELINES.—The Secretary, in consultation with the National Academy of Sciences, shall develop and publish guidelines to define the terms 'substantially equal' and 'per pupil expenditures'.''.

H.R. 1995

OFFERED BY: MR. FATTAH

AMENDMENT NO. 3: Page 41, line 25, strike the closing quotation marks and the final period and insert the following:

"SEC. 2404. EDUCATIONAL EQUITY.

''(a) IN GENERAL.—Notwithstanding any other provision of this title, no State shall receive funds under this title unless it annually certifies to the Secretary that—

''(A) the per pupil expenditures in the local educational agencies of the State are substantially equal; or

''(B) the achievement levels of students on reading and mathematics assessments, graduation rates, and rates of college-bound students in the local educational agencies with the lowest per pupil expenditures are substantially equal to those of the local educational agencies with the highest per pupil expenditures.

''(b) DEFINITION.—For purposes of this section, the State shall determine if the expenditures of the local educational agencies of the State are 'substantially equal' by using the same computation method set forth in section 8009(b)(2).

H.R. 1995

OFFERED BY: MR. ROEMER

AMENDMENT NO. 4: Page 36, after line 15, insert the following:

''SEC. 2043. TRANSITION TO TEACHING.

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

''(b) PROGRAM AUTHORIZED.—

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

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

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

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

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

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

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

''(A) the program's goals and objectives;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

''(A) hold at least a baccalaureate degree;

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

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

Page 36, line 19, strike ''part,'' and insert ''part (other than section 2043),''.

Page 36, line 21, strike ''4.'' and insert ''4 (other than section 2043).''.

Page 36, line 23, strike ''part,'' and insert ''part (other than section 2043),''.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, FIRST SESSION

Vol. 145 WASHINGTON, MONDAY, JULY 19, 1999 No. 102

Senate

The Senate met at 12:01 p.m. and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Gracious God, You have made this life but a small part of the whole of eternity. You have defeated the enemy of death and made it a transition in living. Our life here on earth is only an inch on the yardstick of forever. You are Lord of earth and of heaven. It is in this confidence that we join this prayer with the millions of prayers for the Kennedy and Bessette families. Grant them supernatural strength, comfort, and courage in their time of immense anguish over the plane accident involving John F. Kennedy, Jr., his wife Carolyn, and her sister, Lauren Bessette. O dear God, we speak of these three remarkable young leaders in the present tense for, regardless of the outcome of this tragic accident, they are alive with You.

This morning, our hearts go out in profound love and caring for our friend, Senator TED KENNEDY, and the entire Kennedy family. They have endured the excruciating pain of grief so often. And yet, through it all, they have shown us the resiliency of faith in You and the uplifting strength of an indefatigable commitment to public service. No American family has given more or served this Nation more faithfully. Now we praise You for the life of John F. Kennedy, Jr.—for his winsome, winning way, for his commitment to service and, along with his wife, Carolyn, for his affirmation of life.

Now we ask You to continue to surround the families with Your everlasting arms and heal their aching hearts through Him who is the Resurrection and the Life. Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore. Senator ROBERTS is now designated to lead the Senate in the Pledge of Allegiance.

The Honorable PAT ROBERTS, a Senator from the State of Kansas, led the Pledge of Allegiance, as follows:

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

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The acting majority leader, Senator ROBERTS, is recognized.

SCHEDULE

Mr. ROBERTS. Mr. President, today the Senate will immediately begin a period of morning business until 1 o'clock.

ORDER OF PROCEDURE

Following morning business, I ask unanimous consent that the Senate begin debate on the motion to proceed to the intelligence authorization bill.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ROBERTS. Mr. President, as a reminder, a cloture motion on the motion to proceed to the intelligence authorization bill was filed on Friday, and that vote has been scheduled to take place at 10:30 tomorrow morning. Therefore, that cloture vote will be the first vote of this week.

For the information of all Senators, it is the intention of the majority leader to complete action on as many appropriations bills as possible prior to the August recess. Therefore, Senators should expect votes into the evenings and on Mondays and on Fridays all throughout the next 3 weeks.

I thank my colleagues for their attention. I yield the floor. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

(Mr. ROBERTS assumed the Chair.)

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. BYRD. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 1 o'clock with Senators permitted to speak therein for not to exceed 5 minutes each.

Mr. BYRD. Mr. President, I ask unanimous consent to speak for an additional 10 minutes, if necessary.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. I thank the Chair.

BRITISH-AMERICAN PARLIAMENTARY GROUP

Mr. BYRD. Mr. President, this week a delegation of British Members of Parliament will visit the Senate in the latest in a long line of biennial exchanges fostered by the British-American Parliamentary Group. My good and true and long-time friend, Senator STEVENS, and I serve as co-chairs for the American delegation. These exchanges date back to the aftermath of World War II, when both sides recognized the value of maintaining the kind of close working relationship that can only be realized through personal interaction and camaraderie. After graciously hosting Senator STEVENS and me in 1997, when we visited London and York with several other Senators, Lord Jopling later this week will arrive in Washington with Members from the House of Lords and the House of Commons. Lord Michael Jopling is a former Member of

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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the House of Commons. This weekend, I am pleased that the group will be meeting at the famous Greenbrier in White Sulphur Springs, West Virginia, to discuss defense, trade, and environmental issues of concern to our great nations.

As an avid student of history, particularly Roman and Greek history, Persian history, English history, and American history, I remind all who will listen that those roots are essential in understanding the development of the American Constitution. In the Senate chamber, and while walking through the halls of our columned Capitol building, I am daily reminded of the unique and enduring legacy bequeathed to Americans by our English, Scot, Welsh, and Irish ancestors. The Minton tiles paving the corridors as well as the very language of debate which rings across the Senate floor in sonorous spoken cadences recall this powerful legacy. Even the physical being of the Capitol building itself—its white marble and sunny sandstone gleaming amid graceful stands of stately trees and curving drives—owes a nod of thanks to informal and inviting landscaping design pioneered in Britain.

And, less visible but more pervasive, the strong skeleton of government and law in the United States carries the indelible genetic markers of British origin—its DNA shaped by centuries of struggle between monarchs and parliaments before mutating into a new form under the guidance of the British citizens that became our Founding Fathers. Though certainly not an exact clone, like Dolly the sheep, the American bicameral legislature and our legal system based upon British Common Law bear witness to this sturdy inheritance.

From the defining moment at Runnymede in 1215, when the English barons forced King John to give his assent to a charter of liberties, the belief in fundamental written guarantees of rights and privileges has become a treasured inheritance on both sides of the Atlantic. Unknown or unpracticed in many parts of the world, the concept of individual rights guaranteed by law is a jewel in the crown of British history. Other documents written since the Magna Carta, and comprising the unwritten English Constitution, including the Petition of Right, 1628, and the English Bill of Rights, 1689, have also found new life on distant shores in the U.S. Constitution and Bill of Rights. And the concepts of ''habeas corpus,'' presentment and trial juries, ''just compensation,'' and the right against self-incrimination, all pillars of American jurisprudence, migrated to the United States from England and English law.

To my mind, however, one of the greatest legacies bestowed upon the United States by these generations of British lawmakers is in establishing control over the power of the purse in elected officials of the people, rather than in the executive. Seven hundred and two years ago, in 1297, Edward I reluctantly agreed to the ''Confirmation of the Charters,'' promising not to levy taxes without the common consent of the realm.

Parliament took on its original form during the reign of Edward I, who has been called the father of Parliament. Parliament divided into the House of Commons and the House of Lords along about 1339, 1341–42, during the reign of Edward III, who reigned from 1327 to 1377, a total of 50 years.

Paired with this spending authority came the right to audit how funds had been expended. These powers of appropriation and audit, the fraternal twins of legislative might, shaped and tested by British experience, were united by the American Founding Fathers in a single paragraph of article I, section 9, of the U.S. Constitution. It states that, ''No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.'' And so it is this sentence, together with the very first section of article 1, which invests in the Senate and the House of Representatives their broad scope to check the power of the Chief Executive and defend the interests of their various constituencies.

For this, as in so many things, I give thanks to my English forbearers, who shed their blood at the point of the sword in wresting from tyrannical monarchs the control of the power over the purse. That struggle lasted for hundreds of years, until finally, in 1689, under the English Bill of Rights, it was guaranteed. As for William of Orange and Mary, who assumed the joint rule over the British people, Parliament required that they accede to and agree to the Declaration of Rights, which had been drawn up in February of 1689. Once they agreed, then they were crowned joint monarchs. In December of that year, the English Declaration of Rights was put into statute form and designated the English Bill of Rights.

This is a pearl beyond price, and one which I hope to pass down unblemished to my descendants. Never again, after that English Bill of Rights had been put into statute form, would Kings levy taxes—excise or other taxes—upon the British people without the approval, the assent and consent of Parliament. I have fought with every ounce of energy that I could muster against such mutations of the legacy passed down to this country through a thousand years of blood and English history as the constitutional amendment to balance the budget and the line-item veto.

Our common past has built a history of cooperation between the British and the American people that has always prevailed over our differences. In this century, our sons, brothers, and fathers have stood shoulder to shoulder against common enemies from the battlegrounds of world wars to conflicts in the Persian Gulf and in the Balkans. Together, we have stood against the Soviet bear. We have stood fast through changes of governments and shifts in political power. While not always smooth, just as relations between family members are not always smooth, Anglo-American relations have weathered bigger storms than Bosnia, Kosovo, NATO expansion, and differences in how to approach the problem of global climate change.

Our blood ties are stronger than the vast and deep ocean of waters that are between us. And those unbreakable bonds will see us through to the next century and beyond, because we are brothers made so through the parenthood of historical experience. Exchanges like those fostered by the British-American Parliamentary Group are the nectar, the ambrosia, that sweetens and sustains the close ties between our nations. I look forward to this week's opportunity to join again at the flower of good fellowship.

I second the words of Winston Churchill, who said in a speech in the House of Commons on August 20, 1940:

> The British Empire and the United States will have to be somewhat mixed up together in some of their affairs for the mutual and general advantage. For my own part looking out upon the future, I do not view the process with any misgivings. I could not stop it if I wished; no one can stop it. Like the Mississippi, it just keeps rolling along. Let it roll, let it roll on full flood, inexorable, irresistible, benignant, to broader lands and better days.

Senator STEVENS, our other colleagues who have agreed to join with us at the Greenbrier, and my wife Erma and I welcome Lord and Lady Jopling. My wife and I were in England—in York, as a matter of fact—in August of the year before last, on the day that Princess Diana was killed, and on which we returned to the United States after meeting with the British-U.S. Parliamentary Group. I had the pleasure of chairing the group when we Democrats were in control of the Senate. On that occasion, I took the members of the British group down to the Greenbrier, in Greenbrier County at White Sulphur Springs. We enjoyed it. We all look forward to going there again.

Again, I welcome Lord and Lady Jopling, and the British members of this year's exchange.

Mr. President, I yield the floor 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. THOMAS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THOMAS. As I understand it, we are in morning business.

The PRESIDING OFFICER. The Senator is correct.

Mr. THOMAS. I can speak for approximately 6 minutes.

The PRESIDING OFFICER. The Senator is correct.

SOCIAL SECURITY

Mr. THOMAS. Mr. President, I want to talk about a bill introduced on Friday on Social Security in which I and other sponsors were involved. I mention it because it seems to me that it is one of the issues that is most important. I just came back from Wyoming, and I talked with folks about issues. Social Security is one of those that is, of course, a top priority.

Obviously, most everyone knows Social Security has to be changed if we are to fulfill the goals all of us want, and that is to protect Social Security for those who are now beneficiaries, to keep it going for those who are now paying in and will pay in for many years and can then expect to be beneficiaries. Those are the things that have to happen, and there have to be changes to cause that to happen.

We have a rapidly aging population. When we started Social Security, there were some 30 people working for every one who was drawing benefits. An individual paid $30 a year into Social Security in the 1930s. Then we got to where there were five people working for every one who was a beneficiary. Now I believe it is less than three, and we will soon be to the point where there will be one individual working for every one person drawing benefits. We have to make changes. Of course, people are living longer, so that also brings new demands on the programs.

What are the options? There are several that are fairly obvious, some of which are not particularly popular. A tax increase: We already pay 12.5 percent of what we make into Social Security. That is a rather high percentage. For many people that is the largest tax they pay. So tax increases are not particularly a good option.

We could cut benefits. I do not think people generally want to cut benefits. There may be some changes made in benefits because people are living longer and there are changes in our lives.

The third alternative is one which I think probably has the most appeal, and that is to get a higher rate of return on the money we are putting into Social Security and have been putting into it for some time. That is the part of the bill we have introduced.

It is a bicameral, bipartisan bill that enhances the program through private accounts. It will take a portion of the money you and I put into Social Security—I believe it is about 2 percent of the 12.5 percent—and that becomes a personal account for each person. It can be invested then at the direction of that account owner. It can be invested in equities, stocks, it can be invested in bonds, or it can be invested in a combination of those things. It will be invested by a private investor such as the Federal employees program is now. You will have a broad choice. The owners will not be doing the investing, but they will be choosing the kinds of investment they want.

This can then accumulate as a nest egg for the owner. If the owner is unfortunate not to live long enough to receive the benefits that will accrue to his or her estate, it will be the owner's.

We have been talking a lot about a safety box, some way to take the money that comes in to Social Security and ensure it is used for that purpose and not spent for some other purpose or not loaned to the general fund. This probably and certainly is the best way to do that.

I make the point that we are not looking at total privatization. Some people accuse us of that. That is not the case. It is a partial privatization. It puts money in so it can earn more than it has earned in the past. As most people understand, excess in the trust funds now has to be invested in Government securities. It has a relatively lower return, lower than if you and I invested those securities. This is a change for improvement.

We need to work on the lockbox. We tried five times to pass the lockbox legislation to have some way to ensure Social Security funds coming in are not expended for other things, and that they are, indeed, kept for the purpose of maintaining and strengthening Social Security. That is what we want to do.

There are some other good features of the plan. It is more progressive. It guarantees larger benefits for low-income workers. It increases widow benefits, which has been unfair in the past. It repeals earnings limitations, if you are a beneficiary and choose to continue to work. In, in fact, there are several incentives for continuing to work. Since people are living longer and are healthier, there is more reason and opportunity and willingness to work.

This bill is designed to protect current retirees. Current beneficiaries will not be affected by the changes. It is aimed primarily at young people who are beginning to pay into the program. Almost all young people 20 years old say: We probably won't get anything out of this; all we will do is pay. That is very unfair, and we can change that.

There is a great deal of talk about doing something with Social Security, but, frankly, the administration and our friends on the other side generally have not come up with a plan. Now we have a bipartisan plan which is before the Senate. We can do something that will make the changes we propose to make and which are good for the American people.

Mr. President, I yield the floor.

Mr. GRASSLEY addressed the Chair.

The PRESIDING OFFICER. The distinguished Senator from Iowa is recognized.

(The remarks of Mr. GRASSLEY pertaining to the introduction of S. 1390 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. GRASSLEY. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. THOMAS). The clerk will call the roll.

The 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. Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, what is the pending business?

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business now closed.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2000—MOTION TO PROCEED

The PRESIDING OFFICER. The Senate will now resume consideration of the motion to proceed to H.R. 1555, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to the consideration of a bill (H.R. 1555) to authorize appropriations for fiscal year 2000 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, frankly, this is a very important debate that starts today on a very important bill, H.R. 1555, and there is a very important amendment that we will allude to and talk about this afternoon with reference to reorganizing the Department of Energy in ways that have been suggested by many in order to minimize security risks in the future and maximize the efficiency and effectiveness of the department of the Department of Energy that works on the nuclear weapons installations, facilities, and research within that department.

I note the presence of Senator LEVIN on the floor, and I want to be as accommodating as he would like in terms of his using time. I am prepared to speak a lot today about history and the like, but whenever he is ready, I will be glad to yield to him.

I am going to start today's debate by inserting into the RECORD a June 30, 1999, column from the Wall Street Journal, written by Paul C. Light. He is a senior fellow at the Brookings Institute and the author of ''The True Size of Government,'' Brookings, 1999.

I ask unanimous consent that that article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LOOSE LIPS AND BLOATED BUREAUCRACIES

How can Washington prevent future security breaches like the one at the Los Alamos nuclear laboratory? Last week former Sen. Warren Rudman, chairman of the President's

Foreign Intelligence Advisory Board and head of a special investigating panel, recommended a ''new semi-autonomous agency'' within the Department of Energy that would have ''a clear mission, streamlined bureaucracy and drastically simplified lines of authority and accountability.''

Mr. Rudman is right to focus on the structure of the department, not the failures of one or two key bureaucrats. For the Energy Department has never had more layers of management than it does now—and its leadership has never been more disconnected from what is happening at its bottom. Secretary Bill Richardson last week appointed a security ''czar,'' Gen. Eugene Habiger, to serve as the fulcrum for a newly rationalized chain of command. But the czar may merely add one more layer to a meandering, mostly unlinked collection of overseers who can easily evade responsibility when things go wrong.

At the department's founding in 1979, its secretary, deputy secretary, undersecretary and assistant secretary ''compartments'' contained 10 layers and 56 senior executives. By 1998 those four compartments had thickened to 18 layers and 143 senior executives, including an assortment of chiefs of staff and other alter-ego deputies who fill in whenever their bosses are out.

The problem in such overlayered, top-heavy organizations is not a lack of information on possible wrongdoing. Lots of people knew about the vulnerabilities at Los Alamos. The problem is finding someone who is ultimately responsible for taking action. Which department executive does Congress hold accountable for the security breach? The secretary? His chief of staff? One of the two deputy chiefs of staff? The deputy secretary? Undersecretary? Assistant secretary for defense programs? For environmental management? For science? How about the principal deputy assistant secretary for military applications? Deputy assistant secretary for research and development? Defense laboratories office director? Perhaps the assistant secretary for strategic computing and simulation? Or the inspector general, deputy inspector general, or assistant inspector general?

The answer is everyone and no one. And the diffusion of accountability continues down into the University of California, the contractor that supervises the Los Alamos laboratory and three other DOE facilities. Whom does the federal government hold accountable at the university? The president? The senior vice president for business and finance? Vice president for financial management? Associate vice president for human resources and benefits? Assistant vice president for laboratory administration? The executive director for laboratory operations? Director of contracts management? The manager for facilities management and safeguards and security?

No wonder it takes a crisis to focus attention. With 15 to 25 layers just to get from the top of the department to the top of Los Alamos, information is bound to get lost along the way, and no one is accountable when it does.

The Department of Energy is hardly alone in such senior-level thickening. Forced by repeated hiring freezes to choose between protecting the bottom of government and bulking up its middle and top, federal departments and agencies have mostly sacrificed the bottom. In 1997, for the first time in civil service history, middle level employees outnumbered bottom-level ones. Nearly 200,000 senior and middle-level managers have retired from government in the past few years, and almost everyone next in line has been promoted—all at a cost of $3 billion in voluntary buyouts for what turned out to be a big retirement party with no effect on the basic structure of government.

Some of the lower-level jobs have disappeared forever with the arrival of time-saving technologies. Others have migrated upward into the middle-level ranks as professional and technical employees have added lower-level tasks to their higher-paid duties. Still others have migrated into the federal government's contract workforce which numbered some 5.6 million employees in 1996.

Meanwhile, the top of government has grown ever taller. From 1993 to 1998, federal departments created 16 new senior-level titles including principal assistant deputy undersecretary, associate deputy assistant secretary, chief of staff to the under secretary, assistant chief of staff to the administrator, chief of staff to the assistant administrator and—lets not forget—deputy to the deputy secretary.

Spies will be spies, and the Los Alamos espionage probably would have occurred regardless of the width or height of the government hierarchy. But the breach would have been noticed earlier and closed sooner had the top been closer to the bottom. If Congress wants to increase the odds that nuclear secrets will be kept in the future, it could do no better than to order a wholesale flattening of the Energy Department hierarchy. Then it should do the same with the rest of the federal government.

Mr. DOMENICI. Mr. President, I want to talk a little bit about what Mr. Light discusses in this column on the 30th day of June, 1999, and set it a bit in perspective. As Senators and those listening today might recall, starting about 3 months before this article written by Paul C. Light appeared in the Wall Street Journal, word broke through the media in the United States of the possibility that the People's Republic of China had, in fact, breached security at Los Alamos National Laboratory and, indeed, they may have some of the most significant and profound secrets with reference to our nuclear weaponry in their possession. That broke in the New York Times in a series of articles, and thereafter it was in the headlines and on the front pages of our papers for 3 or 4 weeks. Now it seems to have dwindled a bit because Congress and the executive branch are working on what we ought to do about it.

Frankly, one of the purposes for my being on the floor today and tomorrow and for as many days as it takes until we can take up the intelligence bill, H.R. 1555, which I have little to do with because I am not on that committee, is an amendment that would permit us to organize within the Department of Energy that aspect of the Department of Energy's work that has to do with nuclear weapons.

The reason that is important is because the American people should not be misled, nor should we let this issue go to sleep. The issue is a serious one. The issue of who develops and protects our nuclear weapons, and are they doing it in the best possible way, should be front and center with the American people because if, in fact, the security was breached to the extent that the Cox committee report had—that is a House Member's name; he was chairman of a joint committee in the House that prepared a report commonly known as the Cox report. If it is as bad as he and other House Members say in that report, and as bad as some others who have reported on it say, then clearly we are at risk that the Communist Chinese has sufficient information to develop, over time, a very significant arsenal of nuclear weapons.

Coupled with the fact that they are moving rapidly with respect to delivery systems, then clearly in the next millennium we will have a new adversary in the world. It will no longer necessarily be Russia as a successor to the weapons systems and delivery systems—the U.S.S.R.—but, essentially, we may have both Russia and China with substantial nuclear weapons. We may feel secure with our Air Force and our Navy and with our Army, as we have had these skirmishes in the past 3 to 5 years, but we will still be looking at a very dangerous world.

As a matter of fact, it may be the only single source of real power and military might that Russia might have for the first 50 or 100 years in the next millennium. And that is enough for a country that is not doing very well to be a bit dangerous. It is certainly enough for the world to be dangerous and America to be in danger and fearful if the Chinese Communist regime has a determined and dedicated and significant nuclear arsenal.

With that as a background, and with many hearings in both bodies—some joint, some singular by different committees—over the weeks since this was first broken, we have heard all kinds of evidence about how this happened—some of it in secret, some of it public. As a Senator from New Mexico, I have had to learn about nuclear weapons because two of the laboratories are in my State, and I happen to be chairman of the committee that funds all of the Department of Energy. I have said that there is so much that went wrong that there is plenty of blame for everyone. This is not exclusively a problem that occurred within that laboratory at Los Alamos. It is not exclusively a problem that something happened within the Department of Energy. It is not totally dispositive of this issue to stand on the floor of the Senate and say the FBI didn't do their job right—which they didn't. The problem is, it was a comedy of errors. Everybody seems to have messed up on this one.

Frankly, it seems that enough time has passed for us to be on the verge of fixing it, and so let's talk a minute about how we are going to fix it, and then I will read excerpts from the article that I asked be printed. First of all, there is no question that we received a formidable report from the PFIAB Commission, which is made up of five members. It is a presidentially appointed group.

The President did something different about this one than in the past in that he asked them to do the report and to plan to release it to the public.

They did. It was released to the public, and its principal spokesman and chairman was the very distinguished former Senator from New Hampshire, Mr. Rudman.

We will talk at length about what they recommended. But suffice it to say they found that the management structure within the Department of Energy was in such a state of chaos that it could not control, in the form and manner that it existed over these past years, the security of valuable secrets and information within the laboratories; that it was incapable of doing it because it was disorganized, or organized in a manner where there was no accountability. So that if you wanted to blame the FBI for something that happened out of their Santa Fe, NM, office, they could clearly, if they chose, say: Yes, but somebody else fell down on the job.

If you asked the Director of the laboratories, he would say: Nobody ever told me about it. Nobody brought me on board. I thought since they were doing an investigation of an individual that they were in charge of the investigation, and I didn't have anything to do with it.

There are many examples, real and anecdotal, that say the Department of Energy is incapable of maintaining within its current framework of management such a significant system as the nuclear weapons system of the United States of America.

Frankly, it pains me to come to the floor and say that I have arrived at that conclusion unequivocally. And it pains me to say that I arrived at it some time ago. As a matter of fact, there will be a big argument made that we should move slowly.

I would like in due course, if not today, tomorrow, to outline why the time has come to fix it in the manner recommended by the Rudman commission, which is a Presidential commission. How much more time do we need?

I will tell the Senate that 2 to 3 weeks before the Rudman report was issued, this Senator from New Mexico was busy working with Senators developing the exact same model that the Rudman commission ultimately recommended to the Congress and the President of the United States for restructure, in a formidable way with significant changes, of the entire apparatus that functions within DOE and produces for us safe, sound, and reliable nuclear weapons and that has all of the ancillary functions which are related to that.

Having said that, it was not just yesterday that there were recommendations that the Department of Energy was straining under its own bureaucracy and that the nuclear weapons laboratories were victims of it. In fact, we will allude to at least two prior reports and recommendations to that of the Rudman commission by which clearly we are sending a loud and clear signal: Fix it. It is not working. It is the risky way you have it done.

I would add, it is not only risky as to security, but let me suggest there is a substantial lack of efficiency and the ability to manage the nuclear weapons system adequately and frugally to get the very best we should have. It is almost an impossibility within the structure of the Department of Energy, a hybrid department made up of many different agencies and groups thrown together in a haphazard way. And then we expect the nuclear weapons part of it to function under the overload of management, rules, and regulations that apply across the board to any kind of function within the Department, some so removed from nuclear weaponry that you wouldn't even think of them being in the same personnel department, in the same environmental department, or in the same safety and health departments.

With that, let me move to the Wall Street Journal article and paint a little history along with this writer, Mr. Light.

He starts by saying:

> How can Washington prevent future security breaches like the one at the Los Alamos nuclear laboratory? Last week former Sen. Warren Rudman, chairman of the President's Foreign Intelligence Advisory Board and a head of a special investigating panel, recommended a ''new semiautonomous agency'' within the Department of Energy that would have ''a clear mission, streamlined bureaucracy and drastically simplified lines of authority and accountability.''
>
> Mr. Rudman is right to focus on the structure of the department, not the failures of one or two key bureaucrats. For the Energy Department has never had more layers of management than it does now—and its leadership has never been more disconnected from what is happening at its bottom.
>
> Secretary Bill Richardson, last week appointed a security ''czar,'' Gen. Eugene Habiger, to serve as the fulcrum for a newly rationalized chain of command. But the czar may merely add one more layer to a meandering, mostly unlinked collection of overseers who can easily evade responsibility when things go wrong.

I could not say it any better.

Continuing on:

> At the department's founding in 1979, its secretary, deputy secretary, undersecretary and assistant secretary ''compartments'' contained 10 layers and 56 senior executives. By 1998 those four compartments had thickened to 18 layers and 143 senior executives, including an assortment of chiefs of staff and other alter-ego deputies who fill in whenever their bosses are out.
>
> The problem in such overlayered, top-heavy organizations is not a lack of information on possible wrongdoing. Lots of people knew about the vulnerabilities at Los Alamos. The problem is finding someone who is ultimately responsible for taking action. Which department executive does Congress hold accountable for the security breach? The secretary? His chief of staff? One of the two deputy chiefs of staff? The deputy secretary? Undersecretary? Assistant secretary for defense programs? For environmental management? For science? How about the principal deputy assistant secretary for military applications? Deputy assistant secretary for research and development? Defense laboratories office director? Perhaps the assistant secretary for strategic computing and simulation? Or the inspector general, deputy inspector general, or assistant inspector general?
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> The answer is everyone and no one. And the diffusion of accountability continues down into the University of California, the contractor that supervises the Los Alamos laboratory and three other DOE facilities. Whom does the federal government hold accountable at the university? The president? The senior vice president for business and finance? Vice president for financial management?

And on it goes. I will jump down in the article to another full quote:

> No wonder it takes a crisis to focus attention. With 15 to 25 layers just to get from the top of the department to the top of Los Alamos, information is bound to get lost along the way, and no one is accountable when it does.

I am going to skip a little bit of the article and move down to the end of it with another quote. I will insert it with the underline parts being that which I read.

> Spies will be spies, and the Los Alamos espionage probably would have occurred regardless of the width or height of the government hierarchy. But the breach would have been noticed earlier and closed sooner had the top been closer to the bottom. If Congress wants to increase the odds that nuclear secrets will be kept in the future, it could do no better than to order a wholesale flattening of the Energy Department hierarchy. Then it should do the same with the rest of the federal government.

The reason I read excerpts from the article is that it is quite obvious to me this man has his finger right on the problem.

Let me now proceed to a discussion of the latest thorough investigation of the Department of Energy and its mission as the primary functionary in nuclear weapons from research to security to safekeeping, et cetera. Let me move to the latest thorough report, and then we will go back to some others that existed prior thereto.

I don't know that I want to make this report a part of the RECORD, but everybody should know if they want to read what has been said by the latest contingent of reputable, dedicated, knowledgeable Americans, I am reading from ''Science at its Best, Security at its Worst,'' a report on security problems of the U.S. Department of Energy by a special investigative panel, the President's Foreign Intelligence Advisory Board, of June 1999.

There are plenty of these reports around for anybody who wants to participate in this discussion. We will make them available. We will see that some are in the Cloakroom for people who might want to review them. I will talk a little bit about the significance of this report and why I think the time has come to adopt its principal recommendations.

For those who wonder what we are trying to do, obviously, we had to draw from a lot of people to do what was recommended in this report. While Members may not find every word of the extensive amendment I will soon allude to in detail within this report, let me repeat, for anybody interested in the security of the weapons laboratories and the nuclear weapons activity of

our Nation, the amendment we are trying to call up as part of H.R. 1555 is the recommendations from this report.

Let's get in the RECORD what this report is. This report is the result of a March 18, 1999, President Clinton request that the President's Foreign Intelligence Advisory Board, commonly known as PFIAB, undertake an inquiry and issue a report on ''The security threat at the Department of Energy's weapons lab and the adequacy of measures that have been taken to address it.''

I will read the names of the board members and make sure the Senate and everybody knows who they are: The Honorable Warren B. Rudman, chairman; appointed members are Ms. Ann Z. Caracristi, Dr. Sydney Drell, Mr. Stephen Friedman, to form the special investigative panel. They are the members. They were given detailees from several Federal agencies, including CIA, FBI, DOD, to augment the work of the staff. They spent 3 months interviewing 100 witnesses, received more than 700 documents encompassing thousands of pages, and conducted on-site research and interviews at five of the Department's National Laboratories and plants: Sandia National Lab, Pantex in Texas, Oak Ridge in Tennessee, Livermore in California, and Los Alamos in New Mexico.

This report and an appendix that supports it, both of which are unclassified, are now before the Senate. A large volume of classified material which was also reviewed and distilled for this report has been relegated to a second appendix and is authorized for special kinds of authorized recipients.

This report examines the 20-year history—which I just alluded to in reading the excellent article by Mr. Light—of security and counterintelligence issues at the laboratories, with an issue on five laboratories that focus on weapons and related weapons research. It looked at the inherent tensions between security concerns and scientific freedom at the laboratories. In effect, they looked at the institutional culture and efficacy of the Department. They looked at the growth and evolution of foreign intelligence and the threat thereafter to the National Laboratories, particularly in connection with foreign visitors programs, the implementation of effective Presidential Decision Directive No. 61, the reforms instituted by the Secretary, and other related initiatives.

At some point in time within the last 5 or 6 months when it started to evolve that, in fact, there could have been a very serious, significant, prolonged, and persistent breach at Los Alamos, the President of the United States—and others might argue that the timeliness of the President's actions is an issue. I am not sure that I will argue that point. My point in what I will discuss today and tomorrow, and for however long it takes to get this bill up and get this amendment considered, is going to be discussing how we fix what is wrong with this Department of Energy as it relates to nuclear weapons and how we do it now—not 6 months from now, not a year from now, but now.

Eventually, the President issued a Presidential decision directive which is called No. 61. Now, that suggested in no uncertain terms that some things be changed in the Department, and changed forthwith. However, those were things the Department could do without any legislation. They preceded the thorough recommendations that were made by the Rudman commission. Then it included additional measures to improve security and counterintelligence.

I ask unanimous consent to have printed in the RECORD the page of the abstract of the Rudman report, with the panel of members and the staff.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

PANEL MEMBERS

The Honorable Warren B. Rudman, Chairman of the President's Foreign Intelligence Advisory Board. Senator Rudman is a partner in the law firm of Paul, Weiss, Rifkind, Wharton, and Garrison. From 1980 to 1992, he served in the U.S. Senate, where he was a member of the Select Committee on Intelligence. Previously, he was Attorney General of New Hampshire.

Ms. Ann Z. Caracristi, board member. Ms. Caracristi, of Washington, DC, is a former Deputy Director of the National Security Agency, where she served in a variety of senior management positions over a 40-year career. She is currently a member of the DCI/Secretary of Defense Joint Security Commission and recently chaired a DCI Task Force on intelligence training. She was a member of the Aspin/Brown Commission on the Roles and Capabilities of the Intelligence Community.

Dr. Sidney D. Drell, board member. Dr. Drell, of Stanford, California is an Emeritus Professor of Theoretical Physics and a Senior Fellow at the Hoover Institution. He has served as a scientific consultant and advisor to several congressional committees, The White House, DOE, DOD, and the CIA. He is a member of the National Academy of Sciences and a past President of the American Physical Society.

Mr. Stephen Friedman, board member. Mr. Friedman is Chairman of the Board of Trustees of Columbia University and a former Chairman of Goldman, Sachs, & Co. He was a member of the Aspin/Brown Commission on the Roles and Capabilities of the Intelligence Community and the Jeremiah Panel on the National Reconnaissance Office.

PFIAB STAFF

Randy W. Deitering, *Executive Director.*

Mark F. Moynihan, *Assistant Director.*

Roosevelt A. Roy, *Administrative Officer.*

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Roy B., *Defense Intelligence Agency.*

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Jerry L., *Central Intelligence Agency.*

Christine V., *Central Intelligence Agency.*

David W. Swindle, *Department of Defense, Naval Criminal Investigative Service.*

Joseph S. O'Keefe, *Department of Defense, Office of the Secretary of Defense.*

Mr. DOMENICI. I note the presence of the cochairman of the committee that actually has jurisdiction and is in control of the bill, H.R. 1555, Senator BOB KERREY of Nebraska.

I say to the Senator what I said to one of his staff members who was on the floor. Whenever the Senator is ready, I will relinquish the floor and yield. I am prepared to speak today and tomorrow and however long is necessary until we all get together and get the bill up and get the amendment to it called up. I am not here today to keep others from speaking. My responsibility with reference to the amendment which we propose is to start talking about the significance of it and of the Rudman report to the future security prospects for our nuclear resource development by the Department of Energy.

I started on that report of your good friend and mine, Senator Rudman. This is not a bad breaking point for me if the Senator desires to speak.

Mr. KERREY. I have a unanimous consent request, and then I am pleased to let the Senator continue.

PRIVILEGE OF THE FLOOR

Mr. KERREY. Mr. President, on behalf of Senator BIDEN, I ask unanimous consent that the privilege of the floor be granted to David Auerswald, an American Political Science fellow on the Democratic staff of the Foreign Relations Committee, during the pendency of H.R. 1555, to authorize appropriations for fiscal year 2000 for intelligence and intelligence-related activities for the United States Government.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, what I want to do, in the presence of my friend, is recap. I heretofore, I say to the Senator from Nebraska, made the point of why we need some dramatic, drastic, and significant reform of the Department of Energy as it applies to nuclear weaponry in all its context. I have indicated there are a number of reports that point in the direction of doing something very different, not just some new boxes in the Department.

I said I would start with a review of the Rudman report as to what they recommend, because the amendment I will

be proposing and of which Senator KERREY is a cosponsor is our best effort to incorporate into the bill language the Rudman recommendations. We are not inventing something new, although some of us were on that trail before the Rudman report. It is essentially an effort to convert these recommendations, of which my colleagues are fully aware, to a bill, and that legislation will be presented when we are on the bill. We do not know when that time will come. We are now on a motion to proceed to that bill.

Let me now, in my own way, talk a bit about the Rudman report. The Senate is now fully aware of who the commissioners are, what their origins are, and the fact that this is the first such report that has been made public. In the past, Presidents have used them, but they have not made them public. The President asked from the outset that this report be made public. That was prudent because we were in such a state of confusion and chaos regarding how much of our future security was actually stolen. This was a good way to say some people are recommending ways to fix it. It is public.

Let me state to the Senate, and those interested, some of the significant findings of this report. Remember, the reason the report is significant is not because it is the only report of its type, but it is the last one recommending drastic change. These findings I am going to be talking about are in support of the bill we want to introduce, because they are in support of the Rudman commission's recommendations.

Findings found at pages 1 through 6—I am going to pick out the ones I think most adequately present the issue and the reasons for doing something.

No. 1, from my standpoint:

> More than 25 years worth of reports, studies and formal inquiries—by executive branch agencies, Congress, independent panels and even the DOE itself—have identified a multitude of chronic security and counterintelligence problems at all the weapons labs.

I give this fact at the outset because I am very concerned there still will be some in the public, at the laboratories and in the Senate, who will say we need more time. Remember, the finding I just stated was that for 25 years there have been reports, studies, and inquiries that addressed the issues in this amendment we want to call up on the bill.

No. 2:

> Organizational disarray, managerial neglect, and a culture of arrogance—both at DOE headquarters and at the labs themselves—conspired to create an espionage scandal waiting to happen.

Those are not my words. I might have phrased it differently. Essentially, in the amendment we want to call up, we are also trying to change the organizational disarray. We are trying to change it so that managerial neglect will be harder to be vested in this part of the DOE. We are addressing the culture, but we are not destroying the actual necessary component within these laboratories of freedom for scientists. But freedom is not absolute for scientists who work on nuclear weapons. We want to give them as much freedom as is consistent with minimizing security risks, and that means there has to be pushed through management a change in the culture without changing the scientific excellence.

> . . . DOE headquarters and at the labs themselves—conspired to create an espionage scandal waiting to happen.

The way it is phrased one would think they were doing something intentional in that regard. I would not have used ''conspired.'' It happened that way because of the way it is managed and the way the culture has developed.

Let me move down to another couple I think are very important:

> DOE has a dysfunctional management structure and culture that only occasionally gave proper credence to the need for rigorous security and counterintelligence programs at the weapons laboratories. For starters, there has been a persistent lack of real leadership and effective management of the DOE.

They also factually concluded that the Department—and this is very important—is a dysfunctional bureaucracy that has proven it is incapable of reforming itself. Why do I pull that one out? Because we are hearing that we do not need to do everything this report recommends because the Secretary is going to do it. As a matter of fact, the Secretary is a friend of mine. He is from my State. He served in the House and I in the Senate, and I have great respect for what he did. He has done more in the Department in the past few months than anybody we have had around in terms of seeing that it is really risky and things are dangerous there; we have to get on with fixing them.

The point is, the Rudman commission said the Department's bureaucracy is so dysfunctional that it cannot reform itself. For those who will come to the Chamber either in opposition to the amendment or indicating we should go slowly because the Secretary is doing some things, I will keep reading them this statement.

This is not our statement. This is the statement of five of the best people around appointed by the President of the United States to tell us how to fix this. In fact, I will tell you one of them, Dr. Drell, would be picked by anyone on any five-member commission that was going to survey and recommend how we should handle nuclear weapons within our bureaucracy better.

He is on this, and he agrees. They are saying the Secretary cannot fix it because the bureaucracy is so rambunctious, so overlapping, so inconsistent that it cannot fix itself.

Last:

> Reorganization is clearly warranted to resolve the many specific problems with security and counterintelligence in the . . . laboratories, but also to address the lack of accountability that has become endemic throughout the entire Department.

I am going to move to a couple more facts. We all know—no, we do not all know; some of us know because we have been around here long enough—that we can look at who have been the Secretaries of Energy over time, and the Rudman report has something to say about that.

This is a complicated Department, but if you know anything about it, it runs all the nuclear weapons activities in the country. For starters, one would think: Boy, we ought to put somebody in who knows a little bit about that.

The report says:

> The criteria for the selection of Energy Secretaries have been inconsistent in the past. Regardless of the outcome of ongoing or contemplated reforms, the minimum qualifications for Energy Secretary should include experience in not only energy and scientific issues, but national security and intelligence issues. . . .

I am not going to list the Secretaries in the last 30 years since the DOE was formed, and prior to it ERDA, but I am going to merely say there have not been very many Presidents who gave serious consideration to who should be the Secretary in the same context that the five-member commission looked at what should be the qualifications.

There will still be some who will say: Well, look, we have a Secretary who is trying. This has just come upon us. Let's go a little slower.

The Rudman commission made another finding, and it is the following:

> However, the Board is extremely skeptical that any reform effort, no matter how well-intentioned, well-designed, and effectively applied, will gain more than a toehold at DOE, given its labyrinthine management structure, fractious and arrogant culture, and the fast-approaching reality of another transition in DOE leadership. Thus we believe that he has overstated the case when he asserts, as he did several weeks ago, that ''Americans can be reassured; our nation's nuclear secrets are, today, safe and secure.''

That is an allusion to a statement by our Secretary of Energy. I take it Secretaries have tried to tell us they are doing everything they can within the structure they have and that we are moving in the direction of making things safe.

This board—I frequently call it a commission—the Rudman board, has taken a look at that statement versus what they think you can do in that Department, and they have concluded that things are still kind of at risk.

I note today, in the presence of the press the new securities czar, the distinguished four-star general who was appointed, is saying: We're working on it, but it is at least a year away in terms of having something in place. I note that is in the news today.

What did this distinguished board—sometimes referred to in my remarks as commission—actually recommend by way of reorganizations? I want everyone to know I am going to repeat that there are other reports, prior to this, that recommended dramatic changes within the Department, and I

have not yet alluded to them. I am only talking about the Rudman recommendations.

They suggest that:

The panel is convinced that real and lasting security and counterintelligence reform at the weapons labs is simply unworkable within DOE's current structure and culture. To achieve the kind of protection that these sensitive labs must have, they and their functions must have their own autonomous operational structure free of all the other obligations imposed by [the department].

In order to do that, they say it can be done in one of two ways.

It could remain an element of DOE but become semi-autonomous—by that we mean strictly segregated from the rest of the Department. This would be accomplished by having an agency director report only to the Secretary of Energy. The agency directorship also could be ''dual-hatted'' as an Under Secretary, thereby investing [him] with extra bureaucratic clout both inside and outside the department.

They go on to say:

Regardless of the mold in which this agency is cast, it must have staffing and support functions that are autonomous from the remaining operations at DOE.

Essentially, when you read the recommendations, the most significant words are their functions must have their own autonomous operational structure free of all other obligations imposed by DOE management.

You get that one of two ways. You get it semiautonomously—which I have just read—or you can take it out of the Department of Energy in toto, stand it free, i.e., NASA. They have suggested those are the two ways.

Those of us who have been involved for years think that we ought to start by trying to convince the Senate and House that we should make it semi-autonomous, leaving it within the DOE, for a number of reasons, and only if all fails should we go the other route.

This Senator is very concerned about the laboratories that make us so strong and contribute so much to our science effectiveness in the world, that they remain the very best. I would not, for a minute, be talking about restructuring if I did not think those laboratories could continue to do work for others, work for other agencies, and work for the Department of Defense and nuclear weapons. I believe they can and they will. I believe they will, under the amendment about which we are talking.

So while there is much more to talk about, in summary, H.R. 1555, which is the annual intelligence authorization bill, the sooner we can get it up on the Senate floor, the sooner we can bring up this amendment, the Kyl-Domenici-Murkowski, et al. amendment, which has every chairman of every committee who is involved in this as cosponsors, along with a number of other Senators, and the distinguished Senator from Nebraska, who is here on the floor with us, Senator KERREY, and Senator FEINSTEIN of California. As soon as we can start debating it—obviously, we are willing to listen; we do not claim that every ''t'' is crossed right and every ''I'' is in the proper place, but we believe the format to accomplish what the Rudman five-member board recommended is within the four corners of that amendment, and that is what we ought to be looking at now in the next few days to get it done.

I yield the floor.

Mr. KERREY addressed the Chair.

The PRESIDING OFFICER (Mr. VOINOVICH). The Senator from Nebraska.

Mr. KERREY. Mr. President, the Senator from New Mexico has done a very good job of outlining an urgent need to change our law governing the Department of Energy. I have high praise for him and Senators WARNER, MURKOWSKI, KYL, and, on our side, Senators LEVIN, BINGAMAN, and LIEBERMAN, who have worked to try to fashion a piece of legislation, a law that will balance our need for secrecy and our need for security.

I appreciate very much, I say to the Senator, his leadership on this and the sense of urgency that he has brought to the need to change our law. My hope is that we, at the end of the day, at the end of this debate—I do not think there is going to be very much objection to moving to this bill—my hope is that we can get a very large majority, if not a unanimous vote in support.

I know the Senator from Michigan, Mr. LEVIN, has some amendments he wants to offer. He has talked to me a little bit about them. We will have a chance to talk about those, I guess, tomorrow when we come to it.

But there is no question that the laboratories have been a tremendous source of pride and a tremendous source of discovery and a tremendous success story as far as delivering to the United States of America things that have made the United States of America more secure and more prosperous.

Likewise, there is no question that over the years—over the last 20 years or so—since the Department of Energy was created, there has been sort of a gradual buildup of layers of bureaucracy that make it more and more difficult for any Secretary of Energy, whether that individual has the requisite skills or not, to know what is going on in the laboratories and to have the authority needed to manage those agencies so those laboratories, as Senator Rudman, chairman of the PFIAB says in the title of his report, can get both the best science and the best security simultaneously. We unquestionably have the best science. I am quite certain the Senator from New Mexico believes the same way I do. In visiting the labs, in particular the lab that is under question, Los Alamos, most of the people I have met there described themselves as being very conservative to extremely conservative on the question of security and expressed their concern that their reputation for keeping the United States of America safe has been damaged. Of all the people who are anxious to get the law changed so that the lab's reputation for being the world's finest both for science and security can be restored, there are no more powerful advocates of that than at Los Alamos Laboratory from Dr. Brown on down.

This is an unusual opportunity because normally the intelligence authorization bill goes through almost with unanimous consent. Since I have had the opportunity a few years to come here with the chairman, with usually about 15 minutes' worth of conversation and without a lot of interest, the bill goes through. The good news this year is that it will not go through quite so quickly. It is good news because it gives us an opportunity to examine what it is this bill does and what it is this bill does not do.

Unfortunately, current law does not allow us to tell the people of the United States of America either how much we spend on all of our intelligence collection, analysis, or dissemination efforts, or does it allow us to tell what the individual components of that are. I say ''unfortunately'' because I do believe quite strongly that we would be better off changing the law so the public did know both of those things. I believe that unless the people of the United States of America support what it is we are doing with our intelligence efforts, it is very difficult, over a long period of time, to sustain that effort. I myself am very much concerned that at the moment the general public does not either understand what it is we do on the intelligence side, or as a consequence of some very highly publicized failures are they terribly confident that we are doing a very good job of collecting intelligence, analyzing that intelligence, producing that intelligence, and then disseminating that intelligence to either warfighters or to national policymakers.

I have had the good fortune of watching the men and women who do this work for a number of years. I am not only impressed with their skills, but I am impressed with their patriotism and impressed with their successes, most of which I cannot talk about on the floor this afternoon.

Let me make the case, first of all, for secrecy. I think there are times when it is absolutely vital and needed. When we have warfighters on the field, as we recently had in Kosovo, we obviously can't provide the target list to the public and let people know where it is that these pilots are going to be flying. We cannot obviously provide battlefield information. Otherwise, we are going to increase the risk to these warfighters. It is always difficult in an environment where it is just the United States, let alone where there are 18 allies, to contain that intelligence and not have a terrible example of something where intelligence information got to our enemies, and as a consequence, they were better prepared, and as a consequence either we were not as successful as we wanted to be or there were casualties as a consequence.

It is a life-or-death matter that we keep these secrets. We have asked men and women to put their lives at risk, and we have to protect their interests. Otherwise, we will find it very difficult to find volunteers to go on these missions.

It is needed for military operations. It is needed for some covert operations as well, where the President has signed a finding. He has asked that certain things be done, again, in the interest of the United States, overseen by the Congress. Today, I have very high praise for this administration in that regard. Since the Aldrich Ames spy incident where Aldrich Ames, traitor to his country, not only gave up U.S. secrets, he gave up secrets that led to the deaths of many men and women who were working on our behalf, this administration has increasingly come to the oversight committees, one in the House and one in the Senate that were created in 1976, with what are called notifications of errors, notifications of problems and mistakes that were made on a weekly basis.

We are receiving information that the executive branch thinks we need to know in order for us to make judgments about what it is we think the United States of America ought to be doing. So there is a lot more—in fact, it feels like a fire hose at times—notifications that are occurring in both the House and the Senate committee.

Indeed, our committee was notified about this particular incident in 1996, and I think we responded appropriately to it at the time. We pushed back and asked for additional counterintelligence. When I say ''this particular incident,'' I am talking about the notification of the possibility that the Chinese had acquired what we now know in published accounts to be details about a weapons system known as the W–88, our most sophisticated nuclear weapon, that the Chinese had acquired that through espionage in the 1980s.

We were notified of that in 1996, 11 years after it was suspected to have happened. I think the committees were properly notified, and I think the committees properly responded and measured the relative threat to other things in the world and pushed back and responded, I thought, in an appropriate fashion. There was much more that we probably could have done. I will let history judge whether or not we did enough. The point is, there are secrets. As a consequence of those secrets, under law, under a resolution we have created, the Senate Committee on Intelligence and the House has done the same. Those committees have congressional responsibility for hearing these secrets and making judgments, first, about what kind of structure, what kind of budget, and what kind of operations we are going to approve.

I make the case that secrecy is needed in order to maintain our security both for military and for our operations. There are sources that we use, there are methods we use, both of which must be kept secret in order for us to continue to recruit and in order for us to continue to operate with a maximum amount of safety for, again, the men and women who have chosen, as a result of their patriotic love of their country, to serve their country in these missions. We need to make certain we provide them with the secrecy needed for them to conduct their operations.

However, there are times when secrecy does not equal security. It is a very important point for us to consider as we both debate this bill and try to think about how we want to write our laws and think about how we are going to do our operation. Sometimes secrecy can make security more difficult.

There is a recently declassified report called the Venona Report that describes the acquisition of information about spies inside the United States during the post-World War II era. In that report, there is a very interesting moment when General Omar Bradley, who at that time was in charge of intelligence, made the decision not to inform the President of the United States that Klaus Fuchs and others were spies for the Soviet Union. The President was not informed. Secrecy was maintained. General Bradley liked President Truman; he was an Army man like himself. But he made a judgment that secrecy had to be maintained, that the commanding officer of all our forces, that the President, duly elected by the people, didn't have a need to know. So a judgment was made to preserve secrecy.

I believe, as a consequence, policies didn't turn out to be as good as they should have and security was compromised as a consequence. I am not blaming General Bradley. I see it from time to time. Indeed, what caused me to talk about this was my belief that we should change the law and allow the people of the United States of America to know how much of their money we are allocating for intelligence and how much in the various categories is being allocated. I fear that all the public has are bad stories about mistakes that are being made, the most recent one being a mistake in targeting inside of Belgrade.

The Chinese Embassy was mistakenly hit one block away from another target that should have been hit. A great deal of examination of that has already been done. It caused us a great deal of trouble with the Chinese Ambassador. Under Secretary of State Pickering had to make a trip to China. This all occurred at a very delicate time when we were trying to get the Chinese to agree to some changes in their policy to ascend to the WTO. It was a big embarrassment.

I get asked about it all the time: What kind of so-and-so's are over there? Are we getting our money's worth? Are we wasting our money? Couldn't they just have spent $2 on a map that was readily available to show where the Chinese Embassy was? Why spend billions of dollars on all these folks if they don't even have good enough sense to use a commercially made $2 map?

There are questions about the failure to predict the detonation of a nuclear weapon in India over a year ago, which was followed by a detonation by Pakistan. A third item I hear a lot is that the CIA failed to predict the end of the Soviet Union, and anybody that can't predict that doesn't deserve to get a lot of U.S. tax dollars.

It is unfortunate that only the bad stories get out. First of all, on the targeting of the embassy, it was a mistake, but we were in a war, for gosh sakes. We are being asked to deliver targets, asked to identify the targets, and the operation's requirement was to minimize the casualties to the United States and our allies. Not a single American or single ally was killed during that entire operation. I consider that a mark of tremendous success. That did not occur by accident. There is no shelf of books with one saying ''T'' for targets in Belgrade and Kosovo. We had to develop those targets on our own and relatively late. We didn't expect the bombing operation to go on that long. We had—when I say ''we,'' I mean the administration—the impression that possibly it would be over quicker, based upon the experience of 1995.

In short, it was a tremendous success. Not only were we able to conduct that operation without a single allied casualty, but, in addition, we reversed the trend of modern warfare in the 20th century. Modern warfare in the 20th century has seen an increasing fraction of casualties that are noncombatants. I believe, in this case, except for the casualties produced by the Serbian army and their military police and their paramilitary units in Kosovo, there was also success in minimizing civilian casualties in this effort.

We could not, for example, have implemented Dayton. One of the untold stories is the success of the intelligence operations. At that time, it was General Hughes who organized the takeover authority in December of 1995. It was a United Nations operation, transferred over to NATO. They worked night and day to set up a communications system that allowed us to know who was and who wasn't abiding by the Dayton agreement—a very, very complicated agreement. The people who were in charge of developing our intelligence operation read it, knew it, and disseminated it down the ranks. Everybody understood what had to be done. It was impressive that, in a very small amount of time, we were able to put together an intelligence collection and dissemination effort that enabled us to implement the Dayton agreement.

There are many other examples, such as the Indian detonation of a nuclear weapon. In fact, we had the intelligence collection that predicted and prevented one about 18 months earlier.

Nobody should have been surprised. We don't really need to have intelligence officers collecting and predicting a detonation of nuclear weapons in India when the successful party in an election promised, and made a part of their campaign a promise, to detonate if they were elected, to test a nuclear weapon.

Anyway, I think it is very important for me, as somebody who has been given by my leader the opportunity to sit on this committee and to observe what is going on, to attempt to correct things I thought were wrong, make decisions about how much taxpayer money to allocate, about how to respond to mistakes made and intelligence errors that occur, how to respond and correct those errors—it is very important for me to say to taxpayers that my view is that you are getting your money's worth.

According to published accounts, we spend $28 billion a year. I wish I could provide that number as well as some additional details, but if that is the current dollar amount, according to published accounts, in my view, just watching what is done, the American people are getting their money's worth. There are tremendous threats in the world that our intelligence agencies collect against. They supply that intelligence to our warfighters, to our military people. Imagine what it would be like to be in charge of U.S. forces in South Korea. You have the most heavily militarized area in the world between North and South Korea. There are about 37,000 young men and women in South Korea defending against a possible attack from North Korea, and the question to their commanding officer is: What are North Korea's intentions? What are they doing? They need an answer.

It is an extremely hard target to penetrate and to know what is going on. Those warfighters need to know that information. They can't operate in the dark. Our intelligence collection operators do that time in and time out, day in and day out, try to collect, process, produce, and disseminate intelligence to warfighters and the national policymakers and decisionmakers, in order that the United States of America can be as safe as it possibly can be. My view is that they have achieved a substantial success. They are not perfect; none of us are. But their substantial success deserves a very high amount of praise.

Mr. President, a related problem we have with intelligence is that many people presume that the Director of Central Intelligence, who manages the CIA and other national intelligence efforts, controls it all. Not true, though the Brown commission report that was assembled after the Aldrich Ames betrayal recommended that increased authority be given to the Director of Central Intelligence to budget and select personnel for these other areas. For many reasons, these authorities were not granted the Director. The current Director, Mr. Tenet, controls far less than they realize, under law.

I don't believe that is a healthy situation. We were successful 2 years ago in getting the Director, under statute, some additional authorities. But my view is that it is not enough to match authority with responsibility. We have not done that. We are holding the Director responsible for intelligence failures in many areas over which he has no real direct budget authority or personnel authority.

So the distinguished Senator from New Mexico has properly identified a problem at the laboratories, as a result of the structure of the law that governs the Department of Energy, that needs to be fixed. The concern is that through some set of facts—today, we don't even know what the set of facts are—the Chinese probably acquired information about our nuclear secrets, and, as a consequence, they may have the capacity to build and deploy very dangerous weapons. They stole secrets from us, and, as a consequence, we are concerned about how to increase the secrecy of these labs.

I underscore with this statement that secrecy does not in all cases equal security. There are times when secrecy will make security more difficult to achieve. My own view is that the failure under law to let the public know what our expenditures are, and how those moneys are spent, decreases our security because, unless I am mistaken in just sensing citizens' attitudes toward our intelligence agencies, they do not have a sufficient amount of confidence that they are getting their money's worth. As a consequence of that lack of confidence, I think we are having a difficult time acquiring the resources necessary in a world that is more complicated and a world that, in many ways, is more dangerous than it was prior to the end of the cold war.

My hope is that this debate about the Department of Energy can occur relatively quickly, that we can get to it tomorrow, that we can resolve the remaining conflicts, and that we can get this intelligence authorization bill passed. Both the chairman and I see the year 2000 as a watershed year. We were successful last year in increasing the resources given to our intelligence checks and analysis and production and dissemination efforts. We need to continue that trend.

We have been downsizing in the 1990s. I believe very strongly that that downsizing must stop if we are going to be able to honestly say yes to the American people, that we are doing all we can to keep them as safe as possible against a real range of threats which are still out there in the world.

The United States of America is the leading nation on this planet. We have the strongest economy. We have the strongest military. We have the longest running democracy. We tend to take sides on issues, whether it is in the Middle East, Northern Ireland, or someplace else on the planet. We clearly take sides when it comes to fighting for individual freedom—for the freedom of people in China, for the freedom of people in Russia, and throughout this planet. We put our resources and our reputation and our lives on the line.

In 1996—it has been so long ago—Americans stationed in Saudi Arabia after the gulf war, flying missions and supporting missions in the southern area, were killed. We suspect a variety of possibilities as perpetrators. But they were killed not because they were in Saudi Arabia by accident; they were in Saudi Arabia defending U.S. interests, and they were killed because they were targeted by people who didn't want them in Saudi Arabia.

We take sides, and, as a consequence, we are targets. We are targets as well because we have been successful. There is jealousy and hatred towards the people of the United States of America.

We understand the interconnected nature of our economy and of our diplomacy throughout the world. A problem in Angola can be a problem in Omaha, NE relatively quickly.

So we forward-deploy our resources. We don't just have missions in NATO or missions that involve the United Nations. We are forward-deployed throughout the world in an attempt to make the world more peaceful, more democratic, and more prosperous. It is a mission the United States of America has selected for itself. I thank God that it has. It is a mission that has resulted in enormous success.

I don't know how the rest of my colleagues felt at the time, but I remember quite vividly and was very moved for moments during Joint Sessions of Congress—not that Presidents haven't moved me with their State of the Union Addresses. But far more moving to me was Vaclav Havel, Nelson Mandela, Lech Walesa, and Kim Dae-jung of South Korea.

All four of these men came to a Joint Session of Congress and said to the representatives of the people of this country: Thank you; you have put your lives on the line for our freedom; you put your money on the line for our freedom; you stayed the course, and we are free.

Since Kim Dae-jung of South Korea gave that address, if I ever ran into a man who fought in the ''forgotten war'' in South Korea in the 1950s, I am quick to say this. I know there are many criticisms of that war. Many people wondered whether or not it was worthwhile. Let me tell you, on behalf of the President of South Korea and the people of South Korea, that that war was worth fighting.

All one has to do is look at the difference between living in freedom in South Korea—an imperfect democracy, as many are; but, nonetheless, the people of South Korea are free; their standard of living is higher; they have the liberty to practice their religion, to speak on the streets—and North Korea, which is a nation of great suffering and great anguish. Large numbers of people

are dying as a consequence of malnutrition. The country is arguably in the worst condition of any country on the face of this Earth.

That didn't occur by accident. The world marketplace didn't get that done. I am a big fan of the marketplace and a big fan of what business can do. The intervention that liberated the people of South Korea was not the intervention of Sears & Roebuck; it was the intervention of American forces, American will, American blood, and American money. The people of South Korea are free as a consequence.

We didn't make a decision based on the shape of their eyes or based on the color of their skin or based upon their religion. We didn't do it based upon a desire to own territory or a desire to own wealth or a desire to establish a colony. We did it based upon a desire to fight and to keep the people of South Korea free.

When you take a stand such as that, as the distinguished occupant of the Chair knows—he has been in politics a very long time, an outstanding public servant—you know when you take a stand, especially on a controversial subject, you are apt to provoke some enemies; you are apt to get people organized against you. They don't agree with the position on this, that, or the other thing.

The United States has enemies as a result of taking a stand and as a result of our having taken a stand throughout the world in general on behalf of freedom.

We provoke animosity in many ways. We are at risk, as a consequence, not just from nation states—that is the older world where nation states were the No. 1 threat—today, it is nonnation state actors such as Osama bin Laden and other terrorists who organize themselves away from the normal powers and structures of government. Cyber warfare, biological and chemical warfare—all of these things we have discussed at length are real and present dangers to the people of the United States of America.

It is certainly true that our diplomats at the State Department and our diplomats in other areas of Government have to try to use our intelligence and produce diplomatic successes, as well as to reduce threats. But the State Department, the Department of Justice, the Department of Defense, the Department of Energy, the Department of Agriculture—throughout Government—the Congress, and the President of the United States regularly receive analysis that has occurred after checks have been done, after analysis has been done, after production has occurred, and then it is disseminated to people who make decisions all the time and, hopefully, make better decisions as a consequence of the intelligence delivered to them.

My view is that this budget decline we have experienced in the 1990s needs to stop. I hope that this intelligence authorization bill will be passed by the Senate, that we can go to conference quickly with the House, and get it to the President for his signature. I have no doubt that the President, subject to our not putting things on here that the President can't support, will sign the bill.

One of the things that I think undercuts our ability to do that is the continued belief we have to keep from the American people how much money is being spent. I have said that often enough now. I am not going to offer an amendment. I can count votes. I know that amendment would not succeed. But I intend to continue to make the point and try to persuade, especially my friends on the other side of the aisle, that we will increase the Nation's security by making this information publicly available to the American people.

Again, the point here is that 100 percent secrecy does not always equal 100 percent security. Sometimes 100 percent secrecy can actually decrease the security, as a consequence of the right people not getting the information. As a consequence of discussions not proceeding subject to compartmentalization that prevented one key person from talking to another key person, and, as a consequence, neither one of them knew what the other was doing, the result is that a bad decision was made.

I also would like to discuss an issue that, to me, is extremely important. I don't know if the Senator from New Mexico has additional things he wants to say.

Does the Senator from Michigan desire to speak? Since I will be assigned to sit down for a long period of time, Senators may want to move on. I think I will have plenty of time to talk about this bill.

Mr. President, I presume they would like to speak. I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I thank my good friend from Nebraska and my friend from New Mexico for their courtesies in sharing the floor so that we can chat about some of the issues which we will be taking up when we move to this bill tomorrow, which I hope and expect we will.

One of the issues we are going to be taking up, which will probably take more time than other issues in this bill, is the Department of Energy reorganization issue. This comes to the floor on this bill. Whether it is the best place or not, it is going to happen. I think everyone wants this reorganization issue to be resolved, hopefully, in some kind of a consensus manner, if possible, in a way that it can become law.

There is strong opposition in the House to the reorganization of the Department of Energy being added to either the Department of Defense authorization bill or to this appropriations bill, this intelligence appropriation. That is a fact of life we have to deal with.

I suggest the more we are able to come together in a bill which has more of a consensus support, the stronger position we are going to be in, in trying to persuade the House to take up this matter promptly, for all the reasons the Senator from New Mexico gave, as well as to get the President to sign the bill. I hope we will take these hours between now and the time this bill is before the Senate to attempt to work out some of the differences that do exist.

I simply want to summarize where at least I am in terms of the recommendations of the Rudman commission. I am for those recommendations. The label of the agency is not as important to me as the powers of this new agency—semiautonomous agency, separately organized agencies, as they are called, including DARPA. I believe we should have a separately organized agency which is synonymous with, I presume, a semiautonomous agency.

That does not resolve the issue, simply to agree on a label. The question then is: What powers will that agency have and what is the relationship of that new agency to the Department of Energy? That is the issue we should try to resolve in a consensus manner if we possibly can.

We want two things to be true: We want this agency to have a significant degree of autonomy, independence, separate organization, separate staff, legal advice, personnel advice. We want them to have their own set of staff so they can operate in a significantly independent way.

On the other hand, we want the Secretary to be able to run his agency, to run the overall agency. If it is going to be in the Energy Department, if it is not going to be carved out of the Energy Department—which was the other alternative that Rudman suggested as a possibility—if it is going to be inside the Energy Department, then we have to have the Secretary be able to implement the policies of the Department of Energy, which have to apply to all parts of the Department of Energy, whether or not they are ''separately organized'' agencies within the Department.

That is the balance we are trying to strike. I will come to that a little bit later, as to how other separately organized agencies within the Department of Defense have struck that balance. Reaching a consensus, instead of having a significantly divided vote, is going to strengthen the prospects for reorganization of the Department of Energy along the lines Senator Rudman has proposed.

Do we need to reorganize the Department? We sure do. For 20 years or longer, there have been reports after reports after reports of lack of accountability, of duplication, of an inability for this Department to function in a very smooth and strong way, particularly as it relates to elements of national security. We should do something about it. We should do it now. It

doesn't mean we should simply say let's delay it for some later time. On that, I think, there is a consensus. We ought to fix this Department, not just say let's do it at a later time.

I hope there is also some agreement that we ought to take the few days that may be necessary to try to put together a reorganized DOE—one which has a separately organized agency to handle these nuclear issues—so we can have a stronger chance of this becoming law. We have all been frustrated by the breakdown in security which the Cox commission report highlighted by the so-called PFIAB report, the President's Foreign Intelligence Advisory Board, which Senator Rudman chaired. That frustration has been compounded by the fact that past administrations and past Congresses have received literally dozens of intelligence studies, GAO reports, FBI briefings, going back to the mid-1970s, detailing inadequate security safeguards at the Department of Energy labs and detailing foreign espionage efforts to obtain sensitive U.S. technology. This has been going on for over 20 years.

This is what Senator Rudman said at a joint hearing of four Senate committees:

> I had our staffs sit down and add up the number of reports that have found problems with the security of the DOE for the past 20 years. The numbers are astounding. 29 reports from the General Accounting Office, 61 internal DOE reports and more than a dozen reports from special task forces and ad hoc panels. Altogether, that is more than 100 reports, or an average of five critical reports a year for the past two decades.

Here we are, 20 years down the road, Senator Rudman said, still battling with the same issues. I think you would agree with me, that is totally unacceptable. All Members listening that day I think were nodding our heads, without exception.

As Senator Rudman noted last month, security at the Department of Energy has been an accident waiting to happen for over 20 years. Three administrations and Congress share the responsibility for not doing more over the years to heed the warnings of those reports to legislate corrective action. The challenge is to put that frustration, which we all share, to constructive use and to put in place an effective and workable management structure, the Department of Energy's nuclear weapons program, that ensures our vital national security secrets are not compromised in the future.

The Rudman recommendations include not just putting in place a separately organized agency but also putting that agency under the effective direction and control of the Secretary of Energy. That is going to be, it seems to me, what we have to resolve. We want it separately organized, but we want the Secretary to have effective direction and control of that agency. Those are two goals. Those two goals can be harmonized. They have been with other separately organized agencies, including some that I will mention in the Department of Defense which are used by Senator Rudman as his model, including DARPA.

We should seek both things: That semiautonomy, or that separate organization, which will put some focus and accountability inside that agency. If we are going to leave it in the Department of Energy—and that seems to be the consensus, that we leave it inside the Department—we must be able to have a Secretary who can effectively direct and control that semiautonomous or separately organized agency within his Department. It is a real challenge, but it is doable. We will do it with some care. They are both legitimate goals.

There have been some steps taken already to achieve those goals. As the Senator from New Mexico pointed out, we had a Presidential Decision Directive No. 61 which President Clinton signed over a year ago. The Rudman report noted, to its credit, in the past 2 years the Clinton administration has proposed and begun to implement some of the most far-reaching reforms in DOE's history. In February of 1998 that directive was signed. The Rudman report highlighted 5 of the most significant of the 13 initiatives in Presidential Directive No. 61.

First, counterintelligence and foreign intelligence elements in DOE would be reconfigured into two independent offices and report directly to the Secretary of Energy.

Second, the Director of the new Office of Counterintelligence would be a senior executive from the FBI and would have direct access to the Secretary of Energy. That is a very important question we are going to have to resolve and take up again, whether or not we want the director of a new Office of Counterintelligence to be not only a senior executive from the FBI but to have direct access to the Secretary of Energy. If we want to hold the Secretary of Energy accountable, which I do, then we have to access to him directly, it seems to me, a director of a new Office of Counterintelligence. That will be one of the issues we will be discussing and hopefully resolve.

Third, existing DOE contracts with the labs would be amended to include counterintelligence program goals, objectives, and performance measures to evaluate compliance with these contractual obligations.

Counterintelligence personnel assigned to the labs would have direct access to lab directors and would report concurrently to the Director of the Office of Counterintelligence.

The Senate has also acted in a number of ways. We passed significant legislation this year under the leadership of Chairman WARNER in the Armed Services Committee. We have adopted a series of measures in the National Defense Authorization Act which were designed to enhance counterintelligence, security, and intelligence activities at DOE facilities.

These measures include putting in statute most of the specific recommendations on security and counterintelligence contained in PDD–61. For instance, our bill, which is now in conference, includes a provision establishing separate offices of counterintelligence and security at DOE, each reporting to the Secretary. That provision, which the Senate already adopted, is in the DOD authorization conference, which is going on right now. It is taking up a Senate provision which establishes an office of counterintelligence and security at the DOE reporting directly to the Secretary.

That is not inconsistent, in my book, with having a counterintelligence chief at the agency. I do not view that as being inconsistent. On the other hand, we have to be clear one way or the other as to whether or not we believe there is an inconsistency in having both a counterintelligence person for the entire agency directly reporting to the Secretary, as well as having this new agency having its own counterintelligence chief. To me, that is not inconsistent, but the people who are offering the amendment may view that as being an inconsistency.

Mr. DOMENICI. Will the Senator yield?

Mr. LEVIN. Yes, I will yield.

Mr. DOMENICI. On page 5 of the amendment, which I think my colleagues have, we adopted the language that is in the Armed Services bill:

> The Chief of Nuclear Stewardship Counterintelligence shall have direct access to the Secretary.

Secretary of Energy.

Mr. LEVIN. That is somewhat different than the provision in the Senate bill which established the separate Office of Counterintelligence and Security at the DOE reporting directly to the Secretary. We have to work out whether we intend that to be the same or whether we intend that to be two separate offices of counterintelligence.

For instance, the new agency, I say to my good friend, is going to presumably have its own personnel director and its own programs inspector general and its own general counsel, but so is the Department of Energy going to have its own general counsel and its own personnel director and its own inspector general. There will be an office in that separate agency, and there will be an office at the Department. That is not inherently inconsistent. We do similar things with DARPA and with other separately organized agencies.

It seems to me, to make sure that we are not creating confusion and lack of accountability, we would want to make that clear in the amendment that we, indeed, are talking about an office at the departmental level, as well as now a separate office with some of these staff functions at this separately organized agency.

Again, that is the kind of language which I think is important we attempt to work out.

Mr. DOMENICI. Mr. President, I do not know how much longer the Senator wants to speak, but I can only be here

about 15 or 20 minutes and I still have a few comments. I want to listen attentively to what he is saying.

I believe I heard the Senator mention four or five things. I ticked them off as he mentioned them, and we find there may be two that are not in the bill which were thought to be management techniques. Three out of five or three out of six are in the bill. I am willing to work on anything my colleagues want to work on, except I want to make sure of what I consider to be the most important recommendation of all, when the Rudman report says:

To achieve the kind of protection that all these laboratories have, they and their functions must have their own autonomous operational structure free of all the other obligations of DOE management.

If we start with that, then I think we can work on that in terms of how you get there and make sure it means what you want it to mean. Frankly, I am very pleased this afternoon because I heard both the Senator from Michigan and the cochairman of the Committee on Intelligence say they want to get on with the bill and they want to try to work on the amendment to get it as bipartisan as we can.

Frankly, if that is the way we are moving, I am ready to say, let's work on it. I have given my colleagues my draft. It is the final draft. As soon as my colleagues have amendments, we want to look at them. I have three or four Senators to check with, and I am sure my colleagues have, too, but I do think you clearly understand, in the way the Senator has expressed it, that it will have its autonomous functions within that agency.

The Senator has a great concern, and if I was not positive that we had satisfied it, I would not be here.

On the second page, paragraph (C), we say:

The Secretary shall be responsible for all policies of the agency. The Under Secretary for Nuclear Stewardship shall report solely and directly to the Secretary and shall be subject to the supervision and direction of the Secretary.

That was put in because everybody said we ought to do that. It was a little earlier than some of you think. My colleagues missed it for a while. It is there.

At the end of the page we also say:

That the Secretary may direct other officials of the Department who are not within the agency for nuclear stewardship to review the agency's programs and to make recommendations to the Secretary regarding the administration of these programs, including consistency with similar programs and activities of the Department.

The Senator from Michigan has expressed a concern about that one. This may not be exactly the wording he would like, but I believe it moves in the direction of one of his previous concerns.

Mr. LEVIN. Mr. President, I thank my friend from New Mexico. Senator Rudman has said the following, in addition to the quotation my colleague cited:

That the Secretary is still responsible for developing and promulgating DOE-wide policy on these matters.

Then he said, and this is in his memorandum of clarification dated June 30, the second paragraph from the bottom:

He is still responsible——

Talking about the Secretary——

for promulgating DOE-wide policy on these matters, and it makes sense to us that a Secretary would want advisers on his or her immediate staff to assist in this vein. We understand that is why Secretary Richardson recently created DOE-wide czars to advise him on security and counterintelligence.

There is a need for a Secretary who is running a Department to have, as Senator Rudman points out, advisers on his or her immediate staff to assist him in developing and promulgating DOE-wide policy on these matters.

I want to take up the suggestion of my friend from New Mexico. It is possible we can achieve both, as the DOD does with DARPA and other separately organized agencies, or what I think the Senator from New Mexico would indicate are semi-autonomous agencies, agencies which are not separate from a Cabinet-level agency; they are not separate from the Department. We are not creating a new department, and I do not think the Senator from New Mexico wants to create a new department. We want this inside a department which is subject to departmental-wide policies and a Secretary who is able to effectuate those policies.

Mr. DOMENICI. Can I comment?

Mr. LEVIN. Sure.

Mr. DOMENICI. That is a fair statement that the Senator made about what I would like to see. I also stated on Friday past, the first time I ever said this as a Senator who has been involved with these nuclear activities since I arrived—and I have been chairman of the subcommittee that appropriates it for almost 6 years—if the semiautonomous agency is weakened, to the extent it is really just another of blocks on a chart, I will wholeheartedly support taking it all out of the Energy Department and making it a freestanding department. In fact, I am almost looking at this that if it were a freestanding agency like NASA, and moved within the Department, how would the Secretary control it? I am beginning to think of it that way. He still would have to control it so long as it is in his Department. But I think we have said that in the amendment.

We are willing to work with you on whether there are better ways to make sure he still is the boss; that is what you are talking about, that he is in control. The Under Secretary in charge of this new semiautonomous agency is not totally independent or we would not call him ''semiautonomous.''

Mr. LEVIN. Exactly.

Mr. DOMENICI. If we wanted him independent, we would put him out here like NASA and call him an Administrator or Director. So as long as we are thinking the same way, we are willing to work with you.

Mr. LEVIN. As I understand what you are saying, you want one Secretary to be able to have effective direction and control of this quasi-autonomous agency that is in his Department. With that standard, if that is a standard which you also accept, it seems to me that we ought to be able to find common ground. Whether that includes all the other Senators who have interests in this, neither of us can say. But as far as I am concerned, the test for me is whether or not we leave the Secretary of Energy like the Secretary of Defense with DARPA, having effective direction and control of that separately organized agency which has been called here a semiautonomous agency. That is my standard.

I am going to continue to work with colleagues on both sides of the aisle; and our staffs will share some amendment language which at least this Senator is working on. There are other Senators who have amendments as well. We will get you our amendment language by the end of the day in the spirit of trying to achieve some kind of a joint position on this going into the debate tomorrow.

I am happy to yield the floor. I heard my friend from New Mexico indicate that he is only able to stay a few more minutes. I am basically done. There are a few more thoughts I have about some of the separately organized agencies inside the Department of Defense and the way they are organized. They were used as the models by Senator Rudman. If we follow those models, I think—not exactly and not precisely—but if we follow the spirit of those models, we will have a Secretary of Energy who can effectively direct and control his semiautonomous agency that would be created, including, it seems to me, to be effective, the use, as Senator Rudman pointed out, of advisers on his immediate staff to assist him in effectively directing and controlling—which are my last words, not Senator Rudman's.

I yield the floor and thank my friend from New Mexico.

Mr. DOMENICI. I say to the Senator, I will not take very long.

The PRESIDING OFFICER (Ms. COLLINS). The Senator from New Mexico.

Mr. DOMENICI. I thank you for recognizing me.

I say to Senator LEVIN, I have read that part of the Rudman report which talks about the Secretary having adequate input and having staff to make input. Let me tell you what I would be very worried about; and I remain worried about it as we talk with the members of the staff of the Secretary.

I think the worst thing we could do is to create this semiautonomous agency on paper but make it still like it is subject in every detail to the Secretary of Energy and his staff. So I am not going to sit by and tell you I agree because I do not agree that we should say on the one hand an Under Secretary is going to run it, and it is created with autonomous authority for him, and then say

the Secretary's office can, with various staffers, run it day by day. Because then all we have done is created autonomy and then taken it away.

There are two ways to take it away. One is very direct. For example, just take out the environment and say they do not have control of the environment. That is one way. The other is to put it all back into the Secretary in detail so his staff can be running it.

I think you and I would be serving our country terribly if we created it, in a poor manner, semiautonomous and then found in 5 years, when it was set up, that three strong men in the Secretary's office were running it. I think that would be the worst ending we could have because we would be back to seeing how good they were at things; and without that, it would be an unsuccessful operation. There would be more masters rather than just the one we are looking for.

Having said that, I want to speak for a moment—because I forgot to during my opening remarks—about the kind of science that exists at these laboratories, especially our three deterrent laboratories and two that help them that are partially in this mode, and a little bit about the origin of all this work.

I want to start by ticking off a few names. This is by far not the entire list.

This whole scientific entourage that we have here which we call the nuclear weapons laboratories, the great crown treasures of our science-based research, was started in an era when America did not have enough scientists of its own who were nationalists, American born and raised, educated in America.

So guess what the list of the early Manhattan Project scientists who helped us get a bomb sounded like. They sounded like Italians. Enrico Fermi; he was an Italian. He was at one of the other laboratories in the country. Both he and his wife were taken to Los Alamos and they became some of the principal players. It sounded like Hans Bethe; it sounded liked Edward Teller, Carl Fuchs—and the list goes on.

Frankly, we were taking a real gamble because they knew what they were doing, each and every one of them. Collectively, they knew they were preparing an atomic bomb for the United States of America to either win the Second World War or to use it to stop it. They were working at a ferocious pace to get it done before the Germans got it done. We all remember that as we read about it.

Those scientists had contacts all over the world, whatever kind of world it was at that point in time. The same thing is happening today. We should not be surprised that we have marvelous Chinese scientists at our laboratories. They are American born, American educated, and I assume some are naturalized citizens, and they are among our best.

It just so happens that the Chinese seem to have breached our security in some intricate ways, not the way the Russians did it. They did not come along with a big bribe and pay somebody off. They did it in an intricate way by little bits and pieces. Since the Chinese scientists who make their nuclear program work are intimate about Americans in science, would you believe that it is our understanding that the chief scientist in charge of their nuclear weapons development has a Ph.D. from one of our universities? You do not think he knows American scientists of his era? He was apparently a very good nuclear physicist or scientist—Ph.D.—from one of our universities. We understand in the hierarchy there may be six or seven who were educated as MIT or Caltech or someplace, and they are running their program.

The point of it is, we cannot, in some fit or frenzy, put a wall up around these laboratories and say these scientists cannot exchange views around the world; they cannot travel to conferences.

Let me ask you, do you think they would stay at the laboratories, if they are among the greatest minds around, if you told them they can be only half a scientist, that they cannot go to a conference where Chinese scientists are coming who may exchange views on something extraordinarily new in the field of physics which has nothing necessarily to do with nuclear bombs? The truth of the matter is, if you try it, do you know who the losers will be? The losers will be the American people, because we won't have the greatest scientists in those laboratories. What has made us the most secure nuclear power in the world? Our scientists. We talk about everything else, but it is the scientists over the last 40 years, successors to this list I gave —incidentally, I did not mean to imply that there weren't many early scientists who were American; obviously there were. Some of the leaders were Americans, no question about it. We should not leave the impression that we don't want scientists, whatever their national origin is or whatever their basic culture is, working in our laboratories and we want to muzzle them; for if we put a wall around the laboratories, it will be a matter of a decade and nobody will want in the laboratories, much less out of the laboratories. Instead of worrying about getting secrets out, we will have to worry about getting enough good things to happen where there are some secrets.

I want to make that point so everyone will know that my approach and the approach I am working on with other Senators to create this semiautonomous agency is not directed at closing these laboratories, closing the lips and the brains of scientists and putting them behind a bar up there.

When I was a young boy, believe it or not, we had a family that could all fit in one big car. On a number of occasions we drove from Albuquerque to Los Alamos because we were inquisitive. We had heard that if you went up there, they wouldn't let you in. So we would drive up, and they wouldn't let us in. We would drive up to these big gates, and that was the Los Alamos scientific laboratory. No trespassing. So I was there. That was the early version of this. Now they have grown into much larger institutions, much more sophisticated kinds of science.

In addition, because my friend Senator LEVIN has been talking about things that concern him, I will mention two or three things that I want everyone to know.

First, what is a semiautonomous agency and what is an independent agency? The best I can tell Senators is, a model of independence would probably be NASA. I don't know the best model for a semiautonomous agency within a department, but I will tell my colleagues that what it means is described very clearly in the Rudman report, that the functions of this agency must be autonomous and not subject to the everyday rule of the larger department.

If we are not prepared to do that, then let's not kid ourselves and say we have done it halfway. It must be done in a way that is consistent with the agency director reporting only to the Secretary of Energy and in a manner that would assure that its functions are autonomous, even if it means we must have a duplication of functions. Because if there is one set of functions, we are back where we are. If it is not subject to the Secretary's power, then it is not semiautonomous; it is autonomous.

I think we are on the same side, trying to make it semiautonomous, which means the Secretary is still all powerful. Having said that, let me say that as we proceed, I am willing to look at the document line by line as it gets introduced—it has been circulated—and cite where I believe we have covered most of the aspects that are of concern and that have been expressed as of concern on the floor, save two.

One of them has to do with the laboratories being able to take work for other agencies, for the Defense Department and from the Energy Department, and thus remain laboratories that are diversified, that are, thus, very attractive to scientists. I will insert in the RECORD, and not read much from it, testimony given in the Committee on Commerce Subcommittee on Energy and Power and the Committee on Science Subcommittee on Energy in the House, by William Happer.

Dr. Happer is one of the distinguished scientists in the United States and used to be in the department. He concludes in the statement, in reference to the new agency:

> I do not think that the ANS need hinder the support by other parts of DOE, or by outside agencies, of science at the Weapons Laboratories. As a former director of the Office of Energy Research, I saw, at very close quarters, how work was funded by my office at the Weapons Laboratories, and how other Federal agencies—for example, the National

Institutes of Health, or DARPA—arrange to have work done. The creation of an ANS within DOE might actually help the interactions between the Science Laboratories and the Weapons Laboratories if it leads to better management [at the semiautonomous agency].

I ask unanimous consent that the Happer statement of July 13 in its entirety be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

TESTIMONY OF WILLIAM HAPPER

Thank you for this opportunity to testify on current proposals to restructure the DOE. I am a Professor of Physics at Princeton University and Chair of the University Research Board. I am also the Chairman of the Board and one of the founders of a high-tech startup company, Magnetic Imaging Technologies, Inc., which makes images of human lungs with laser-polarized gases. So I have experience with the business world outside of academia. I have had a long familiarity with the activities of DOE, as a practicing scientist, as a member of advisory committees for DOE Weapons Laboratories and Science Laboratories, and as the Director of the Office of Energy Research under Secretary of Energy James Watkins during the Bush administration.

The DOE has many missions, but none more important than nuclear stewardship, that is, ensuring the safety, security and reliability of the US nuclear stockpile. Connected with this mission are—or at least used to be—many others, the construction and operation of nuclear reactors for the production of special nuclear materials, the enrichment of stable isotopes, the construction of scientific facilities to learn more about the fundamental scientific issues connected with nuclear weapons, and how to ensure the safety of those working with dangerous materials—radioactive, toxic or both. I could go on, but my point is that the DOE weapons program is so challenging that it needs the most capable technical, scientific and managerial talents available. As long as the United States maintains its own nuclear weapons and feels it necessary to cope with those of others, we must ensure that the part of DOE responsible for nuclear weapons functions as well as possible.

Regretfully, I must agree with various assessments, stretching back many years, that DOE's missions—including the nuclear weapons mission—are often poorly managed. The recent Rudman and IDA reports, the Galvin report of a few years ago, and many others have clearly spelled out what is wrong. The DOE has become a bureaucratic morass, with many paper-pushing, regulatory offices competing to build up their staffs of FTE's and SES billets, to take credit for successes of increasingly-harried, front-line scientists, engineers and technicians, and to avoid responsibility for anything that may go wrong. The recent revelations of Chinese espionage and the DOE reaction to it are but one example of how difficult it is for the DOE to cope with serious real and potential problems in the weapons program, and other DOE programs as well. So I support a reorganization of DOE along the lines suggested in the Rudman report. If a reorganized DOE with a more efficiently operating Nuclear Stewardship Agency (NSA) is a result of the Chinese espionage, at least we will have some benefit from the regrettable affair.

I have no illusions that a semiautonomous Nuclear Stewardship Agency within DOE will correct all of the problems we are struggling with, but I am sure that the current DOE structure will not work. I say this as a pragmatist and an experimental scientist. We have tried to make the current structure work for many years and it always fails. When one of my experiments does that again and again, I try something else.

We have several reasons to be hopeful that a semiautonomous agency could work. The example of NSA within the Department of Defense (DoD) has often been cited as a successful, semiautonomous agency, and there are other precedents like DARPA in DoD or the Naval Reactor Program within DOE. I like the word ''Agency,'' which comes from the Latin root ''to do.'' An agent does something for you. Some in the current structure of DOE and its supervisors seem not to care if anything ever gets done. This is not acceptable for any worthwhile mission, but it is simply not tolerable for Nuclear Stewardship.

Nuclear weapons, ours and those of our potential adversaries are real and very dangerous. They are too important not to take very seriously.

There is a wise old saying, sometimes ascribed to the Chinese, that ''The best fertilizer for a farm is the feet of the owner.'' Someone has to own the mission of nuclear stewardship, or at the very least someone must be a dedicated Steward. To succeed, the Steward must have the means to manage. As best I understand the proposed the Agency for Nuclear Stewardship, it will give the Steward both ownership and the means to do the job.

You cannot be a good Steward of the Nuclear Weapons mission of DOE unless you control all of the key functions, manufacturing, security, research, safety, etc. There is never enough money or enough personnel to do everything that is needed, so the Steward will have to balance many competing needs: the security of plutonium facilities; human resources; environmental, safety and health requirements; research needed to ensure that aging nuclear weapons remain safe and effective; counterintelligence precautions—the list is extremely long and every issue is important. However, someone must make the decision on how to distribute finite resources to do the best possible job. With the current DOE structure, various offices can demand that this action or that be taken with no concern for the broader problem of how to optimize finite resources of funds and people. One unfunded mandate after another comes down from headquarters or the field office. It is not possible to fully respond to all of the mandates. So the poor front-line troops do the best they can, and a year later another GAO report comes out saying that this or that requirement was not met. There is substantial duplication, triplication or even quadruplication of roles in DOE, with the front-line DOE contractor, the DOE site office, the DOE field office and headquarters all contributing to some issues.

I have testified before that part of DOE's problem is that it has too many people at headquarters and in the field offices. I would hope that the ANS Steward would not be saddled with making work for every DOE employee currently on a payroll related to the ANS mission. But I am a realist, and if every employee remains, the system could probably still be made to work better with the sort of crisp management structure envisaged for the ANS. Almost all of the DOE civil servants I met during my time there were good and talented people, determined to do something to earn their keep. It is a shame that so many of them are used for counterproductive activities.

Some would say letting the ANS Stewart control most of the important oversight now assigned to various independent DOE offices would be letting the fox watch the hen house. I do not think this needs be the case, and in any event the current structure is not working. The proposed ANS Steward will have a clear list of responsibilities, and will have to report annually to the Secretary of Energy—and through the Secretary to the Congress and to the President—on how well these responsibilities have been fulfilled, and why the allocation of funds and people for safety, security, research programs, etc. is optimum. One could also enlist the aid of other federal agencies for periodic tests of how well the ANS is fulfilling its mandate. For example, another competent federal agency could be tasked to try to penetrate the computer security of the ANS.

Concerns have been raised about possible bad effects of ANS on DOE science. Indeed, one of the strengths of the DOE weapons laboratories has been the strong basic science done there and the close ties their scientists maintain to other DOE laboratories and to the rest of the scientific world. This has paid important dividends to our country and we do not want to lose these benefits in a restructuring of DOE. One of the benchmarks on which the Nuclear Steward will be judged should be the health of science in the Weapons Laboratories.

To help maintain ties of the laboratories to the entire scientific world, visits by foreign scientists to the weapons laboratories should continue, but we should redouble our efforts to be sure such visits do not result in the loss of classified information. Those of you who have visited weapons laboratories realize that non-classified scientific work is often done ''outside the fence'' where security issues are less urgent. The Steward should ensure that there is a graded system of visitor controls. It would be silly to follow the same procedures for a scientist coming to talk to colleagues about human genome sequencing as for one who may be interested in weapons-related topics. Visitor controls should be very stringent in the latter case, but relatively light in the former.

I do not think that the ANS need hinder the support by other parts of DOE, or by outside agencies, of science at the Weapons Laboratories. As a former Director of Office of Energy Research, I saw, at very close quarters, how work was funded by my office at the Weapons Laboratories, and how other federal agencies—for example, the National Institutes of Health, or DARPA—arranged to have work done. The creation of an ANS within DOE might actually help the interactions between the Science Laboratories and the Weapons Laboratories if it leads to better management within the ANS.

Mr. DOMENICI. I yield the floor, and 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. KERREY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KERREY. Madam President, this bill doesn't normally get a lot of attention, but because of the concern over the loss of secrets through our laboratories at the DOE, we are going to have a debate about an amendment to restructure the Department of Energy.

I want to make a point that I made earlier, which is that secrecy and security are not the same thing. Sometimes secrecy equals security. Sometimes secrecy can make security more difficult, harder for us to accomplish the mission

of keeping the United States of America as secure as we possibly can.

I am not going to offer an amendment to this bill, because it has been defeated pretty soundly in the past—although I must say I am tempted to do so—to disclose to the American people how much is spent on intelligence gathering. Right now, under law, we cannot do that. I want to call my colleagues' attention to what is happening. Our first vote is on cloture. I think cloture will be invoked pretty easily. Our leader is not going to hold anybody up from voting for cloture. Maybe we can go right to the bill.

Listening to Senators DOMENICI and LEVIN earlier, I think they may be able to solve their differences. The vote may end up being unanimous, which is my wish. I hope we can continue to move closer together on that piece of legislation, an important piece of legislation on which Senator DOMENICI and others have been working.

I want to call my colleagues' attention to what we do every year basically, and that is, the authorization of appropriations for the intelligence bill is very small, as a consequence of not being able to disclose to the American people what is in the bill. The House bill contains six titles. The Senate bill, which will be offered as a substitute for the House bill, also contains six titles. The first two titles are identical. Titles I and II in the House bills are identical. Then there are general provisions, and then each bill has additional things in there.

But you can see the problem we have getting public support for intelligence collection. That is one step in the process of intelligence. We collect with imaging efforts, we collect with signals intercepts, we collect with human intelligence, and we have measurement intelligence. We have all sorts of various what are called INTs that are used to gather raw data.

Then somebody has to take that data and analyze it. What does it mean? What does this data mean? What is the interpretation of it? Oftentimes secrecy can be a problem because one compartment may not be talking to another.

This administration and others have worked to try to bring various people together so there is more consultation than there has been in the past. But oftentimes decisions have to be made very quickly. Sometimes interpretations of public information are made, and an adjustment is made.

Let me be very specific. About 80 percent, in my view, of the decisions that most elected people make in Congress having to do with national security are made as a result of something they acquired in a nonclassified fashion in a TV report, in a radio report, in a newspaper report, or a published document. Staff analyze it and come and say: This is what we think is going on—about 80 percent of the information that we process.

I would say that would probably be on the low side. It may be even higher than that. Indeed, the President may be in a similar situation. He may be making a decision on a very high percentage of publicly accessible information as opposed to classified information.

That is quite the trend. The trend is both healthy and at times disturbing because more and more information is being made available to the public that was not available in the past. The good news is citizens have more information. They process that information. We have a lot of independent analysts out there.

In a couple of years, when metering satellite photographs are available, we are going to see competing analyses being done over images. This is what I see when I take that photograph.

I say this because I think it is true that it is very difficult, for any length of time for the Congress and the President to do something the public doesn't support, especially when it comes to spending their money.

In this case, I just hazard a guess. I never polled on this. But certainly I take a lot of anecdotal stories on board from citizens who question whether or not they are getting their money's worth. Is all the money we are spending worthwhile when we aren't able to tell where the Chinese Embassy is in Belgrade? A $2 map would have told us where it was. When we were unable to forecast a class of facility, when we were unable to foresee that India was going to test a nuclear weapon following an election, during which the party that was successful campaigned, and their platform said, if we are elected and we come to power, we are going to test a nuclear weapon? Many failures, in short, are out in the public, and the public acquires the information. I think it has caused them to lose confidence that they are getting their money's worth.

It is a real crisis for us. It is a real challenge for us because, again, if you look at the document we will be voting on sometime in the next couple of days—usually this thing goes through very quickly and we don't have much time to consider it. In an odd way, I thank the Senator from New Mexico for bringing so much attention to the Department of Energy's need for restructuring because it has given us some time to pause and look at this piece of legislation.

As I said, the two most important titles, the ones you will see in almost every intelligence authorization bill, is title I and title II. Title I has five sections. It authorizes appropriations. It give us classified schedule authorization, personnel ceiling adjustment authorization, community management account authorization, and emergency supplemental appropriations. That is in the House bill. The Senate bill has four titles. It is quite revealing when you go into title I.

Again, normally, if this is a Department of Defense authorization, each one of these titles would provide the detailed and specific number of how much is being spent, all the way down to the very small individual accounts that would be disclosed to the public. There would be a great debate going on. The committee report comes out. The budget comes out. The bill is reported by the Armed Services Committee. Editorials are written. Journalists and specialists say we are spending too little; we are spending too much; we need to build this weapons system, and so forth. A great public debate then ensues when the committee brings the bill up and reports it out for full consideration by the Senate.

I think that debate is healthy. The public participates and helps us decide what it is we ought not be doing. Sometimes we still put things in we shouldn't and some things we should. We still make mistakes. That public debate helps us.

Under this authorization, what you see in section 101 is the following: The funds are hereby authorized to be appropriated for fiscal year 2000 for the conduct of intelligence and intelligence-related activities of the following elements of the U.S. Government: the CIA, the Department of Defense, the Defense Intelligence Agency, the National Security Agency, the Department of the Army, the Department of the Navy, the Department of Air Force, the Department of State, the Department of Treasury, the Department of Energy, the Federal Bureau of Investigation, the National Conference Office, and the National Imagery and Mapping Agency—11 different Government agencies are named but no dollar figure is included. The only dollar figure in this entire budget comes in section 104 where the public learns we are authorizing $171 million to be appropriated for the Community Management Act of the Director of Central Intelligence. We have that piece of information.

Later in the bill that we will be voting on, we learn $27 million is available for the National Drug Intelligence Center. Then later, a third time we get another number. We learn $209.1 million is authorized to be appropriated to the Central Intelligence Agency's retirement and disability fund for fiscal year 2000.

That is all the public learns. That is all the public knows. The public does not know how much we spend in each one of these agencies, nor how much the committee is recommending in this authorization bill, nor the total amount of dollars being spent.

We have had debates about this before. There are good arguments usually filed against it: This is going to deteriorate our national security; we need to maintain, in short, a secret in order to preserve national security.

I have reached the opposite conclusion, that this is a situation where the preservation of a secret deteriorates our national security as a consequence, first of all, of not having a public debate about whether this is the right allocation but, most importantly, as a

consequence of deteriorating citizens' confidence that we are authorizing and appropriating the correct amount.

In short, keeping this secret from the American people has caused difficulty in retaining their consensus that we ought to be spending an amount of money they do not know in order to collect, analyze, produce, and disseminate intelligence. I think that is a problem for us.

Again, I have not done any polling on this, so I don't know. I typically don't poll before I make a decision, to the consternation of my staff and supporters. But my guess is, just from anecdotes, there is a deterioration of confidence.

It bothers me because my term on the Intelligence Committee—thanks to the original appointment by our former Democratic leader, George Mitchell, from the great State of Maine, and also Leader DASCHLE's confidence in retaining me on this committee—over time my confidence has increased.

Indeed, the argument in my opening statement about this bill is that we have drawn down intelligence investments in the 1990s as we have drawn down our military from roughly 2 million men and women under active duty uniform to 1.35 million. We have also drawn down our intelligence efforts to a point where I don't believe we can do all of the things that need to be done either today or in the future.

As I said, I have to collect intelligence. I have to analyze the information. I have skilled people who can analyze it. These images delivered from space very often mean nothing to me when I look at them. It requires somebody who is not only skilled but can process it in a hurry and can make something of it in a hurry.

In the situation with India, where we had difficulty warning the President that a test might occur, again, according to published accounts, the Indians were aware that we, first, were able to identify a year earlier they were about to test, and we warned them not to test, as a result of overhead imaging. And they took evasive measures in the future.

These are very difficult things to tell. You have to hire skilled people to do it. That is the analysis. The next piece is the production. It is getting very exciting but also very complicated. There is a lot of competition with the private sector to do this production work.

Back in the ice age when I was on the U.S. Navy SEAL team, we were given a map if we were going to do an operation in an area in Vietnam. We would look at a map and say: This is the area we will operate in. The map might be 10 years old. Then we would supplement that with human intelligence. Somebody would say: There are some changes here that aren't quite the same as the map.

Today an image is used. It is enhanced. It is remarkable how quickly we can deliver very accurate pictures of theaters of operation to the warfighter to disseminate differently, produced in a much different way, and enable that warfighter to have a competitive edge on the battlefield.

Indeed, anybody who is thinking about becoming an enemy of the United States of America knows we have tremendous capability on the intelligence side. We get warnings, and those warnings are delivered when threats begin to build. Oftentimes a mere warning enables the heading off of a potential threat that could have erupted into a serious conflict and would have resulted in a loss of lives.

The effort to collect, analyze, produce, and disseminate to the right person at the right time, and to make a decision, is not only complicated, but it is also quite expensive. It is not done accidentally.

I hope this year is a watershed year and we are able to authorize additional resources for our intelligence agencies. If we don't, at some point we will have a Director of Central Intelligence in the future deliver the bad news to Congress that there is something we want to do but we can't because we cannot accomplish the mission we want to accomplish—not just because of resources but also because it is getting harder and harder to do things we have in the past taken for granted, such as intercept signals, conversations, or communications of some kind between one bad person and another bad person with hostile intent against the United States.

Increasingly, we are seeing a shift in two big ways away from nation states. In the old days, we could pass sanctions legislation or do something against a government that was doing something we didn't like. What do we do if Osama bin Laden starts killing Americans or narcoterrorists or cyberterrorists say they hate the United States of America and are going to take action against us? It is very difficult—indeed, it is impossible—for diplomacy to reduce that threat. We need to intercept and try to prevent it and, very often, try to prevent it with a forceful intervention.

Not only is it shifting away from the nation state, making it harder both to collect and to do the other work—the analysis, the processing and dissemination, or production of dissemination—the signals are becoming more complex and difficult to process, and they are becoming more and more encrypted.

I have had conversations with the private sector, people in the software business, who say we have to change this export regimen that makes it difficult for these companies to sell encryption overseas. This administration has made tremendous accommodation within the industry to try to accommodate their need to sell to companies that are doing business all over the world.

Don't doubt there is a national security issue here. There is significant interception, both on the national security side and the law enforcement side. That encryption at 128 bits or higher is actually deployed. We will find our people in the intelligence side coming back and saying: Look, I know something bad happened, and do you want to know why I didn't know? I will tell you why I didn't know. I couldn't make sense of the signal. We intercept, and all we get is a buzz and background noise. We cannot interpret it. We can't convert it.

In the old days, we converted with a linguist or some other technological application. In the new world, we are being increasingly denied access to the signals. As described by the technical advisory group that was established on the Intelligence Committee, it was described as number of needles in the haystack but the haystack is getting larger and larger and harder, as a result, for the intelligence people to do the work they need to do.

The chairman is moving to the floor. I know he will make a brilliant and articulate statement.

Earlier, the Senator from New Mexico offered a statement on his amendment that he hopes to offer tomorrow. Senator LEVIN was here as well. I believe there is reason to be encouraged that we will move this bill quickly tomorrow, and reasonably encouraged, as well, that the differences which still exist on this bill can be resolved, and we can get a big bipartisan vote and move this on to conference.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SHELBY. Madam President, I have been listening in my office, before I came to the floor, to Senator KERREY's comments. While we don't agree on everything, we agree on most things working on the Intelligence Committee.

I want to say this about the distinguished Senator from Nebraska who is the vice chairman of the committee. We have tried to work together on very tough issues in the Intelligence Committee and tried to bring them to the floor of the Senate together—not separately. I think it says a lot when we can do this. I certainly have a lot of respect for the Senator from Nebraska and enjoy working with him. One thing about him, he is candid, and that goes a long way on anything.

I think we have to devote our time and our effort in the Intelligence Committee and in the Senate to what works, what works best on basic intelligence gathering, as well as counterintelligence, where there is a shortfall.

In that spirit, Madam President, I rise in support of the motion to proceed to consideration of H.R. 1555, the Intelligence Authorization Act of Fiscal Year 2000.

As chairman of the Senate Select Committee on Intelligence, I am deeply disappointed that certain Members of the minority have decided to oppose this motion. I hope it will be short lived. The intelligence bill, I believe, is

a balanced, thoroughly bipartisan piece of legislation that is critical to our national security.

Some Senators are objecting to the Kyl-Domenici-Murkowski amendment to restructure the Department of Energy, not the underlying bill. I am a cosponsor of that amendment, as is the distinguished vice chairman of the Intelligence Committee, Senator KERREY.

Basically, this is essentially the same proposal that prompted a filibuster threat when it first was offered to the Defense authorization bill back before the Memorial Day recess. At that time, the argument was, ''it's too soon, it's premature, there haven't been any hearings yet.''

Whatever the merit of those arguments at the time, I believe, they are wholly without merit today. The Intelligence Committee has held two open hearings on the Kyl amendment and DOE security and counterintelligence issues, including a joint hearing with the Energy, Armed Services, and Government Affairs Committees that more than 60 Senators had the opportunity to attend. The Intelligence Committee also held a detailed, closed briefing on the report of the President's Foreign Intelligence Advisory Board, also known as the Rudman report.

We heard testimony from Secretary of Energy Richardson twice, from Senator Rudman twice, and from the sponsors of this amendment.

I also should point out that, long before the current controversy, the Senate Intelligence Committee, on a bipartisan basis, identified problems in DOE's counterintelligence program and took steps to address those weaknesses. Most importantly, it sought to energize the Department of Energy to allocate the necessary resources, and take the necessary steps, to eliminate these vulnerabilities.

Since the Kyl et al amendment was first offered, the sponsors have negotiated extensively, and in good faith, with the Department of Energy in order to address the concerns that Secretary Richardson has expressed, without changing the underlying thrust of the amendment, which is to create a semiautonomous agency for nuclear security within the Department of Energy.

Last month, the need for action was dramatically reinforced by the publication of the Rudman report, entitled ''Science at its Best; Security at its Worst: A Report on Security Problems at the U.S. Department of Energy''—a report on security problems at the U.S. Department of Energy.

I commend former Senator Rudman and also Dr. Drell, and others, who were so involved in this work.

The Rudman report found among other things, that:

> At the birth of DOE, the brilliant scientific breakthroughs of the nuclear weapons laboratories came with a troubling record of security administration. Twenty years later, virtually every one of its original problems persists. . . . Multiple chains of command and standards of performance negated accountability, resulting in pervasive inefficiency, confusion, and mistrust. . . .
>
> In response to these problems, the Department has been the subject of a nearly unbroken history of dire warnings and attempted but aborted reforms.

Building on the conclusions of the 1997 Institute for Defense Analyses report and the 1999 Chiles Commission, the Rudman panel concluded that:

> The Department of Energy is a dysfunctional bureaucracy that has proven it is incapable of reforming itself. . . . Reorganization is clearly warranted to resolve the many specific problems . . . in the weapons laboratories, but also to address the lack of accountability that has become endemic throughout the entire Department.
>
> The panel is convinced that real and lasting security and counterintelligence reform at the weapons labs is simply unworkable within DOE's current structure and culture. . . . To achieve the kind of protection that these sensitive labs must have, they and their functions must have their own autonomous operational structure free of all the other obligations imposed by DOE management.

To provide ''deep and lasting structural change that will give the weapons laboratories the accountability, clear lines of authority, and priority they deserve,'' the Rudman report endorsed two possible solutions:

One was the creation of a wholly independent agency, such as NASA, to perform weapons research and nuclear stockpile management functions; or two, placing weapons research and nuclear stockpile management functions in a ''new semiautonomous agency within DOE that has a clear mission, streamlined bureaucracy, and drastically simplified lines of authority and accountability.''

The latter option, or the second approach, is the one contained in the Kyl-Domenici-Murkowski; amendment. Examples of organizations of this type are the National Security Agency and the Defense Advanced Research Projects Agency, DARPA, within the Defense Department.

The new semi-autonomous agency, the Agency for Nuclear Stewardship, would be a single agency, within the DOE, with responsibility for all activities of our nuclear weapons complex, including the National Laboratories—nuclear weapons, nonproliferation, and disposition of fissle materials.

This agency will be led by an Under Secretary. The Under Secretary will be in charge of, and responsible for, all aspects of the agency's work, who will report—and this is very important—who will report directly and solely to the Secretary of Energy, and who will be subject to the supervision and direction of the Secretary of Energy. The Secretary of Energy will have full authority over all activities of this agency. Thus, for the first time—yes, Madam President the first time—this critical function of our national Government will have the clear chain of command that it requires.

As recommended by the Rudman report, the new agency will have its own senior officials responsible for counterintelligence and security matters within the agency. These officials will carry out the counterintelligence and security policies established by the Secretary and will report to the Under Secretary and have direct access to the Secretary. It is very important that this happen. The agency will have a senior official responsible for the analysis and assessment of intelligence within the agency who will also report to the Under Secretary and have direct access to the Secretary.

The Rudman report concluded that purely administrative reorganizational changes are inadequate to the challenge at hand: They say: ''To ensure its long-term success, this new agency must be established by statute.''

For if the history of attempts to reform DOE underscores one thing, it is the ability of the DOE and the labs to hunker down and outwait and outlast Secretaries and other would-be agents of change—yes, even Presidents.

For example, as documented by Senator Rudman and his colleagues, ''even after President Clinton issued Presidential Decision Directive 61 ordering that the Department make fundamental changes in security procedures, compliance by Department bureaucrats was grudging and belated.''

At the same time, we in the Senate should recognize that our work will not be done even after this amendment is adopted and enacted into law. As the Rudman report warned, ''DOE cannot be fixed by a single legislative act: management must follows mandate. . . . Thus, both Congress and the Executive branch . . . should be prepared to monitor the progress of the Department's reforms for years to come.''

It is an indication of how badly the Department of Energy is broken that it took over 100 studies of counterintelligence, security, and management practices—by the FBI and other intelligence agencies, the GAO, the DOE itself, and others, plus one enormous espionage scandal—to create the impetus for change.

I am encouraged by what appears to be some progress toward getting to this bill. I think we all are seeking—and I hope we are—the same thing: A better and more secure Department of Energy. This nation must have no less.

I ask my colleagues: please, do not let the Senate become the lastes obstacle to reform at the Department of Energy.

Stop the delay. Vote for cloture tomorrow morning, and let's get on with the business of the people and make our labs safe for our future and our country.

I yield the floor.

Mr. MURKOWSKI addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. MURKOWSKI. I thank the Chair.

Madam President, I rise in support of the Kyl-Domenici-Murkowski-Kerrey

amendment. I will first identify the need for the amendment.

What we found in this issue concerning the Department of Energy is lack of accountability. What this amendment will do, in a nutshell, is to create a single agency in the Department of Energy, an Agency for Nuclear Stewardship, that will undertake all activities of our nuclear weapons laboratories programs, including the nuclear weapons laboratories themselves. It puts one person in charge, and that will be the Under Secretary for Nuclear Stewardship. That is the person in charge of and responsible for all aspects of the new Agency for Nuclear Stewardship. It creates a clear chain of command, a new Under Secretary for Nuclear Stewardship solely and directly reporting to the Secretary of Energy.

Why do we need this? I believe all my colleagues will agree that the Department of Energy, as far as its security arrangements are concerned, is badly broken. To suggest that we should take time to evaluate at greater length when we have in the report of the investigative panel, the President's Foreign Intelligence Advisory Board—a report which I have before me entitled ''Science At Its Best, Security At Its Worst.''

I am very proud of the role of the laboratories as far as science is concerned, but what we have is a severe breach of our national security.

In summary, the amendment would create a new agency within the Department of Energy called the Agency for Nuclear Stewardship.

The Agency for Nuclear Stewardship would be semiautonomous because it would be responsible for all of its activities. It provides that the Secretary of Energy shall be responsible for all policies of the agency; that the Agency for Nuclear Stewardship, headed by the Under Secretary for Nuclear Stewardship, would be just that, responsible, again, to the Secretary of Energy. The Under Secretary for Nuclear Stewardship shall report solely and directly to the Secretary; and that individual shall be subject to the supervision and direction of the Secretary.

Make no mistake about it, the chain of command is to the Secretary of Energy. The Under Secretary for Nuclear Stewardship will have authority over all programs at the Department of Energy related to nuclear weapons, nonproliferation, and fissile material disposition.

The agency's semiautonomy, as recommended by the Rudman report, is created by making all employees of the agency accountable to the Secretary and Under Secretary of Energy but not to other officials of the Department of Energy outside the agency.

Specifically, the language reads:

All personnel of the Agency for Nuclear Stewardship, in carrying out any function of the agency, shall be responsible to and subject to the supervision and direction of the Secretary and the Under Secretary for Nuclear Stewardship, or his designee within the agency, and shall not be responsible to or subject to the supervision or direction of any other officer, employee or agent of any other part of the Department of Energy.

The Secretary, however, may direct other officials, other departments who are not within the Agency for Nuclear Stewardship, to review the agency's programs and to make recommendations to the Secretary regarding the administration of such programs, including consistency with other similar programs and activities in the Department.

The Under Secretary for Nuclear Stewardship will have three deputy directors who will manage programs in the following areas:

First, Defense programs; that is, the lab directors and the heads of the production and test sites will report directly to this person; second, the nonproliferation and fissile materials disposition; and third, the naval reactors.

The Under Secretary for Nuclear Stewardship will appoint chiefs of—and they are as follows—first, counterintelligence—this must be a senior FBI executive whose selection must be approved by the Secretary of Energy and the Director of the Federal Bureau of Investigation—second, is security; and third is intelligence.

These three chiefs shall report to the Under Secretary and shall have, statutorily provided, direct access to the Secretary and all other officials of the Department and its contractors concerning these matters. It requires the Under Secretary for Nuclear Stewardship to report annually to the Congress regarding the status and effectiveness of security and counterintelligence programs at the nuclear weapons facilities and laboratories, the adequacy of the Department of Energy procedures and policy for protecting national security information, and whether each DOE National Laboratory and nuclear weapons production test site is in full compliance with all departmental security requirements, and, if not, what measures are being taken to bring the lab into compliance—security violators at the nuclear weapons facilities and laboratories, foreign visitors at the nuclear weapons facilities and laboratories.

In other words, what we have is a complete listing of requirements for the Under Secretary for Nuclear Stewardship to report annually to the Congress. So not only will he report to the Secretary but he will report to the Congress.

It requires the Under Secretary for Nuclear Stewardship to keep the Secretary and the Congress fully and currently informed regarding losses of national security information and requires every employee of the Department of Energy, the National Laboratories, or associated contractors to alert the Under Secretary whenever they believe there is a threat to or a loss of national security information.

In order to address concerns that Department of Energy officials were blocked from notifying Congress of security and counterintelligence breaches, the amendment contains a provision stating that the Under Secretary shall not be required to obtain the approval of any DOE official except the Secretary before delivering these reports to the Congress and, likewise, prohibits any other Department or agency from interfering.

As we look over the history of the debacle associated with the breach of our national security regarding the laboratories, clearly, we have case after case, as we look to the former Secretaries, where there was a lack of an effective transfer of information, transfer of security matters, and just the transfer of everyday activities associated with responsibility and accountability. The system failed.

The system failed because various people did not have access to the Secretary who were in charge of responsible security areas that mandated that they have such access in order to complete the communication within the chain of command.

As a consequence, I support this amendment. We need this amendment to protect the national security. We need it to keep our nuclear weapons secrets from falling into the wrong hands. We have already suffered a major loss of our nuclear weapons secrets.

According to the House Select Committee, the Cox report, the Chinese have stolen design information on all of the United States' most advanced nuclear weapons. This is simply unacceptable.

The question we now face is: Will we lose more national security information if we do not take action? The answer is: Certainly that we stand greater exposure. The problem is the management of the Department of Energy. The problem is lack of accountability and lack of responsibility.

Let me quote from the report of the President's Foreign Intelligence Advisory Board, the Rudman report. Again, I refer to this report, ''Science at its Best, Security at its Worst.''

Organizational disarray, managerial neglect, and a culture of arrogance—both at DOE headquarters and the labs themselves—conspired to create an espionage scandal waiting to happen.

This is in the report itself.

Further:

The Department of Energy is a dysfunctional bureaucracy that has proven it is incapable of reforming itself.

Right out of this report.

I quote further:

Accountability at the Department of Energy has been spread so thinly and erratically that it is now almost impossible to find.

Right out of the report.

Further:

Never have the members of the Special Investigative Panel witnessed a bureaucratic culture so thoroughly saturated with cynicism and disregard for authority.

Further quote:

Never before has this panel found such a cavalier attitude toward one of the most serious responsibilities in the federal government—control of the design information relating to nuclear weapons.

Further:

Never before has the panel found an agency with the bureaucratic insolence to dispute, delay, and resist implementation of a Presidential directive on security.

If that isn't evidence enough that the security is at its worst, I do not know what other points to make. To date, the only DOE people who have been removed from their jobs as a consequence of the question of who is accountable are: Wen Ho Lee, who is alleged to have engaged in espionage at Los Alamos, is yet to be even charged with anything—not everyone a security violation; a gentleman by the name of Notra Trulock, the person who uncovered the alleged espionage and pushed perhaps too hard to stop it—which I might add, the Department of Energy felt a little uncomfortable with. He was shuffled off to a sideline position in the Department of Energy because he was too aggressive in bringing this matter to light. A gentleman by the name of Vic Reis, Assistant Secretary of the Department of Energy for Defense Programs, has, I understand, resigned because he disagrees with the officials down there and happens to support the pending amendment, the Kyl-Domenici-Murkowski amendment.

Not a single high-level bureaucrat at the Department of Energy, the FBI, or the Justice Department has been removed, demoted, or disciplined over this massive failure. One has to wonder with all the talent associated with these agencies who bears the responsibility for failure in this case?

The questions we must answer are certainly clear: How long are we willing to put up with this? Do we want to continue with the status quo? Our proposal is pending the cloture vote tomorrow. Those that are in opposition—who feel perhaps a bit uncomfortable with this—do they have a proposal to fix it? Clearly, they don't. We want to fix the problem.

For reasons that I fail to understand, the administration is very reluctant to address this problem with a strong proposal for identifying accountability in the Department of Energy. Unfortunately, Secretary Richardson is opposed to our amendment as it stands. When it came up the last time on the defense bill, Secretary Richardson sent two letters threatening a veto by the President. Why doesn't the administration want to do anything significant to correct this problem? They seem to be willing only to rearrange the deck chairs, so to speak. They seem to be willing to make changes, but only those that ultimately result in the status quo.

We want to steer the ship in a different direction so that it won't hit another iceberg. This Nation should not have to suffer from another massive loss of our most sensitive nuclear weapons secrets. The President's own intelligence advisory board agrees with our legislative solution. That is what the Rudman report said.

Our amendment is patterned after the Rudman report. Let me again quote from this report:

The panel is convinced that real and lasting security and counterintelligence reform at the weapons labs is simply unworkable within the Department of Energy's current structure and culture. Further, to achieve the kind of protection that these sensitive labs must have, they and their functions must have their own autonomous operational structure, free of all of the other obligations imposed by the Department of Energy management.

Well, today we have a situation where everybody is pointing the finger at everybody else. No one wants to take the responsibility. No one wants to be held accountable.

Fundamentally, the issue is how to create accountability and responsibility at the Department of Energy. I encourage my colleagues to examine our amendment because that is just what it does. It creates accountability. It creates responsibility. No longer can we have a situation such as we have seen within the Department, where it is impossible to determine who bears the responsibility for the Wen Ho Lee breach of security. It creates accountability and responsibility by establishing a new Agency for Nuclear Stewardship inside of the Department of Energy to be headed up by a new Under Secretary of Energy.

This new agency is now made responsible for all aspects of our nuclear weapons programs, including the previously loosely-managed laboratories. If there is a problem in the future, we will know who to point the finger at, who to hold responsible, a single agency with a single person heading it and in charge of all aspects of nuclear weapons programs. Our amendment also requires the new Under Secretary to report to the FBI and Congress all threats to our national security. No longer will we be kept in the dark, having to pretty much depend on the New York Times to find out what is going on.

The Secretary of Energy is uncomfortable with this reorganization. Evidently, his idea is to rely on the same old management team, everyone in charge but no one responsible, no clear identifiable accountability.

In conclusion, let me quote the testimony of Mr. Vic Reis. This came up late last week. Mr. Reis is the Assistant Secretary of Energy for Defense Programs. He testified before the Energy Committee last week.

I might add, Mr. Reis' responsibility in the line of command is that the lab directors report directly to Mr. Reis.

Mr. Reis said:

You may recall at previous hearings, Mr. Chairman, you noticed me in the audience and you asked for my opinion as to who or what was to blame for the security issues at the national laboratories. I responded that I didn't think you would find any one individual but that there were organizational structures of the Department of Energy that were so flawed that security lapses are almost inevitable.

Now, this is the gentleman to whom heads of the labs report. He says that you can't find any individual to blame. The organizational structure was so flawed that security lapses were inevitable.

Then Mr. Reis went on to say:

The root cause of the difficulties at the Department of Energy is simply that the Department of Energy has too many disparate missions to be managed effectively as a cohesive organization. The price of gasoline, refrigerant standards, Quarks, nuclear cleanup and nuclear weapons just don't come together naturally. Because of all this multilayered crosscutting, there is no one accountable for the operation of any part of the organization except the Secretary, and no Secretary has the time to lead the whole thing effectively. By setting up a semi-autonomous agency, many of these problems will go away.

Madam President, in short, if you want espionage to continue at the laboratories and maintain the environment where it can occur, then stick with the present system. But if you, like me, want to stop this atmosphere where espionage can flourish, I think you should vote for the motion and invoke cloture for the amendment.

What we have here is a situation where I think it is appropriate that we identify where the differences are between the Secretary, Senator KYL, Senator DOMENICI, Senator KERREY, and Senator MURKOWSKI and in our amendment. What we do is we create a single semiautonomous agency, as I have indicated, that reports directly to the Secretary of Energy. The new Under Secretary for Nuclear Stewardship will be responsible for both setting policy and implementation of policy, subject to the overall supervision and direct control of the Secretary of Energy.

I want to make that clear: Subject to the overall supervision and direct control of the Secretary of Energy.

Evidently, that is not what the Secretary wants. The Secretary is willing to allow the new Under Secretary for Nuclear Stewardship to implement policy but not set policy. There is a big difference, implementing and setting. More significantly, the Secretary wants to allow any part of the Department of Energy to set the policies that the new Under Secretary would have to follow. So somebody else is setting it.

The Secretary's proposal would violate our fundamental concept; that is, clear and identifiable lines of authority and responsibility—in other words, a direct chain of command. We have been discussing our differences, but so far we seem to be unable to resolve them.

There is one other thing I will mention that was said the other day that relates to this matter under discussion. Two current nuclear weapons lab directors and one former lab director said at a hearing that while they could report their problems and issues to Mr. Reis,

who is their supervisor, that Mr. Reis has no clear line of authority to pass those up through the chain of command to the Secretary.

So here we have it. This substantiates the justification for our amendment. Here is the gentleman who is responsible to have the input from the lab directors report to him, the three labs, Livermore, Sandia, Los Alamos.

But the gentleman in charge, Mr. Reis, under the current structure and chain of command within the Department of Energy, has no clear line of authority to pass those recommendations, those matters, up through the chain of command to the Secretary. So here you have the person that is responsible to get the information from the lab directors, but there is no provision, no requirement, no line of command up to the Secretary so that policy matters can be addressed. That one observation with these three lab directors illustrates the problem we are trying to fix with this legislation.

As it stands today, there is no chain or lines of authority and responsibility. Right now, everybody is in charge, but nobody is responsible. I guess it is fair to say there are several missing links, if you will, in the DOE chain of command and authority. The purpose of the amendment is to fix that problem.

I often think back to military concept and a ship at sea. Someone is in charge of the CON—in other words, the ship is under the direction of the officer in charge, and he has the CON. There is no question of where the responsibility sets. If he is relieved, the command of the ship is taken over and that person accepts the responsibility. In the DOE, we don't have those clear lines of authority, and that is the justification for the amendment pending before this body today.

Is this thing broke to the point where it mandates that the Senate take action? I think it is fair to say that the answer is clearly yes. The ineptness, the bungling, the pure mismanagement at all levels are things that have occurred within this agency. The Department of Energy never took the most basic precautions to guard against the theft of the nuclear secrets. The FBI conducted feeble investigations. The Department of Justice, led by Attorney General Reno, virtually ignored requests for warrants to search Wen Ho Lee's computers. What we have here are the results of one of the worst cases in the history of this Nation of our national security being jeopardized.

I have held about 9 hearings as chairman of the Energy and Natural Resources Committee on these matters, and three important discoveries were made by my committee. First, the Department of Energy and the FBI bungled the computer waiver issue. I have a chart here. The lab directors, the attorneys, and directors of counterintelligence all agree that the DOE had the authority to search Lee's computer because he signed a waiver. Well, this is the waiver. This is a copy of the waiver that actually Wen Ho Lee signed, dated April 19, 1995:

> Warning: To protect the LAN system from unauthorized use and to ensure that the systems are functioning properly, activities on these systems are monitored and recorded and subject to audit. Use of these systems is expressed consent to such monitoring and recording. Any unauthorized access or use of this LAN is prohibited and could be subject to criminal and civil penalties.

Here is the part Wen Ho Lee signed:

> I understand and agree to follow these rules in my use of the ENCHANTED LAN. I assume full responsibility for the security of my workstation. I understand that violations may be reported to my supervisor or FSS–14, that I may be denied access to the LAN, and that I may receive a security infraction for a violation of these rules.

Now, the issue here is that the FBI claimed that the Department of Energy told him there was no waiver; no such waiver existed. The FBI wrongly assumed, then, that they needed a warrant to search. What is the result of this inept communication? Well, Lee's computer could have been searched, but instead was not searched for some three years. When the computer was finally searched, they discovered evidence that Wen Ho Lee had downloaded legacy codes to an unclassified computer.

The fundamental problem is that nobody was looking at the big picture. Surely, protecting nuclear secrets and national security outweighs the feeble attempts that were made to get a possible conviction.

What we have here is, one, the Department of Energy did not know that Wen Ho Lee had signed a waiver. They could not find it in his personnel file because the file had been mislaid. Had they known that, as I indicated earlier, they could have monitored his computer. Instead, the FBI said, no, they were doing an investigation, and since they didn't have a waiver, his computer was not monitored by the Department of Energy. Yet, they found later that the waiver existed, as evidenced by the poster I just showed in evidence.

The FBI and the Department of Justice next bungled the counterintelligence warrant or the FISA, as evidenced by chart 2. The FBI, not once or twice, but three times requested warrants from the DOE. This is chart 2. This is the FISA report. Department of Energy, FBI, Department of Justice, and the FISA warrant, approved or rejected. Notra Trulock briefs the FBI. An FBI request was made by John Lewis, then assistant director of the FBI National Security Division. An FBI request was made to Gerald Schroeder, Acting Director, Office of Intelligence Policy and Review. It was rejected. Here is the rejection. Here is the sequence of events. The first time we had the sequence of the DOE, FBI, and Department of Justice proceeding to authorize the FISA warrant to investigate the alleged counterintelligence and espionage charges alleged against Wen Ho Lee.

The second time, Notra Trulock and others continued to prod FBI's investigation of Wen Ho Lee. FBI request made to John Lewis, then Assistant Director of the FBI National Security Division. FBI request made to Gerald Schroeder. Again, it was rejected. The second time it was rejected by the Department of Justice.

Now, then the last time, Mr. Lewis, who is up there in the hierarchy, Assistant Director of the FBI, National Security Division, feels so frustrated that he makes a personal plea to Attorney General Janet Reno. Again, Notra Trulock and others continue to prod the FBI. John Lewis makes a personal request to the Attorney General because he feels so strongly that there is justification to authorize this investigation. But the personal appeal falls on deaf ears.

Why was it rejected? What happened? We don't know. Nothing happened. But we do know that the Attorney General ignored two pleas for help. Notra Trulock, then DOE Director of Intelligence, personally briefed Janet Reno in ''great detail'' about the Lee case in August of 1997. John Lewis, FBI Director of Intelligence, also indicated he personally pled to Janet Reno to approve the FBI's request for a warrant to search Lee in August of 1997.

Why did Attorney General Janet Reno ignore pleas from two top national security advisers? We don't know. We don't know because there is a great reluctance to provide the committees of jurisdiction with that information.

I am personally disappointed in the FBI and the Department of Justice's refusal to testify publicly. Probably 90 percent of what has been found in closed sessions is not really classified, in my opinion.

What we are looking for here is accountability. We in the Energy and Natural Resources Committee intend to continue to identify those persons whose inaction has led to one of the most potentially catastrophic losses in our national security history. Now we have a situation where they seem to want to hide behind the smokescreen of ''national security'' or to finger-point and say it is not our responsibility. That is simply an unconscionable set of circumstances.

Finally, as we address a couple of other points that may come up in the debate which I think deserve consideration, why create one semiautonomous agency within the Department of Energy? We are creating a hybrid that has no other identifiable comparison. Let me put that myth to rest. There are other semiautonomous agencies that function extremely well. That is what we are proposing with the amendment which has been laid down.

Let's look at three of those semiautonomous agencies.

DARPA, the Defense Advanced Research Project Agency, is a separate agency within the Department of Defense under a director appointed by the Secretary of Defense. It works.

NOAA, the National Oceanic and Atmospheric Administration, is the largest bureau within the Department of Commerce. It is a semiautonomous agency. It works.

NSA, the National Security Agency, was established by Presidential directive as a separate department organized as an agency within the Department of Defense. It was structured in that manner and form because it was necessary that there be accountability and responsibility within the National Security Agency. It is a semi-autonomous agency.

I encourage my colleagues as we proceed to vote tomorrow—my understanding is that we are going to have one hour of debate equally divided on the cloture motion on the amendment—to recognize that the time to address this is now, that the responsibility clearly is within this body, and that the amendment we offered identifies the one thing that was lacking as we look at how this set of security breaches could have occurred, and that is, it addresses accountability and responsibility.

For those who feel uncomfortable, I encourage them to recognize that they have a responsibility of coming up with something that will work. We think that the amendment pending, the Kyl-Domenici-Murkowski-Kerrey amendment—I understand that Senators THOMPSON, SPECTER, GREGG, HUTCHINSON, SHELBY, WARNER, BUNNING, HELMS, FITZGERALD, LOTT, KERRY, FEINSTEIN, and BOB SMITH are a few of the other Members of the Senate who are cosponsoring this amendment.

It is a responsible amendment. Let's get on with the job. Let's put this issue in the restructured form that provides for accountability and responsibility, and move on. The American people and the taxpayers certainly deserve prompt action by this body. We have that obligation. The time is on the vote tomorrow.

I urge my colleagues to support the amendment.

I see no other Senator wishing time. 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. MURKOWSKI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO COACH DAVEY WHITNEY, ALCORN STATE UNIVERSITY

Mr. LOTT. Mr. President, today I honor a Mississippian who made numerous contributions to Alcorn State University, to countless young student athletes and to the community. Coach Davey L. Whitney, Head Coach of the Men's Basketball team at Alcorn State University, has served as a leader at this educational institution, a professor of championship athletics and a mentor for many of his players.

Nearly 30 years ago, Coach Whitney first arrived on the Lorman, Mississippi, campus. From the beginning, Davey's tenure at Alcorn was destined for greatness. Within ten years, the Alcorn State Men's Basketball team went from little notoriety to groundbreaking achievement. His list of accomplishments is exemplary. His determination is heroic.

He was the first coach to lead an historically black college team to wins in both NCAA and NIT tournaments. His teams also won nine Southwestern Athletic Conference titles. In 1979, Alcorn accomplished something that no previous historically black college had done—winning a National Invitational Tournament game—when they defeated Mississippi State University.

Coach Whitney has been a mentor to many young men. Many of his players have become successful businessmen. Several of his players even had successful professional athletic careers in the National Basketball Association. Larry Smith, who was drafted by the Golden State Warriors, is now an assistant coach with the Houston Rockets. He is reproducing Coach Whitney's approach of discipline coupled with a warm personal devotion for the players.

Coach Whitney's career has not been one without trials. In 1989 he was fired after losing three successive seasons. Still Coach Whitney stayed involved in basketball by coaching in the Continental Basketball Association and the United States Basketball League.

Coach Whitney also remained close to Alcorn State for the next eight years, while the Braves struggled and in 1997 Alcorn asked him to return. After much thought, Coach Whitney returned to the Alcorn State University Family as head coach. Within two years, he took the struggling Braves to the 1999 Southwestern Athletic Conference Regular Season Championship where they not only won, they triumphed. This tournament championship earned the Braves a berth in the NCAA Tournament. This marked the first time since the 1986 season that the Braves have won the Southwestern Athletic Conference regular season title. This was also the first time since 1984 that the Braves have won the tournament title and appeared in the NCAA tournament.

Coach Whitney's 442 wins in 28 years—with 10 regular season titles, four consecutive titles between 1978–82, twelve post season tourneys and five NAIA district titles—earned him nine Southwestern Athletic Conference Coach of the Year honors. It is a fitting tribute to Coach Whitney's accomplishments that he coaches in the complex named after him. Various groups have recognized Coach Whitney for his renowned success. USA Today's Reporter Jack Carey wrote, ''At Alcorn State Coach Davey Whitney is proving not only that you can go home again, but you also can be darned successful once you get there.'' Whitney is surely a man worthy of recognition.

Coach Whitney is not only a successful coach but an accomplished family man. He and his wife of more than 40 years have reared a fine family of four daughters and one son, all of whom attended Alcorn State University. He is a member of the National Association of Coaches, the Mississippi Association of Coaches, the National Black Association of Coaches, and Alpha Phi Alpha Fraternity, Inc., just to name a few.

Mr. President, it is a great honor to pay tribute to Coach Davey L. Whitney for his athletic accomplishments and his dedication to the students of Alcorn State University. His efforts are both uplifting and encouraging. I ask my colleagues to join me in wishing Davey Whitney many more years of success.

BUDGET SCOREKEEPING REPORT

Mr. DOMENICI. Mr. President, I hereby submit to the Senate the budget scorekeeping report prepared by the Congressional Budget Office under Section 308(b) and in aid of Section 311 of the Congressional Budget Act of 1974, as amended. The report meets the requirements for Senate scorekeeping of Section 5 of S. Con. Res. 32, the First Concurrent Resolution on the Budget of 1986.

This report shows the effects of congressional action on the budget through July 14, 1999. The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Res. 209, a resolution to provide budget levels in the Senate for purposes of fiscal year 1999, as amended by S. Res. 312. The budget levels have also been revised to include adjustments made on May 19, 1999, to reflect the amounts provided and designated as emergency requirements. The estimates show that current level spending is above the budget resolution by $0.4 billion in budget authority and above the budget resolution $0.2 billion in outlays. Current level is $0.2 billion above the revenue floor in 1999. The current estimate of the deficit for purposes of calculating the maximum deficit amount is $56.1 billion, $0.1 billion above the maximum deficit amount of 1999 of $56.0 billion.

Since my last report, dated June 21, 1999, the Congress has taken no action that changed the current level of budget authority, outlays, and revenues.

I ask unanimous consent to have a letter accompanying the report and the budget scorekeeping report printed in the RECORD.

There being no objection, the letter and report were ordered to be printed in the RECORD, as follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 15, 1999.

Hon. PETE V. DOMENICI,
Chairman, Committee on the Budget,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on

the 1999 budget and is current through July 14, 1999. The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Res. 209, a resolution to provide budget levels in the Senate for purposes of fiscal year 1999, as amended by S. Res. 312. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

Since my last report, dated June 17, 1999, the Congress has taken no action that changed the current level of budget authority, outlays, and revenues.

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

Enclosures.

TABLE 1.—FISCAL YEAR 1999 SENATE CURRENT LEVEL REPORT, AS OF CLOSE OF BUSINESS, JULY 14, 1999

[In billions of dollars]

	Budget resolution S. Res. 312 (Adjusted)	Current level	Current level over/under resolution
ON-BUDGET			
Budget Authority	1,465.3	1,465.7	0.4
Outlays	1,414.9	1,415.2	0.2
Revenues:			
1999	1,358.9	1,359.1	0.2
1999–2003	7,187.0	7,187.7	0.7
Deficit	56.0	56.1	0.1
Debt Subject to Limit	(1)	5,536.1	(2)
OFF-BUDGET			
Social Security Outlays:			
1999	321.3	321.3	0.0
1999–2003	1,720.7	1,720.7	0.0
Social Security Revenues:			
1999	441.7	441.7	(3)
1999–2003	2,395.6	2,395.5	−0.1

1 Not included in S. Res. 312.
2 =not applicable.
3 Less than $50 million.

Note.—Current level numbers are the estimated revenue and direct spending effects of all legislation that the Congress has enacted or sent to the President for his approval. In addition, full-year funding estimates under current law are included for entitlement and mandatory programs requiring annual appropriations even if the appropriations have not been made. The current level of debt subject to limit reflects the latest information from the U.S. Treasury.

Source: Congressional Budget Office.

TABLE 2.—SUPPORTING DETAIL FOR THE FISCAL YEAR 1999 ON-BUDGET SENATE CURRENT LEVEL REPORT, AS OF CLOSE OF BUSINESS, JULY 14, 1999

[In millions of dollars]

	Budget authority	Outlays	Revenues
ENACTED IN PREVIOUS SESSIONS			
Revenues			1,359,099
Permanents and other spending legislation	919,197	880,664	
Appropriation legislation	820,578	813,987	
Offsetting receipts	−296,825	−296,825	
Total previously enacted	1,442,950	1,397,826	1,359,099
ENACTED THIS SESSION			
1999 Emergency Supplemental Appropriations (Act (P.L. 106–31)	11,348	3,677	
1999 Miscellaneous Trade and Technical Corrections Act (P.L. 106–36)			5
ENTITLEMENTS AND MANDATORIES			
Budget resolution baseline estimates of appropriated entitlements and other mandatory programs not yet enacted	11,393	13,661	
TOTALS			
Total Current Level	1,465,691	1,415,164	1,359,104
Total Budget Resolution	1,465,294	1,414,916	1,358,919
Amount remaining:			
Under Budget Resolution			
Over Budget Resolution	397	248	185

Note.—Estimates include the following in emergency funding: $34,226 million in budget authority and $16,802 million in outlays.

Source: Congressional Budget Office.

PRESIDENT CLINTON'S EXECUTIVE ORDER TO INCREASE ENERGY EFFICIENCY IN THE FEDERAL GOVERNMENT

Mr. KERRY. Mr. President, I would like to speak for just few minutes today in support of President Clinton's Executive Order of June 3, 1999, which ordered the Federal Government to undertake a comprehensive program to save energy, save money and cut pollution.

The Federal Government is the nation's largest consumer of energy, purchasing energy to light, heat and cool more than 500,000 buildings and power millions of vehicles. Each year the Federal Government purchases more than $200 billion worth of products, including enormous quantities of energy-intensive goods. Current efficiency programs already save more than $1 billion a year according to an estimate in the Wall Street Journal of July 15, 1999. In addition, the government's vast purchases give it significant market influence to impact the development, manufacture and use of clean energy technologies.

This Executive Order sets worthwhile—and unfortunately too long overlooked—goals, including the reduction of greenhouse gas emissions, energy efficiency improvements, increased use of renewable energy, reduced use of petroleum, water conservation and changes in how we measure energy use. I believe these goals have tremendous merit and will deliver the ''win-win'' results of sound environmental and energy policy, because each goal stresses reduced pollution and reduced costs.

To achieve these goals, the Order sets in place several new administrative policies for organization and accountability. To begin, each agency will designate a single officer to oversee implementation. Agencies will submit a budget request to the Office of Management and Budget for investments that will reduce energy use, pollution and life-cycle costs, and they will track and report progress. The Order applies to all Federal departments and agencies, with an appropriate exception for the Department of Defense when compliance may hinder military operations and training.

Federal agencies will be able to employ a range of Federal programs including Energy Star, sustainable building design research from the Department of Energy and the Environmental Protection Agency and others. For example, to the extent practicable, agencies will strive to achieve the Energy Star standards for energy performance and indoor environmental quality for all facilities by 2002. Agencies will apply sustainable design principles to the siting, design and construction of new facilities—meaning energy use, costs and reduced pollution will be optimized across a facility's life. And such measures will extend to transportation, including the use of efficient and renewable-fuel vehicles.

Finally, the Executive Order endorses the use of ''source energy'' as a measure of efficiency. Measuring energy consumption by ''source''—as opposed to ''site''—means taking into account not only the energy consumed by a light bulb, appliance or other product to perform a certain function, but also the energy consumed in the generation, transmission and distribution of that energy to the product in question. Research in energy use increasingly shows that a ''source'' measurement is a more accurate measure of the total costs that we pay to operate appliances and other equipment.

Mr. President, I add my sincere appreciation to President Clinton for executing this Order and endorsing its policies. I believe that if this Executive Order is properly implemented, it will pay dividends for the environment and taxpayers.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business Friday, July 16, 1999, the Federal debt stood at $5,626,175,786,965.76 (Five trillion, six hundred twenty-six billion, one hundred seventy-five million, seven hundred eighty-six thousand, nine hundred sixty-five dollars and seventy-six cents).

One year ago, July 16, 1998, the Federal debt stood at $5,531,080,000,000 (Five trillion, five hundred thirty-one billion, eighty million).

Fifteen years ago, July 16, 1984, the Federal debt stood at $1,532,716,000,000 (One trillion, five hundred thirty-two billion, seven hundred sixteen million).

Twenty-five years ago, July 16, 1974, the Federal debt stood at $473,710,000,000 (Four hundred seventy-three billion, seven hundred ten million) which reflects a debt increase of more than $5 trillion—$5,152,465,786,965.76 (Five trillion, one hundred fifty-two billion, four hundred sixty-five million, seven hundred eighty-six thousand, nine hundred sixty-five dollars and seventy-six cents) during the past 25 years.

THE TRADE ADJUSTMENT ASSISTANCE REAUTHORIZATION ACT

Mr. BINGAMAN. Mr. President, I rise today in support of the Trade Adjustment Assistance Reauthorization Act, a bill that has been reported from the Finance Committee and was filed on July 16th. I believe this bill is critical for American workers, companies and their communities. The bill as written would extend authorization for trade adjustment assistance for two years, and would allow workers and companies that are negatively impacted by international trade to receive the assistance currently allowed by law. If we do not pass this legislation, trade adjustment assistance will expire this October, and workers and companies that are presently receiving benefits will be completely cut off from government support. In specific terms, this

means over 340,000 workers across the country, and several thousand workers in my state of New Mexico, will be without support needed to maintain their lives and re-train for the future. These are real people and real lives we are talking about, and we simply can't let this happen. We must act now to ensure the programs continue.

Let me briefly explain what this legislation is about. In 1962, when the Trade Expansion Act was under consideration, the Kennedy Administration came up with a very straightforward proposition concerning international trade and American workers and companies: if and when Americans lose their jobs as a result of trade agreements entered into by the U.S. government, then the U.S. government should assist these Americans in finding new employment. If you lose a job because of U.S. trade policy, you should have some help from the federal government in re-training to get a job.

I find this a reasonable and fair proposition. It suggests that the U.S. government supports a open trading system, but recognizes that it is responsible to repair the negative impacts this policy has on its citizens. It suggests that the U.S. government believes that an open trading system provides long-term advantages for the United States and its people, but that the short-terms costs must be addressed if the policy is to continue and the United States is to remain competitive. It suggests that there is a collective interest that must be pursued, but that individual interests must be protected for the greater good.

This commitment to American workers and companies has continued over the years, and should not be ended now. The reason for continuity is obvious: globalization is only moving at a faster pace, with the potential for ever more significant impacts on our country. In my opinion, the process of globalization is inevitable. It is not going to stop. Therefore, the question for us in this chamber is not whether we can stop it, but how we can manage it to benefit the national interest of the United States.

The picture we see of globalization is that of a double-edged sword, with some individuals and companies gaining and others losing. The gains are clear-cut. Exports now generate over one-third of all economic growth in the United States. Export jobs pay ten to fifteen percent more than the average wage. Depending upon who you listen to, it has generated anywhere from two to eleven million jobs over the last ten years. For those who dislike globalization, I say look in your kitchen, your living room, your driveway, your office, and see the products that are there as a result of a more open and interdependent trading system. Without expanded trade brought on as a result of globalization we will end up fighting over an ever-decreasing domestic economic pie.

But in spite of these obvious benefits we cannot ignore the problems involved with globalization. Every day we hear disturbing stories about what this has meant for people across the country. In my state we have seen over the last year a large number of lay-offs and closings in small rural towns that cannot afford to have this happen. The closing of three plants in Roswell, Las Cruces, and Albuquerque meant 1,600 people lost their jobs. Next came lay-offs in the copper mines in my home town of Silver City. These people cannot simply go across the street and look for new work. They are people who have been dedicated to their companies and have played by the rules over the years. What they deserve when they lose their job is an opportunity to get income support and re-training to rebuild their lives. What they deserve is a program that creates skills that are needed, that moves them into new jobs faster, that provides opportunities for the future, that keeps families and communities intact.

TAA offers the potential for this outcome. Although in need of revision in several key areas—and I am focusing on these areas at this time—it has over the years consistently helped individuals and companies in communities across the United States deal with the transitions that are an inevitable part of a changing international economic system. It helps people that can work and want to work to continue to work in productive jobs that contribute to the economic welfare of our country. We have made this promise to workers in every administration, both Democrat and Republican, and we should continue to do so. Although TAA is not without its flaws, it remains the only program that allows workers and companies to adjust and remain competitive. Without it, in my opinion we are saying unequivocally that we don't care what happens to you, that we bear no responsibility for the position that you are in, that you are on your own.

Senators ROTH, MOYNIHAN, and others think otherwise, and I agree wholeheartedly with them. I believe that this commitment to individuals and companies and communities must be kept. I urge all my colleagues to support the passage of this bill when it comes to a vote on the floor.

THE F–15 AND ISRAEL

Mr. ASHCROFT. Mr. President, I rise today to speak on the F–15, the world's dominant air superiority fighter. The future of this fighter, perhaps the most successful in the history of U.S. aviation warfare, is in jeopardy. While both the Senate and the House have taken steps to save the F–15, the Administration has resisted efforts to preserve a plan that is critical for our national security.

I was heartened by the recent action of the House Appropriations Committee to follow the Senate's lead and provide additional funding for the F–15. Last month, Senator BOND and I successfully added an amendment to the Defense Appropriations bill to provide $220 million for four F–15s. Last week, the House Appropriations Committee provided $440 million to purchase eight F–15 fighters.

While securing domestic dollars is essential to keep the F–15 alive, foreign sales are just as important for the long-term health of the program. Hence, my disappointment that the Israeli Government had selected the F–16 to fill their latest Air Force needs goes without saying. As Angelo Codevilla writes today in the Wall Street Journal—and I will ask unanimous consent that the article be printed in the RECORD at the conclusion of my remarks—the F–15 gives Israel critical long-range strike capability to counter regional threats. As one who is keenly interested in the security of Israel, it was my hope that the new Barak Government would select the F–15 to enhance its long-range deterrent capability.

Mr. Codevilla also implies that the Administration was pushing Israel to buy the F–16, a less capable plane that would not defend Israel as well—particularly against the threat posed by missiles from Iran, Iraq, and Syria. While Israel must make its own decisions with regard to its security, I sincerely hope the Administration was not pushing our ally to purchase a less capable plane just so that Syria or Iran would not be offended. Lasting peace in the Middle East will be based on a sustainable settlement that can be defended through strength, not by pushing Israel to take steps which limit its ability to defend itself.

Mr. President, sustaining the F–15 is essential for U.S. airpower as we enter the 21st century. Preserving the F–15 is also essential to my home state of Missouri. The 7,000 Missourians who build the F–15 are a national security asset. Both houses of Congress have sent clear signals to the Administration that this plane should be saved. It is time for the President to start listening and take steps immediately to ensure funding for the F–15 is included in the defense budget.

I ask unanimous consent that the article to which I referred be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, July 19, 1999]

CLINTON'S DREAMS OF PEACE IGNORE MIDEAST REALITIES

(By Angelo M. Codevilla)

What exactly does President Clinton expect from Israel's new prime minister, Ehud Barak? At a joint news conference last week, Mr. Clinton declared that he wants Mr. Barak ''to widen the circle of peace to include Syria and Lebanon and to revitalize talks among Israel and the Arab world and to solve regional problems.'' Mr. Barak spoke more cautiously, declaring his commitment to ''change and renewal'' but also his uneasiness at Americans who have acted ''as a kind of policeman, judge and arbitrator at the same time.''

Mr. Barak may be indebted to Mr. Clinton for undermining his predecessor, but he also

is a serious military man. Israeli officials are sure to spend the aftermath of Mr. Barak's visit sorting out the vast differences between the assumptions of the Clinton game plan and Israel's military realities.

The military threat to Israel used to consist of the massed armies of its immediate neighbors. But today's most ominous threat is weapons of mass destruction carried by missiles from Iraq, Iran, Syria and perhaps Libya. Israel's foes believe they could break Israeli military power in the opening minutes of a war by launching ballistic missile strikes with chemical or biological weapons against mobilization centers and weapons-storage areas. These countries have made an enormous investment in new missiles, most stored in deep tunnels, highly fortified bunkers or mobile launchers.

Gen. Eitan Ben Eliahu of the Israeli Air Force has estimated that Syria alone already has some 1,000 ballistic missiles, and that within a few years most will have long ranges. Syria does not need long-range missiles to hit Israel, but with longer ranges, each missile fired from Syria would develop enough re-entry speed to negate Israel's budding antimissile system, the Arrow. Already Iran's Shahib 3 missiles—developed with Russian, Chinese and North Korean help—stress the Arrow; the forthcoming Shahib 4's will overwhelm it.

To keep up with the increasing capability of enemy missiles, Israel's Arrow needs to be connected to the projected U.S. space-based fire-control system. But the Clinton administration doesn't want this system for the U.S., much less for Israel, for fear of violating the 1973 U.S.-Soviet Antiballistic Missile Treaty. To handle the overwhelming number of enemy missiles, Israel would need a U.S. orbital antimissile device. But the administration has delayed tests of a space-based laser that had been set for 2001. So Mr. Barak won't get any missile defense out of Mr. Clinton.

The Israeli Air Force has some pretty sophisticated plans for the nearly impossible job of striking enemy missiles before they are launched. But these plans require lots of deep-strike F–15 I aircraft. Israel has only 25; it has been negotiating for 15 more. Washington would rather see Israel buy more F–16's, which can't help Israel with its missile problem. The F–16's are less threatening to Syria, which the administration sees as the key to peace.

Instead of military help, the Clinton administration will give Mr. Barak generous instructions in its own conception of peace in the Middle East. Yet Mr. Barak will be compelled to note that Mr. Clinton's view of the world clashes with the one that Israel has been developing for some time, regardless of its dealings with the Palestinians.

Following the traditional maxim that foreign policy proceeds from the nature of the regime, Israel has sought alliances with Turkey and Jordan, because their regimes are stable, and because their friendship is secured in part by their enmity with Syria. Israel has talked about cooperation on missile defense with both Ankara and Amman, which see themselves as part of the West against Russian-supported forces in the region. Another main reason why Turkey and Jordan are interested in the alliance is Israel's deep-strike capability against Iran and Iraq.

Israel has been wary of Egypt, and even more of Saudi Arabia, because although the governments in these countries U.S. allies, instability would vitiate any deal with them. As for Syria, much as Israel would like a deal with it, its enmity is mitigated only by its instability.

The Clinton administration is trying to transcend traditional alliances. In the Wilsonian tradition, it seeks a settlement including all and directed against none. It believes that the path to peace includes exchanging military advantages for goodwill, ''guaranteed'' by some sort of international contact group. Thus the Clinton administration would bless the only deal Syria would accept—Israel's surrender of the Golan Heights—and call it peace.

Some Israelis would be happy with this, because it would carry the implicit assurance that the U.S. would assume responsibility for Israel's borders. It should be crystal clear, however, that Washington has neither the interest nor the capacity to hold Syria to any deal, much less to fight for Israel.

Here then is the choice Mr. Barak must mull on his way home: He can trust the Clinton team and move his country toward a deal with its enemies that violates normal rules of military prudence. Or he can seek the military means of being useful to his Turkish and Jordanian friends while being fearsome to states that are enemies of America and Israel alike.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT ON THE NATIONAL EMERGENCY WITH LIBYA—MESSAGE FROM THE PRESIDENT—PM 48

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs.

To the Congress of the United States:

I hereby report to the Congress on the developments since my last report of December 30, 1998, concerning the national emergency with respect to Libya that was declared in Executive Order 12543 of January 7, 1986. This report is submitted pursuant to section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c); section 204(c) of the International Emergency Economic Powers Act (IEEPA), 50 U.S.C. 1703(c); and section 505(c) of the International Security and Development Cooperation Act of 1985, 22 U.S.C. 2349aa–9(c).

1. On December 30, 1998, I renewed for another year the national emergency with respect to Libya pursuant to IEEPA. This renewal extended the current comprehensive financial and trade embargo against Libya in effect since 1986. Under these sanctions, virtually all trade with Libya is prohibited, and all assets owned or controlled by the Government of Libya in the United States or in the possession or control of U.S. persons are blocked.

2. On April 28, 1999, I announced that the United States will exempt commercial sales of agricultural commodities and products, medicine, and medical equipment from future unilateral sanctions regimes. In addition, my Administration will extend this policy to existing sanctions programs by modifying licensing policies for currently embargoed countries to permit case-by-case review of specific proposals for commercial sales of these items. Certain restrictions apply.

The Office of Foreign Assets Control (OFAC) of the Department of the Treasury is currently drafting amendments to the Libyan Sanctions Regulations, 31 C.F.R. Part 550 (the Regulations), to implement this initiative. The amended Regulations will provide for the licensing of sales of agricultural commodities and products, medicine, and medical supplies to non-governmental entities in Libya or to government procurement agencies and parastatals not affiliated with the coercive organs of that country. The amended Regulations will also provide for the licensing of all transactions necessary and incident to licensed sales transactions, such as insurance and shipping arrangements. Financing for the licensed sales transactions will be permitted in the manner described in the amended Regulations.

3. During the reporting period, OFAC reviewed numerous applications for licenses to authorize transactions under the Regulations. Consistent with OFAC's ongoing scrutiny of banking transactions, the largest category of license approvals (20) involved types of financial transactions that are consistent with U.S. policy. Most of these licenses authorized personal remittances not involving Libya between persons who are not blocked parties to flow through Libyan banks located outside Libya. Three licenses were issued authorizing certain travel-related transactions. One license was issued to a U.S. firm to allow it to protect its intellectual property rights in Libya; another authorized receipt of payment for legal services; and a third authorized payments for telecommunications services. A total of 26 licenses were issued during the reporting period.

4. During the current 6-month period, OFAC continued to emphasize to the international banking community in the United States the importance of identifying and blocking payments made by or on behalf of Libya. The office worked closely with the banks to assure the effectiveness of interdiction software systems used to identify such payments. During the reporting period, 87 transactions potentially involving Libya, totaling nearly $3.4 million, were interdicted.

5. Since my last report, OFAC has collected 7 civil monetary penalties totaling $38,000 from 2 U.S. financial institutions, 3 companies, and 2 individuals for violations of the U.S. sanctions against Libya. The violations involved export transactions relating to Libya and dealings in Government of Libya property or property in which the Government of Libya had an interest.

On April 23, 1999, a foreign national permanent resident in the United States was sentenced by the Federal District court for the Middle District of Florida to 2 years in prison and 2 years supervised release for criminal conspiracy to violate economic sanctions against Libya, Iran, and Iraq. He had previously been convicted of violation of the Libyan Sanctions Regulations, the Iranian Transactions Regulations, the Iraqi Sanctions Regulations, and the Export Administration Regulations for exportation of industrial equipment to the oil, gas, petrochemical, water, and power industries of Libya, Iran, and Iraq.

Various enforcement actions carried over from previous reporting periods have continued to be aggressively pursued. Numerous investigations are ongoing and new reports of violations are being scrutinized.

6. The expenses incurred by the Federal Government in the 6-month period from January 7 through July 6, 1999, that are directly attributable to the exercise of powers and authorities conferred by the declaration of the Libyan national emergency are estimated at approximately $4.4 million. Personnel costs were largely centered in the Department of the Treasury (particularly in the Office of Foreign Assets Control, the Office of the General Counsel, and the U.S. Customs Service), the Department of State, and the Department of Commerce.

7. In April 1999, Libya surrendered the 2 suspects in the Lockerbie bombing for trial before a Scottish court seated in the Netherlands. In accordance with UNSCR 748, upon the suspects' transfer, UN sanctions were immediately suspended. We will insist that Libya fulfill the remaining UNSCR requirements for lifting UN sanctions and are working with UN Secretary Annan and UN Security Council members to ensure that Libya does so promptly. U.S. unilateral sanctions remain in force, and I will continue to exercise the powers at my disposal to apply these sanctions fully and effectively, as long as they remain appropriate. I will continue to report periodically to the Congress on significant developments as required by law.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *July 19, 1999.*

REPORT CONCERNING EMIGRATION LAWS AND POLICIES OF ALBANIA—MESSAGE FROM THE PRESIDENT—PM 49

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Finance.

To the Congress of the United States:

I am submitting an updated report to the Congress concerning the emigration laws and policies of Albania. The report indicates continued Albanian compliance with U.S. and international standards in the area of emigration. In fact, Albania has imposed no emigration restrictions, including exit visa requirements, on its population since 1991.

On December 5, 1997, I determined and reported to the Congress that Albania is not in violation of the freedom-of-emigration criteria in sections 402 and 409 of the Trade Act of 1974. That action allowed for the continuation of normal trade relations status for Albania and certain other activities without the requirement of an annual waiver. This semiannual report is submitted as required by law pursuant to the determination of December 5, 1997.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *July 19, 1999.*

MESSAGE FROM THE HOUSE

At 4:40 p.m., a message from the House of Representatives, delivered by Mr. Berry, one if its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 434. An act to authorize a new trade and investment policy for sub-Sahara Africa.

H.R. 2490. An act making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2000, and for other purposes.

The message also announced that the House has agreed to the following resolution:

H. Res. 252. Resolved that the House has heard with profound sorrow of the death of the Honorable George E. Brown, Jr., a Representative from the State of California.

MEASURE PLACED ON THE CALENDAR

The following bill was read twice and placed on the calendar:

H.R. 434. An act to authorize a new trade and investment policy for sub-Sahara Africa.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CAMPBELL, from the Committee on Indian Affairs, without amendment:

S. Res. 156. An original resolution authorizing expenditures by the Committee on Indian Affairs.

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. GRASSLEY (for himself, Mr. SESSIONS, Mr. DEWINE, and Mr. COVERDELL):

S. 1390. A bill to help parents and families reduce drug abuse and drug addiction among adolescents, and for other purposes; to the Committee on the Judiciary.

By Mr. INOUYE:

S. 1391. A bill to amend title 38, United States Code, to improve benefits for Filipino veterans of World War II, and for other purposes; to the Committee on Veterans Affairs.

By Mr. BAUCUS:

S. 1392. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives for the voluntary conservation of endangered species, and for other purposes; to the Committee on Finance.

By Mr. SPECTER:

S. 1393. An original bill to provide a cost-of-living adjustment in rates of compensation for veterans with service-connected disabilities and dependency and indemnity compensation for survivors of such veterans, to amend title 38, United States Code, to codify the previous cost-of-living adjustment in such rates, and for other purposes; from the Committee on Veterans Affairs; placed on the calendar.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CAMPBELL:

S. Res. 156. An original resolution authorizing expenditures by the Committee on Indian Affairs; from the Committee on Indian Affairs; to the Committee on Rules and Administration.

By Mr. LOTT (for himself, Mr. DASCHLE, Mr. ABRAHAM, Mr. AKAKA, Mr. ALLARD, Mr. ASHCROFT, Mr. BAUCUS, Mr. BAYH, Mr. BENNETT, Mr. BIDEN, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BREAUX, Mr. BROWNBACK, Mr. BRYAN, Mr. BUNNING, Mr. BURNS, Mr. BYRD, Mr. CAMPBELL, Mr. CHAFEE, Mr. CLELAND, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. COVERDELL, Mr. CRAIG, Mr. CRAPO, Mr. DEWINE, Mr. DODD, Mr. DOMENICI, Mr. DORGAN, Mr. DURBIN, Mr. EDWARDS, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. FITZGERALD, Mr. FRIST, Mr. GORTON, Mr. GRAHAM, Mr. GRAMM, Mr. GRAMS, Mr. GRASSLEY, Mr. GREGG, Mr. HAGEL, Mr. HARKIN, Mr. HATCH, Mr. HELMS, Mr. HOLLINGS, Mr. HUTCHINSON, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUYE, Mr. JEFFORDS, Mr. JOHNSON, Mr. KENNEDY, Mr. KERREY, Mr. KERRY, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LUGAR, Mr. MACK, Mr. MCCAIN, Mr. MCCONNELL, Ms. MIKULSKI, Mr. MOYNIHAN, Mr. MURKOWSKI, Mrs. MURRAY, Mr. NICKLES, Mr. REED, Mr. REID, Mr. ROBB, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. ROTH, Mr. SANTORUM, Mr. SARBANES, Mr. SCHUMER, Mr. SESSIONS, Mr. SHELBY, Mr. SMITH of Oregon, Ms. SNOWE, Mr. SPECTER, Mr. STEVENS, Mr. THOMAS, Mr. THOMPSON, Mr. THURMOND, Mr. TORRICELLI, Mr. VOINOVICH, Mr. WARNER, Mr. WELLSTONE, and Mr. WYDEN):

S. Res. 157. A resolution relative to the disappearance of John F. Kennedy, Jr., Carolyn Bessette Kennedy and Lauren Bessette; considered and agreed to.

By Mr. LAUTENBERG (for himself and Mr. TORRICELLI):

S. Con. Res. 44. A concurrent resolution expressing the sense of Congress that a commemorative postage stamp should be issued in honor of the U.S.S. *New Jersey* and all those who served aboard her; to the Committee on Governmental Affairs.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GRASSLEY (for himself, Mr. SESSIONS, Mr. DEWINE, and Mr. COVERDELL):

S. 1390. A bill to help parents and families reduce drug abuse and drug addiction among adolescents, and for other purposes; to the Committee on the Judiciary.

DRUG FREE FAMILIES ACT

Mr. GRASSLEY. Mr. President, we are all aware that drug use has decreased overall in the last 15 years. One of the principal reasons for this is that we were successful in slowing the rate of experimentation and use among our young people. However, drug use is up dramatically among the young in the general population. Children as young as eight and nine are being confronted with the decision of whether or not to try drugs. This raises the possibility of a new epidemic of use and addiction. As you know, much is already being done to help children make the right decision. Prevention education is provided by various anti-drug groups, but these groups can't be effective in their teachings if prevention education does not begin at home. It is vitally important that parents make the time to school their children on the dangers of drug use and abuse.

Throughtout the years, research has been done on whether or not kids listen to their parents. The fact is kids do listen. It is clear that parents have influence in the choices their children make. The problem is, when it comes to drugs and alcohol, not all parents see a need to influence their child's decision or are aware of how serious the problem is. Some are ambivalent about their own past use. Some are in denial about what's happening. And why is that? A survey by the Partnership for a Drug Free America shows that less than a quarter of the parents questioned even acknowledge the possibility that their child may have tried marijuana. Unfortunately, of those parents surveyed, 44 percent of their children actually did experiment with marijuana. If parents aren't aware of the reality of the situation, how can they prepare the 6 out of every 10 teenagers who are offered drugs each year.

The problem isn't that the parents don't care. It is that they don't know. Parents underestimate the reality of drugs. As a result, they seldom if every talk to their kids about drugs. According to a recent PRIDE survey, only 30 percent of students reported that their parents talked to them often or a lot about drugs. This seems unfortunate when we look at evidence that shows drug use 32 percent lower among kids who said their parents talked with them a lot about drugs. The harsh reality is that 94 percent of parents say they talked to their teens about drugs, yet only 67 percent of teens remembered those discussions. Even more disturbing is a public opinion poll by the American Medical Association that illustrates that 43 percent of parents believe children using drugs is a serious national crisis, yet only 8 percent believe it is a crisis in their local schools, and 6 percent in their local communities.

Today, on behalf of Senators DEWINE, SESSIONS, and COVERDELL, I am introducing legislation that would bridge the gap between parents and the realities of youth drug use and abuse. The Drug Free Families Act would promote prevention education for parents. The goal is to promote cooperation among current national parent efforts. The kind of parent collaboration that the Drug Free Families Act proposes would unite parents at the national level to work with community anti-drug coalitions in the fight against drugs. It would not only help to educate parents, but help them convey a clear, consistent, no-use message. Through the Drug Free Families Act, we can give parents the resources necessary to educate our youth on the dangers of drugs.

It is clear that parents need assistance in educating kids on drug use and abuse. Parents, not Government, are the key to addressing the drug problem. We need to help them. I urge my fellow Members to support the Drug Free Families Act.

From my own experience in my State of Iowa, holding, as I did in 1998, more than 30 town meetings on the issue of drugs, one of the things I learned from the young people—junior high and high school young people who came to my meeting—was, in their own words, a statement on their part of somewhat frustration with their own families, that their families were not telling them about the dangers of drugs. There was even the suggestion from some young people that what we need is a parent education project so parents would be better at setting boundaries for kids, the necessity of listening to kids, but most importantly on the issue of drugs: As a parent, get the message out to young people about the dangers of drugs.

I got the feeling very definitely from young people of my State that they knew more about drugs, even more about the dangers of drugs and the availability of those drugs, than their parents do. I think the surveys I have pointed out today to justify the Drug Free Families Act justify and back up what the young people of my State of Iowa told me in those hearings last year.

By Mr. INOUYE:

S. 1391. A bill to amend title 38, United States Code, to improve benefits for Filipino veterans of World War II, and for other purposes; to the Committee on Veteran's Affairs.

FILIPINO VETERANS' BENEFITS IMPROVEMENTS ACT OF 1999

Mr. INOUYE. Mr. President, today I rise to introduce the Filipino Veterans' Benefits Improvements Act of 1999. The measure would increase the disability compensation for those Filipino veterans residing in the United States. These veterans currently receive compensation at the ''peso-rate'' standard which is 50 percent of what is received by their American counterparts. Second, the measure would make all Filipino veterans residing in the United States eligible for veterans' health care. Like their American counterparts, these Filipino veterans would be subject to the same eligibility and means test requirements in order to qualify for health benefits. Third, the measure would provide outpatient care and services to veterans, Commonwealth Army veterans, and new Philippine Scouts residing in the Philippines for the treatment of service-connected and non-service connected disabilities at the Manila VA Outpatient Clinic.

The measure further restores funding to provide healthcare services to American military personnel and all Filipino veterans residing in the Philippines. Many of my colleagues are aware of my advocacy on behalf of Filipino veterans of World War II. Throughout the years, I have sponsored several measures on their behalf to correct an injustice and seek equal treatment for their valiant military service. Members of the Philippine Commonwealth Army were called to serve the United States Forces of the Far East. Under the command of General Douglas MacArthur, they joined our American soldiers in fighting some of the fiercest battles of World War II. Regretfully, the Congress betrayed our Filipino allies by enacting the Rescission Act of 1946. The 1946 Act, now codified as 38 U.S.C. 107, deems the military service of Filipino veterans as non-active service for purposes of any law of the United States conferring rights, privileges or benefits. The measure I introduce today will not diminish my efforts to correct this injustice. As long as it takes, I will continue to seek equal treatment on behalf of the Filipino veterans of World War II.

Mr. President, I ask unanimous consent that the bill text be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1391

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 ''Filipino Veterans' Benefits Improvements Act of 1999''.

SEC. 2. INCREASE IN RATE OF PAYMENT OF CERTAIN BENEFITS TO VETERANS OF THE PHILIPPINE COMMONWEALTH ARMY.

(a) INCREASE.—Section 107 of title 38, United States Code, is amended—

(1) by striking ''Payment'' in the second sentence of subsection (a) and inserting ''Except as provided in subsection (c), payment''; and

(2) by adding at the end the following new subsection:

''(c) In the case of benefits under subchapters II and IV of chapter 11 of this title by reason of service described in subsection (a)—

''(1) notwithstanding the second sentence of subsection (a), payment of such benefits shall be made in dollars at the rate of $1.00 for each dollar authorized; and

''(2) such benefits shall be paid only to an individual residing in the United States who is a citizen of, or an alien lawfully admitted for permanent residence in, the United States.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply to benefits paid for months beginning on or after that date.

SEC. 3. ELIGIBILITY FOR HEALTH CARE OF CERTAIN ADDITIONAL FILIPINO WORLD WAR II VETERANS.

The text of section 1734 of title 38, United States Code, is amended to read as follows:

''The Secretary, within the limits of Department facilities, shall furnish hospital and nursing home care and medical services to Commonwealth Army veterans and new Philippine Scouts in the same manner as provided for under section 1710 of this title.''.

SEC. 4. MANDATE TO PROVIDE HEALTH CARE FOR WORLD WAR II VETERANS RESIDING IN THE PHILIPPINES.

(a) IN GENERAL.—Subchapter IV of chapter 17 of title 38, United States Code, is amended—

(1) by redesignating section 1735 as section 1736; and

(2) by inserting after section 1734 the following new section:

''§ 1735. Outpatient care and services for World War II veterans residing in the Philippines

''(a) OUTPATIENT HEALTH CARE.—The Secretary shall furnish care and services to veterans, Commonwealth Army veterans, and new Philippine Scouts for the treatment of the service-connected disabilities and nonservice-connected disabilities of such veterans and scouts residing in the Republic of the Philippines on an outpatient basis at the Manila VA Outpatient Clinic.

''(b) LIMITATIONS.—(1) The amount expended by the Secretary for the purpose of subsection (a) in any fiscal year may not exceed $500,000.

''(2) The authority of the Secretary to furnish care and services under subsection (a) is effective in any fiscal year only to the extent that appropriations are available for that purpose.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by striking the item relating to section 1735 and inserting after the item relating to section 1734 the following new items:

''1735. Outpatient care and services for World War II veterans residing in the Philippines.

''1736. Definitions.''.

(c) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act.

By Mr. BAUCUS:

S. 1392. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives for the voluntary conservation of endangered species, and for other purposes; to the Committee on Finance.

THE SPECIES CONSERVATION TAX ACT OF 1999

Mr. BAUCUS. Mr. President, today I am introducing the Species Conservation Tax Act of 1999.

The Endangered Species Act sometimes is referred to as our most important environmental law. However, it also is one of the most controversial. Over the past decade, a debate has raged about whether, and how, the Act should be revised. In 1995, Congress went so far as to impose a complete moratorium on the listing of species (fortunately, the moratorium has since been lifted). Several bills were introduced, and given serious consideration, that would have radically weakened the law.

On a more positive note, last Congress, after several years of work, the Environment and Public Works Committee reported a bipartisan bill, supported by the Clinton Administration, that would have made a series of modest, common-sense reforms to the Act. Unfortunately, that bill was never considered by the full Senate.

There seems, however, to be an agreement on at least one basic point: we should use more incentives to promote the conservation of threatened and endangered species, including tax incentives. For example, in 1995, a group organized by the Keystone Center reported that ''taxes, including income taxes, estate taxes, and property taxes, affect all landowners and sometimes significantly affect their land use decisions. Changes in tax laws, including some that have a relatively small cost to the Treasury, could yield important conservation benefits.''

Over the years, we have made some progress. The tax code now contains two significant incentives for conserving land. One is section 170(h), which allows a charitable contribution deduction for donations of conservation easements in order to, among other things, preserve wildlife habitat. The other is section 2031(c), which, with the leadership of Senator CHAFEE, was enacted in 1997; it complements section 170(h) with an estate tax incentive to encourage the conservation of land for future generations.

The bill that I am introducing today builds on these provisions. It enhances the section 170(h) and section 2031(c) incentives, and it adds a new estate tax incentive for land that is managed to protect threatened or endangered species.

Let me briefly describe each provision of the bill.

INCOME TAX EXCLUSION FOR COST SHARE PAYMENTS UNDER THE PARTNERS FOR WILDLIFE PROGRAM

Tax Code section 126 excludes from income payments received pursuant to certain agricultural and silvicultural conservation programs; it specifically excludes payments received pursuant to eight specific programs, then provides two general exclusions, one for payments received pursuant to certain state programs and another for ''any small watershed program administered by the Secretary of Agriculture which is determined by the Secretary of the Treasury . . . to be substantially similar'' to the eight specific programs. The Joint Tax Committee explained the reason for the adoption of this provision, in 1978, as follows:

> In general, these programs relate to improvements which further conservation, protect or restore the environment, improve forests, or provide a habitat for wildlife. These payments ordinarily do not improve the income producing capacity of the property. Also, since these payments represent a portion of an expenditure made by the taxpayer, the taxpayer generally does not have additional funds to pay the tax when such payments are made. The potential adverse tax consequences may operate to discourage certain taxpayers from participating in these programs.
>
> For these reasons, Congress believes that it is appropriate to exclude these payments from income, and to provide for their inclusion only at the time the underlying property is disposed of.

However, this provision does not apply to all of the appropriate programs. In 1987, the U.S. Fish and Wildlife Service established the Partners for Wildlife program, which provides cost-sharing assistance to landowners for various wildlife conservation efforts. To date, 18,000 landowners have participated voluntarily in the program, restoring more than 330,000 acres of wetlands alone. In fiscal year 1999, about $28 million will be available through the program, of which about $9 million is expected to be paid directly to landowners as cost-share payments.

Although cost-share payments made to private landowners under the Partners for Wildlife program are similar to the payments that are excluded under section 126, payments under the Partners for Wildlife program are not eligible for the exclusion, because the Partners program is not one of the specific programs listed in section 126 and cannot qualify as a ''substantially similar'' program because it is not administered by the Secretary of Agriculture. As a result, landowners who receive payments for protecting habitat under the Partners program get a 1099 form, from the IRS, stating that the payments must be treated as taxable income. If, for example, the Fish and Wildlife Service plans to pay a riparian landowner $10,000 to take steps to restore streamside habitat, federal taxes can reduce the value of the payment by several thousand dollars. I have received reports that this is causing some landowners to decline to participate in the program.

Mr. President, the Partners for Wildlife program serves the important purpose of promoting federal-state-private partnerships to conserve species and the habitat upon which they depend. Payments received under the program are similar to those that are excluded under section 126: they promote conservation, they ordinarily do not improve the income producing capacity of the property, they represent a portion of an expenditure made by the taxpayer, and the potential adverse tax

consequences may operate to discourage some taxpayers from participating. For these reasons, it is appropriate to amend section 126 to treat payments received under the Partners for Wildlife program the same as other conservation payments. The bill would do so.

There is broad support for this change among both environmentalists and landowners: It is supported by the Environmental Defense Fund, the American Farm Bureau Federation, the Center for Marine Conservation, American Rivers, the National Woodland Owners Association, the Defenders of Wildlife, the Izaak Walton League of America, and the National Cattlemen's Beef Association.

ENHANCED DEDUCTION FOR THE DONATION OF INTERESTS IN REAL PROPERTY THAT CONSERVE THREATENED OR ENDANGERED SPECIES

Under current law, a taxpayer generally may not take a charitable contribution deduction for the donation of a property interest that is less than the taxpayer's entire interest in the property. There are several exceptions. One is for donations of conservation easements, which include easements to preserve open space and protect natural habitat. Taxpayers may deduct the value of such contributions, but only up to 30% of the taxpayer's adjusted gross income, with a five year carry-forward.

The bill would enhance the deduction for contributions of conservation easements that are made for the purpose of the conservation of a species that has been listed as threatened or endangered (or proposed for listing). The deduction is enhanced in three ways: the AGI limitation is increased from 30% to 50%, the carry-forward period is increased from five to 20 years, and, if the taxpayer dies before then, the entire unused carry-forward amount can be deducted on the decedent's last return.

Mr. President, when a landowner donates an interest in property for the purpose of conserving an endangered species, the landowner is providing a public benefit above and beyond the benefit provided by an ordinary conservation easement. For example, an easement might not only assure that farmland remains farmland, but also that there are buffer strips to control runoff in order to protect and endangered fish and that harvesting schedules conform to the needs of migratory waterfowl. By taking such steps voluntarily, landowners reduce the need to take other steps to preserve the species, including the imposition of regulatory restrictions.

By enhancing the deduction for landowners who take such steps, we create a modest additional incentive for landowners not only to conserve land but also to assure that the land is managed in a way that helps conserve and recover endangered species.

ESTATE TAX EXCLUSION FOR PROPERTY SUBJECT TO A CONSERVATION AGREEMENT

Under current law, an executor can deduct the value of a conservation easement (within the meaning of section 170(h)) from the value of an estate. In addition, section 2031(c), an executor can exclude from the estate up to 40% of the remaining value of the land subject to the easement.

For example, if a decedent conveys property worth $1,000,000, subject to a conservation easement that reduces the value of the property by $300,000, and the property qualifies for the full 40% exclusion, the taxable portion of the estate would be $280,000 (40 percent of the $700,000 in remaining value after deducting the $300,000 value of the easement).

The amount of the exclusion is limited to $500,000 and, under section 170(h), the conservation easement must be granted in perpetuity.

The bill creates a new estate tax incentive for donations of a partial interest in property that is subject to an agreement, approved by the Secretary of the Interior or Commerce, to carry out activities that would make a major contribution to the conservation of a species that is listed as threatened or endangered, is proposed for listing, or is a candidate for listing. The executor may exclude from the estate the entire value of the portion of the property subject to the agreement, up to $10,000,000.

The conservation agreement need not be in perpetuity; after all, the purpose of the agreement is to help recover the species, and once that goal is achieved, land use restrictions may no longer is necessary. However, if the agreement ends in less than 40 years (i.e., because the property is sold, there is a material breach of the agreement, or the agreement is terminated), the estate must pay a recapture amount, as follows: 100% of the excluded amount if the agreement is terminated in less than 10 years; 75% if it is terminated in less than 20 years; 50% if it is terminated in less than 30 years; and 25% if it is terminated in less than 40 years.

Mr. President, current law recognizes that estate tax incentives are an appropriate way to encourage landowners to take steps to conserve precious natural resources for future generations.

When a landowner or the executor of a landowner's estate enters into an agreement to manage land in a way that makes a major contribution to the conservation of an endangered or threatened species, they are, as I said before, providing a public benefit above and beyond the benefit provided by an ordinary conservation easement. By creating an alternative estate tax incentive for landowners who take such steps, we create a modest additional incentive for landowners not only to conserve land but also to assure that the land is managed in a way that helps conserve and recover endangered species.

ELIMINATION OF THE MILEAGE LIMITATION FOR THE ESTATE TAX EXCLUSION FOR LAND SUBJECT TO A CONSERVATION EASEMENT

Tax code section 2031(c) allows an executor to exclude from a gross estate a portion of the value of land that is subject to a conservation easement (within the meaning of section 170(h)), but only if the land is within 25 miles of a metropolitan area, a wilderness area, or a national park; or is within 10 miles of an Urban National Forest.

The bill eliminates 25 and 10 mile limitations, so that an executor can exclude land subject to a conservation agreement regardless of where the land is located.

Mr. President, section 2031(c) serves the important purpose of encouraging landowners to conserve open space for future generations, rather than forcing heirs to sell undeveloped land to pay estate taxes. The 25 and 10 mile limitations were included in order to reduce the revenue loss and target the incentive to the areas that were likely to be under the greatest development pressure. However, the mileage limitations are a very imperfect proxy. It excludes about one-third of the continental United States; in many cases, the excluded lands are just as pristine and sensitive as lands surrounding wilderness areas or national parks—such as lands surrounding national wildlife refuges. And it excludes many fast-growing areas that do not happen to be metropolitan statistical areas, like areas outside Bozeman and Kalispell, Montana—two of the fastest growing communities in Montana. What's more, the mile limitations have a differential impact among regions of the country. For example, they have the effect of making virtually the entire Northeast and West Coast eligible for the 2031(c) incentive, but exclude large parts of the Great Plains and the Rocky Mountain West.

To eliminate this differential impact, and provide a modest incentive for conservation all across the country, the mileage limitation should be eliminated.

CONCLUSION

Mr. President, taken together, these complementary provisions provide modest but important incentives for the conservation of habitat and the protection of endangered species. And, the more we can use tax incentives to encourage the conservation of threatened and endangered species, the more likely we are to reduce the regulatory burdens associated with those species.

I should note that there are other significant proposals along similar lines, including tax proposals introduced by Senators JEFFORDS and CHAFEE and funding proposals introduced by Senator BOXER. I look forward to working with them, and with other interested colleagues, to enacted a solid package of conservation tax incentives into law.

I ask unanimous consent that a copy of the bill be included in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1392

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

SECTION 1. SHORT TITLE; AMENDMENT OF 1986 CODE.

(a) SHORT TITLE.—This Act may be cited as the ''Species Conservation Tax Act of 1999''.

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

SEC. 2. TAX EXCLUSION FOR COST-SHARING PAYMENTS UNDER PARTNERS FOR WILDLIFE PROGRAM.

(a) IN GENERAL.—Section 126(a) (relating to certain cost-sharing payments) is amended by redesignating paragraph (10) as paragraph (11) and by inserting after paragraph (9) the following:

''(10) The Partners for Fish and Wildlife Program authorized by the Fish and Wildlife Act of 1956 (16 U.S.C. 742a et seq.).''

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to payments received after the date of the enactment of this Act.

SEC. 3. ENHANCED DEDUCTION FOR THE DONATION OF A CONSERVATION EASEMENT.

(a) IN GENERAL.—Subparagraph (A) of section 170(h)(4) (defining conservation purpose) is amended by striking ''or'' at the end of clause (iii), by striking the period at the end of clause (iv) and inserting '', or'', and by adding at the end the following:

''(v) the conservation of a species designated by the Secretary of the Interior or the Secretary of Commerce under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq) as endangered or threatened, proposed by such Secretary for designation as endangered or threatened, or identified by such Secretary as a candidate for such designation, provided the property is not required, as of the date of contribution, to be used for such purpose other than by reason of the terms of contribution.''

(b) ENHANCED DEDUCTIONS.—Subsection (e) of section 170 (defining qualified conservation contribution) is amended by adding at the end the following:

''(7) SPECIAL RULES FOR CONTRIBUTIONS RELATED TO CONSERVATION OF SPECIES.—

''(A) IN GENERAL.—In the case of a qualified conservation contribution by an individual for the conservation of endangered or threatened species, proposed species, or candidate species under (h)(4)(v):

''(i) 50 PERCENT LIMITATION TO APPLY.—Such a contribution shall be treated for the purposes of this section as described in subsection (b)(l)(A).

''(ii) 20-YEAR CARRY FORWARD.—Subsection (d)(1) shall be applied by substituting '20 years' for '5 years' each place it appears and with appropriate adjustments in the application of subparagraph (A)(ii) thereof.

''(iii) UNUSED DEDUCTION CARRYOVER ALLOWED ON TAXPAYER'S LAST RETURN.—If the taxpayer dies before the close of the last taxable year for which a deduction could have been allowed under subsection (d)(1), any portion of the deduction for such contribution which has not been allowed shall be allowed as a deduction under subsection (a) (without regard to subsection (b)) for the taxable year in which such death occurs or such portion may be used as a deduction against the gross estate of the taxpayer.''

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to contributions made after the date of the enactment of this Act.

SEC. 4. EXCLUSION FROM ESTATE TAX FOR REAL PROPERTY SUBJECT TO ENDANGERED SPECIES CONSERVATION AGREEMENT.

(a) IN GENERAL.—Part IV of subchapter A of chapter 11 of the Internal Revenue Code of 1986 (relating to taxable estate) is amended by adding at the end the following new section:

''SEC. 2058. CERTAIN REAL PROPERTY SUBJECT TO ENDANGERED SPECIES CONSERVATION AGREEMENT.

''(a) GENERAL RULE.—For purposes of the tax imposed by section 2001, the value of the taxable estate shall be determined by deducting from the value of the gross estate an amount equal to lesser of—

''(1) the adjusted value of real property included in the gross estate which is subject to an endangered species conservation agreement, or

''(2) $10,000,000.

''(b) PROPERTY SUBJECT TO AN ENDANGERED SPECIES CONSERVATION AGREEMENT.—For purposes of this section—

''(1) IN GENERAL.—Real property shall be treated as subject to an endangered species conservation agreement if—

''(A) such property was owned by the decedent or a member of the decedent's family at all times during the 3-year period ending on the date of the decedent's death,

''(B) each person who has an interest in such property (whether or not in possession) has entered into—

''(i) an endangered species conservation agreement with respect to such property, and

''(ii) a written agreement with the Secretary consenting to the application of subsection (d), and

''(C) the executor of the decedent's estate—

''(i) elects the application of this section, and

''(ii) files with the Secretary such endangered species conservation agreement.

''(2) ADJUSTED VALUE.—

''(A) IN GENERAL.—The adjusted value of any real property shall be its value for purposes of this chapter, reduced by—

''(i) any amount deductible under section 2055(f) with respect to the property, and

''(ii) any acquisition indebtedness with respect to the property.

''(B) ACQUISITION INDEBTEDNESS.—For purposes of this paragraph, the term 'acquisition indebtedness' means, with respect to any real property, the unpaid amount of—

''(i) the indebtedness incurred by the donor in acquiring such property,

''(ii) the indebtedness incurred before the acquisition of such property if such indebtedness would not have been incurred but for such acquisition,

''(iii) the indebtedness incurred after the acquisition of such property if such indebtedness would not have been incurred but for such acquisition and the incurrence of such indebtedness was reasonably foreseeable at the time of such acquisition, and

''(iv) the extension, renewal, or refinancing of an acquisition indebtedness.

''(c) ENDANGERED SPECIES CONSERVATION AGREEMENT.—For purposes of this section—

''(1) IN GENERAL.—The term 'endangered species conservation agreement' means a written agreement entered into with the Secretary of the Interior or the Secretary of Commerce—

''(A) which commits each person who signed such agreement to carry out on the real property activities or practices not otherwise required by law or to refrain from carrying out on such property activities or practices that could otherwise be lawfully carried out and includes—

''(i) objective and measurable species of concern conservation goals,

''(ii) site-specific and other management measures necessary to achieve those goals, and

''(iii) objective and measurable criteria to monitor progress toward those goals,

''(B) which is certified by such Secretary as providing a major contribution to the conservation of a species of concern, and

''(C) which is for a term that such Secretary determines is sufficient to achieve the purposes of the agreement, but not less than 10 years beginning on the date of the decedent's death.

''(2) SPECIES OF CONCERN.—The term 'species of concern' means any species designated by the Secretary of the Interior or the Secretary of Commerce under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq) as endangered or threatened, proposed by such Secretary for designation as endangered or threatened, or identified by such Secretary as a candidate for such designation.

''(3) ANNUAL CERTIFICATION TO THE SECRETARY BY THE SECRETARY OF THE INTERIOR OR THE SECRETARY OF COMMERCE OF THE STATUS OF ENDANGERED SPECIES CONSERVATION AGREEMENTS.—If the executor elects the application of this section, the executor shall promptly give written notice of such election to the Secretary of the Interior or the Secretary of Commerce. The Secretary of the Interior or the Secretary of Commerce shall thereafter annually certify to the Secretary that the endangered species conservation agreement applicable to any property for which such election has been made remains in effect and is being satisfactorily complied with.

''(d) RECAPTURE OF TAX BENEFIT IN CERTAIN CASES.—

''(1) DISPOSITION OF INTEREST OR MATERIAL BREACH.—

''(A) IN GENERAL.—An additional tax in the amount determined under subparagraph (B) shall be imposed on any person on the earlier of—

''(i) the disposition by such person of any interest in property subject to an endangered species conservation agreement (other than a disposition described in subparagraph (C)),

''(ii) a material breach by such person of the endangered species conservation agreement, or

''(iii) the termination of the endangered species conservation agreement.

''(B) AMOUNT OF ADDITIONAL TAX.—

''(i) IN GENERAL.—The amount of the additional tax imposed by subparagraph (A) with respect to any interest shall be an amount equal to the applicable percentage of the lesser of—

''(I) the adjusted tax difference attributable to such interest (within the meaning of section 2032A(c)(2)(B)), or

''(II) the excess of the amount realized with respect to the interest (or, in any case other than a sale or exchange at arm's length, the fair market value of the interest) over the value of the interest determined under subsection (a).

''(ii) APPLICABLE PERCENTAGE.—For purposes of clause (i), the applicable percentage is determined in accordance with the following table:

''If, with respect to the date of the agreement, the date of the event described in subparagraph (A) occurs—	**The applicable percentage is—**
Before 10 years	100
After 9 years and before 20 years	75
After 19 years and before 30 years	50
After 29 years and before 40 years	25
After 39	0.

''(C) EXCEPTION IF CERTAIN HEIRS ASSUME OBLIGATIONS UPON THE DEATH OF A PERSON

EXECUTING THE AGREEMENT.—Subparagraph (A)(i) shall not apply if—

''(i) upon the death of a person described in subsection (b)(1)(B) during the term of such agreement, the property subject to such agreement passes to a member of the person's family, and

''(ii) the member agrees—

''(I) to assume the obligations imposed on such person under the endangered species conservation agreement,

''(II) to assume personal liability for any tax imposed under subparagraph (A) with respect to any future event described in subparagraph (A), and

''(III) to notify the Secretary of the Treasury and the Secretary of the Interior or the Secretary of Commerce that the member has assumed such obligations and liability.

If a member of the person's family enters into an agreement described in subclauses (I), (II), and (III), such member shall be treated as signatory to the endangered species conservation agreement the person entered into.

''(2) DUE DATE OF ADDITIONAL TAX.—The additional tax imposed by paragraph (1) shall become due and payable on the day that is 6 months after the date of the disposition referred to in paragraph (1)(A)(i) or, in the case of an event described in clause (ii) or (iii) of paragraph (1)(A), on April 15 of the calendar year following any year in which the Secretary of the Interior or the Secretary of Commerce fails to provide the certification required under subsection (c)(3).

''(e) STATUTE OF LIMITATIONS.—If a taxpayer incurs a tax liability pursuant to subsection (d)(1)(A), then—

''(1) the statutory period for the assessment of any additional tax imposed by subsection (d)(1)(A) shall not expire before the expiration of 3 years from the date the Secretary is notified (in such manner as the Secretary may by regulation prescribe) of the incurring of such tax liability, and

''(2) such additional tax may be assessed before the expiration of such 3-year period notwithstanding the provisions of any other law or rule of law that would otherwise prevent such assessment.

''(f) ELECTION AND FILING OF AGREEMENT.—The election under this section shall be made on the return of the tax imposed by section 2001. Such election, and the filing under subsection (b) of an endangered species conservation agreement, shall be made in such manner as the Secretary shall by regulation provide.

''(g) APPLICATION OF THIS SECTION TO INTERESTS IN PARTNERSHIPS, CORPORATIONS, AND TRUSTS.—This section shall apply to an interest in a partnership, corporation, or trust if at least 30 percent of the entity is owned (directly or indirectly) by the decedent, as determined under the rules described in section 2057(e)(3).

''(h) MEMBER OF FAMILY.—For purposes of this section, the term 'member of the family' means any member of the family (as defined in section 2032A(e)(2)) of the decedent.''

(b) CARRYOVER BASIS.—Section 1014(a)(4) of the Internal Revenue Code of 1986 (relating to basis of property acquired from a decedent) is amended by inserting ''or 2058'' after ''section 2031(c)''.

(c) CLERICAL AMENDMENT.—The table of sections for part IV of subchapter A of chapter 11 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''Sec. 2058. Certain real property subject to endangered species conservation agreement.''

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to estates of decedents dying after the date of the enactment of this Act.

SEC. 5. EXPANSION OF ESTATE TAX EXCLUSION FOR REAL PROPERTY SUBJECT TO QUALIFIED CONSERVATION EASEMENT.

(a) REPEAL OF CERTAIN RESTRICTIONS ON WHERE LAND IS LOCATED.—Clause (i) of section 2031(c)(8)(A) (defining land subject to a qualified conservation easement) is amended to read as follows:

''(i) which is located in the United States or any possession of the United States,''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to estates of decedents dying after the date of the enactment of this Act.

ADDITIONAL COSPONSORS

S. 459

At the request of Mr. BREAUX, the names of the Senator from Michigan (Mr. ABRAHAM), the Senator from Delaware (Mr. BIDEN), and the Senator from Utah (Mr. BENNETT) were added as cosponsors of S. 459, a bill to amend the Internal Revenue Code of 1986 to increase the State ceiling on private activity bonds.

S. 484

At the request of Mr. CAMPBELL, the name of the Senator from Missouri (Mr. ASHCROFT) was added as a cosponsor of S. 484, a bill to provide for the granting of refugee status in the United States to nationals of certain foreign countries in which American Vietnam War POW/MIAs or American Korean War POW/MIAs may be present, if those nationals assist in the return to the United States of those POW/MIAs alive.

S. 510

At the request of Mr. CAMPBELL, the name of the Senator from Wyoming (Mr. THOMAS) was added as a cosponsor of S. 510, a bill to preserve the sovereignty of the United States over public lands and acquired lands owned by the United States, and to preserve State sovereignty and private property rights in non-Federal lands surrounding those public lands and acquired lands.

S. 622

At the request of Mr. KENNEDY, the name of the Senator from Louisiana (Mr. BREAUX) was added as a cosponsor of S. 622, a bill to enhance Federal enforcement of hate crimes, and for other purposes.

S. 632

At the request of Mr. DEWINE, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 632, a bill to provide assistance for poison prevention and to stabilize the funding of regional poison control centers.

S. 693

At the request of Mr. HELMS, the name of the Senator from Tennessee (Mr. THOMPSON) was added as a cosponsor of S. 693, a bill to assist in the enhancement of the security of Taiwan, and for other purposes.

S. 777

At the request of Mr. FITZGERALD, the names of the Senator from North Carolina (Mr. HELMS), the Senator from Missouri (Mr. ASHCROFT), the Senator from Idaho (Mr. CRAIG), the Senator from Pennsylvania (Mr. SANTORUM), and the Senator from Georgia (Mr. COVERDELL) were added as cosponsors of S. 777, a bill to require the Department of Agriculture to establish an electronic filing and retrieval system to enable the public to file all required paperwork electronically with the Department and to have access to public information on farm programs, quarterly trade, economic, and production reports, and other similar information.

S. 805

At the request of Mr. DURBIN, the names of the Senator from Minnesota (Mr. WELLSTONE) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 805, a bill to amend title V of the Social Security Act to provide for the establishment and operation of asthma treatment services for children, and for other purposes.

S. 979

At the request of Mr. CAMPBELL, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 979, a bill to amend the Indian Self-Determination and Education Assistance Act to provide for further self-governance by Indian tribes, and for other purposes.

S. 1029

At the request of Mr. COCHRAN, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. 1029, a bill to amend title III of the Elementary and Secondary Education Act of 1965 to provide for digital education partnerships.

S. 1128

At the request of Mr. KYL, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 1128, a bill to amend the Internal Revenue Code of 1986 to repeal the Federal estate and gift taxes and the tax on generation-skipping transfers, to provide for a carryover basis at death, and to establish a partial capital gains exclusion for inherited assets.

S. 1144

At the request of Mr. VOINOVICH, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Ohio (Mr. DEWINE) were added as cosponsors of S. 1144, a bill to provide increased flexibility in use of highway funding, and for other purposes.

S. 1197

At the request of Mr. ROTH, the name of the Senator from New Hampshire (Mr. GREGG) was added as a cosponsor of S. 1197, a bill to prohibit the importation of products made with dog or cat fur, to prohibit the sale, manufacture, offer for sale, transportation, and distribution of products made with dog or cat fur in the United States, and for other purposes.

S. 1214

At the request of Mr. THOMPSON, the name of the Senator from New Mexico

(Mr. DOMENICI) was added as a cosponsor of S. 1214, a bill to ensure the liberties of the people by promoting federalism, to protect the reserved powers of the States, to impose accountability for Federal preemption of State and local laws, and for other purposes.

S. 1244

At the request of Mr. THOMPSON, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 1244, a bill to establish a 3-year pilot project for the General Accounting Office to report to Congress on economically significant rules of Federal agencies, and for other purposes.

S. 1293

At the request of Mr. COCHRAN, the name of the Senator from Georgia (Mr. COVERDELL) was added as a cosponsor of S. 1293, a bill to establish a Congressional Recognition for Excellence in Arts Education Board.

S. 1361

At the request of Mr. STEVENS, the name of the Senator from Louisiana (Mr. BREAUX) was added as a cosponsor of S. 1361, a bill to amend the Earthquake Hazards Reduction Act of 1977 to provide for an expanded Federal program of hazard mitigation, relief, and insurance against the risk of catastrophic natural disasters, such as hurricanes, earthquakes, and volcanic eruptions, and for other purposes.

SENATE CONCURRENT RESOLUTION 9

At the request of Ms. SNOWE, the name of the Senator from New Hampshire (Mr. GREGG) was added as a cosponsor of Senate Concurrent Resolution 9, a concurrent resolution calling for a United States effort to end restrictions on the freedoms and human rights of the enclaved people in the occupied area of Cyprus.

SENATE CONCURRENT RESOLUTION 34

At the request of Mr. SPECTER, the name of the Senator from South Carolina (Mr. HOLLINGS) was added as a cosponsor of Senate Concurrent Resolution 34, a concurrent resolution relating to the observence of ''In Memory'' Day.

SENATE RESOLUTION 92

At the request of Mrs. BOXER, the names of the Senator from North Dakota (Mr. DORGAN) and the Senator from Connecticut (Mr. DODD) were added as cosponsors of Senate Resolution 92, a resolution expressing the sense of the Senate that funding for prostate cancer research should be increased substantially.

SENATE RESOLUTION 95

At the request of Mr. THURMOND, the names of the Senator from Massachusetts (Mr. KENNEDY), the Senator from Georgia (Mr. COVERDELL), the Senator from Delaware (Mr. BIDEN), the Senator from Michigan (Mr. ABRAHAM), the Senator from Alabama (Mr. SESSIONS), and the Senator from New Hampshire (Mr. SMITH) were added as cosponsors of Senate Resolution 95, a resolution designating August 16, 1999, as ''National Airborne Day.''

SENATE RESOLUTION 118

At the request of Mr. REID, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of Senate Resolution 118, a resolution designating December 12, 1999, as ''National Children's Memorial Day.''

SENATE RESOLUTION 128

At the request of Mr. COCHRAN, the name of the Senator from Georgia (Mr. COVERDELL) was added as a cosponsor of Senate Resolution 128, a resolution designating March 2000, as ''Arts Education Month.''

SENATE CONCURRENT RESOLUTION 44—EXPRESSING THE SENSE OF CONGRESS THAT A COMMEMORATIVE POSTAGE STAMP SHOULD BE ISSUED IN HONOR OF THE U.S.S. ''NEW JERSEY'' AND ALL THOSE WHO SERVED ABOARD HER

Mr. LAUTENBERG (for himself and Mr. TORRICELLI) submitted the following resolution which was referred to the Committee on Government Affairs:

S. CON. RES. 44

Whereas the Iowa Class Battleship, the U.S.S. New Jersey (BB–62), is the most decorated warship in United States naval history, with 16 battle stars and 20 citations, medals, and ribbons during her 56 years of service;

Whereas the U.S.S. New Jersey was launched on December 7, 1942, by the Philadelphia Naval Shipyard; sponsored by Mrs. Charles Edison, wife of then-Governor Edison of New Jersey, former Secretary of the Navy; and commissioned at Philadelphia on May 23, 1943, Captain Carl F. Holden in command;

Whereas her first action as a flagship for Admiral William ''Bull'' Halsey's Third Fleet was a bold 2-day surface and air strike by her task force against the supposedly impregnable Japanese fleet base on Truk in the Caroline Islands, thereby interdicting Japanese naval retaliation in response to the conquest of the Marshall Islands;

Whereas the U.S.S. New Jersey provided crucial firepower for the assault on Iwo Jima;

Whereas the U.S.S. New Jersey gave the same crucial service for the first major aircraft carrier raid on Tokyo;

Whereas the U.S.S. New Jersey's guns opened the first shore bombardment in Korea at Wonsan, and served with distinction throughout the remainder of the Korean conflict;

Whereas the U.S.S. New Jersey participated in bombardment and fire support missions along the Vietnamese coast during the Vietnam era;

Whereas the U.S.S. New Jersey earned the Navy Unit Commendation for Vietnam service, received 9 battle stars for World War II, 4 for the Korean conflict, and 3 for the Vietnam era;

Whereas the U.S.S. New Jersey supported the Marine operation with the Multinational Peacekeeping Force in Beirut, Lebanon;

Whereas, in 1991, the U.S.S. New Jersey became the first United States battleship to enter and operate in the Persian Gulf; and

Whereas the U.S.S. New Jersey, after being decommissioned on February 8, 1991, and due in no small part to the efforts of the U.S.S. New Jersey Battleship Foundation, will be heading home in the fall of 1999 to become a floating monument and an educational museum: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that—

(1) a commemorative postage stamp should be issued by the United States Postal Service in honor of the U.S.S. New Jersey and all those who served aboard her; and

(2) the Citizens' Stamp Advisory Committee should recommend to the Postmaster General that such a postage stamp be issued.

● Mr. LAUTENBERG. Mr. President, I rise today to submit an important resolution expressing the sense of the Congress that a commemorative postage stamp should be issued in honor of the U.S.S. *New Jersey*, an *Iowa* class battleship, and all those who served aboard her.

From the time of its launch on December 7, 1942, the U.S.S. *New Jersey* provided crucial support to numerous naval missions throughout the world. It is the most decorated warship in U.S. naval history, having earned battle stars, citations, medals, and ribbons from World War II, the Korean conflict, and the Vietnam era. Furthermore, the U.S.S. *New Jersey* was the first U.S. battleship to enter and operate in the Persian Gulf.

The *New Jersey* was decommissioned in 1991, and in the fiscal year 1999 Defense authorization bill, I authorized a provision to mandate that the Navy donate the U.S.S. *New Jersey* to a nonprofit entity that will relocate the ship in the state of New Jersey. Now, after the overwhelming support and continuous struggle of various groups and individuals in the state, as well as bipartisan efforts from New Jersey's state and federal legislators, the battleship is scheduled to return to New Jersey this fall. For this, I would like to extend my thanks to the residents of New Jersey who have donated countless hours in volunteer time, as well as to the Battleship New Jersey Foundation whose efforts were a driving force in the success of this endeavor.

Now that the U.S.S. *New Jersey* is coming home, it is time to honor this great ship with a commemorative stamp.●

SENATE RESOLUTION 156—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL, from the Committee on Indian Affairs, reported the following original resolution; which was referred to the Committee on Rules and Administration:

S. RES. 156

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of Standing Rules of the Senate, the Committee on Indian Affairs is authorized from October 1, 1999, through February 28, 2001, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use

on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

SEC. 2. (a) The expenses of the committee for the period October 1, 1999, through September 30, 2000, under this resolution shall not exceed $1,260,534, of which amount (1) no funds may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $1,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(b) For the period October 1, 2000, through February 28, 2001, expenses of the committee under this resolution shall not exceed $537,123, of which amount (1) no funds may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $1,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. The committee shall report its finding, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 29, 2000, and February 28, 2001, respectively.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required (1) for the disbursement of the salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from October 1, 1999, through September 30, 2000, and October 1, 2000, through February 28, 2001, to be paid from the Appropriations account for ''Expenses of Inquiries and Investigations.''

SENATE RESOLUTION 157—RELATIVE TO THE DISAPPEARANCE OF JOHN F. KENNEDY, JR., CAROLYN BESSETTE KENNEDY, AND LAUREN BESSETTE

Mr. LOTT (for himself, Mr. DASCHLE, Mr. ABRAHAM, Mr. AKAKA, Mr. ALLARD, Mr. ASHCROFT, Mr. BAUCUS, Mr. BAYH, Mr. BENNETT, Mr. BIDEN, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BREAUX, Mr. BROWNBACK, Mr. BRYAN, Mr. BUNNING, Mr. BURNS, Mr. BYRD, Mr. CAMPBELL, Mr. CHAFEE, Mr. CLELAND, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. COVERDELL, Mr. CRAIG, Mr. CRAPO, Mr. DEWINE, Mr. DODD, Mr. DOMENICI, Mr. DORGAN, Mr. DURBIN, Mr. EDWARDS, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. FITZGERALD, Mr. FRIST, Mr. GORTON, Mr. GRAHAM, Mr. GRAMM, Mr. GRAMS, Mr. GRASSLEY, Mr. GREGG, Mr. HAGEL, Mr. HARKIN, Mr. HATCH, Mr. HELMS, Mr. HOLLINGS, Mr. HUTCHINSON, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUYE, Mr. JEFFORDS, Mr. JOHNSON, Mr. KENNEDY, Mr. KERREY, Mr. KERRY, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LUGAR, Mr. MACK, Mr. MCCAIN, Mr. MCCONNELL, Ms. MIKULSKI, Mr. MOYNIHAN, Mr. MURKOWSKI, Mrs. MURRAY, Mr. NICKLES, Mr. REED, Mr. REID, Mr. ROBB, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. ROTH, Mr. SANTORUM, Mr. SARBANES, Mr. SCHUMER, Mr. SESSIONS, Mr. SHELBY, Mr. SMITH of Oregon, Ms. SNOWE, Mr. SPECTER, Mr. STEVENS, Mr. THOMAS, Mr. THOMPSON, Mr. THURMOND, Mr. TORRICELLI, Mr. VOINOVICH, Mr. WARNER, Mr. WELLSTONE, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 157

Whereas it is with profound sorrow and regret that the Senate has learned that John Fitzgerald Kennedy, Jr., his wife Carolyn Bessette Kennedy, and her sister Lauren Bessette have been missing since the early morning hours of Saturday, July 17, 1999;

Whereas John Fitzgerald Kennedy, Jr., is the son of the late John Fitzgerald Kennedy, the 35th President of the United States of America and Senator from Massachusetts, and nephew of the late Senator Robert Francis Kennedy of New York, and of Senator Edward Moore Kennedy of Massachusetts, and a beloved member of the Kennedy family, which has given countless years of service to this country; and

Whereas the heart of the Nation goes out to the Kennedy and Bessette families as search efforts continue in the waters off Martha's Vineyard: Now, therefore, be it

Resolved, That the Senate, when it adjourns on Monday, July 19, 1999, do so as a further mark of respect for the grieving families, and directs the Secretary to transmit a copy of this resolution to the Kennedy and Bessette families.

AMENDMENTS SUBMITTED

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2000

MOYNIHAN AMENDMENT NO. 1255

(Ordered to lie on the table.)

Mr. MOYNIHAN submitted an amendment intended to be proposed by him to the bill (H.R. 1555) to authorize appropriations for fiscal year 2000 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; as follows:

At the appropriate place, insert:

SEC. 308. SENSE OF THE CONGRESS ON CLASSIFICATION AND DECLASSIFICATION

It is the sense of Congress that in a democracy the systematic declassification of records of permanent historic value is in the public interest and that the management of classification and declassification by Executive Branch agencies requires comprehensive reform.

NOTICES OF HEARINGS

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LUGAR. Mr. President, I would like to announce that the Senate Committee on Agriculture, Nutrition, and Forestry will meet on July 21, 1999, in SR–328A at 9 a.m. The purpose of this meeting will be to consider the nomination of William Rainer to become Chairman of the Commodity Futures Trading Commission and to conduct an oversight review of the farmland protection program.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. CRAIG. Mr. President, I would like to announce for the public that a hearing has been scheduled before the Subcommittee on Forests and Public Land Management of the Senate Committee on Energy and Natural Resources.

The hearing will take place Tuesday, July 27, 1999, at 2:30 p.m., in room SD–366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to receive testimony on S. 719, a bill to provide the orderly disposal of certain Federal land in the State of Nevada and for the acquisition of environmental sensitive land in the State, and for other purposes, S. 930, a bill to provide for the sale of certain public land in the Ivanpah Valley, NV, to the Clark County, Nevada, Department of Aviation, S. 1030, a bill to provide that the conveyance by the Bureau of Land Management of the surface estate to certain land in the State of Wyoming in exchange for certain private land will not result in the removal of the land from operation of the mining laws, S. 1288, a bill to provide incentives for collaborative forest restoration projects on National Forest System and other public lands in New Mexico, and for other purposes, and S. 1374, a bill to authorize the development and maintenance of a multi-agency campus project in the town of Jackson, WY.

Those who wish to submit written statements should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510. For further information, please call Mark Rey at (202) 224–6170.

ADDITIONAL STATEMENTS

TAHOMA HIGH SCHOOL

● Mrs. MURRAY. Mr. President, I rise today to recognize a class of students from Tahoma High School in Maple Valley, Washington who are the champions of the Region One—Western States award of the ''We the People . . . the Citizen and the Constitution'' national finals. This outstanding group

earned the highest cumulative score in their geographic region during the first two days of the ''Citizen and the Constitution'' national finals, competing against 50 other classes from across the country. Their remarkable understanding and appreciation of the fundamental ideals and values of American constitutional government assure me that this emerging generation will contribute much to the future of civic life.

These Tahoma High School students serve as role models to their peers, not only by expressing their views and arguments in a poised and mature manner, but also by expressing them as they relate to government. I commend these students on beginning this important civic dialogue at an early age, and sincerely hope that they make it a life-long commitment. The honored students, led by Mark Oglesby, are: Adam Baldridge, Mary Basinger, Josh Bodily, Sydney Brumbach, Katie Carder, Erica Chavez, Elizabeth Dauenhauer, Steven Dekoker, Meaghan Denney, Nathan Dill, Marisa Dorazio, Jesse Duncan, Jayson Hart, Jon Hellstom, Carolyn Hott, Daniel Lindner, Casey Lineberger, Clark Lundberg, Karrie Pilgrim, Michael Pirog, David Rosales, Jason Shinn, Jeremy Sloan, Justin Sly, Donny Trieu, Orianna Tucker, Jessica Walker, Raymond Williams, and Elizabeth Zaleski.●

TRIBUTE TO LT. DAVID STOUT, MINNESOTA STATE TROOPER OF THE YEAR

● Mr. GRAMS. Mr. President, I would like to pay tribute today to Lt. David Stout of the Minnesota State Highway Patrol for being named the Patrol's 1999 Trooper of the Year. This is the second such honor for Lt. Stout, who was also given the award in 1977. He served in the State Patrol since 1969 and retired last month after 30 years of service.

Lt. Stout began his service in the Patrol in the East Metro Area of the Twin Cities and most recently has worked in the Duluth area. Among the highlights of his career, Lt. Stout was honored to lead Soviet President Mikhail Gorbachev's motorcade during his visit to Minnesota in 1990.

His family and friends know that David will enjoy his retirement with his 32-foot coastal tugboat, which he recently refurbished and now docks on Lake Superior. When winter makes Superior unnavigable, David and his wife Geri will spend time with family in Green Valley, Arizona. Among his friends and family who are proud of David's career are David's nephew Tim, a member of my staff. On behalf of all Minnesotans, I salute Lt. David Stout's service to the people of Minnesota.●

TRIBUTE TO RAY ZINK

● Mr. DORGAN. Mr. President, Ray Zink, North Dakota Department of Transportation Deputy Director for Engineering, retired June 30. In his 40 years with NDDOT, Ray has had a long-standing dedication to providing the best possible transportation system for the people of North Dakota at the lowest possible cost.

Ray Zink joined NDDOT in 1959 as a draftsman, and after subsequent promotions, he became chief engineer in 1982. Ray worked successfully with four NDDOT directors, three governors, and both political parties. Governors, legislators, and others in political positions have trusted Ray throughout the years and respected his integrity and judgement.

Ray has held several key positions in AASHTO (the American Association of State Highway and Transportation Officials), and because of his expertise and the respect accorded him, he has been invited to represent AASHTO and the FHA (Federal Highway Administration) at highway symposiums in Montreal, Quebec, Canada, and Johannesburg and Durban, South Africa.

As North Dakota's chief highway engineer for 17 years, Ray Zink can claim the following accomplishments:

Helping to build one of the finest highway systems in the nation: Because the state is so large and people live so far from each other, North Dakota requires an extensive highway system to move people and commodities. However, it lacks the population base to support the system it needs. In spite of this, Ray Zink has led NDDOT to create an excellent highway system, by listening to the public, relying on sound engineering practices, and industriously using every penny of funding in the most effective way.

Using Federal aid as quickly as possible: North Dakota has always matched and used every dollar of federal aid available to it. Under Ray's leadership the state has spent federal aid as quickly and efficiently as possible, because every delay reduces the effectiveness of the funding through inflation and further highway deterioration. In rural America, our roads are critical to keeping us connected to our farms, our jobs, our families, and our cities.

Instituting North Dakota's low-load program: To help funnel more funds to where they were most badly needed, Ray initiated the low-load program. Highways with very low truck traffic are designated ''low-load highways.'' They receive basic maintenance and periodic seal coats but are not candidates for other improvements. This lets NDDOT direct its resources to heavily-traveled highways that need more attention, which means that the entire highway system is in better shape and will deteriorate more slowly.

As NDDOT maintenance engineer and chief engineer, Ray Zink has helped create and maintain these vital links between towns and cities and farms, and we are grateful for his careful guardianship.●

NISH 25TH ANNIVERSARY CELEBRATION ACKNOWLEDGING SENATOR JACOB K. JAVITS

● Mr. JEFFORDS. Mr. President, on July 21, 1999, NISH will host a ceremony to acknowledge and celebrate the legacy of Senator Jacob K. Javits, a distinguished member of the United States Senate for 24 years. This Congressional leader, long recognized for his work in pension reform, labor and foreign policy, is being celebrated for his enduring contributions to people with severe disabilities through the Javits-Wagner-O'Day Program. Elected to the Senate in 1956, Senator Javits was instrumental in expanding the work of the Wagner-O'Day Program to include people with mental retardation, mental illness and other severe disabilities through the 1971 Javits Amendments.

NISH is the non-profit agency that assists community rehabilitation programs that employ people with disabilities through the Javits-Wagner-O'Day Program. Celebrating its 25th Anniversary, NISH acknowledges the critical role that Senator Javits played in the lives of people with disabilities, through the expansion of the program. Today, more than 30,000 people with disabilities are employed on Javits-Wagner-O'Day projects across the country.

It is my pleasure, Mr. President to offer my congratulations and best wishes to NISH as it celebrates its 25th Anniversary. Further, I extend the invitation to all of my colleagues in the Senate and the House of Representatives to join me in attending the celebration to honor the legacy of Jacob Javits on July 21st from 8:00 a.m. to 10:00 a.m. in 902 Hart Senate Office Building.●

RECOGNIZING THE WEST VIRGINIA AIR NATIONAL GUARD

● Mr. ROCKEFELLER. Mr. President, I ask that we take a moment today to recognize the enlisted men and women of the West Virginia Air National Guard. Earlier this year, Major General Paul A. Weaver, Jr., the director of the Air National Guard, declared 1999, ''The Year of the Enlisted Force'' in an effort to promote enlisted pride. In a March 18th proclamation, Governor Cecil H. Underwood, Governor of the great State of West Virginia, made this designation effective.

The Air National Guard is made up of about 95,000 people, nearly 88 percent of whom comprise the enlisted corps. About 65,000 are traditional part-time members and about 30,000 are either full-time technicians or members of the Active Guard. They average about 12.7 years of satisfactory service and perform 170 different specialty jobs. These enlisted men and women are America's friends, family, neighbors, and co-workers. They are educators, bank tellers, repair technicians, and builders. At the same time, they serve

our nation as the enlisted force of the Air National Guard and they bring their diverse skills to the job. The enlisted men and women bring maturity and experience to the force and provide a much needed sense of stability and commitment.

There are two units of the Air National Guard in West Virginia. The 130th Airlift Wing in Charleston, West Virginia, and the 167th Airlift Wing in Martinsburg, West Virginia. These two units supported missions during the Korean conflict and in Vietnam. Both units were stationed in the Persian Gulf throughout the Gulf War. Recently these brave men and women have performed peacekeeping missions in support of the United Nations and NATO in Eastern Europe. In fact, many of them are there as we speak.

The men and women of the West Virginia Air National Guard have won many awards. Some of the most prestigious include Air National Guard Distinguished Flying Unit Awards, four Air Force Outstanding Unit Awards, and four Spaatz trophies. It is important that we all take note of the accomplishments of these outstanding enlisted men and women who make up the backbone of the Air National Guard. They bring an incredible amount of dedication to their work as they perform jobs which are crucial to military operations. They deserve our deepest gratitude as they continue to serve our country.

My sincere congratulations go to the enlisted men and women of the 130th Airlift Wing in Charleston, West Virginia, and the 167th Airlift Wing in Martinsburg, West Virginia. I share in your pride and I proudly recognize 1999, as ''The Year of the Enlisted Force.''●

UNANIMOUS CONSENT AGREEMENT—S.J. RES. 27 AND S.J. RES. 28

Mr. MURKOWSKI. Madam President, on behalf of the leader, I ask unanimous consent that immediately following the cloture vote at 10:30 a.m. on Tuesday, notwithstanding rule XXII, Senator SMITH of New Hampshire be recognized to make a debatable motion to discharge the Finance Committee of the Senate Joint Resolution 28 regarding trade status with Vietnam.

I further ask unanimous consent that there be 1 hour equally divided, as provided by the statute, on the motion, and following that time the Senate proceed to a vote on or in relation to the motion to discharge, all without any intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MURKOWSKI. I further ask unanimous consent that immediately following the reconvening of the Senate at 2:15, Senator BOB SMITH be immediately recognized to offer a second motion to discharge the Finance Committee of S.J. Res. 27 regarding trade status with China and that there then begin 1 hour of debate equally divided as provided by the statute, and the vote occur on or in relation to the motion at the conclusion or yielding back of time, notwithstanding rule XXII or the outcome of the first motion to discharge.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MURKOWSKI. Madam President, therefore, for the information of all Senators, there will be two rollcall votes prior to the weekly party caucuses on Tuesday, July 20. The first vote will occur at 10:30 a.m. and the next at approximately 12 noon. A third scheduled vote will occur at approximately 3:15 regarding the trade status with China.

THE DISAPPEARANCE OF JOHN F. KENNEDY, JR., CAROLYN BESSETTE KENNEDY, AND LAUREN BESSETTE

Mr. MURKOWSKI. Madam President, I ask unanimous consent that the Senate now proceed to the immediate consideration of S. Res. 157, submitted earlier today by Senator LOTT and Senator DASCHLE.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 157) relative to the disappearance of John F. Kennedy, Jr., Carolyn Bessette Kennedy, and Lauren Bessette.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MURKOWSKI. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statement relating to the resolution appear at this point in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 157) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 157

Whereas it is with profound sorrow and regret that the Senate has learned that John Fitzgerald Kennedy, Jr., his wife Carolyn Bessette Kennedy and her sister Lauren Bessette have been missing since the early morning hours of Saturday, July 17, 1999;

Whereas John Fitzgerald Kennedy, Jr., is the son of the late John Fitzgerald Kennedy, the 35th President of the United States of America and Senator from Massachusetts, a nephew of the late Senator Robert Francis Kennedy of New York, and of Senator Edward Moore Kennedy of Massachusetts, and a beloved member of the Kennedy family, which has given countless years of service to this country; and

Whereas the heart of the Nation goes out to the Kennedy and Bessette families as search efforts continue in the waters off Martha's Vineyard: Now, therefore, be it

Resolved, That the Senate, when it adjourns on Monday, July 19, 1999, do so as a further mark of respect for the grieving families, and directs the Secretary to transmit a copy of this resolution to the Kennedy and Bessette families.

ORDERS FOR TUESDAY, JULY 20, 1999

Mr. MURKOWSKI. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until the hour of 9:30 a.m. on Tuesday, June 20.

I further ask unanimous consent that on Tuesday 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 for their use later in the day, and the Senate then resume debate on the motion to proceed to the intelligence authorization bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MURKOWSKI. Further, I ask unanimous consent that the Senate stand in recess from the hours of 12:30 p.m. until 2:15 p.m. for the weekly policy conferences to meet.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MURKOWSKI. I further ask unanimous consent that prior to the recess there be 40 minutes of morning business equally divided between Senator LOTT and Senator LANDRIEU.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. MURKOWSKI. Madam President, for the information of all Senators, the Senate will resume debate on the motion to proceed to the intelligence authorization bill at 9:30 a.m. on Tuesday. Pursuant to rule XXII, that cloture vote will occur at 10:30 tomorrow morning. Following the vote, Senator SMITH of New Hampshire will be recognized to make a motion to discharge from the Finance Committee S.J. Res. 28 regarding the trade status with Vietnam. Therefore, Senators can expect an additional vote prior to the weekly party conference meetings. By previous consent, Senator SMITH will again be recognized at 2:15 to offer a second motion to discharge from the Finance Committee S.J. Res. 27 regarding trade status with China. There will be 1 hour of debate on the motion with a vote occurring at approximately 3:15 p.m. Senators may also expect further action on the intelligence authorization bill or any appropriations bills on the calendar during tomorrow's session of the Senate.

ORDER FOR ADJOURNMENT

Mr. MURKOWSKI. Madam President, on behalf of the leader, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the provision of S. Res. 157, following the remarks of Senator DORGAN.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from North Dakota is recognized.

JOHN F. KENNEDY, JR., CAROLYN BESSETTE KENNEDY, AND LAUREN BESSETTE

Mr. DORGAN. Madam President, the Senator from Alaska has offered, on behalf of Senator DASCHLE and Senator LOTT, a resolution dealing with the issue of the apparent tragedy that has befallen John F. Kennedy, Jr., Carolyn Bessette Kennedy, and Lauren Bessette.

I want to make a comment about that because I know that, along with most Americans, this weekend when we heard the news of the disappearance of John F. Kennedy, Jr., along with his wife and sister-in-law, most of us were quite shocked and deeply saddened by the news.

This was a young man whose life had such bright promise. He was born the son of a young, new President of the United States. That President's life was cut short by assassination just 3 years into his term.

I and countless thousands of other young Americans were inspired by John F. Kennedy, by his energy and by the passion and ideals of his administration. The experience of being in high school and college and watching the emergence of this new, energetic, young President on the scene in this country was something that inspired many young Americans towards public service. That includes my early interest in public service.

When John F. KENNEDY was assassinated, I think most of us who were called to public service, or at least were called to an interest in public service back in that period, believed there was kind of an unfinished nature to the legacy of his administration and his Presidency. I think many thought over the years that this young man, John F. Kennedy, Jr., was in some way destined to complete that legacy of public service.

Now another tragedy has visited this family, that has already given so much to this country, and has taken from us this wonderful, unique young man. I want to join with all of my colleagues in extending our sympathies to our colleague, Senator Kennedy, to the entire Kennedy family, and to the Bessette family. This is a very difficult time for all of them. I know all Members of the Senate probably already have individually sent those messages to that family.

I have said on other occasions in the Senate, that there is a lot of public debate that goes on that people see between Members of the Senate and they tend to think there is a lack of personal relationships that exists in the Senate. Nothing could be further from the truth. When something happens to the family of a Member of the Senate, others here whose life's work brings us all together, care deeply.

When I lost a daughter a few years ago, I recall Senator HATCH sending me a white Bible and coming to visit with me. Senator BYRD sent me one of the most beautiful pieces of prose I have ever received, and so many other Senators expressed their sympathies. That is the way it is in the Senate. I know Senator KENNEDY and his family are going through a very difficult time, and our entire country reaches out to them now to express our deepest and most profound regrets and sympathies.

COMPREHENSIVE TEST BAN TREATY

Mr. DORGAN. Madam President, I want to discuss an item of very significant importance that has brought me to the floor of the Senate several times and brings me here again today. That is the issue of the Comprehensive Nuclear Test Ban Treaty.

I earlier mentioned President John F. Kennedy. President John F. Kennedy was very interested in a comprehensive nuclear test ban treaty. I want to describe why that is the case and relate it to the comments made by my colleague dealing with China in which he talked about accountability and responsibility. I agree with those terms and in most cases with the use of those terms on the floor of the Senate.

It was 54 years ago last Friday that the first nuclear explosion took place on this Earth; the first nuclear bomb was detonated 54 years ago last Friday. Virtually everything changed because of it.

Following the detonation of a nuclear device it was used to end the Second World War. Eventually nuclear weapons led to a cold war with the Soviet Union in which both sides began to stockpile thousands and thousands of nuclear bombs and nuclear weapons of various types. Presidents of the United States started talking about the need to stop the proliferation of nuclear weapons, to keep them in as few hands as possible among the countries of the world. Many countries aspired to have nuclear bombs, nuclear weapons. However, it was obviously in the interests of the safety of humankind to try to keep nuclear weapons out of the hands of those who aspired to have them.

President Eisenhower, in May of 1961, spoke about a ban on testing nuclear devices. If you can't test a nuclear device, you don't know whether you have one that works. A test ban effectively means that anyone who claims to have a nuclear weapon cannot claim to have a nuclear weapon that works because they will never know.

That is the value of a ban on testing, a ban that was aspired to as long ago as President Dwight D. Eisenhower, who said the following:

> Not achieving a test ban would have to be classed as the greatest disappointment of any administration, of any decade, of any time and of any party.

He left office deeply disappointed that even in those early days long before the buildup of nuclear weapons existed so aggressively across the world, he was profoundly disappointed at not getting the test ban.

President John F. Kennedy got a test ban in place in 1963 dealing with atmospheric tests. The ban on atmospheric tests in 1963 was partially successful. He desired a total ban. He said:

> A test ban would place the nuclear powers in a position to deal more effectively with one of the greatest hazards man faces. . . . It would increase our security, it would decrease the prospects of war. Surely this goal is sufficiently important to require our steady pursuit, yielding neither to the temptation to give up the whole effort nor the temptation to give up our insistence on vital and responsible safeguards.

Now, since that time, we have seen more nations achieve the ability to build nuclear weapons and the ability to deliver them. We have seen our country and the Soviet Union stockpile tens of thousands of nuclear weapons. It is quite remarkable, the United States and Russia, together, currently have more than 30,000 nuclear weapons. China has nuclear weapons. The number, to the extent we know, is classified. But, it is a minuscule amount as compared to 30,000. We know from recent events that India and Pakistan both have nuclear weapons. Both have exploded nuclear devices literally beneath each other's chin—and these are two countries that don't like each other. Two countries with a common border, with a great deal of animosity, both testing nuclear devices in a provocative way. Other countries aspire to achieve or to obtain nuclear weapons.

What are we doing about all of this? There is a treaty that has been negotiated over a long period of time—in fact, ultimately over decades—and signed by 152 countries. It is a comprehensive nuclear test ban treaty. That comprehensive nuclear test ban treaty is a treaty which prohibits the testing of nuclear weapons, it bans the explosive testing of nuclear weapons all across this world.

We have had some experience with treaties: arms control and arms reduction treaties, the START I treaty, Strategic Arms Limitation Treaty, SALT I, START II, the Anti-Ballistic Missile Treaty. A whole series of treaties have been considered and negotiated and ratified by the Senate.

This treaty, the comprehensive nuclear test ban treaty, was negotiated and signed and sent to the Senate a long while ago—665 days ago; 665 days ago a treaty that this country negotiated and signed was sent to the Senate to be ratified.

What has happened with previous treaties? The limited nuclear test ban treaty in 1963 was sent to the Senate and considered in 3 weeks; the Strategic Arms Limitation Treaty in 1972 took 3 months; the ABM Treaty took 10 weeks; the ABM Treaty protocols, 14 months; Conventional Forces in Europe, 4 months; START I, 11 months.

The comprehensive nuclear test ban treaty was sent here over 665 days ago and it has yet to have had a first day of hearings in the Committee on Foreign Relations in the Senate.

Why? Why would a treaty that is so important to this country languish for nearly 2 years without even an hour, not a day of hearings?

We are, as a world, in a much better position than we were some years ago in the middle of the cold war when the Soviet Union and the United States were headlong in an arms race, building and deploying tens of thousands of nuclear weapons. The Soviet Union is gone. The cold war is over. The arms race has largely diminished.

One thing remains constant: Many other countries around the world want to obtain nuclear weapons.

Many countries around the world want to obtain delivery systems to deliver nuclear weapons. They are testing medium-range and long-range missiles. They are trying to find ways to produce or obtain the materials necessary to build a nuclear device. This country, in the middle of all of this, must provide leadership.

It is our responsibility to provide that leadership. We are the remaining nuclear superpower. Russia has nuclear devices to be sure, but Russia is not a world power of the type the United States is at this point. We, as a country, must exert some leadership, and one step in the right direction towards diminishing the opportunities for other countries to achieve reliable nuclear weapons, is to quickly ratify this treaty, the comprehensive nuclear test ban treaty.

The decision of this country to drag our feet is almost unforgivable. It sends a signal to others around the rest of the world—to China, Russia, India, Pakistan and others—that this is not all that important; it is not a priority to the United States. It ought to be. Everybody in this Chamber ought to come to the floor to demand that this be brought before the Senate. It has languished for almost 2 years in the Foreign Relations Committee in the Senate. It ought to be brought to the floor, and we ought to have a debate on it.

In October of this year, the countries who have ratified this treaty will be meeting to discuss implementing the treaty. They will apparently be meeting without the United States as an active participant. It is wrong, in my judgment, for this country to decide that it is not going to provide the leadership necessary on this treaty. The rest of the world looks to us, waits for us, and the Senate is dragging its feet. I understand the committees in the Senate have a great deal of authority and power. I recognize that, but it seems to me there is a compelling national interest that should require this country to lead, and require this Senate to ratify the comprehensive nuclear test ban treaty.

I want to, with one additional chart, point out what was said by Secretary of State Albright:

> . . .this is the longest-sought, hardest-fought prize in arms control. And it is a price not yet fully won. For American leadership, for our future, the time has come to ratify the Comprehensive Test Ban Treaty—this year, this session, now.

I heard my colleague from Alaska talk about Chinese espionage at the National Labs. That is an unsettling and a very serious issue. It raises all kinds of questions about the safeguarding of nuclear secrets, about how much and what kind of secrets might have been obtained by those who were spying on behalf of another country, and did these secrets allow that country or those countries to build higher yield or smaller nuclear devices.

I do not know the answer to those questions, but the words ''accountability and responsibility'' were used repeatedly in discussing that issue. Accountability and responsibility—it seems to me those two words are appropriate; in fact, those two words are exactly what we ought to talk about with respect to the Comprehensive Test Ban Treaty.

Accountability and responsibility—if this country is responsible, and if this country is going to be accountable for its leadership in the world, the leadership away from the proliferation of nuclear weapons, the leadership toward a safer world, one with fewer nuclear weapons rather than more nuclear weapons, then this country will take the lead now on the Comprehensive Test Ban Treaty. It is not the case, as some have argued, that the China espionage issue actually undercuts ratification of this treaty. In fact, that issue strengthens the need for this treaty. It strengthens the need for this treaty.

To suggest—and there was a recent article in the Wall Street Journal suggesting there is a linkage—Chinese espionage is why we ought not ratify the Comprehensive Test Ban Treaty is nonsense. In fact, these allegations of espionage, in my judgment, underscore why this treaty ought to be ratified and ought to be ratified now.

To the extent that China believes it may have acquired the opportunity for better nuclear warheads, it will never know that unless it is able to test them. And as a signatory to a comprehensive nuclear test ban treaty, it cannot test without violating the treaty.

I will be participating in a press conference tomorrow with others in the Senate during which we will announce a recent public opinion poll that has been done on this issue which shows widespread public support to ratify this comprehensive nuclear test ban treaty. I hope that perhaps with some pressure and some thoughtfulness on the part of all Members of the Senate, we will be given an opportunity to debate and vote on the Comprehensive Test Ban Treaty soon.

Again, I understand how this system works, but it is not a system that ought to work in the regular way for something as important as this: limiting the spread of nuclear weapons. This country ought to take the lead in preventing it, and it ought to do so now. It is just plain wrong for the Senate to drag its feet on a treaty of this importance. A treaty negotiated and signed by 152 countries, waiting to be ratified for almost 2 years, and not even have 1 hour of hearings. That is wrong and everybody in this Chamber should know it is wrong.

I do hope my colleagues will join me in calling for the Foreign Relations Committee in the Senate to bring the comprehensive nuclear test ban treaty before the Senate.

FAMILY FARMING

Mr. DORGAN. Madam President, I have been talking about what I hope the agenda of the Senate will be in the next weeks as we turn from the Patients' Bill of Rights, which consumed all of last week and which was a fairly hard-fought debate. The Comprehensive Test Ban Treaty, I hope, will be a part of that.

As I indicated on Friday, I also feel very strongly that the majority leader and others in this Senate must put at the head of the list of items for consideration a piece of legislation that will deal with the emergency needs of family farming.

The economy has collapsed in rural America, and we cannot wait. It requires this Congress to act and act soon. We have a farm bill that is largely bankrupt. It does not provide support during tough times. It pulls the rug out from under family farmers even as market prices have collapse. This Congress must do two things: first, pass an emergency bill; and, second, rewrite the farm program in a way that says to family farmers: You produce food the world needs, we care about that, and we are going to help you across price valleys when they occur.

I will speak more about that later this week. Madam President, I yield the floor.

TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2000

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

> A bill (H.R. 2490) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2000, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the text of S. 1282, as passed, is inserted and the House bill (H.R. 2490), as amended, is read the third time and passed.

Under the previous order, the Senate insists upon its amendment and the Chair appoints Mr. CAMPBELL, Mr. SHELBY, Mr. KYL, Mr. STEVENS, Mr. DORGAN, Ms. MIKULSKI, and Mr. BYRD, conferees on the part of the Senate.

MEASURE INDEFINITELY POSTPONED

The PRESIDING OFFICER. Under the previous order passage of S. 1282 is vitiated and the bill is indefinitely postponed.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order and pursuant to S. Res. 157, as a further mark of respect to the grieving Kennedy and Bessette families, the Senate stands adjourned.

Thereupon, the Senate, at 4:58 p.m., adjourned until Tuesday, July 20, 1999, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate July 19, 1999:

DEPARTMENT OF AGRICULTURE

ANDREW C. FISH, OF VERMONT, TO BE AN ASSISTANT SECRETARY OF AGRICULTURE, VICE JOHN DAVID CARLIN, RESIGNED.

FEDERAL COMMUNICATIONS COMMISSION

SUSAN NESS, OF MARYLAND, TO BE A MEMBER OF THE FEDERAL COMMUNICATIONS COMMISSION FOR A TERM OF FIVE YEARS FROM JULY 1, 1999. (REAPPOINTMENT)

DEPARTMENT OF STATE

DAVID N. GREENLEE, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF PARAGUAY

DEPARTMENT OF JUSTICE

MICHAEL J. GAINES, OF MARYLAND, TO BE A COMMISSIONER OF THE UNITED STATES PAROLE COMMISSION FOR A TERM OF SIX YEARS. (REAPPOINTMENT)

TIMOTHY EARL JONES, SR., OF GEORGIA, TO BE A COMMISSIONER OF THE UNITED STATES PAROLE COMMISSION FOR THE TERM OF SIX YEARS, VICE GEORGE MACKENZIE RAST, RESIGNED.

MARIE F. RAGGHIANTI, OF MARYLAND, TO BE A COMMISSIONER OF THE UNITED STATES PAROLE COMMISSION FOR THE TERM OF SIX YEARS, VICE EDWARD F. REILEY, TERM EXPIRED.

JOHN R. SIMPSON, OF MARYLAND, TO BE A COMMISSIONER OF THE UNITED STATES PAROLE COMMISSION FOR A TERM OF SIX YEARS. (REAPPOINTMENT)

DEPARTMENT OF STATE

WILLIAM B. TAYLOR, JR., OF VIRGINIA, FOR THE RANK OF AMBASSADOR DURING TENURE OF SERVICE AS COORDINATOR OF U.S. ASSISTANCE FOR THE NEW INDEPENDENT STATES.

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. GREGORY G. JOHNSON, 3052.

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATEDIN THE UNITED STATES ARMY AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK (*)) UNDER TITLE 10, U.S.C., SECTIONS 624 AND 531:

To be lieutenant colonel

GARY W. ACE, 1626
DAN L. ADAMS, JR., 3991
DAREN L. ADAMS, 9001
EMORY Y. ADAMS, 0394
SOONG B. AHN, 5483
PATRICK J. AHRENS, 4090
RICHARD C. AKRIDGE, 7964
DONNA A. ALBERTO, 3460
RONALD P. ALBERTO, 4096
DAVID M. ALEGRE, 5193
JOHN S. ALEXANDER, JR., 7751
WILLIAM T. ALLEN, 4547
WILFORD A. ALSTON, 5691
PETER A. ALTAVILLA, 9019
MARY A. ALTMAN, 0999
JULIO L. ALVAREZ, JR., 5825
KEITH A. ANDERSON, 0315
THOMAS R. ANDERSON, 1980
PERI A. ANEST, 4474
JOHN E. ANGEVINE, 7351
DIONYSIOS ANNINOS, 4375
JOHN E. ANZALONE, 2061
EDWARD J. APGAR, 7735
MANUEL APONTE, JR., 8449
MICHAEL J. ARINELLO, 1141
JOEL R. ARMSTRONG, 0991
JAMES W. ARP, JR., 1998
DAVID A. ATCHER, 1411
KNOWLES Y. ATCHISON, 7735
WILLIAM T. ATKINSON, 9158
RICHARD B. AVERNA, 4546
MICHAEL D. AVERY, 4578
CARL G. AYERS, 7888
MARK H. AYERS, 2699
JACQUES A. AZEMAR, 9799
JEFFREY L. BACHMAN, 3528
ROBERT B. BAEHR, 7117
DANIEL L. BAGGIO, 0481
HUBERT E. BAGLEY, JR., 2707
DAVID P. BAGNATI, 9417
FREDERICK A. BAILLERGEON, 1231
MARY A. BAKER, 6269
SHARON H. BAKER, 2584
DANIEL L. BALL, 7423
ROBERT S. BALLEW, 4094
JEFFREY L. BANNISTER, 8099
STEPHEN E. BARGER, 7738
GREGG A. BARISANO, 4867
GRIFFIN J. BARKIE, 8315
LAUREEN M. BARONE, 9656
CONFESOR BARRETO, 7311
JAMES E. BARRINEAU, 4824
CHARLES S. BASHAM, JR., 1272
TERRY D. BASHAM, 2899
JAMES D. BASS, 4982
JOSEPH L. BASS, 4614
JAMES C. BATES, 9572
PHILIP F. BATTAGLIA, 9789
KEVIN M. BATULE, 3486
JOHN M. BAVIS, 7670
ROBERT M. BAXTER, JR., 1194
STEPHEN H. BAYER, 3356
TAYLOR V. BEATTIE, 2998
STEPHEN M. BEATTY, 1662
DOUGLAS H. BEATY, 2555
PHILIP F. BEAVER, 0604
MARLON K. BECK, 6027
STEVEN A. BECKMAN, 8162
JAMES P. BECKMANN, 2801
CYNTHIA M. BEDELL, 0269
JAMES A. BEINKEMPER, JR., 9987
LARRY D. BEISEL, 0202
ERIC R. BELCHER, 9658
JAMES A. BELL, 5910
JOSEPH M. BELL, 8392
MICHAEL S. BELL, 6193
BARBARA R. BELLAMY, 7509
HENRY W. BENNETT, 4989
RICHARD A. BERGLUND, 2722
KEITH R. BEURSKENS, 9191
DAVID L. BIACAN, 3824
JOHN E. BIANCHI, 0672
MICHAEL J. BIEGA, 9305
LUIGI E. BIEVER, 0845
RAYMOND L. BINGHAM, 6367
CRAIG H. BIRD, 6092
JOHN J. BIRD, 5488
JOHN R. BLACK, 2923
DAVID M. BLACKBURN, 2838
GEOFFREY N. BLAKE, 2424
DAN BLAND, 8224
WILLIAM S. BLAND, 4948
ANTHONY E. BLANDO, 2730
JERRY L. BLIXT, 8128
ERICH V. BOERNER, 7439
ATTILA J. BOGNAR, 9829
JAMES C. BOISSELLE, 7779
CHARLES W. BONNELL, 8347
ALLEN L. BORGARDTS, 8654
ROBERT J. BOTTERS, JR., 7799
MICHAEL E. BOUIE, 0133
MICHAEL P. BOWMAN, 9185
JOHNNY L. BOYD, 2501
JUDITH F. BOYD, 4291
CORNELIUS C. BOYKINS, 8431
PETER E. BRADY, 8835
WILLIAM W. BRALEY, SR., 7880
CURT R. BRANDT, 4838
CHRISTOPHER W. BRAUN, 1026
MICHEAL W. BRAY, 8588
DAVID A. BRAZIER, 8413
BRENT B. BREDEHOFT, 5958
PAUL W. BRICKER, 7935
ROBERT S. BRIDGFORD, 2506
ALVIN V. BROWN, 6196
ANNETTE BROWN, 4233
OTIS L. BROWN II, 2876
ROBERT C. BROWN, 3613
RUTH S. BROWN, 1617
TYRONE K. BROWN, 0078
THOMAS H. BRYANT, 4345
TODD A. BUCHS, 4747
JAMES E. BUCHWALD, 1520
GRACE L. BUELL, 3163
JAMES R. BULLINGER, 9913
JOHNNY R. BULLINGTON, 9487
ROBERT E. BURCHELL, 1045
KYLE T. BURKE, 9129
RODERICK BURKE, SR., 9616
RICHARD A. BURKLUND, 2137
CLINTON L. BURRELL, JR., 1129
WILLIAM C. BURRELL, 9303
BRYAN D. BURRIS, 0121
KENT D. BURSTEIN, 7449
MICHAEL R. BURT, 8416
JOHN E. BUSHYHEAD, 7388
BRIAN J. BUTCHER, 3967
DWIGHT D. BUTLER, 8671
JANET I. BUTLER, 0013
ODIE L. BUTLER III, 0031
DONALD W. BUXTON, 3929
DAVID R. BYRN, SR., 6519
PAUL P. CALE, 4724
VICTORIA A. CALHOUN, 1798
JAMES A. CALLAHAN, 2343
MICHAEL O. CALLAHAN, 3063
RANDAL L. CAMPBELL, 8442
ROBERT L. CAMPBELL, 4882
FRANCIS J. CAPONIO, 5298
JOHN W. CAPPEL, 3320
CALVIN T. CARLSEN, 9962
RICHARD A. CARLSON, 3087
STEVEN P. CARNEY, 7218
JOHN K. CAROTHERS, 4146
TIMOTHY J. CARROLL, 3320
ROBERT F. CARTER, JR., 6109
CURTIS A. CARVER, JR., 8177
JAMES E. CASHWELL, 3189
HECTOR R. CASTILLO, 1200
DAVID P. CAVALERI, 2472
JOHN D. CECIL, 8114
CLATON D. CHANDLER, 3258
JAMES R. CHAPMAN, 7179
JERRY S. CHASTAIN, 2195
JON E. CHICKY, 1054
MICHAEL W. CHILDERS, 2222
GREGG CHISLETT, 6268
ROBERT E. CHOPPA, 9747
MICHAEL J. CHRISTIAN, 5343
GERARD J. CHRISTMAN, 2582
ARMON A. CIOPPA, 6740
DAVID J. CLARK, 5446
FRANKLIN D. CLARK, JR., 8266
KEVIN D. CLARK, 7135
SAMMY CLARK, JR., 4406
STEVEN C. CLARK, 2808
MICHAEL N. CLAWSON, 1210
ERIC G. CLAYBURN, 8364
TRACY A. CLEAVER, 3400
ROBERT W. CLOSSON, 1052
DAVID C. COBURN, 8005
HARRY L. COHEN, 1853
ANTONIO S. COLEMAN, 8101
THERESA D. COLES, 0250
STEVEN N. COLLINS, 2213
ROBERT S. COLTRAIN, 5903
ELLIS D. COLVIN, 2972
MARK A. CONLEY, 1453
DARRELL T. CONNELLY, 9079
TERRY E. CONNELLY, 9137
DAVID A. COOK, 8328
JUDSON A. COOK, 3579
KATHERINE M. COOK, 9844
RICHARD E. COON, 0429
BRUCE A. CORDELLI, SR., 2789
GARY B. CORDES, 1468
MARIO CORONEL, 2333
CHRISTOPHER P. COSTA, 7672
WILLIAM M. COSTELLO, 5477
CRAIG S. COTTER, 9473
DAVID G. COTTER, 8594
CHRIS L. COTTRELL, 9854
DANIEL T. COTTRELL, 5480
THOMAS H. COWAN, JR., 4486
CRAIG E. COWELL, 5729
JEFFREY A. CRABB, 2186
THOMAS M. CREA, 1319
MARK L. CRENSHAW, 1814
FLETCHER A. CREWS, 6567
HARVEY L. CROCKETT, 7833
CLIFFORD D. CROFFORD, JR., 8374
BARRY N. CRUM, 6404
MICHAEL C. CUMBIE, 0126
DANIEL J. CUMMINGS, 4118
TERRENCE CUMMINGS, 8832
JOHN L. CUNNANE, 3923
LAUREL D. CUNNANE, 4836
WILLIAM J. CUNNINGHAM, JR., 1972
MICHAEL S. CURRY, 9534
RANDALL C. CURRY, 5576
GREG W. CUSIMANO, 6250
MICHAEL F. CYR, 7272
PAUL M. CZARZASTY, 4293
JENNIFER R. DALESSANDRO, 8644
MARK A. DAMATO, 9762
GREGORY L. DANIELS, 0107
LINDA K. DANIELS, 6656
JOHN H. DANNON, 5110
LOLA J. DARDEN, 9947
ANTHONY F. DASKEVICH II, 4890
WILLIAM E. DAVID, 5407
GERALD S. DAVIE, JR., 1061
JOSEPH E. DAVIES, 9043
ALFRAZIER DAVIS, JR., 7774
CLEOLA M. DAVIS, 7582
GRANT M. DAVIS, 7376
JAMES W. DAVIS, 5567
JIMMY D. DAVIS, 9280
KIRK A. DAVIS, 7621
MARK A. DAVIS, 6266
VERNON T. DAVIS, 5040
TODD E. DAY, 5590
CHARLES E. DEAN, 3365
JOSEPH P. DEANTONA, 8306
KATHY J. DEBOLT, 1749
PHILIP D. DECAMP, 1444
THOMAS J. DEGNON, 5958
THOMAS A. DELL, 1065
PETER A. DELUCA, 1421
WADE F. DENNIS, 5685
YOLANDA C. DENNISLOWMAN, 8926
WAYNE L. DETWILER, 9822
KENNETH W. DEVAN, 5295
JERRY D. DICKERSON, 5421
JAMES W. DIRKSE, 4156
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MICHAEL J. DONOVAN, 2567
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DAVID W. DORNBLASER, 4892
CHARLES J. DORSEY, 6435
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REMI S. JOHNSON, 9480
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ANTHONY P. KLUZ, 4445
FRANK J. KOHOUT, 7045
JOHN M. KOIVISTO, JR., 1433
MARK F. KORMOS, 7580
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TROY P. KRAUSE, 5152
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JOHN J. LAMBUSTA, 9964
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JACK E. LECHNER, JR., 0519
RICHARD A. LECHOWICH, 5802
GLORIA A. LEE, 7381
JOSEPH A. LEE, JR., 5051
PAUL L. LEGERE, 0689
RONNIE L. LEGGETT, 5111
GRETA P. LEHMAN, 4409
MICHAEL L. LEHTO, JR., 2834
STEPHEN B. LEISENRING, 1679
DAVID J. LEMELIN, JR., 7855
MICHAEL K. LEMM, 5478
JOHN S. LENART, JR., 6031
MICHAEL P. LERARIO, 0708
BRIAN D. LESIEUR, 4470
MARK F. LESSIG, 8145
RICKY D. LESTER, 0644
SCOTT W. LEVIN, 4753
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SCOTT T. LIND, 2980
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MARK R. LINDON, 5854
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JEFFREY M. LIPSCOMB, 3425
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CHRISTOPHER E. LOCKHART, 6001
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MAELLA B. LOHMAN, 9539
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*MARIA L. MINCHEW, 2342
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JOHN R. OCONNOR, 8850
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*MICHAEL A. OGUS, 5539
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MICHAEL T. SHIFFLETT, 1668
RICHARD T. SHIPE, 2505
JEFFREY A. SHONK, 8469
NEWMAN D. SHUFFLEBARGER, 4214
JAMES S. SHUTT, 3417
JOHN E. SIGGELOW, 3835
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CRAIG L. SIMONEAU, 7546
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ROBERT A. SINKLER, 8828
MICHAEL S. SKARDON, 4414
EUGENE W. SKINNER, JR., 7490
TODD E. SKOOG, 5295
JOHN P. SKUDLAREK, 3655
DENNIS E. SLAGTER, 7710
KURT P. SLOCUM, 6199
JOSEPH C. SLOOP, 6024
BRUCE G. SMITH, 4884
DAVID R. SMITH, 6987
DENNIS W. SMITH, 7422
FORREST E. SMITH, 9626
HUGH T. SMITH, 3523
JEFFREY A. SMITH, 1135
LEON I. SMITH IV, 5538
LESLIE C. SMITH, 7862
RODNEY SMITH, 5506
STEVEN J. SMITH, 8707
TANTALOUS A. SMITH, 1130
TIMOTHY J. SMITH, 7007
TROY L. SMITH, 4143
VICKI A. SMITH, 3593
DAVID B. SNIDER, 8947
LAURI J. SNIDER, 1134
WILLOW A. SOLCHENBERGER, 5123
MARK E. SOLSETH, 1428
SCOTT A. SORENSEN, 6110
STEVEN M. SOUCEK, 1432
CURTIS K. SOUTHERN, 8404
MARK K. SOUZA, 1407
RONALD L. SPEAR, 6190
NICHOLAS P. SPELIOPOULOS, 6784
MARK S. SPINDLER, 3691
BILLY F. SPRAYBERRY II, 3750
KARL M. STADLER, 1515
ROBIN J. STAUFFER, 9523
JOHN S. STCYR, 6341
RANDALL T. STEPHAN, 2431
BRIAN K. STEVENS, 6792
WAYNE STEVENS, 5631
JUSTICE S. STEWART, 0532
STEPHEN G. STEWART, 3001
JERRY R. STIDHAM, 4683
ALBERT C. STJEAN, 3444
EUGENE F. STOCKEL, 0888
WAYNE A. STONE, 2735
KERRY S. STRAIGHT, 6015
JOHNNY C. STRAIN, 0996
LAWRENCE E. STROBEL, 6463
ALAN M. STULL, 5328
STANFORD W. SUITS, 6836
PATRICK J. SUTHERLAND, 1627
LINDA SUTTLEHAN, 1424
JERRY M. SWANNER, 5715
DOMINIC D. SWAYNE, 9496
JOHN L. SWEENY, 2462
JAN T. SWICORD, 4824
FREDERICK W. SWOPE, 0528
DARIN TALKINGTON, 2856
MARISA A. TANNER, 6959
DEAN A. TAYLOR, 8547
DOUGLAS C. TAYLOR, 4165
EARL J. TEETER, 2382
DAVID M. THIEDE, 7511
BRIAN L. THOMA, 1017
RICHARD THOMAS, 9174
STANLEY THOMAS III, 0599
BURDETT K. THOMPSON, 2849
EDWARD A. THOMPSON, 9314
JERRY L. THOMPSON, 1738
*SCOTT B. THOMPSON, 2938
LEO J. THRUSH, 1763
DAVID A. TIPPETT, 9697
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ANIELLO L. TORTORA, 0819
KENNETH E. TOVO, 9327
BOBBY A. TOWERY, JR., 7489
TIMOTHY E. TRAINOR, 5890
JEFFREY A. TRANG, 6127
JOHN J. TRANKOVICH, JR., 4389
CRAIG A. TRICE, 7929
DANNY TROUTMAN, 4807
MARK D. TROUTMAN, 3088
CHRISTOPHER A. TROUVE, 9932
STEPHEN P. TRYON, 2090

DREW A. TURINSKI, 7622
JEFFREY A. TURNER, 1287
RICHARD A. TURNER, 2618
THOMAS E. TURNER, JR., 1486
STEPHEN M. TWITTY, 1222
JEFFERY L. UNDERHILL, 1197
*MARTIN I. URQUHART, 6136
ROBERT VALDIVIA, 5032
RICHARD S. VANDERLINDEN, 1504
TEODORO VELAZQUEZ, 2992
CRAIG VEST, 5607
JOSEPH J. VIGNALI, 8191
JOHN A. VINETT, 6570
WILLIAM N. VOCKERY, 6546
RICHARD E. VOLZ, JR., 6109
FRANK P. WAGDALT, 2153
NICHOLAS J. WAGER, 0308
ANGELO A. WALKER, 4916
KERWIN C. WALKER, 1000
JOEL D. WALL, 9882
MICHELLE L. WALLA, 3461
MARK R. WALLACE, 4866
ROBERT M. WALTEMEYER, 0862
TIMOTHY J. WALTERS, 0427
STEVEN A. WARE, 5301
PAUL K. WARMAN, 1317
CAROLYN J. WASHINGTON, 4374
MARK L. WATERS, 9727
DWIGHT D. WATKINS, 4944
HERBERT D. WATSON, 4603
GREGORY A. WATT, 2165
TIMOTHY A. WEATHERSBEE, 6745
VINCE C. WEAVER, JR., 1121
JAMES Q. WEBBER III, 1241
CURTIS D. WEILER, 0158
JEFFREY S. WEISSMAN, 4552
ROBERT P. WELCH, 2226
RALPH D. WELLS, 4102
MARK A. WESTBROOK, 8688
THEODORE S. WESTHUSING, 9664
ROBERT C. WHALEY, 4334
DOUGLAS H. WHEELOCK, 9841
TERESA L. WHITEHEAD, 6424
LEE J. WHITESIDE, 5775
MARY K. WHITWORTH, 8764
ROBERT A. WHY, 0046
ERIC A. WIEDEMANN, 4776
CLAUDIA T. WIGGLESWORTH, 4533
DOUGLAS A. WILD, 5087
LAWRENCE WILKERSON, 6854
JOHN R. WILKINSON, 3949
BRUCE E. WILLIAMS, 8646
HARRY B. WILLIAMS, 0851
JONATHAN M. WILLIAMS, 4095
WILLIE WILLIAMS, JR., 1056
MICHAEL E. WILLIAMSON, 7608
MARILYN D. WILLS, 9412
ARCHIE WILMER III, 9415
ALAN L. WILSON, 3296
JEFFREY K. WILSON, 8248
JOHN M. WILSON, 4087
KEVIN J. WILSON, 7923
MARTIN J. WILSON, 5780
CHRISTOPHER L. WINNE, 6917
WILLIAM T. WISEMAN, 7779
STANLEY H. WOLOSZ II 0164
JOHN W. WOODARD, 3019
KEVIN S. WOODS, 5296
MICHELLE L. WOODS, 4658
STEVEN G. WOODS, 2808
JOHN S. WRIGHT, 3561
LINWOOD C. WRIGHT, 6340
THOMAS P. WRIGHT, 4088
BRUCE WYNN, 1647
STEPHEN G. YACKLEY, 3612
PHILIP M. YACOVONI, 4366
ANDREW C. YEE, 6649
CHARLES S. YOUNG, 6189
DENNIS O. YOUNG, 7858
YUVAL J. ZACKS, 2917
ROBERT G. ZEBROWSKI, 4360
SCOTT D. ZEGLER, 5853
WILLIAM E. ZELLER, 1997
THOMAS G. ZIEK, JR., 7226
X0734
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EXTENSIONS OF REMARKS

OVERSIGHT: A KEY CONGRESSIONAL FUNCTION

HON. DAVID DREIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 1999

Mr. DREIER. Mr. Speaker, many of us are committed to improving and emphasizing programmatic oversight, we jointly asked the Congressional Research Service to conduct bipartisan oversight training for Members and congressional staff. Two sessions have already been held and the third will be held on July 26. So far they have been a great success, and I would like to express my appreciation to the Congressional Research Service, particularly Mort Rosenberg and Walter Oleszek, for their extraordinary efforts to make this such a great success.

At our first oversight workshop, Lee Hamilton, former Democratic Chairman of the International Relations Committee and the Iran-Contra Committee, shared his thoughts and insights with the attendees. He stated in part:

Oversight is designed to throw light on the activities of government. It can protect the country from the imperial presidency and from bureaucratic arrogance. It can expose and prevent misconduct, and maintain a degree of constituency influence in an administration. The responsibility of oversight is to look into every nook and cranny of government affairs. Overlook is designed to look at everything the government does, expose it, and put the light of publicity to it. It reviews, monitors, and supervises the execution and implementation of public policy, to assure that ''the laws are faithfully executed.''

I wholeheartedly agree with our distinguished former colleague. As chairman of the Committee that is charged with the responsibility of safeguarding the privileges and prerogatives of this esteemed institution, I believe Congress should vigorously conduct oversight in order to fulfill the legacy of our Founding Fathers—which is ultimately to preserve and protect our fragile democracy.

Mr. Speaker, I believe all members can benefit from the thoughtful comments of Lee Hamilton, which are included as follows:

OVERSIGHT: A KEY CONGRESSIONAL FUNCTION

INTRODUCTION

I very much appreciate the kind remarks by my friend and former colleague David Dreier. As David mentioned, we devoted considerable attention to ways of improving congressional oversight during our work on the Joint Committee on the Organization of Congress in 1993–94. We held a number of hearings and made several recommendations for structural reforms, some of which have since been implemented.

Oversight of how effectively the Executive Branch is carrying out congressional mandates is an enormously important function of Congress. It is at the very core of good government. Congress must do more than write the laws; it must make sure that the administration is carrying out those laws the way Congress intended. The purpose of oversight is to determine what happens after a law is passed. As Woodrow Wilson put it (and I find myself quoting Woodrow Wilson more and more these days): ''Quite as important as lawmaking is vigilant oversight of administration.'' As more power is delegated to the executive and as more laws are passed, the need for oversight grows.

That is why I have been particularly concerned about the weakening of congressional oversight in recent years. Congress has given too much focus to personal investigations and possible scandals that will interest the media, rather than programmatic review and a comprehensive assessment of which federal programs work and which don't. For those of us who care deeply about the institution of Congress, this has been a disturbing trend. Thus I strongly support the efforts of Speaker Hastert to have the House return to its more traditional oversight functions. Congress needs to get back to the basics on oversight. The Speaker's recent comments on that have been right on the mark.

Under Dan Mulhollan's direction, Walter Oleszek and Mort Rosenberg of CRS have assembled several excellent panels for this series of oversight workshops. You will be hearing from some people with real expertise in this area. In the few minutes I have with you today I want to discuss briefly the importance of good oversight and some of the lessons I learned from my time in Congress about what makes oversight successful.

I. IMPORTANCE OF GOOD OVERSIGHT

A. Nature of Congressional Oversight

I believe in tough, continuing oversight. Oversight has many purposes: to evaluate program administration and performance; to make sure programs conform to congressional intent; to ferret out (in the oft-heard phrase) ''waste, fraud, and abuse''; to see whether programs may have outlived their usefulness; to compel an explanation or justification of policy; and to ensure that programs and agencies are administered in a cost-effective, efficient manner.

Oversight is designed to throw light on the activities of government. It can protect the country from the imperial presidency and from bureaucratic arrogance. It can expose and prevent misconduct, and maintain a degree of constituency in an administration. The responsibility of oversight is to look into every nook and cranny of governmental affairs. Oversight is designed to look at everything the government does, expose it, and put the light of publicity to it. It reviews, monitors, and supervises the execution and implementation of public policy, to assure that ''the laws are faithfully executed''.

Congress can use several tools to make federal agencies accountable, including periodic reauthorization, personal visits by members of staff, review by the General Accounting Office or inspectors general, subpoenas, and reports from the Executive Branch to Congress. Several types of committees—authorization, appropriations, governmental affairs, and special ad hoc committees—can all play important roles in oversight.

Congress needs a large number of oversight methods to hold agencies accountable because the various methods have their own strengths and weaknesses. Oversight hearings, for example, cannot be called every day, so committees may turn to reports or on-site visits to agencies.

In many ways Congress underestimates and undervalues its power in oversight. Agencies start to get a little nervous whenever someone from Congress starts poking around, and that is probably to the good overall. Federal bureaucracies do not stay on their toes unless they expect review and oversight from Congress.

B. History of Oversight

Oversight has been a key function of Congress since its very beginning. It is an implied power, not an enumerated power in the Constitution. It is based on the constitutional powers given to Congress to pass laws that create agencies and programs, to provide funding for these agencies and programs, and to investigate the Executive Branch. The first congressional oversight investigation took place in 1792, an inquiry into the conduct of the government in the wars against the Indians, and they have been taking place ever since.

Congress overhauled its oversight responsibilities in 1946 with the passage of the Legislative Reorganization Act of 1946. It reinforced the need for ''continuous watchfulness'' by Congress of the Executive Branch, and placed most of that responsibility in the standing committees rather than in specially created investigatory committees. The extent of congressional oversight has fluctuated in recent decades, with some Congresses taking it much more seriously than others. In the 96th Congress, for example, Speaker Tip O'Neill gave it very high priority and called the 96th the ''oversight Congress''. More recently, Speaker Gingrich shifted the emphasis of oversight, seeing it not just as a way to oversee but to shrink the size and reach of the federal government. He also used it to aggressively investigate the White House. Speaker Hastert, as I noted earlier, is encouraging the committees to move away from oversight as political micro management to oversight as congressional review of agency performance and effectiveness.

C. Importance of Policy Oversight

The oversight responsibilities of Congress are critical to good policy. Most important policy issues are complex, and Congress is seldom able to specify fully all the details of a governmental program in the original legislation. The Clean Water Act, for instance, sets the goals and general procedures for improving the quality of the nation's water resources, but the specific rules and regulations for achieving these aims are left to Executive Branch officials. For several reasons, Congress needs to carefully monitor how its broad intentions are translated into actual programs:

First, tough monitoring by Congress can encourage cost-effective implementation of a legislative program. Every year the President sends Congress specific funding requests for thousands of federal programs. These requests can often be cut back, as Members seek to identify the minimum funding levels needs for a program to be effectively implemented. Such oversight efforts are an important means for reducing governmental waste and making government work better.

Second, Congress must assure that the program, as implemented, reflects the intent of Congress. In complex issue areas such as environmental policy or health care, agency officials may simply misinterpret a piece of

legislation or they may use the discretion they have been given in the law to shift policy toward their views, the President's views, or the views of special interest groups.

Third, Congress must continue to monitor programs to determine whether unintended consequences or changing circumstances have altered the need for the program. Programs need consistent and regular review and assessment over time. Members of Congress are helped in that task by their close connection to their constituents, which gives them special opportunities to observe on a day-by-day basis the strengths and weaknesses of federal programs as they are being carried out.

D. Decline in Oversight

In recent years, the traditional oversight activities of Congress have generally declined, for a variety of reasons:

The shorter congressional workweek means that committees do not meet as often as they used to, reducing time for oversight.

The power of the authorizing committees—which is where most of the oversight was done—has declined over the years.

Monitoring the myriad of federal programs is tedious, takes time and preparation, and is often quite technical. It is typically unglamorous work, and most Members see little political benefit from engaging in it. Members do not rank oversight at the top of their responsibilities. For most Members, constituent service is number one, legislation is number two, and oversight is number three.

The media do not pay much attention to traditional oversight work. They usually like to focus on scandals. Congress has permitted the desire for media coverage to drive the hearing and oversight process.

There is simply less interest in government reform.

And constituents rarely contact their Members asking them to engage in systematic program review.

But another factor has been that the oversight priorities of Congress have shifted away from the careful review of programs to highly adversarial attempts at discrediting individual public officials—looking at great length at, for example, Hillary Clinton's commodity transactions or charges of money-laundering and drug trafficking at an Arkansas airport when Bill Clinton was Governor. Congress has certainly investigated federal officials throughout congressional history—from its earliest investigation of the Indian wars to the Teapot Dome scandal of 1923 to Watergate and the Iran-contra hearings (which I co-chaired). The authority of Congress to conduct investigations can be a crucial check on executive powers.

But recently there has been too much personalization and not enough policy in congressional oversight. Certainly for many years a lot of congressional oversight has been done for partisan purposes, and that doesn't necessarily make it bad. But spending too much time on personal investigations weakens the oversight function of Congress. It consumes Executive Branch time and resources and, more importantly, diverts congressional time and resources from the more constructive work of policy oversight. That's why Speaker Hastert 's attempt to redirect congressional oversight is a good sign, and I am hopeful that it will be successful.

II. NATURE OF GOOD OVERSIGHT

You will hear from a host of experts during these oversight workshops explaining in considerable detail the role and nature of congressional oversight. So let me briefly give you a few observations to help set the stage for your discussions—some specific examples of what I thought worked well when I was in Congress plus a few general lessons I learned about how oversight should be handled.

A. Specific Examples from Committee Work

Much of my oversight work in Congress was done on the Foreign Affairs/International Relations Committee. We had the responsibility of overseeing all foreign policy activities and agencies. Let me give you a sense of some of the main methods I used that I found particularly helpful.

Regular hearings: Congressional hearings are one of the most important methods of oversight. Yet, hearings can be unproductive when Members simply read prepared questions and aren't ready to ask the tough follow-up questions. So I gave particular attention to regular hearings on United States policy. I found them particularly helpful in forcing Executive Branch officials to articulate policy and explain the rationale behind it—something they do not like to do. One good example would be the extensive oversight I had relating to U.S. programs of assistance to the former Soviet States—the Freedom Support Act—as well as Eastern Europe—the SEED Act.

Closed briefings: Regular, indeed weekly closed briefings were essential to educating ourselves on complex issues. I instituted a monthly series of ''hot-spot'' classified briefings for Members done by the CIA on particularly volatile areas including Bosnia, the situation in Rusia, North Korea, and other issues that most Members do not routinely pay attention to.

Letters for the Record: One technique I developed, which I found to be a good way to exercise oversight, was to press the Administration for written explanations and clarifications of various aspects of U.S. foreign policy, which I would then insert into the CONGRESSIONAL RECORD. I did this, for example, to help pin the administration down on its position on arms sales to Taiwan, on the Nuclear Agreed Framework with North Korea, on the train-and-equip program for Bosnia, and on U.S. policy vis-a-vis Turkey. Sometimes I had to go back to them several times to get a meaningful response. Since educating and informing the public is at the heart of oversight, I found the publication of letters to be very important. I was impressed by the interest these letters generated.

Staff travel: I required staff to make a periodic trips with focused objectives to the areas of the world they covered. For example, Committee staff made repeated trips over a several year period to Bosnia, to look into specific aspects of the Dayton peace process including how U.S. assistance was being spent, and the role of U.S. peacekeeping troops in the region. This travel, in combination with the travel of staff from other committees, served to demonstrate to the Administration and local officials in Bosnia that Congress was paying close attention to how resources were being spent. I also required staff to write extensive reports on the main findings and accomplishments of their travel.

Informal contacts: I made sure staff had informal and frequent contacts with Executive Branch officials. If you get to know people before a problem on crisis, you are in much better shape when there is one. Staff has close contact with officials at the State Department, DOD, and the NSC on all aspects on the Middle East crisis, in Bosnia, as well as U.S. relations with Russia and the NIS. My staff and I were able to work closely with U.S. officials on such issues as the Middle East, Russia, Yugoslavia, China, and North Korea in part because of longstanding personal contacts with lay people.

Reports to Congress: Although Congress has in many ways gone overboard in the reports that it requires of the Administration, sometimes this is a very useful tool. For example, I had the State Department make reports on the economies of major recipients of foreign aid. We need to know what effect our assistance is having in key countries.

GAO investigations: GAO has enormous resources, and probably does more detailed oversight work than congressional committees can. I found GAO particularly helpful on foreign assistance programs, the Lavi fighter the Israelis wanted to build with U.S. help but which did not make sense, and on specific overseas projects which ran into trouble.

B. GENERAL OBSERVATIONS ON SUCCESSFUL OVERSIGHT

Let me now turn to a few general thoughts and observations about what makes oversight successful:

First, oversight works best when it is done in as bipartisan a way as possible. Certainly there will be times when the committee chairman and the ranking minority member will disagree, but they should be able to sit down at the beginning of a new Congress and agree on the bulk of the Committee's oversight agenda.

Second, policy oversight is aided when there is a constructive relationship between Congress and the implementing agency. Much oversight by its very nature is adversarial, and that is particularly appropriate when an agency has engaged in egregious behavior. But excessive antagonism between the branches can be counterproductive and do little to improve program performance. Oversight should put aside petty political motives, and it should act constructively not destructively. Oversight should be conducted seeking good ideas.

Third, oversight should be done in a regular, systematic way. Congress lacks a continuous, systematic oversight process, at it oversees in an episodic, erratic manner. On the Joint Committee on the Organization of Congress we recommended, for example, that each committee do a systematic review of all of the significant laws, agencies, and programs under its jurisdiction at least every 10 years. My sense is that there are activities of government that have gone on for a long time without full-scale review.

Fourth, oversight must be comprehensive. There are vast number of activities of the federal government that never get into the newspaper headlines, yet it is still the task of Congress to look into them. When I was on the Foreign Affairs Committee, for example, we even held oversight hearings on everything from Yemen and to the future of NATO. Oversight that is driven by whether we can get cameras into the hearing room is not enough to get the job done. I am impressed by how decisions about oversight are made on the basis on how much media attention can be attracted. The relationship between the decline of oversight by Congress and the decline of investigative journalism bears further examination. Being comprehensive in oversight also means casting the net widely to look at the variety of federal agencies involved in a particular area, not just the main one (for example, not just looking at foreign policy actions of the State Department, but also of Commerce, Defense, Agriculture, CIA, etc). As I said earlier, it is the responsibility of oversight to look into every nook and cranny of government.

Fifth, the oversight agenda of Congress should be coordinate to eliminate duplication. The administration often complains, with some justification, about the burden of redundant oversight and duplicative testimony. Different committees shouldn't cover the same ground over and over, while other important areas and programs fall through the cracks. Committees currently do prepare their oversight plans, but I sense no one is in charge of coordination.

Sixth, continuity and expertise are critical to successful oversight. Excessive staff turnover and turnover of chairmen harm the institutional continuity and expertise so essential to the job of oversight. This is also why I generally favor having standing committees do oversight rather than special, ad hoc communities. Also, oversight should not be used or directed by interest groups.

Seventh, there is such a thing as too much oversight. Good oversight draws the line between careful scrutiny and intervention or micro-management. Congress should examine broad public policies, but it should not mettle and it should avoid a media show. It should certainly expose corrupt and incompetent officials, but it should avoid attacking competent, dedicated officials. Oversight requires reports to be informed, but the reporting requirements should not be excessive. In general, the quality of oversight is much more important than the quantity.

Eighth, good oversight involves documentation. The more you can get things in writing, the better off you are.

Ninth, follow-through is also important. It is one thing to ask agencies to improve their performance, but it requires the work of Members, committees, and staff aides to make sure that the changes have taken place.

Tenth, Member involvement in oversight is important. Certainly much of the work needs to be done by staff. Yet I found that Members often left too much of the responsibility with staff. Having Members involved brings additional leverage to any oversight inquiry.

Eleventh, good oversight takes clear signals from the leadership. Structural reforms and individual efforts by Members can be helpful, but for oversight to really work it takes a clear message from the congressional leadership that oversight is a priority and that it will be done in a bipartisan, systematic, coordinated way. The key role of the House Speaker and the Senate Majority Leader in successful oversight cannot be overstated.

And finally, there needs to be greater public accountability to congressional oversight. The general public can be a very important driving force behind good oversight. Congress needs to provide clear reports from each committee outlining the main programs under its jurisdiction and explaining how the committee reviewed them. As citizens understand how important congressional oversight is to achieving the kind of government they want—government that works better and costs less—they will demand more emphasis on the quality of oversight by Congress, and they will be less tolerant of highly personalized investigations that primarily serve to divert Members' attention from this critical congressional function.

CONCLUSION

My personal belief is that conducting oversight is every bit as important as passing legislation. President Wilson thought that ''the informing function of Congress should be preferred even to its legislating function.'' Our founding fathers very clearly recognized that ''eternal vigilance is the price of liberty''.

A strong record of congressional oversight of—''continuous watchfulness''—will do a lot to restore public confidence in the institution. It will show that Congress is taking its responsibilities seriously and is able to work together.

I'm not Pollyannaish about all of this. Certainly there will be roadblocks and obstacles in the effort to strengthen and improve oversight. The work is not particularly easy under the best of circumstances, and we can't expect all of the hard feelings and distrust about the direction of oversight in recent years to dissipate overnight. But it is my firm belief that this is an area in which Congress simply must do better. And your willingness to participate in these workshops gives me good reason to think that this is an area in which Congress will do better.

AFRICAN GROWTH AND OPPORTUNITY ACT

SPEECH OF

HON. RON KLINK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 16, 1999

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 434) to authorize a new trade and investment policy for sub-Sahara Africa:

Mr. KLINK. Mr. Chairman, I oppose H.R. 434, and I am proud to say I was an original co-sponsor of a much better trade bill, H.R. 772, the ''HOPE for Africa Act'' introduced by my colleague JESSE JACKSON of Illinois.

I supported H.R. 772, and opposed H.R. 434, for reasons centering on concerns for labor, the environment, womens' rights, and the HIV/AIDS problem faced worldwide.

First, in labor terms, I opposed H.R. 434 because it is bad for both American and African workers. Over the past twelve months, 118,000 jobs in the textile and apparel industry have been lost in the United States—more jobs than in any other industry. The reason is competition with low-wage imports, manufactured in nations where worker compensation and working conditions are deplorable. As a result, U.S. textile workers are losing their jobs, and African workers work in sweat-shop style conditions.

On the other hand, H.R. 772, the Jackson bill, would have required that labor rights be adhered to in the workplace, while the H.R. 434 has no binding language to protect worker rights. The Teamsters, International Longshoremen and Warehousemen, AFSCME, Paper Allied-Industrial Chemical and Energy Workers (PACE), Transport Workers of America, Union of Needletrades, Industrial and Textile Employees (UNITE) and the United Auto Workers all opposed H.R. 434.

Second, in environmental terms, I opposed H.R. 434 because the bill text does not even mention the environment. The bill contains no environmental safeguards in its core text—which is a startling oversight. This encourages U.S. firms to move to sub-Saharan Africa in order to evade the standards they must meet here at home.

On the other hand, H.R. 772, the Jackson bill, provided a new model for trade by combining expanded trade, open to all sub-Saharan countries, with the requirement that multinational corporations operating in these countries comply to the same environmental standards that apply here in the United States.

For these reasons, H.R. 434 was opposed by—and H.R. 772 was supported by—the Sierra Club, Defenders of Wildlife, Friends of the Earth, American Lands Alliance, Earth Island Action, International Rivers Network, Native Forest Council, International Law Center for Human, Economic and Environmental Defense, and the International Primate Protection League.

Third, in women's rights terms, I opposed H.R. 434 because it simply called on the Overseas Private Investment Corporation (OPIC) to give special consideration to women entrepreneurs and to investments that help women and the poor.

On the other hand, H.R. 772, the Jackson bill, targeted investment financing for small businesses and women-owned and minority-owned businesses, including provisions for human rights, labor rights and environmental protections.

Fourth, in HIV/AIDS terms, I opposed H.R. 434 because it completely ignored the AIDS crisis. The bill failed to mention the word ''AIDS'' nor did it specify any funding to combat the AIDS epidemic in Africa. However, since the beginning of the AIDS crisis, 83% of AIDS deaths have occurred in sub-Saharan Africa.

On the other hand, H.R. 772, the Jackson bill, targeted direct assistance from the Development Fund for Africa for AIDS education and treatment programs. For these reasons, many HIV/AIDS community groups opposed H.R. but supported H.R. 772—ranging from the Human Rights Campaign Fund to Project Planet Africa.

In closing, I want to turn for a moment to general trade policy. I read a disturbing quote from the Chinese Ministry of Foreign Trade and Economic Cooperation (MOFTEC) given on March 3, 1999: ''Setting up assembly plants with Chinese equipment, technology and personnel could not only greatly increase sales in African countries but also circumvent the quotas imposed on commodities of Chinese origin imposed by European and American countries.''

H.R. 434, had very weak transshipment provisions, with no safeguard against China using sub-Saharan Africa as a transshipment point for Asian manufacturers of textile and apparel products. On the other hand, H.R. 772, the Jackson bill, contained strict, enforceable rules guarding against transshipment from China and other locales. For these reasons, the National Cotton Council and the American Textile Manufacturers Institute opposed H.R. 434.

By passing H.R. 434, which I voted against, nothing was accomplished to give relief, and to save the jobs of, American and African textile workers; to protect the environment; to help African women; to give aid to victims of HIV/AIDS; nor to deny China the right to circumvent the trade laws which impose quotas on Chinese goods.

This is a sad day for American trade relations with sub-Saharan Africa.

PERSONAL EXPLANATION

HON. CHARLES W. "CHIP" PICKERING

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 1999

Mr. PICKERING. Mr. Speaker, I was unavoidably detained and missed the following rollcall vote: Rollcall vote No. 295, H.R. 2466. Had I been present, I would have voted ''aye.''

PERSONAL EXPLANATION

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 1999

Mr. BURTON of Indiana. Mr. Speaker, due to a prior commitment, I was unavoidably detained during the following rollcall votes. Had I been there. I would have voted ''no'' on rollcall No. 302; ''no'' on rollcall vote No. 303; ''yes'' on rollcall vote No. 304; ''yes'' on rollcall vote No. 305; ''yes'' on rollcall vote No. 306; and ''no'' on rollcall vote No. 307.

HECTOR G. GODINEZ POST OFFICE BILL

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 1999

Ms. SANCHEZ. Mr. Speaker, today I come to the House of Representatives to introduce a bill to rename the Santa Ana U.S. Postal Processing Center after a true American, Hector G. Godinez. Mr. Godinez gave so much to his country and community, and this bill will recognize his life long efforts.

Santa Ana has been Mr. Godinez' home since 1925. After graduating from high school he joined the military, beginning his service to our country. He served during World War II and in recognition of his strength and bravery in General Patton's tank unit, was awarded a Bronze Star and the Purple Heart.

When Mr. Godinez returned home from the war, he decided to continue his record of public service as a letter carrier. During his 48 years in the U.S. Postal Service he rose from letter carrier to Southern California District Manager.

Mr. Godinez' belief that individual action can help build a better community is clearly illustrated by his active involvement in Santa Ana. Mr. Godinez was deeply committed to the Orange County District Boy Scouts of America and was their chairman in 1985. He served as president of the Santa Ana Chamber of Commerce and was a board member of the California Regional Center Program for Handicapped and Special Needs Children in Orange County.

Mr. Godinez was a founding member of the Santa Ana League of United Latin American Citizens (LULAC) Council and served on the Board of Directors LULAC Foundation. He and the other Santa Ana LULAC members were participants and supporters in the 1948 case of *Mendez* v. *The Board of Education,* a monumental civil rights case ending discriminatory practices against Mexican American children in Orange County schools.

He guided our citizens through decades of change in California, both as a public servant and an activist. Our lives as Orange County residents are better for his life's work, and as his Congressional representative, I feel obligated to seek this honor on his family and community's behalf.

I believe it is only fitting to honor this man who gave so much to his community and country. I hope my colleagues will support this bill to name the Santa Ana U.S. Postal Processing Center after Hector Godinez.

TRIBUTE TO GEORGE E. ''SHORTY'' MCGRAW

HON. MARION BERRY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 1999

Mr. BERRY. Mr. Speaker, I rise today to recognize a great Arkansan. This man served his country with intelligence, courage, and dedication, Mr. George E. ''Shorty'' McGraw.

Mr. McGraw was born in 1918 in Gillett, Arkansas. He worked as an auto mechanic until 1941, when he enlisted into the military. Mr. McGraw went on to graduate from Air Mechanic School and Flight Engineer School. He later served overseas with the Twentieth Air Force, 6th Bomb Group. On July 20, 1945, while flying his 33rd mission, Mr. McGraw was shot down and wounded. He was captured, beaten, and taken as a prisoner of war until his release on his 27th birthday. Mr. McGraw later attended Navigator Training School. He eventually retired as a Captain in 1961 with a total of 10,000 flying hours over his twenty years of service.

George E. ''Shorty'' McGraw is not only a wonderful citizen, neighbor and friend, he is a brother, husband, father, grandfather and great-grandfather. He is the heart and soul of his community. Captain McGraw was recently bestowed with a Purple Heart for his selfless service of his country. His devotion and love for his country never diminished. Captain McGraw serves as an inspiration to all.

A DIPLOMAT'S DIPLOMAT RETURNS HOME

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 1999

Mr. GILMAN. Mr. Speaker, in a few days, Mr. Pat Hennessy, the Political Counselor at the Irish Embassy here in Washington, returns home for service in his government's Department of Foreign Affairs (DFA). The DFA's gain will be our loss here in America at a critical point in Irish history.

Pat is known to many of us in the Congress, on both sides of the isle, as a diplomat's diplomat. He previously served with distinction in the Irish Consulate in New York City before his tenure at the Irish Embassy here in Washington. In New York, he got to know and worked closely with the large Irish American community and the many friends of Ireland in America's largest and greatest city. He understands our nation and people well.

Pat has worked tirelessly for lasting peace and justice in the north of Ireland during his service in the U.S. He has also helped to advance greater U.S.-Irish relations in many areas, whether cultural, economic or otherwise.

During an important transition to Republican control of the House and new congressional leadership in the cause of lasting peace and justice in Ireland and improved U.S.-Irish relations, Pat did not miss a beat. He treated all of those many friends of Ireland equally and fairly.

In 1997, then-Speaker Newt Gingrich reinvigorated the long dormant Irish American interparliamentary exchange. Pat has played a vital role in fostering and improving these parliamentary exchanges since then.

Our sessions on both sides of the Atlantic since 1997 have served to further the bonds of friendship and understanding between the Congress and the Dail, the Irish Parliament, in Dublin. They increased interest in the Congress on events in Ireland, whether in the north, or the Republic in the south with its booming economy and many American firms' vast investment in the ''Celtic Tiger.''

The success of these legislative exchange programs is in no small part due to Pat's efforts and the growing and expanding U.S.-Ireland links in so many areas of common interest and support. We wish Pat and his wife Pauline and their family much happiness and success as he returns to Ireland.

Our door will always be open when Pat decides to return to America, whenever or in whatever capacity.

PERSONAL EXPLANATION

HON. EDWARD R. ROYCE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 1999

Mr. ROYCE. Mr. Speaker, on Thursday July 15, I was unavoidably detained for rollcall No. 302. If I had been present, I would have voted ''nay'' on this amendment.

THEATER HIGH ALTITUDE AREA DEFENSE

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 1999

Mr. BEREUTER. Mr. Speaker, this Member commends this editorial from the July 15, 1999, Norfolk Daily News to his colleagues regarding the need for development of the Theater High Altitude Area Defense (THAAD) in light of recent successful tests and North Korea's intention to launch a long range missile capable of reaching Alaska or Hawaii.

IT CAN BE DONE—FIRST ''HIT'' OF MISSILE INTERCEPT SYSTEM AN INDICATION THE TECHNOLOGY DOES WORK

In hindsight, it would appear that the media gave too little coverage to a report several weeks ago that had U.S. intelligence sources confirming that North Korea is preparing a late-summer launch of its Taepo Dong 2 missile, an ICBM capable of reaching Alaska or Hawaii. This will make North Korea one of only a few countries above to strike U.S. soil with long-range missiles.

But what should be given even bigger coverage is the news that the U.S. Army's new anti-missile system successfully intercepted a target ballistic missile launched 120 miles away in a test that was conducted last month.

Without using an explosive warhead, the interceptor destroyed the incoming missile by crashing into it at an altitude of almost 60 miles. What's called the Theater High Altitude Area Defense (THAAD) is designed, however, to defeat intermediate-range missiles. That means it will not be able to stop North Korea's Taepo Dong 2. But it proves that ''hit-to-kill'' technology can work,

which is something critics of missile defense have long denied.

The challenge now is to build an effective defense against long-range missiles that builds on THAAD's success. This will require much more development and testing, and much more support from Congress and the Clinton administration.

The fact that it took the Army seven tests to score the first THAAD ''hit'' is not an argument against missile defense but an argument for investing more in anti-missile technologies. It can be done, but it's a difficult proposition.

Unfortunately, the United States cannot make progress as long as the Clinton administration observes the restrictions of the 1972 Anti-Ballistic Missile (ABM) Treaty. As a matter of international law the treaty is defunct since the United States' signing partner, the Soviet Union, ceased to exist in 1991. Misplaced devotion for the ABM Treaty hampers the development, testing and deployment of certain kinds of missile defense, ensuring that any system will be less capable than it otherwise could be.

IN MEMORY OF VICTORIA ''VIKKI'' BUCKLEY (1947–1999)

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 1999

Mr. TANCREDO. Mr. Speaker, I rise to honor the memory of Colorado State Secretary, Victoria ''Vikki'' Buckley: a wife and mother of three, a public servant, a self made individual, and a leading citizen of the Denver Metro Area, in Colorado, who passed away last week.

Vikky Buckley was a courageous political leader who worked in the Secretary of State office for the citizens of Colorado for more than a quarter century. Few realize that Vikki, a Denver Native, began working in the secretary of state office 28 years earlier. She had been a welfare mom and actively removed herself from a system that she believed fosters dependency.

Many people have read about individuals who lift themselves through their own dedication and efforts, but it is seldom that they rise so quickly to an elected office. Vikki was educated in the Denver Public Schools attending East High School. She continued her education at Metro State College and then the Seible School of Engineering in Englewood where she received an Associates Degree in drafting. She was an active participant at Heritage Christian Center and in various political organizations including the Aurora Republican Forum and the Araphahoe County Republican Men's Club. She spoke frequently on issues of community and inclusion from the perspective of an American woman who happened to be black and Republican.

Elected Secretary of State in 1994, Vikki was the first American of African descent elected to a statewide constitutional office in Colorado. As a Republican, she was noted as the highest ranking African American female holding statewide office in America. She has been featured in publications from the controversial Limbaugh Letter (June 1999) to the Ladies Home Journal (''Against All Odds'').

She was a rising star that believed in making government work for people. She was loved by friends and admired for her courage of conviction. My heart goes out to her entire family upon their loss. I am honored to have known Vikki.

Governor Bill Owens released the following statement, ''I join all Coloradans in being deeply saddened by the untimely passing of Colorado Secretary of State Vikki Buckley. She overcame many challenges in life and achieved high office in our state through determination and hard work. Vikki's competitive spirit paved the way for her election as Colorado's first African-American Secretary of State. Frances and I and our three three children express our profound sympathy to Vikki's family on behalf of all Coloradans and our appreciation for her many years of service to our state.''

Let the permanent RECORD of the Congress of the United States show that Vikki Buckley was a tireless advocate for the people of Colorado, and a friend of America.

THE MEAL TAX REDUCTION ACT

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 1999

Mr. SMITH of New Jersey. Mr. Speaker, today I am reintroducing the Meal Tax Reduction Act. This legislation, which I also introduced in the last session of Congress, is designed to alleviate some of the tax code inequities that hurt the food service industry. As many of my colleagues know, the food service industry is the only business specifically excluded from normal business expense deduction rules. My legislation is aimed at restoring fairness to current law.

The Meal Tax Reduction Act would partially restore the deduction permitted for meals and entertainment expenses to 80 percent. While I believe we should eventually reinstate the meal tax to 100 percent, this legislation takes the first steps to gradually restore the tax to at least the pre-1993 level of 80 percent.

Under the Balanced Budget Act, transportation workers can already deduct a higher percentage of their meal expenses than other workers, and transport workers will eventually be able to deduct 80 percent of their food expenses. My legislation would simply extend the deductions already put in place for the transportation industry, so that fairness is ensured for everyone.

This important legislation would eventually allow someone starting a small business, working away from home on a construction job, or traveling away on business to take a reasonable tax deduction for food expenses.

Since the law was changed in 1993 to a 50 percent meal tax deduction there has been a notable has had a negative effect on the restaurant sector of our economy. And the restaurant industry employs millions of people. Restoring the meal tax deduction would help create new jobs in our economy, often for people who are trying to enter the workforce for the first time. If welfare to work is to be fully implemented, we need to create the kind of entry level positions and entrepreneurial opportunities that are often the first steps up the ladder to the American Dream.

In addition, law penalizes and de-legitimizes the food service. The Meal Tax Reduction Act would begin moving the restaurant industry toward parity with other businesses. The act immediately increases the meal tax deduction to 60 percent next year, and eventually to 80 percent by the year 2008. My legislation gradually fixes the meal tax inequity.

Lastly, I want to note that since the introduction of my legislation last year, that support for meal tax equity has been steadily increasing. In fact, Chairman Bill Archer of the Ways and Means Committee has included meal tax reductions in his comprehensive tax plan tat are very similar to legislation for which I have been advocating. There is nothing like an idea whose time has come.

INTRODUCTION OF THE NATIONAL TELECOMMUTING AND AIR QUALITY ACT

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 1999

Mr. WOLF. Mr. Speaker, traffic congestion and lack of mobility threatens not only our nation's prosperity, but quality of life and the family unit. That is why today, I am introducing the ''National Telecommuting and Air Quality Act,'' a bill designed to reduce both air pollution and traffic congestion.

Efforts around the country to widen existing facilities and construct new bridges and highways and improve mass transit are essential. However, improved and expanded use of new technologies is also essential to meeting transportation needs.

Telecommuting is also part of the answer to reducing traffic congestion and air pollution and easing the strain on families trying to find time to raise children and make ends meet from one payday to the next. It's also part of good environmental stewardship and energy conservation. Many jobs can be performed as well or better at home through the use of computers, faxes, email, and telephones than at an office or in other work centers.

Mr. Speaker, telecommuting, by large numbers of employees, has many positive bi-products to which I would like to draw my colleagues' attention.

Traffic congestion: In cities such as Los Angeles and Washington, D.C. (Numbers 1 and 2 on the gridlock list), telecommuting could reduce peak commuter traffic. According to research, 40 percent of the nation's workforce have jobs which are compatible with telecommuting. This reduction would come without paving one more lane of highway or adding one more bus or subway car. That saves money and makes everyone's life better.

Air pollution: Automobiles produce about 30 percent of urban smog. Telecommuting could take a large bite out of air pollution (including nitrogen oxide, carbon monoxide, lead, particulate matter, volatile organic compounds and carbon dioxide). The result helps now and leaves a better world for our kids.

Family wellness: Telecommuting gives workers more time to spend at home. Parents could care for infants or small children while they work. The stress of what to do with an ill relative—an older parent afflicted with Alzheimer's disease, for example—can be lessened. Working moms and dads could be better and more nurturing parents without having to leave the workforce. Instead of choices, there are good choices.

Benefits to the handicapped: People with handicaps who lead productive and useful lives, but decide that the hassle of getting to and from work just isn't worth it, could be in the mainstream of the workforce through telecommuting.

Energy conservation: Our nation remains heavily dependent on foreign oil, which is directly related to our culture of two- or more-car families and daily driving habits. Replacing the daily commute with telecommuting would reduce national oil consumption and help reduce dependency on foreign oil.

Telecommuting is the information age's answer to traffic congestion, environmental stewardship and strengthening the family. Studies have shown that telecommuting works to increase both employee productivity and morale, which in turn helps the business bottom line. The concept is a win-win proposal for reducing traffic congestion and improving air quality—at virtually no cost to the federal government. Problems of employees shortfalls are also eased—people leaving the workforce for personal reasons would be less inclined to do so. But outside of the communications industry and some participation in the high-tech community, American businesses have not yet caught the vision-and the benefits of telecommuting.

I believe the ''National Telecommuting and Air Quality Act'' can help.

The idea is to develop pilot programs to urge employers to encourage and allow their employees to telecommute. That, in turn, helps reduce regional traffic congestion and air pollution, and also enables the region to build new bridges and parkways within clean air regulations. The goal is to provide an incentive for the public and private sectors to use telecommuting.

The centerpiece of the telecommuting pilot project is a voluntary pollution credits trading program to explore the feasibility of using ''profit incentives'' to reduce traffic congestion and air pollution.

The idea works like this: millions of people nationwide get in their cars each morning and drive to work. This causes air pollution, and urban smog (nitrogen oxide, carbon monoxides, etc.) often referred to as ozone precursors. Yet there is little incentive for the private sector to become involved to reduce air pollution causing traffic. There is no monetary value placed on reducing this source of air pollution from a private sector business standpoint.

The pilot program would establish an air pollution credits trading program in which small and large businesses, non-profit organizations, federal and state governments, schools and universities, or any other employer, can acquire credits by voluntarily participating in an employee telecommuting program. Participating employers receive pollution credits for a portion of the reduced pollutants which they can then sell on an exchange similar to a commodities exchange.

Manufacturers and utility companies are currently regulated under the Clean Air Act and under increased pressure to reduce air pollutants from both the federal government and states which are struggling to develop implementation plans that improve air quality while allowing economic growth. Pollution credits trading is in practice today with sulfur dioxides (SOXs), which were mandated to be reduced under the Clean Air Act. Trading occurs between utility companies and manufacturing operations.

If the air pollution credit trading program were in place, a participating employer which allowed its employees to telecommute on a regular basis would receive a pollution reduction credit for keeping those cars off the road and would be able to sell a portion of those credits for cash on a trading exchange. The size or value of the credit would be determined by the estimated pollution reduction.

Any number of groups could buy the credits including utilities or other regulated entities under the Clean Air Act. Even environmental groups might want to buy pollution credits and hold on to them. The net result is reduced air pollution and traffic congestion, and most importantly an improvement in quality of life—more time with the family and less time on the road in traffic. And if all the studies are correct, these gains will be made with no loss of worker productivity. In fact, studies indicate telecommuting increases productivity.

The bill provides a grant to the National Environmental Policy Institute to work with the Department of Transportation, the Environmental Protection Agency and Department of Energy to develop, in conjunction with regional businesses and local governments, a telecommuting clean air credits trading program in major metropolitan regions in the country confronted with significant traffic congestion. Included in the pilot will be the Washington, D.C., and Los Angeles, California, metropolitan regions, the top two most congested regions in the nation, and several other heavily congested areas.

Mr. Speaker, the reason for the pilot program is two-fold. First, as chairman of the House Appropriations Transportation Subcommittee and as a representative of one of the fastest growing regions in the country, I understand today's serious transportation needs. Loudoun County, Virginia, in my district, is the third fastest growing county in the nation. Between 1976 and 1997 Loudoun County's population has shot up 175 percent. Those of you familiar with Tysons Corner may be interested that in 1976 it had 3.5 million square feet of office space. Today there is more than 21 million square feet of office space, a 500 percent increase.

With this rapid and sustained growth, it should be no surprise that Washington is the second most traffic congested region in the country. Spending an hour and a half commuting each way to work is typical for many area residents.

Also, I have long been an advocate of ''family-friendly'' workplace policies, particularly with the federal government. Families today are under so much daily stress and are faced with too many difficult challenges. Perhaps the most frustrating part of an hour and a half commute is that in many cases it could have been avoided. I think it is even more frustrating when both parents are working. Today's moms and dads are challenged to race home and get a hot meal on the table so they can sit, eat and talk together as a family.

In the 101st Congress, I was a part of a successful effort to authorize and fund a metro-wide federal telecenter program which now boasts a total of 17 regional federal telecenters. There are seven telecenters in Northern Virginia, including one of the first telecenters to open in the Shenandoah Valley Tele-Business Center in Winchester, Virginia. The centers are up and running with the latest technologies and technical support staff on hand. The next logical step is to get the public and private sectors involved in a wider telecommuting effort for their employees who can take advantage of cutting-edge technology to work from home.

I have talked with leaders in the high-technology community about this telecommuting and air quality project. I have urged participation of industry leaders such as ATT, Litton Corporation, AOL, Orbital, and Science Application International Corporation and would encourage them to join in a symposium this fall on telecommuting initiatives for the Washington metropolitan region. The symposium would be part of the TeleWork America initiative spearheaded by the International Telework Association and Council.

Any weekday morning, you can see the traffic back up along the Dulles Toll Road with high-tech buildings dotting the landscape along the corridor. If anyone can show how successful telecommuting can be, these are the businesses to lead the way.

Clearly, as we are poised to enter the 21st Century—the ''Information Age''—telecommuting has a place. I have heard it said that work is something you do, not someplace you go. A pollution reduction credit trading program will provide the incentive for the private sector to lead the way in the telecommuting effort.

Mr. Speaker, I hope our colleagues will look at this bill and consider signing on as a cosponsor of this proposal to promote cleaner air and less traffic congestion.

H.R. —

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 ''National Telecommuting and Air Quality Act''.

SEC. 2. GRANT PROGRAM FOR DESIGN OF PILOT PROGRAM REGARDING TELECOMMUTING AS MEANS OF IMPROVING AIR QUALITY.

(a) IN GENERAL.—

(1) GRANT FOR DESIGN OF PILOT PROGRAM.—The Secretary of Transportation (in this section referred to as the ''Secretary'') shall make a grant to a nonprofit private entity that is knowledgeable on matters relating to air quality for the purpose of developing a design for the proposed pilot program described in subsection (b). The grant shall be made to the National Environmental Policy Institute (a nonprofit private entity incorporated under the laws of and located in the District of Columbia), if such Institute submits an application for the grant.

(2) ADMINISTRATION OF PROGRAM.—The Secretary shall carry out this section (including subsection (c)(1)(C)) in collaboration with the Administrator of the Environmental Protection Agency and the Secretary of Energy.

(b) PROPOSED OZONE PRECURSOR CREDIT-TRADING PILOT PROGRAM.—

(1) DEFINITIONS.—For purposes of this section:

(A) The term ''participating employers'' means employers that voluntarily authorize and engage in telecommuting.

(b) The term ''telecommuting'' means the use of telecommunications to perform work functions under circumstances in which the use of telecommunications reduces or eliminates the need to commute.

(C) The term ''regulated entities'' means entities that are regulated under the Clean

Air Act with respect to emissions of one or more ozone precursors.

(D) The term ''ozone precursors'' means air pollutants that are precursors of (ground level) ozone.

(E) The term ''VMTs'' means vehicle-miles-traveled.

(2) DESCRIPTION OF PROGRAM.—For purposes of subsection (a)(1) and other provisions of this section, the proposed pilot program described in this subsection is a pilot program under which the following would occur:

(A) Methods would be evaluated and developed for calculating reductions in emissions of ozone precursors that can be achieved as a result of reduced VMTs by telecommuting employees of participating employers.

(B) the estimated reductions in such emissions for the periods of time involved would be deemed to be items that may be transferred by such employers to other persons, and for such purpose the employers would be issued certificates indicating the amount of the reductions achieved for the periods (referred to in this section as ''emission credits'').

(C) A commercial trading and exchange forum would be made available to the public for trading and exchanging emission credits.

(D) Through the commercial trading and exchange forum, or through direct trades and exchanges with persons who hold the credits, regulated entities would obtain emission credits.

(E) Regulated entities would present emission credits to the Federal Government or to the State involved (as applicable under the Clean Air Act) and the amounts of reductions in emissions of ozone precursors represented by the credits would for purposes of the Clean Air Act be deemed to assist in achieving compliance.

(F) The Federal Government would (explore means) to facilitate the transfer of emission credits between participating employers and regulated and other entities.

(c) SITES FOR OPERATION OF PILOT PROGRAM.—

(1) IN GENERAL.—The Secretary shall ensure that the design developed under subsection (a) includes (recommendations for) carrying out the proposed pilot program described in subsection (b) in each of the following geographic areas:

(A) The greater metropolitan region of the District of Columbia (including areas in the States of Maryland and Virginia).

(B) The greater metropolitan region of Los Angeles, in the State of California.

(C) Three additional areas to be selected by the Secretary, after consultation with the grantee under subsection (a).

(2) CONSULTATION.—The Secretary shall require that, in carrying out paragraph (1) with respect to a geographic area, the grantee under subsection (a) consult with local governments and business organizations in the geographic area.

(d) STUDY AND REPORT.—The Secretary shall require that, in developing the design under subsection (a), the grantee under such subsection study and report to the Congress and to the Secretary the potential significance of the proposed pilot program described in subsection (b) as an incentive for expanding telecommuting and reducing VMTs in the geographic areas for which the design is developed, and the extent to which the program would have positive effects on—

(1) national, State, and local transportation and infrastructure policies;

(2) energy conservation and consumption;

(3) national, State, and local air quality; and

(4) individual, family, and community quality of life.

(e) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of making the grant under subsection (a), there is authorized to be appropriated $250,000 for fiscal year 2000. Amounts appropriated under the preceding sentence are available until expended.

STATEMENT ON THE 5TH ANNIVERSARY OF THE AMIA BOMBING

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 1999

Mrs. LOWEY. Mr. Speaker, over the past decade, we have seen a horrifying increase in terrorist attacks around the world. Extremists in every corner of the globe have carried out violent, deadly attacks on innocent civilians in the Middle East, Latin America, the United States, and elsewhere.

One of the worst terrorist attacks in the 1990s was the bombing of the AMIA Jewish Community Center in Buenos Aires, Argentina. July 18, 1999 marks the fifth anniversary of this cowardly attack on the Jewish community of Argentina, which tragically took the lives of 86 people, and injured over 200 more.

I rise today to honor the memory of the victims of the AMIA bombing; to pay tribute to the families of those victims, who have carried on with tremendous strength and courage; and to join them in their call for justice.

Mr. Speaker, although it has been five years since the AMIA bombing—and seven years since the bombing of the Israel Embassy in Buenos Aires, which killed 29 people—the perpetrators of these terrorist attacks have not yet been brought to justice.

Last year, I had the privilege of visiting Buenos Aires and meeting with representatives of the Jewish community there. I stood with members of Memoria Activa, AMIA, DAIA, and others affected by these bombings, and I joined them in their demand that the Argentine government do more to arrest and prosecute those responsible for these terrible attacks. But our calls have gone unanswered.

The absence of swift and sure justice for the terrorists who carried out these attacks is a tragic mockery of the memory of those who lost their lives. A terrorist attack anywhere in the world is a threat to all of us. And a terrorist attack that goes unpunished, is an invitation for these cowards to strike again.

Mr. Speaker, today we honor the memory of the victims of the AMIA bombing. The greatest gift we can give to their friends and family is to bring their killers to justice. I can upon our own government and the Argentine government to do everyting in their power to close this horrible chapter in our fight against terror.

HALTING THE ANTHRAX VACCINATION PROGRAM, H.R. 2548

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 1999

Mr. GILMAN. Mr. Speaker, I rise today to introduce H.R. 2548, a bill to halt the implementation of the Department of Defenses' Anthrax Vaccination Program. I urge my colleagues to join me in supporting this worthy legislation.

This legislation would halt the continued implementation of the force-wide Anthrax Vaccination Program within the Department of Defense. As my colleagues may know, this program was the result of a decision reached by the Secretary of Defense early last year that mandatory vaccination of all personnel in the U.S. Armed Forces was necessary.

Concerns about the program began shortly after its implementation earlier this year and have increased as the number of troops receiving the vaccine has increased. These problems attracted the attention of the Government Reform Subcommittee on National Security, which initiated a series of hearings in March. To date, the subcommittee has had three hearings, with a fourth scheduled for this week.

The congressional hearings held in March, April, and June have raised a number of concerns about the vaccination program including its purpose, its value, the manner in which it is being carried out, and its effects on those who serve in uniform. These concerns have been heightened by recent media reports and information circulating among those affected by the vaccine. Subsequently, my office, and those of many of my colleagues, has received an increasing number of contacts from concerned constituents, both members of the Armed Forces, as well as their distraught parents or relatives.

The Secretary of Defense set out four specific conditions that had to be met before the vaccination program could start: First, supplemental testing to assure sterility, safety, potency, and purity of the vaccine stockpile; second, implementation of a system for fully tracking anthrax immunizations; third, approval of operational plans to administer the vaccine and communications plans to inform military personnel; and fourth, review of medical aspects of the program by an independent expert.

According to the hearing testimony before the subcommittee, none of these conditions was satisfactorily addressed before the vaccine program was implemented.

The most prominent concern raised relates to the overall effectiveness of the vaccine. The FDA approval cited by the Defense Department was for a vaccine that was designed to protect workers in the woolen industry from cutaneous contact with anthrax spores. Conversely, the primary anthrax threat facing military personnel is not from cutaneous, but weaponized versions of the bacteria, which are inhaled by their victims. There has been little or no testing of the vaccine's effectiveness in humans against this form of anthrax. Some testing has been done on animals with mixed results, the most promising returns coming from laboratory monkeys. However, to assume a drug that has achieved moderately successful results in primates will have a similar response with humans is only the start of basic research, not a definitive conclusion based on solid scientific evidence.

Moreover, Mr. Speaker, there is no evidence from the Defense Department that this vaccine would be effective against altered or multiple anthrax strains. Given that the Soviet Union placed a high priority on the development of the deliverable multiple anthrax strains, this is a legitimate concern. Analysis of tissue samples from Russians killed in an accidental anthrax release from a production facility in the 1970's have indicated infection from a combination of individual strains.

A second major concern relates to the overall safety of the vaccine. As with any drug, there are concerns about harmful side effects. Since 1970, the primary recipients of the vaccine have been several thousand mill workers and mostly DOD researchers. This limited civilian usage of the drug has resulted in limited evidence of adverse reactions. The one exception to this was the inoculation of approximately 150,000 gulf war troops. However, the Defense Department's poor recordkeeping after the gulf war has made gleaning any useful information about the vaccine's effectiveness or harmful side effects impossible. In fact, a Senate committee studying gulf war illness in the 103rd Congress did not rule out the use of the vaccine as a cause of gulf war syndrome.

Thus, it is premature to conclude that a drug used on several thousand individuals with a small incidence of adverse effects is safe to administer to 2.5 million military personnel. A simple overall 2 percent rate would yield 50,000 adverse reactions each and every year. This is an unacceptably high rate (more on the DOD reported reaction rate later). It is also completely unknown what will be the effect of cumulative annual boosters, let alone the combined effects from 15 or so other biological warfare vaccines under development. I ask, Mr. Speaker, what other force protection program has, as a built-in component, such a high casualty rate and unknown level of future risk?

Questions regarding the safety of the vaccine are appropriate given the history of the production of the vaccine. The original manufacturer of the vaccine, Michigan Biologics Products Institute (MBPI), ''voluntarily'' closed down in March 1998, in order to make $1.8 million renovations. Prior to this, MBPI had been cited repeatedly by the FDA for quality control problems and manufacturing violations dating back to 1990.

The subcommittee briefing from the April 29 hearing, stated that the vaccine ''is dangerous enough that the manufacturer demanded, and received, indemnification from the Army against the possibility that persons vaccinated may develop anaphylaxis or some unforseen reaction of serious consequences, including death. Private indemnity insurance was considered too costly.'' If the manufacturer was highly concerned about potential civil litigation, why was the Defense Department so quick to convey the message that the vaccine was safe for general use? This is a question that needs to be addressed.

There are additional concerns related to the tracking system being implemented with this vaccine. The gulf war experience illustrated the need for a comprehensive tracing system to measure the potential side effects of the multiple vaccinations often administered to soldiers being deployed overseas. While I understand that such a tracking system has been developed for this program, there have been several reports of individuals being inoculated with expired lots of the vaccine, to the significant detriment of their health as recorded in testimony and the media.

Moreover, it appears that adverse exclusionary categories, such as respiratory conditions, previous reactions, chills and fever, and pregnancy are not being adequately reviewed by the personnel in charge of administering the shots. Rather, the subcommittee has received reports that many of those administering the vaccine are simply glossing over communicating the exclusionary requirements in an effort to inoculate as many individuals as rapidly as possible. Likewise, there is evidence suggesting that the reporting of adverse reactions among troops who have received the vaccine, is being discouraged, so as not to cause undue alarm in those units which have not received their first round of shots.

In that same regard, the official Defense Department's reported reaction rates of between .0002 percent and .007 percent this year is not reassuring. The subcommittee has received reports that vaers forms are not available to service members, not filled out, or not forwarded. FDA and JAMA sources indicate extremely low percentages of reactions are ever reported anyway, and the military's record of reaction reports with the 1970's swine flu vaccine is far below that of civilian rates. Given these qualifiers, it seems the DOD-reported reactions rates should, at least, be accompanied by reasonable disclaimers.

There is also some uncertainty with the operational plans to administer the vaccine. There appears to be some confusion with deadlines as some units begin their shots and frequent deadline adjustments for unit personnel to receive their shots. Some of those deadline adjustments appear due to commander fear of excessive personnel losses because of the vaccine. Additionally, as Reserve Component personnel express an interest in transferring or terminating their participation because of the vaccine, the subcommittee has heard that they are met with delays, instructions to not list the vaccine as a reason, and even threats of poor evaluation reports. If members are convinced after careful research that a policy truly threatens their civilian livelihood, they should be allowed to communicate the truth about their perspective.

Moreover, the Reserve Officers Association has recommended that all National Guard and Reserve units should receive shots from lots of newly made vaccine. The ROA is chartered by Congress to review Defense policies to ensure their adequacy. Since they represent 80,000 current, experienced, and retired Reservists, their opinion should be considered carefully. Given that Bioport Corp. is not due to begin distribution of new vaccine until next year, and Guard and Reserve units are currently being vaccinated, it appears that DOD has rejected this recommendation.

Lastly, there are serious reservations about the independent review of the medical aspects of the vaccination program. The reviewer in question, Dr. Gerald N. Burrow, has been cited by the Defense Department as approving of the safety and effectiveness of the vaccine. Yet in a letter to the subcommittee dated April 26, 1999, Dr. Burrow stated:

> The Defense Department was looking for someone to review the program in general and make suggestions, and I accepted out of patriotism. I was very clear that I had no expertise in anthrax and they were very clear they were looking for a general oversight of the vaccination program . . . I had no access to classified information. The suggestions I made were to utilize focus groups to be sure the message they wanted to send to force personnel was being heard, and to use the vaccination tracking system as a reminder for subsequent vaccinations. I had no further contact after delivering my report and do not know whether my suggestions were implemented.

Given that the independent reviewer was admittedly not an expert in the field of anthrax, how can the Defense Department stand by his earlier claims that the vaccine was safe for distribution and the ''best protection against wild-type anthrax?'' Given past poor credibility in these issues, the history with gulf war illnesses, and the enormous potential risk to our entire population of uniformed defenders, why was this individual, and not someone with a background in large vaccination programs or biological agents like anthrax, selected for the independent review? These are questions that the Secretary of Defense needs to answer.

Mr. Speaker, it bears mentioning that several of our allies have taken a different approach to this issue. The United Kingdom has a voluntary vaccine policy for anthrax, which yields only an estimated 30 percent cooperation. The Canadians have faced the similar controversies to our program, and even more severe logistics problems with their vaccine, and are not currently administering it to their troops. Furthermore, it should be noted that Israel, which is conceivably at the greatest risk in the middle east and has received Scud attacks, does not rely on vaccines, but antibiotics.

Moreover, our own State Department, which arguably has more personnel risk because embassies are less well protected than military units, has only a voluntary policy. It is almost inescapable that this policy appears as a captive research market. Why in light of everyone else's lack of forced inoculations is it necessary to put U.S. service member trust on the line when two surveys have indicated that 80 percent of the civilian and military respondents oppose the program?

Above and beyond the specific concerns mentioned here, we are concerned about the public perception of the anthrax vaccination program and its impacts on service member morale. We must ensure that this single force protection measure which addresses only one of myraid of biological threats is not itself a more real threat to our citizens in uniform.

This legislation would accomplish this goal by requiring a suspension of the anthrax vaccine program until an independent study by the National Institutes of Health is conducted on both the safety and effectiveness of the vaccine. This study would review the claim being made by the Defense Department concerning both the effectiveness of the vaccine against airborne anthrax as well as on the low incidence of harmful side effects.

In addition, the legislation would require a second study by the General Accounting Office, on the effect of the vaccination program on service morale, focusing specifically on recruiting and retention issues in National Guard units.

Should these studies show that the vaccine is indeed effective against weaponized anthrax, is produced in a safe, controlled manner acceptable to the FDA, and does not have an unacceptably high systemic reaction rate, Congress may authorize the resumption of the program. Until these questions are answered however, our service men and women should not be subjected to a mandatory vaccination program with so many unknowns.

To allow the program to continue without these concerns being addressed, would not only be irresponsible, it would be, for those of us in Congress, an abdication of our oversight authority. As it currently stands, the anthrax vaccination program simply has too many unknowns. It may or may not work as advertised,

and in doing so, may fulfill the old cliche of the cure being worse than the illness.

Given that our allies have seen fit to either make their programs voluntary, or eliminate them altogether, we owe our men and women in uniform a closer look at the effects of our program.

Accordingly I urge my colleagues to join in support of this measure, H.R. 2548.

H.R. 2548

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 ''Department of Defense Anthrax Vaccination Moratorium Act''.

SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) a single force protection measure such as the mandatory anthrax vaccine immunization program should not be implemented by the Department of Defense without regard for that measure's own effects on morale, retention, recruiting, and budget; and

(2) an insufficiently proven vaccine should not be advocated as a substitute for research, development, and production of truly effective vaccines and essential antibiotics, adequate personal protective equipment, detection devices, and nonproliferation measures.

SEC. 3. MORATORIUM OF VACCINATION PROGRAM.

The Secretary of Defense shall suspend implementation of the anthrax vaccination program of the Department of Defense. After the date of the enactment of this Act, no further vaccination may be administered under the program to any member of the Armed Forces except in accordance with this Act.

SEC. 4. STUDY BY NATIONAL INSTITUTES OF HEALTH.

(a) STUDY.—

(1) IN GENERAL.—The Director of the National Institutes of Health shall require the appropriate national research institute to conduct or oversee an independent study of the effectiveness and safety of the vaccine used in the Department of Defense anthrax vaccination program.

(2) MATTERS TO BE STUDIED.—The Director shall include in the study under paragraph (1) determination of the following with respect to that vaccine:

(A) Types and severity of adverse reactions.

(B) Long-term health implications, including interactions with other (existing and planned vaccines and medications.

(C) Efficacy of the anthrax vaccine for protecting humans against all the strains of anthrax pathogens members of the Armed Forces are likely to encounter.

(D) Correlation of animal models to safety and effectiveness in humans.

(E) Validation of the manufacturing process focusing on, but not limited to, discrepancies identified by the Food and Drug Administration in February 1998 (especially with respect to the filter used in the harvest of anthrax vaccine, storage times, and exposure to room temperature).

(F) Definition of vaccine components in terms of the protective antigen and other bacterial products and constituents.

(G) Such other matters as are in the judgment of the Director required in order for the Director to make the determinations required by subsection (b).

(3) LIMITATION.—The Director may not use for purposes of the study any data arising from the experience of inoculating members of the Armed Forces with the vaccine studied because of the lack of informed consent and inadequate recordkeeping associated with such inoculations.

(b) REPORT.—Upon completion of the study, the Director of the National Institutes of Health shall submit to the Committee on Government Reform of the House of Representatives and the Committee on Governmental Affairs of the Senate and to the Secretary of Defense a report setting forth the results of the study. The report shall include the Director's determination, based upon the results of the study, as to each of the following:

(1) Whether or not the vaccine used in the Department of Defense anthrax vaccination program has an unacceptably high systemic reaction rate.

(2) Whether or not the vaccine is effective with respect to noncutaneous transfer of anthrax.

(3) Whether or not the vaccine will be produced in a manner acceptable to the Food and Drug Administration.

SEC. 5. GENERAL ACCOUNTING OFFICE STUDY.

(a) IN GENERAL.—The Comptroller General shall conduct a study of the inoculation program referred to in section 3 and of the effect of the use of contractor-operated facilities for that program. As part of the study, the Comptroller General shall study the following with respect to the inoculation program:

(1) Effects on military morale, retention, and recruiting.

(2) Civilian costs and burdens associated with lack of military medical care and loss of civilian sick leave and work capacity for members of the reserve components who experience adverse reactions while not in military status.

(3) A system of accurately recording medical conditions of members of the Armed Forces and other patients before and after inoculation, including off-duty reactions and treatment of reserve component members and including screening for allergens and contraindication, to include prior adverse reactions.

(b) PUBLIC COMMENTS.—The Comptroller General shall publish the study under subsection (a) for public comment.

(b) GAO REVIEW.—The Comptroller General shall review the Secretary's written report and provide comments to Congress within 75 days after the Secretary files the report.

SEC. 6. BOARDS FOR CORRECTION OF MILITARY RECORDS.

The Secretary of Defense shall direct that the respective Boards for Correction of Military Records of the military departments shall, upon request by individual members or former members of the Armed Forces, expedite consideration of applications for remedies for adverse personnel actions (both voluntary and involuntary) that were a result of the mandatory anthrax vaccine immunization program, to including rescission of administrative discharges and separation, rescission of retirements and transfers, restoration of flying status, back pay and allowances, expunging of negative performance appraisal comment or ratings, and granting of physical disability certificates.

SEC. 7. CONTINGENT RESUMPTION OF VACCINATION PROGRAM.

(a) CONTINGENT AUTHORITY FOR RESUMPTION.—If the Director of the National Institutes of Health determines in the report under section 3(b) that the vaccine used in the anthrax vaccination program of the Department of Defense meets each of the criteria stated in subsection (b), the Secretary of Defense may resume the Department of Defense anthrax vaccination program. Any such resumption may not begin until the end of the 90-day period beginning on the date of the submission of the report under section 3(b).

(b) CRITERIA FOR PROGRAM RESUMPTION.—the criteria referred to in subsection (a) are the following:

(1) That the vaccine used in the Department of Defense anthrax vaccination program does not have an unacceptably high systemic reaction rate.

(2) That the vaccine is effective with respect to noncutaneous transfer of anthrax.

(3) That the vaccine will be produced in a manner acceptable to the Food and Drug Administration.

(e) REQUIREMENT FOR USE OF NEW VACCINE.—If the anthrax vaccination program is resumed under subsection (a), the Secretary of Defense may only use newly produced vaccine for vaccinations after the resumption of the program.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

SPEECH OF

HON. TOM BLILEY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 14, 1999

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2466) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes.

Mr. BLILEY. Mr. Chairman, section 322 of H.R. 2466 is a funding limitation to prevent monies appropriated under the bill to be used by the National Telecommunications and Information Administration (NTIA) for spectrum purposes, GSA Telecommunication Centers, or the President's Council on Sustainable Development. I rise in opposition to this provision's applicability to NTIA's spectrum functions because of its potential impact on telecommunications policy and efficient use of the radio spectrum by government users.

Spectrum management issues fall within the jurisdiction of the Commerce Committee. As our Members have learned over the years, spectrum management is a complex task that requires detailed and analysis and consideration. Under the current process, the Federal Communications Commission (FCC) oversees the use of spectrum by private entities and NTIA oversees the use of spectrum by government entities, including the Department of Interior.

NTIA currently is required to be reimbursed by all federal agencies for the spectrum management functions NTIA does on behalf of the agencies. Today, federal agencies typically reimburse NTIA for about 80 percent of the costs associated with spectrum management. Since its inception, reimbursement by federal agencies to NTIA for spectrum functions has had a positive impact on the spectrum efficiency of federal agencies. Putting a cost on government spectrum has caused agencies to reassess exactly how much spectrum and what precise frequencies they need to complete their mission. This cost, however, is not an attempt to decrease or interfere with the valuable functions that federal agencies use spectrum for. In practice, the concept has promoted spectrum efficiency and promoted the efficiency of NTIA's spectrum management functions.

Section 322 would, in effect, prohibit the Department of Interior from reimbursing NTIA for spectrum functions. The Department of the Interior has already been required to reimburse NTIA since FY1996 and had to take into account such provisions prior to submitting a budget request to the Congress for FY2000. Section 322 is a direct effort to undermine the reimbursement effort and provides the Department of Interior with extra funding for other purposes for FY2000 that they wouldn't have otherwise. Providing the Department of the Interior with a statutory mechanism to avoid paying its fair share for spectrum management functions is not sound policy.

Further, section 322 could harm the Department of Interior's use of spectrum because under current restrictions NTIA is prohibited from providing any spectrum functions to a federal agency that does not reimburse NTIA for such functions. To the extent that the Department of Interior does not have funding outside of the monies provided in H.R. 2466, the Congress may be limiting the spectrum functions and capabilities of the Department of Interior. In effect, this provision may be prohibiting the Department of Interior from reimbursing NTIA for spectrum functions and as a result preventing the Department of Interior from using spectrum.

The Commerce Committee intends to move legislation reauthorizing NTIA this session. In particular, the Subcommittee on Telecommunications, Trade, and Consumer Protection is considering legislation to codify the current reimbursement practices and expand on the level of reimbursement from federal agencies to 100 percent. If any effort is necessary to adjust, alter, or exempt any federal agency from reimbursing NTIA for spectrum functions it should be through this vehicle and not through an appropriations bill.

Accordingly, I believe that section 322 may have a negative impact on spectrum policy. The Commerce Committee will be active to ensure that the inclusion of any provision within the final version of this bill not interfere or cause harm to telecommunications policy. I respectfully request that these concerns be taken into account during further consideration of this legislation.

PERSONAL EXPLANATION

HON. CHRISTOPHER SHAYS

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 1999

Mr. SHAYS. Mr. Speaker, on Thursday, July 15, I inadvertently voted ''nay'' when I meant to vote ''aye'' on rollcall vote 303, the Lowey amendment to H.R. 2490, the Fiscal Year 2000 (FY 00) Treasury-Postal Appropriations Act.

I support the provision in H.R. 2490 to require Federal Employee Health Benefit Plans (FEHBP) which provide prescription plans to include coverage of all FDA-approved contraceptive drugs and devices.

I oppose the amendment offered by Congressman CHRIS SMITH to allow health plans to opt out of providing contraceptive coverage by claiming a ''moral conviction.'' I was happy to see the passage of the Lowey substitute amendment to strike this exemption for health plans.

It is my hope the Lowey amendment will help reduce unwanted pregnancies while providing women with contraceptive coverage. While the FY 00 Treasury-Postal Appropriations Act covers only women in the FEHBP, I believe it is a positive step forward in ensuring contraceptive coverage is available to women in a majority of health plans.

As an original cosponsor of H.R. 2120, the Equity in Prescription and Contraceptive Coverage Act, introduced by Representatives JIM GREENWOOD and NITA LOWEY, I will continue to work to provide access to family planning services.

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 Tuesday, July 20, 1999 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JULY 21

9:30 a.m.

Indian Affairs

To hold hearings on S. 985, to amend the Indian Gaming Regulatory Act.

SD–106

Agriculture, Nutrition, and Forestry

To hold hearings on the nomination of William Rainer to be Chairman of the Commodity Futures Trading Commission and to conduct an oversight review of the farmland protection program.

SR–328A

Armed Services

To hold hearings on the nomination of F. Whitten Peters, of the District of Columbia, to be Secretary of the Air Force; and the nomination of Arthur L. Money, of Virginia, to be an Assistant Secretary of Defense.

SR–222

Environment and Public Works

Fisheries, Wildlife, and Drinking Water Subcommittee

To continue hearings on the habitat conservation plans.

SD–406

10 a.m.

Budget

To continue hearings to review the President's budget for fiscal year 2000.

SD–608

Judiciary

To hold hearings on combatting methamphetamine proliferation in America.

SD–628

Joint Economic Committee

To hold hearings to examine the financial structure of the International Monetary Fund, focusing on IMF costs, including quotas, reserves, gold holdings, and the treatment of the IMF in the budget.

311 Cannon Building

Finance

Business meeting to continue markup of the proposed Taxpayer Refund Act of 1999.

SH–216

Foreign Relations

East Asian and Pacific Affairs Subcommittee

To hold hearings on issues relating to Taiwan-China relations.

SD–419

2 p.m.

Energy and Natural Resources

Forests and Public Land Management Subcommittee

To hold hearings on S. 1184, to authorize the Secretary of Agriculture to dispose of land for recreation or other public purposes; S. 1129, to facilitate the acquisition of inholdings in Federal land management units and the disposal of surplus public land; and H.R. 150, to amend the Act popularly known as the Recreation and Public Purposes Act to authorize disposal of certain public lands or national forest lands to local education agencies for use for elementary or secondary schools, including public charter schools.

SD–366

Governmental Affairs

International Security, Proliferation and Federal Services Subcommittee

To hold hearings to examine the purpose of Russian space launch quota.

SD–342

Commission on Security and Cooperation in Europe

To hold hearings to examine the scope of bribery and corruption in the OSCE region.

SD–138

Judiciary

Criminal Justice Oversight Subcommittee

To hold oversight hearings on Federal asset forfeiture, focusing on its role in fighting crime.

SD–628

3:30 p.m.

Foreign Relations

To hold hearings on the role of snactions in United States National Security Policy.

SD–419

4:30 p.m.

Foreign Relations

To hold hearings on the nomination of J. Richard Fredericks, of California, to be Ambassador to Switzerland, and to serve concurrently and without additional compensation as Ambassador to the Principality of Liechtenstein; the nomination of Barbara J. Griffiths, of Virginia, to be Ambassador to the Republic of Iceland; the nomination of Richard Monroe Miles, of South Carolina, to be Ambassador to the Republic of Bulgaria; and the nomination of Carl Spielvogel, of New York, to be Ambassador to the Slovak Republic.

SD–419

JULY 22

9:30 a.m.

Environment and Public Works

To hold hearings on S. 835, to encourage the restoration of estuary habitat through more efficient project financing and enhanced coordination of Federal and non-Federal restoration programs; S. 878, to amend the Federal Water Pollution Control Act to permit grants for the national estuary program to be used for the development and implementation of a comprehensive conservation and management plan, to reauthorize appropriations to carry out the program; S. 1119, to amend the Act of August 9, 1950, to continue funding of the Coastal Wetlands Planning, Protection and Restoration Act; S. 492, to amend the Federal Water Pollution Act to assist in the restoration of the Chesapeake Bay; S. 522, to amend the Federal Water Pollution Control Act to improve the quality of beaches and coastal recreation water; and H.R.999, to amend the Federal Water Pollution Control Act to improve the quality of coastal recreation waters.

SD–406

Energy and Natural Resources

To hold hearings on the nomination of Curt Hebert, Jr., of Mississippi, to be a Member of the Federal Energy Regulatory Commission; and the nomination of Earl E. Devaney, of Massachusetts, to be Inspector General, Department of the Interior.

SD–366

10 a.m.

Year 2000 Technology Problem

To hold hearings on the impact of Year 2000 on global corporations.

SD–192

Foreign Relations

Near Eastern and South Asian Affairs Subcommittee

To hold hearings on the United State's policy with Iran.

SD–419

Judiciary

Business meeting to consider pending calendar business.

SD–628

2 p.m.

Energy and Natural Resources

Forests and Public Land Management Subcommittee

To hold hearings on S. 1320, to provide to the Federal land management agencies the authority and capability to manage effectively the Federal lands, focusing on Title I and Title II, and related Forest Service land management priorities.

SD–366

Intelligence

To hold closed hearings on pending intelligence matters.

SH–219

Finance

To hold hearings on the President's proposal to reform Medicare and the modernization of the current benefit package.

SD–106

Judiciary

To hold hearings on issues relating to cybersquatting and consumer protection.

SD–628

2:30 p.m.

Foreign Relations

To hold hearings on the nomination of J. Brady Anderson, of South Carolina, to be Administrator of the Agency for International Development.

SD–419

JULY 23

10 a.m.

Foreign Relations

To hold hearings on the nomination of Michael A. Sheehan, of New Jersey, to be Coordinator for Counterterrorism, with the rank and status of Ambassador at Large.

SD–419

JULY 27

9:30 a.m.

Agriculture, Nutrition, and Forestry

To hold hearings on agricultural concentration and anti-trust issues.

SR–328A

2:30 p.m.

Energy and Natural Resources

Forests and Public Land Management Subcommittee

To hold hearings on S. 719, to provide for the orderly disposal of certain Federal land in the State of Nevada and for the

acquisition of environmentally sensitive land in the State; S. 930, to provide for the sale of certain public land in the Ivanpah Valley, Nevada, to the Clark County, Nevada, Department of Aviation; S. 1030, to provide that the conveyance by the Bureau of Land Management of the surface estate to certain land in the State of Wyoming in exchange for certain private land will not result in the removal of the land from operation of the mining laws; S. 1288, to provide incentives for collaborative forest restoration projects on National Forest System and other public lands in New Mexico; and S. 1374, to authorize the development and maintenance of a multi-agency campus project in the town of Jackson, Wyoming.

SD–366

JULY 28

9:30 a.m.

Indian Affairs

To hold hearings on S. 979, to amend the Indian Self-Determination and Education Assistance Act to provide for further self-governance by Indian tribes.

SR–485

Energy and Natural Resources

Business meeting to consider pending calendar business.

SD–366

2:30 p.m.

Energy and Natural Resources

Water and Power Subcommittee

To hold hearings on S. 624, to authorize construction of the Fort Peck Reservation Rural Water System in the State of Montana; S. 1211, to amend the Colorado River Basin Salinity Control Act to authorize additional measures to carry out the control of salinity upstream of Imperial Dam in a cost-effective manner; S. 1275, to authorize the Secretary of the Interior to produce and sell products and to sell publications relating to the Hoover Dam, and to deposit revenues generated from the sales into the Colorado River Dam fund; and S. 1236, to extend the deadline under the Federal Power Act for commencement of the construction of the Arrowrock Dam Hydroelectric Project in the State of Idaho.

SD–366

JULY 29

2:15 p.m.

Energy and Natural Resources

National Parks, Historic Preservation, and Recreation Subcommittee

To hold hearings on S. 710, to authorize the feasibility study on the preservation of certain Civil War battlefields along the Vicksburg Campaign Trail; S. 905, to establish the Lackawanna Valley American Heritage Area; S. 1093, to establish the Galisteo Basin Archaeological Protection Sites, to provide for the protection of archaeological sites in the Galisteo Basin of New Mexico; S. 1117, to establish the Corinth Unit of Shiloh National Military Park, in the vicinity of the city of Corinth, Mississippi, and in the State of Tennessee; S. 1324, to expand the boundaries of the Gettysburg National Military Park to include Wills House; and S. 1349, to direct the Secretary of the Interior to conduct special resource studies to determine the national significance of specific sites as well as the suitability and feasibility of their inclusion as units of the National Park System.

SD–366

AUGUST 3

9:30 a.m.

Energy and Natural Resources

To hold hearings on S. 1052, to implement further the Act (Public Law 94–241) approving the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America.

SD–366

AUGUST 4

9:30 a.m.

Indian Affairs

To hold hearings on S. 299, to elevate the position of Director of the Indian Health Service within the Department of Health and Human Services to Assistant Secretary for Indian Health; and S. 406, to amend the Indian Health Care Improvement Act to make permanent the demonstration program that allows for direct billing of medicare, medicaid, and other third party payors, and to expand the eligibility under such program to other tribes and tribal organizations; followed by a business meeting to consider pending calendar business.

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

CANCELLATIONS

JULY 21

2 p.m.

Intelligence

To hold closed hearings on pending intelligence matters.

SH–219

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S8775–S8815

Measures Introduced: Four bills and three resolutions were introduced, as follows: S. 1390–1393, and S. Res. 156–157, and S. Con. Res. 44.

Pages S8800–01

Measures Reported: Reports were made as follows:

S. 1393, to provide a cost-of-living adjustment in rates of compensation for veterans with service-connected disabilities and dependency and indemnity compensation for survivors of such veterans, to amend title 38, United States Code, to codify the previous cost-of-living adjustment in such rates. (S. Rept. No. 106–108)

S. Res. 156, authorizing expenditures by the Committee on Indian Affairs. **Page S8800**

Measures Passed:

Disappearance of JFK, Jr./Carolyn Bessette Kennedy/Lauren Bessette: Senate agreed to S. Res. 157, relative to the disappearance of John F. Kennedy, Jr., Carolyn Bessette Kennedy and Lauren Bessette. **Page S8809**

Treasury/Postal Service Appropriations: Pursuant to the order of July 1, 1999, Senate passed H.R. 2490, making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2000, after striking all after the enacting clause and inserting in lieu thereof the text of S. 1282, Senate companion measure, as passed by the Senate on July 1, 1999. Senate insisted on its amendment, requested a conference with the House thereon, and the Chair, as authorized, appointed the following conferees on the part of the Senate: Senators Campbell, Shelby, Kyl, Stevens, Dorgan, Mikulski, and Byrd. **Page S8811**

Subsequently, passage of S. 1282 was vitiated and then indefinitely postponed. **Page S8811**

Intelligence Authorization: Senate resumed consideration of the motion to proceed to the consideration of H.R. 1555, to authorize appropriations for fiscal year 2000 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System. **Page S8777–96**

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to the bill on Tuesday, July 20, 1999, with a vote on the motion to close further debate on the motion to proceed, to occur at 10:30 a.m. **Page S8809**

Trade Status With Vietnam/China—Agreement: A unanimous-consent agreement was reached providing for Senator Smith (N.H.) to make a motion to discharge the Finance Committee of S.J. Res. 28, disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to Vietnam, and to make a motion to discharge the Finance Committee of S.J. Res. 27, disapproving the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of the People's Republic of China, with votes expected on or in relation to the motions to discharge, on Tuesday, July 20, 1999. **Page S8809**

Messages From the President: Senate received the following messages from the President of the United States:

A message from the President of the United States of America, transmitting, a report relative to the national emergency with respect to Libya; referred to the Committee on Banking, Housing, and Urban Affairs. (PM–48). **Pages S8799–S8800**

A message from the President of the United States of America, transmitting, a report concerning emigration laws and policies of Albania; referred to the Committee on Finance. (PM–49). **Page S8800**

Nominations Received: Senate received the following nominations:

Andrew C. Fish, of Vermont, to be an Assistant Secretary of Agriculture.

Susan Ness, of Maryland, to be a Member of the Federal Communications Commission for a term of five years from July 1, 1999.

David N. Greenlee, of Maryland, to be Ambassador to the Republic of Paraguay.

Michael J. Gaines, of Maryland, to be a Commissioner of the United States Parole Commission for a term of six years.

Timothy Earl Jones, Sr., of Georgia, to be a Commissioner of the United States Parole Commission for the term of six years.

Marie F. Ragghianti, of Maryland, to be a Commissioner of the United States Parole Commission for the term of six years.

John R. Simpson, of Maryland, to be a Commissioner of the United States Parole Commission for a term of six years.

William B. Taylor, Jr., of Virginia, for the Rank of Ambassador during tenure of service as Coordinator of U.S. Assistance for the New Independent States.

1 Navy nomination in the rank of admiral.

Pages S8812–15

Messages From the President: **Pages S8799–S8800**

Messages From the House: **Page S8800**

Measures Placed on Calendar: **Page S8800**

Statements on Introduced Bills: **Pages S8801–05**

Additional Cosponsors: **Pages S8805–06**

Amendments Submitted: **Page S8807**

Notices of Hearings: **Page S8807**

Additional Statements: **Pages S8807–09**

Adjournment: Senate convened at 12 noon, and as a further mark of respect to the disappearance of JFK, Jr., Carolyn Bessette Kennedy and Lauren Bessette, in accordance with the provisions of S. Res. 157, adjourned at 4:58 p.m., until 9:30 a.m., on Tuesday, July 20, 1999. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S8809.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Bills Introduced: 10 public bills, H.R. 2548–2557; and 2 resolutions, H. Res. 254–255 were introduced.

Pages H5838–39

Reports Filed: Reports were filed today as follows:

H.R. 850, to amend title 18, United States Code, to affirm the rights of United States persons to use and sell encryption and to relax export controls on encryption, amended (H. Rept. 106–117 part 3);

H.R. 1402, 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, amended (H. Rept. 106–239); and

H. Res. 253, providing for consideration of H.R. 1995, to amend the Elementary and Secondary Education Act of 1965 to empower teachers, improve student achievement through high-quality professional development for teachers, and reauthorize the Reading Excellence Act (H. Rept. 106–240).

Page H5838

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Stearns to act as Speaker pro tempore for today.

Page H5753

Guest Chaplain: The prayer was offered by the guest Chaplain, Rev. Mark Moretti of Alexandria, Virginia. **Page H5758**

Recess: The House recessed at 1:10 p.m. and reconvened at 2:00 p.m. **Pages H5757–58**

Presidential Messages: Read the following messages from the President:

Albanian Emigration Laws and Policies: Message wherein he transmitted a report concerning the emigration laws and policies of Albania—referred to the Committee on International Relations and ordered printed (H. Doc. 106–98); and **Page H5758**

National Emergency Re Libya: Message wherein he transmitted a report concerning the national emergency with respect to Libya that was declared in Executive Order 12543 of January 7, 1986—referred to the Committee on International Relations and ordered printed (H. Doc. 106–99).

Pages H5758–59

Suspensions: The House agreed to suspend the rules and pass the following measures:

Leif Ericson Millennium Commemorative Coin Act: H.R. 31, to require the Secretary of the Treasury to mint coins in conjunction with the minting of coins by the Republic of Iceland in commemoration of the millennium of the discovery of the New World by Leif Ericson; **Page H5762–63**

Congratulating Peru and Ecuador in Signing a Peace Agreement: H. Res. 25, congratulating the Government of Peru and the Government of Ecuador for signing a peace agreement ending a border dispute which has resulted in several military clashes over the past 50 years; **Pages H5765–66**

Lewis and Clark Expedition Bicentennial Commemorative Coin Act: H.R. 1033, to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the Lewis and Clark Expedition (passed by a yea and nay vote of 381 yeas to 1 nay, Roll No. 308); **Pages H5759–62, H5790–91**

U.S. Victory in the Cold War and the Fall of the Berlin Wall: H. Con. Res. 121, amended, expressing the sense of the Congress regarding the victory of the United States in the cold war and the fall of the Berlin Wall (agreed to by a yea and nay vote of 381 yeas with none voting ''nay'', Roll No. 309); and **Pages H5763–65, H5791–92**

Iran Nuclear Proliferation Prevention: H.R. 1477, to withhold voluntary proportional assistance for programs and projects of the International Atomic Energy Agency relating to the development and completion of the Bushehr nuclear power plant in Iran (agreed to by a yea and nay vote of 383 yeas to 1 nay, Roll No. 310). **Pages H5766–68, H5792–93**

Recess: The House recessed at 4:07 p.m. and reconvened at 6:02 p.m. **Page H5790**

Membership of Standing Committees: Pursuant to clause 5(b) of rule X, read a letter from Representative Watts of Oklahoma wherein he informed the Speaker that Representative Michael P. Forbes is no longer a member of the Republican Conference. Subsequently, read letters from the Speaker wherein he advised Chairman Young, Committee on Appropriations and Chairman Talent, Committee on Small Business, that Representative Michael P. Forbes's election to the Committees on Appropriations and Small Business have been automatically vacated pursuant to clause 5(b) of rule X, effective today. **Page H5790**

Committee Election: The House agreed to H. Res. 255, electing Representative Blunt to the Committee on Appropriations. **Page H5820**

American Embassy Security Act: The House completed general debate and began considering amendments to H.R. 2415, to enhance security of United States missions and personnel overseas, and to authorize appropriations for the Department of State for fiscal year 2000. **Pages H5768–90, H5792–H5820**

Agreed to:

The Gilman amendment that authorizes $110 million for UNICEF and $15 million for the Asia foundation; specifies that personnel transfers will not adversely affect women and minorities; insures the inclusion of democracy advocates in exchange programs; requires a report on the Cambodian grenade attack that killed democracy activists; and includes security assistance provisions including the transfers of excess defense articles, Foreign Military Sales, and international arms sales code of conduct; **Pages H5785–90**

The Gilman en bloc amendment that establishes an international rape counseling program, Israel-Arab Peace partners program, and regulatory regime for the licensing for export of commercial satellites; requires a periodic report on the March 30, 1997 grenade attack in Cambodia; directs the Secretary of State to develop eligibility guidelines for women seeking refugee status due to gender persecution; requires a report on terrorist attacks against U.S. citizens in Israel, territory administered by Israel, or territory administered by the Palestinian Authority; allows the Secretary of State to deny passports to parents who owe more than $2,500 in child support payments; establishes a science and technology advisor to the Secretary of State; authorizes scholarships for Tibetan and Burmese students; adds exports of crime control equipment to requirements related to the investigations of the Rosemary Nelson and Patrick Finucane cases; expresses the sense of Congress that the Magen David Adom Society be recognized as a full member of International Red Cross and Red Crescent Movement; and strikes provisions which restrict contributions to the United States Development Program for humanitarian projects in Burma unless certain conditions are met; and **Pages H5792–98**

The Kucinich amendment that requires the Secretary of State to submit a report, written by an independent panel of experts, evaluating the role of diplomacy in ending the conflict in Kosovo. **Pages H5819–20**

Point of Order Sustained Against:

The Bereuter amendment that sought to permit the budgetary scoring of leased properties on an annual basis to expedite the construction of diplomatic facilities. **Pages H5818–19**

Proceedings postponed:

The Smith of New Jersey amendment that seeks to prohibit contributions to the United Nations Population fund unless it ceases all its activities in China or the President certifies that there are no forced abortions associated with the Chinese population control program; **Pages H5798–H5812**

The Campbell substitute to the Smith of New Jersey amendment that seeks to prohibit any United States contributions to the United Nations Population Fund to be used for abortion or for the population control program in China and requires a dollar

for dollar reduction of U.S. contributions if the United Nations provides any funding for the Chinese government program; **Pages H5799–H5812**

The Sanford amendment that seeks to reduce funding to the fiscal year 1998 levels of $12 million for the Center for Cultural and Technical Interchange between East and West, $1.5 million for the Dante B. Fascell North-South Center, and $8 million for the Asia Foundation; and **Pages H5812–16**

The Paul amendment that seeks to eliminate the authorization of funding for United Nations programs. **Pages H5816–18**

H. Res. 247, the rule that provided for consideration of the bill was agreed to on July 16.

Amendments: Amendments ordered printed pursuant to the rule appear on page H5839–40.

Quorum Calls—Votes: Three yea and nay votes developed during the proceedings of the House today and appear on pages H5791, H5791–92, and H5792–93. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 11:06 p.m.

Committee Meetings

TEACHER EMPOWERMENT ACT

Committee on Rules: Granted, by voice vote, a structured rule providing one hour of general debate on H.R. 1995, Teacher Empowerment Act, equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce. The rule makes in order the Committee on Education and the Workforce amendment in the nature of a substitute now printed in the bill as an original bill for the purpose of amendment, which shall be considered as read. The rule makes in order only those amendments printed in the Rules Committee report, which may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the report. The rule allows for the Chairman of the Committee of the Whole to postpone votes during consideration of the bill, and to reduce voting time to five minutes on a postponed question if the vote follows a fifteen minute vote. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Goodling and Representatives McKeon, Fletcher, Wilson, Clay, Kildee, Martinez, Mink of Hawaii, Fattah, Kucinich and Davis of Florida.

COMMITTEE MEETINGS FOR TUESDAY, JULY 20, 1999

(Committee meetings are open unless otherwise indicated)

Senate

Special Committee on Aging: to hold hearings to examine the effects on drug switching in Medicare managed care plans, 2:30 p.m., SD–215.

Committee on Armed Services: to hold hearings on United States policy and military operations regarding Kosovo, 9:30 a.m., SH–216.

Committee on Energy and Natural Resources: Subcommittee on Forests and Public Land Management, to hold hearings on S. 729, to ensure that Congress and the public have the right to participate in the declaration of national monuments on federal land, 2:30 p.m., SD–366.

Committee on Environment and Public Works: Subcommittee on Fisheries, Wildlife, and Drinking Water, to hold hearings on the habitat conservation plans, 9:30 a.m., SD–406.

Committee on Finance: business meeting to mark up the proposed Taxpayer Refund Act of 1999, 10 a.m., SD–106.

Committee on Foreign Relations: to hold hearings on the nomination of A. Peter Burleigh, of California, to be Ambassador to the Republic of the Philippines and as Ambassador to the Republic of Palau; the nomination of Robert S. Gelbard, of Washington, to be Ambassador to the Republic of Indonesia; the nomination of M. Osman Siddique, of Virginia, to be Ambassador to the Republic of Fiji, and as Ambassador to the Republic of Nauru, Ambassador to the Kingdom of Tonga, and Ambassador to Tuvalu; and the nomination of Sylvia Gaye Stanfield, of Texas, to be Ambassador to Brunei Darussalam, 11 a.m., SD–419.

Subcommittee on International Operations, to hold closed hearings on issues relating to the United Nations Criminal Court, 2 p.m., SD–419.

Committee on Governmental Affairs: Permanent Subcommittee on Investigations, to hold hearings to examine deceptive mailings and the need for legislation to curb the deceptive practices used in the sweepstakes, skill contests and government look-alike mailings, 9:30 a.m., SD–342.

Committee on Health, Education, Labor, and Pensions: to resume hearings on proposed legislation authorizing funds for programs of the Elementary and Secondary Education Act, focusing on improving use of funds, 9:30 a.m., SD–430.

House

Committee on Agriculture, Subcommittee on General Farm Commodities, Resource Conservation, and Credit, to consider H.R. 728, Small Watershed Rehabilitation Amendments of 1999, 10 a.m., 1300 Longworth.

Committee on Appropriations, to consider the following appropriations: Energy and Water Development; Foreign Operations, Export Financing and Related Programs; and the District of Columbia, 9:30 a.m., 2359 Rayburn.

Committee on Banking and Financial Services, Subcommittee on Financial Institutions and Consumer Credit, hearing on financial privacy, 10 a.m., 2128 Rayburn.

Committee on Commerce, Subcommittee on Oversight and Investigations, hearing on the Results of Security Inspections at the Department of Energy's Lawrence Livermore National Laboratory, 10 a.m., 2322 Rayburn.

Subcommittee on Telecommunications, Trade, and Consumer Protection, to continue hearings on H.R. 2384, Corporation for Public Broadcasting Authorization Act of 1999, 10 a.m., 2123 Rayburn.

Committee on Education and the Workforce, Subcommittee on Early Childhood, Youth, and Families, hearing on Examining Education Programs Benefiting Native American Children, 1:30 p.m., 2175 Rayburn.

Committee on the Judiciary, to mark up the following bills: H.R. 2031, Twenty-First Amendment Enforcement Act; H.R. 1752, Federal Courts Improvement Act of 1999; H.R. 2112, Multidistrict, Multiparty, Multiforum Trial Jurisdiction Act of 1999; H.R. 2336, to amend title 28, United States Code, to provide for appointment of United States marshals by the Attorney General; H.R. 456, for the relief of the survivors of the 14 members of the Armed Forces and the one United States civilian Federal employee who were killed on April 14, 1994, when United States fighter aircraft mistakenly shot down 2 United States helicopters; and H.R. 1788, Nazi Benefits Termination Act of 1999; and to consider pending Committee business, 10 a.m., 2141 Rayburn.

Subcommittee on the Constitution, to mark up H.R. 2260, Pain Relief Promotion Act of 1999, 2 p.m., 2237 Rayburn.

Committee on Resources, oversight hearing on Federal Aid Programs (under the Dingell-Johnson Act and Wallop-Breaux Act) administered by the U.S. Fish and Wildlife Service, 11 a.m., 1324 Longworth.

Subcommittee on National Parks and Public Lands, hearing on the following bills: H.R. 1615, Lamprey Wild and Scenic River Extension Act; H.R. 1665, to allow the National Park Service to acquire certain land for addition to the Wilderness Battlefield in Virginia, as previously authorized by law, by purchase or exchange as well as by donation; and H.R. 2140, to improve protection and management of the Chattahoochee River National Recreation Area in the State of Georgia, 10 a.m., 1334 Longworth.

Committee on Rules, to consider H.R. 2488, Financial Freedom Act of 1999, 1 p.m., H–313 Capitol.

Committee on Ways and Means, Subcommittee on Health, hearing on confidentially of health information, 3 p.m., 1100 Longworth.

Subcommittee on Human Resources, hearing on promoting adoption and other permanent placements, 10 a.m., B–318 Rayburn.

Next Meeting of the SENATE

9:30 a.m., Tuesday, July 20

Senate Chamber

Program for Tuesday: Senate will continue consideration of the motion to proceed to the consideration of H.R. 1555, Intelligence Authorization, with a vote on the motion to close further debate on the motion to proceed to occur at 10:30 a.m.; following which, Senator Smith (N.H.) will be recognized to make a motion to discharge from the Finance Committee S.J. Res. 28, regarding the trade status with Vietnam, and at 2:15 p.m., Senator Smith (N.H.) will again be recognized to make a motion to discharge from the Finance Committee S.J. Res. 27, regarding the trade status with China, with votes expected on or in relation to the motions to discharge.

(Senate will recess from 12:30 p.m. until 2:15 p.m., for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Tuesday, July 20

House Chamber

Program for Tuesday: Consideration of 1 Suspension, H. Con. Res. 158—Designating the Memorial Door in Honor of Officers Chestnut and Gibson;

Consideration of H.R. 1995, Teacher Empowerment Act of 1999 (Structured Rule, One Hour of General Debate); and

Consideration of H.R. 2415, American Embassy Security Act of 1999 (Continue Consideration).

Extensions of Remarks, as inserted in this issue

HOUSE

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