United States
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, FIRST SESSION

Vol. 145 WASHINGTON, THURSDAY, NOVEMBER 18, 1999 No. 164

# House of Representatives

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

**REVISED NOTICE—NOVEMBER 17, 1999**

If the 106th Congress, 1st Session, adjourns sine die on or before November 18, 1999, a final issue of the Congressional Record for the 106th Congress, 1st Session, will be published on December 3, 1999, in order to permit Members to revise and extend their remarks.

All material for insertion must be signed by the Member and delivered to the respective offices of the Official Reporters of Debates (Room HT–60 or S–123 of the Capitol), Monday through Friday, between the hours of 10:00 a.m. and 3:00 p.m. through December 1. The final issue will be dated December 3, 1999, and will be delivered on Monday, December 6, 1999.

If the 106th Congress does not adjourn until a later date in 1999, the final issue will be printed at a date to be announced.

None of the material printed in the final issue of the Congressional Record may contain subject matter, or relate to any event that occurred after the sine die date.

Senators' statements should also be submitted electronically, either on a disk to accompany the signed statement, or by e-mail to the Official Reporters of Debates at ''Records@Reporters''.

Members of the House of Representatives' statements may also be submitted electronically by e-mail or disk, to accompany the signed statement, and formatted according to the instructions for the Extensions of Remarks template at http://clerkhouse.house.gov. The Official Reporters will transmit to GPO the template formatted electronic file only after receipt of, and authentication with, the hard copy, signed manuscript. Deliver statements (and template formatted disks, in lieu of e-mail) to the Official Reporters in Room HT–60.

Members of Congress desiring to purchase reprints of material submitted for inclusion in the Congressional Record may do so by contacting the Congressional Printing Management Division, at the Government Printing Office, on 512–0224, between the hours of 8:00 a.m. and 4:00 p.m. daily.

By order of the Joint Committee on Printing.

WILLIAM M. THOMAS, *Chairman.*

**NOTICE**

Effective January 1, 2000, the subscription price of the Congressional Record will be $357 per year, or $179 for 6 months. Individual issues may be purchased for $3.00 per copy. The cost for the microfiche edition will remain $141 per year; single copies will remain $1.50 per issue. This price increase is necessary based upon the cost of printing and distribution.

MICHAEL F. DiMARIO, *Public Printer.*

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



Printed on recycled paper.

## DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
*November 18, 1999.*

I hereby appoint the Honorable STEVEN C. LATOURETTE to act as Speaker pro tempore on this day.

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

## PRAYER

The Reverend Douglas Tanner, Faith and Politics Institute, Washington, D.C., offered the following prayer:

Almighty God, we come before You this week before Thanksgiving only partially conscious of the many gifts You bestow upon us. We know that while others are hungry, we are fed, and while others are without shelter, we live in comfort. We give thanks for our material blessings and often share a measure of our abundance with those less fortunate.

Yet, we can live as unaware of the gifts You give us in each other, the gifts of those who think differently from the way we do, those whose experiences shape their perspectives differently from ours, those whose cultures cultivate different values and sensitivities, those whom You have placed with us in a land which we call one nation, indivisible, with liberty and justice for all.

Grant us, we pray in this season, a deeper appreciation of our brothers and our sisters all across this land, and across the aisles in this chamber. Open our hearts and strengthen our souls until we are instruments of Your peace. 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 Massachusetts (Mr. MOAKLEY) come forward and lead the House in the Pledge of Allegiance.

Mr. MOAKLEY 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.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3308

Mr. PHELPS. Mr. Speaker, I ask unanimous consent to remove my name as cosponsor of H.R. 3308.

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

There was no objection.

## PROVIDING FOR CONSIDERATION OF H.J. RES. 82, MAKING FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2000 AND H.J. RES. 83, MAKING FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2000

Mr. GOSS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 385 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 385

*Resolved*, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the joint resolution (H.J. Res. 82) making further continuing appropriations for the fiscal year 2000, and for other purposes. The joint resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit.

SEC. 2. Upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the joint resolution (H.J. Res. 83) making further continuing appropriations for the fiscal year 2000, and for other purposes. The joint resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit.

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

Mr. GOSS. Mr. Speaker, before we begin on the rule, I am going to yield such time as he may consume to the distinguished gentleman from South Dakota (Mr. THUNE) for a matter of interest to all Members of the House.

(Mr. THUNE asked and was given permission to speak out of order.)

### TRIBUTE TO READING CLERK BOB BERRY

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

Mr. Speaker, I wish to rise today to recognize the contributions of Bob Berry, a fellow South Dakotan.

Bob Berry has served the last several months as a Reading Clerk on the House Floor. Bob's father is a legend in South Dakota, the former Congressman E.Y. Berry, who represented South Dakota from 1951 to 1971. After his father's service, Bob served this institution as the Republican Reading Clerk. After several years of service, Bob was able to retire from the House 11 years ago.

As a result of the temporary departure of another Reading Clerk, Bob was asked to temporarily return to his old position in the House. The institution greatly appreciated Bob's willingness to return and enjoyed the last several months of his daily service.

The end of this session will allow Bob to return to retirement. We know he and his lovely wife, Marilyn, are pleased that the need for his services has passed and that they can enjoy their freedom to travel and visit their children, grandchildren and friends again.

Bob, on behalf of the House, I want to express our thanks for your service. You have truly helped this institution over the last several months and your contributions are much appreciated.

## MOTION TO ADJOURN

Mr. OBEY. Mr. Speaker, I move that the House do now adjourn.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 14, nays 375, not voting 44, as follows:

[Roll No. 598]

YEAS—14

| | | |
|---|---|---|
| Etheridge | McCrery | Ryan (WI) |
| Filner | Obey | Sensenbrenner |
| Green (WI) | Peterson (MN) | Spratt |
| Kind (WI) | Petri | Towns |
| Manzullo | Rahall | |

NAYS—375

| | | |
|---|---|---|
| Abercrombie | Brown (OH) | DeMint |
| Aderholt | Bryant | Deutsch |
| Allen | Burr | Diaz-Balart |
| Andrews | Buyer | Dickey |
| Archer | Callahan | Dicks |
| Armey | Calvert | Dixon |
| Bachus | Camp | Doggett |
| Baird | Campbell | Doolittle |
| Baker | Canady | Doyle |
| Baldacci | Cannon | Dreier |
| Baldwin | Capuano | Duncan |
| Ballenger | Cardin | Edwards |
| Barcia | Castle | Ehlers |
| Barr | Chabot | Ehrlich |
| Barrett (NE) | Chambliss | Emerson |
| Barrett (WI) | Chenoweth-Hage | Engel |
| Bartlett | Clay | English |
| Barton | Clayton | Eshoo |
| Bass | Clement | Evans |
| Becerra | Clyburn | Everett |
| Bentsen | Coble | Ewing |
| Bereuter | Coburn | Farr |
| Berkley | Collins | Fletcher |
| Berman | Combest | Foley |
| Berry | Condit | Forbes |
| Biggert | Cook | Ford |
| Bilirakis | Cooksey | Fossella |
| Bishop | Costello | Fowler |
| Blagojevich | Coyne | Frank (MA) |
| Bliley | Cramer | Frelinghuysen |
| Blumenauer | Crane | Frost |
| Blunt | Crowley | Gallegly |
| Boehlert | Cummings | Ganske |
| Boehner | Cunningham | Gejdenson |
| Bonilla | Danner | Gekas |
| Bonior | Davis (FL) | Gephardt |
| Bono | Davis (IL) | Gibbons |
| Borski | Davis (VA) | Gilchrest |
| Boswell | Deal | Gillmor |
| Boucher | DeFazio | Gilman |
| Boyd | DeGette | Gonzalez |
| Brady (PA) | Delahunt | Goode |
| Brady (TX) | DeLauro | Goodlatte |
| Brown (FL) | DeLay | Goodling |

Gordon
Goss
Graham
Granger
Green (TX)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hill (IN)
Hilleary
Hilliard
Hinojosa
Hobson
Hoeffel
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Menendez
Metcalf
Mica
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Paul
Payne
Pease
Pelosi
Peterson (PA)
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun (KS)
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schaffer
Schakowsky
Scott
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—44

Ackerman
Bateman
Bilbray
Burton
Capps
Carson
Conyers
Cox
Cubin
Dingell
Dooley
Dunn
Fattah
Franks (NJ)
Gutierrez
Herger
Hill (MT)
Hinchey
Hoekstra
Hunter
Hutchinson
Kanjorski
Kasich
Klink
Martinez
McIntosh
Meehan
Meek (FL)
Meeks (NY)
Millender-McDonald
Oberstar
Pastor
Radanovich
Ros-Lehtinen
Sabo
Scarborough
Tauscher
Taylor (MS)
Vento
Watts (OK)
Wexler
Weygand
Wise
Young (AK)

□ 1028

Messrs. COBURN, BLAGOJEVICH, DICKEY, McHUGH, MORAN of Virginia, LINDER, SALMON, BENTSEN, SPENCE, FROST, Ms. WOOLSEY, Ms. SANCHEZ, and Ms. DANNER changed their vote from ''yea'' to ''nay.''

Mr. RYAN of Wisconsin and Mr. PETRI changed their vote from ''nay'' to ''yea.''

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

## PROVIDING FOR CONSIDERATION OF H.J. RES. 82, MAKING FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2000 AND H.J. RES. 83, MAKING FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2000—Continued

The SPEAKER pro tempore (Mr. LATOURETTE). The pending business is consideration of House Resolution 385 offered by the gentleman from Florida (Mr. GOSS).

The gentleman from Florida (Mr. GOSS) is recognized for 1 hour.

Mr. GOSS. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MOAKLEY), my colleague, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, today, we place before the House what will hopefully be the last continuing resolution for fiscal year 2000. Yesterday, I referred to the movie ''Groundhog Day'' to describe the events of the past few weeks, where we seem to wake up each morning and do the same things we did the day before. And while we are here again as we were yesterday considering a rule to bring forward another short-term extension of the budget deadline, we are confident that a final agreement has been brokered and the process is finally now near total completion.

Like yesterday's, this rule is a standard closed rule providing for consideration of a continuing resolution whose expiration date is November 23. The rule waives all points of order against consideration of the joint resolution, provides 1 hour of debate, equally divided between the chairman and ranking member of the Committee on Appropriations, and affords the traditional motion to recommit.

Mr. Speaker, we have all been struggling to find the right negotiating mix to bring this budget process to a conclusion. Our firm line in the sand has remained constant: we will not spend one dime of the Social Security Trust Fund. While there has been the normal and appropriate give and take between the White House and the Congress on a host of other issues, our constituents, both young and old, I think are the real winners today.

Mr. Speaker, for the first time in over the 3 decades, Washington, D.C., will not be using Social Security as a slush fund. We have made the tough choices necessary to balance the budget without touching Social Security. It has been a long, it has been an arduous process; but the end result under the circumstances, I think, is well worth the effort: a more secure retirement for all Americans.

Just as there was 5 years ago when our new majority pledged to balance the budget, some cynical naysayers have claimed that we could not do the job this year without borrowing from Social Security. They were wrong in 1994, and they are wrong again today. We can do better, and this budget proves it.

Mr. Speaker, I want to particularly commend at this time the gentleman from Illinois (Mr. HASTERT), Speaker of the House, for his persistence and leadership, and the gentleman from Florida (Mr. YOUNG), the chairman of the Committee on Appropriations, and all the other Members who have made this day come to pass.

It is a good victory for Congress, and a good one for the American people. I urge a ''yes'' vote on the rule and the underlying CR, of course.

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

Mr. MOAKLEY. Mr. Speaker, I thank the gentleman from Florida (Mr. GOSS), who I have not seen since 4 o'clock this morning, for yielding me the customary half hour, and I yield myself such time as I may consume.

Mr. Speaker, even though we are 49 days into the fiscal year, only eight of the thirteen appropriation bills have been signed into law. Appropriation negotiations have been going on and on and on, with little hope in sight. That is until very early this morning.

Early this morning at about 2 o'clock, the appropriators and the White House reached agreement on an enormous omnibus appropriations bill that lumps all unfinished business together in one massive document nearly no one can understand. And supposedly, we just need to pass a couple of more continuing resolutions to keep the government open until the appropriation process is mercifully behind us, and the President signs this behemoth bill.

Mr. Speaker, the rule we are considering today makes in order not one, but two continuing resolutions. The first expires on November 23, and the second expires on December 2. I am told this is done to accommodate the deliberations of the Senate, so I see no reason to oppose it, despite the strange and inefficient process.

Mr. Speaker, I urge my colleagues to support this rule, and support the continuing resolution.

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

Mr. GOSS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Florida (Mr. YOUNG), my

colleague and friend, the chairman of the Committee on Appropriations.

Mr. YOUNG of Florida. Mr. Speaker, I thank the gentleman from Florida (Mr. GOSS) for yielding me the time, and I think we are going to pass the rule without too much difficulty.

But, Mr. Speaker, if I could have the attention of the House, the gentleman from Massachusetts (Mr. MOAKLEY) just mentioned the 4 o'clock hour, and he is right on target. At 6 minutes after 3 a.m. this morning, with the gentleman from California (Mr. DREIER) in the chair, I was able to file the final agreement on the last appropriations package.

We went to the Committee on Rules at 20 minutes after 3:00 and by 3:45, my part of it was complete and I was home by 4:30 this morning. I am not sure when the gentleman from Massachusetts got home, but the important issue here is that I have the opportunity to compliment and congratulate the Members of the Committee on Appropriations and the subcommittee chairmen and all of those who have done such a good job through this process.

But, Mr. Speaker, the unsung heroes do not often get those accolades, and I think it is appropriate that they do. Those heroes are the members of the Committee on Rules. They are here for early morning meetings and late night meetings. I want to compliment the gentleman from California (Mr. DREIER) and all of the members of the Committee on Rules for being available when the legislative process requires their presence.

In the last 10 days of our very serious negotiation with the representatives from the President's office, there have been numerous evenings when the Committee on Rules was told, be available, because we think we might have a bill for their consideration tonight. They have had to wait here until 10 or 11 o'clock at night, or midnight, and then the appropriators were not ready or the deal had not been struck yet. They have been so faithful to their responsibilities, and I just think it is timely to call attention to the work that they do and the generous giving of their time to help this process move.

Again, I want to thank the gentleman from California (Chairman DREIER) and the gentleman from Massachusetts (Mr. MOAKLEY), the ranking member, and all of the members of the Committee on Rules for being so patient with us as we move this process through.

Mr. MOAKLEY. Mr. Speaker, I yield 8 minutes to the gentleman from Wisconsin (Mr. OBEY), ranking member on the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, first of all, before I begin, I simply want to say something about two people. I would like to say that the gentleman from Florida (Mr. YOUNG) is one of the most decent human beings I have ever dealt with in the over 30 years I have been a Member of this House. He and I do not share the same political philosophy on many, many issues; and he and I have different institutional responsibilities. We try to meet our institutional responsibilities to this House as one.

Mr. Speaker, I want to say with all the sincerity at my command that the gentleman from Florida (Mr. YOUNG), in the way that he deals honorably with each and every other Member of this House, is the way every Member of this place ought to deal with each and every Member. I know that if the gentleman promises me something, he will stick to it. And I know that he will do the best job that he can to deal with the concerns of each and every Member of this House.

I also want to say that with respect to his counterpart in the other body, Senator STEVENS, Senator STEVENS and I are both known for our placid temperaments. I simply want to say that I regard Senator STEVENS as one of the easiest people to deal with. Not because he is easy in negotiations; he is hard as nails. But one always knows where he is coming from, and he plays it straight; and I, again, appreciate that very much.

Mr. Speaker, I want to explain why I called the last motion, and why I will be calling a number of other motions today. I think there are certain requirements that this House ought to meet in dealing with the most basic responsibility it has each year, which is to pass the budget for the coming year.

Budgets are not just numbers. They define our priorities. They indicate our values. The budget is the primary document by which Congress tries to influence the future direction of this country. We owe it to the country to consider that budget in a serious, thoughtful, fair-minded and honest way.

We are not going to do that today. The gentleman from Florida (Mr. YOUNG) indicated that this rule was put to bed at almost 4 o'clock this morning. It looks like it. I saw Arianna Huffington, again a person with whom I do not share much in common philosophically, but I saw her on a television program on women's issues a few nights ago; and she observed that she was very concerned about politicians who would brag about the fact that they were up until 4 o'clock in the morning making decisions. She said, ''I do not trust any decision that is made at 4 o'clock in the morning,'' and I think she is largely right.

My problem, and I have numerous problems with this bill and I will explain more of them in detail when we get to the actual appropriation vehicle later on today or tomorrow, but the fact is that there are two problems that I have that override all others. First of all, we have at least nine separate authorization measures which are being folded into this bill. One of them, a more than 300-page authorization bill which is yet to be conferenced, and yet it is being thrown in here. I defy my colleagues to tell me what is in it, and I urge my colleagues to remember that we will probably be, long after this bill is done, we will be trying to find out what is in it.

There are nine separate authorizations. I believe instead of having only 1 hour to debate all of those authorizations, plus the budgetary decisions that were made here in the bill before us today, I believe each of those authorizations should be pulled out of the bill. They should be debated separately and sequentially for at least an hour before we vote on each and every one of them.

Secondly, I think we should have had 24 hours to understand what is in this bill. We are going to be haunted by a number of things that are in this bill. Mr. Speaker, among the authorizations that are added to this bill are the Medicare, Medicaid and State Children's Health Insurance program, which I probably favor. But I think we ought to know more about how they are being put together.

Second, we have the Admiral James W. Nance and Meg Donovan Foreign Relations Authorizations Act. I do not have the foggiest idea what is in that and neither does anybody else on the floor. We have H.R. 3428, which brings several dairy authorization measures to this floor, including the Northeast Compact. That compact was slipped into the law in the first place several years ago without ever having been voted on by either body. It was slipped in by the Senate, and now we are again slipping it in without it ever having been considered by either body. I think that is illegitimate.

The Intellectual Property and Communications Omnibus Reform Act. That is the satellite bill. I understand, coming from a rural area, the loan guarantees that are useful in rural areas have been taken out of that bill.

□ 1045

I understand there are also patents and trademark items in that bill. I think we ought to know more about that.

We have the Superfund Recycling Equity Act. This bill reminds me of what Churchill said about Russia, ''A riddle wrapped in a mystery inside an enigma.'' We do not have any idea what that bill is really going to do in the fine print.

Then we have the Canyon Ferry Reservoir provisions, and international debt relief (again which I favor); but I am concerned, very, very concerned, about one section of that bill, which I think may not in fact deliver what it appears to promise.

Then we have a number of private bills which have been attached, one of which I think I would favor and the other which I am concerned about because it only includes a few people out of a much broader class that ought to be included in the kind of relief contemplated by that bill that is going to be given.

In my view, every time I make a motion which requires a rollcall before we

can proceed to the next stage, that gives Members more time to find out what is in this bill before they actually cast the most important vote of the session. That is why I intend to make numerous motions today, and I most definitely would not count on being out of here by 4 p.m. or 5 p.m., or maybe even today.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LATOURETTE). The Chair would remind all Members that it is not appropriate to make references to the characteristics of Senators, even favorable characteristics.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. MINGE).

Mr. MINGE. Mr. Speaker, I would like to begin by associating myself with the comments of the gentleman from Wisconsin.

Today, we have before us an omnibus bill which, unfortunately, bears many similarities to the legislation that we considered a year ago at the close of the session. And for many of us, we promised we would never again let ourselves be trapped in this situation. We had a bipartisan budget process reform task force that worked. We came up with a series of recommendations. But, tragically, none of these recommendations was even brought to the floor for debate. I hope that in the year 2000 we can indeed take up this budget reform proposal and, hopefully, avoid an omnibus catch-all bill of the type that is being criticized today.

I recognize there are many good points to the bill, and I too would compliment the chairman of the Committee on Appropriations for his work. I have deep respect for him. But I would like to point out that there are many things in there that ought to be separately considered or are simply inappropriate in the bill, and commitments were made earlier in the session by the Speaker, by the majority leader and others that these provisions would not show up in an appropriations bill.

One such provision relates to dairy policy. In this country we have endured a dairy policy which has split our Nation into separate zones for no good reason other than to try to maintain some anti-competitive framework in dairy. This is crazy. In early December, we will go to Seattle, many will go to Seattle, for the WTO conference where we will be urging that Congress expand our international trade opportunities. And why is it at the same time that we are expanding international trade opportunities we continue to balkanize our country with respect to dairy programming?

Mr. Speaker, it makes absolutely no sense that we would continue to balkanize this country for purposes of dairy policy so that fluid milk from one part of the country, namely the upper Midwest, is at a competitive disadvantage because of government policy with fluid milk from other parts of the country. We cannot allow this type of antiquated dairy policy to survive, and for this reason and others I will be opposing the bill.

Mr. MOAKLEY. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, I am sorry, marginally, to delay proceedings, but I do not think that significant deaths should go unnoticed. Unmourned, yes, but not unnoticed. And I am talking about the caps of 1997.

In 1997, this House engaged in a great orgy of self-congratulation by adopting a budget bill which not only cut Medicare, apparently without anybody here realizing that that was happening, but which enacted a set of restrictions on total spending. They would have lasted from 1997 until 2002, and they would be a template for the future. Alas, they did not last very long. The great balanced budget accomplishment of 1997, the caps, which were unnecessary and unrealistic at the time, have died. And it does not seem to me in this Chamber, where we are so given to ceremonial oratory, that we ought to allow that death to pass unnoticed.

The premature passing of the caps, as I said, is not an occasion for mourning. I think it is an occasion for celebration that reality has finally broken through the ideological miasma, but it ought to be noted. And it ought to be noted for a couple of reasons.

First of all, there were many of us who, in 1997, thought that the caps were, to use technical parliamentary language, a very stupid idea. They were clearly unrealistic, unsustainable, and they were a farce. And I find, Mr. Speaker, having been one of those who said that in 1997, that as I get older one of the few pleasures that increases with age is being able to say, ''I told you so.'' So I do want to say that I and others told you so in 1997. Welcome to reality.

But it also is important because it shows that the vision of the role of the public sector that motivated this House, and particularly the majority in 1997, was flawed deeply. The American public understood better than this House did that there are needs that can best be served by private expenditures, but for a civilized society to achieve the right quality of life, some things have to be done together; transportation, the environment, compassion for people in need, public safety.

And the reason the caps died unceremoniously, hopefully unnoticed, according to the people on the other side, they have a new thing about Social Security spending, but I urge people to go back and read the budget debates of 1997. Never has an entity, the caps, been so widely praised and so quickly thrown over the side when reality broke in.

But the important point is that this is simply not a mistake made in numbers. It was a miscalculation about the American people's understanding of the importance of a public sector. The problem the people who put the caps had is this. It is a mathematical problem. They tried to construct a whole that was smaller than the sum of the parts.

All year we have been dealing with the parts. And as we look at those parts, public safety, education, the environment, highways, et cetera, et cetera, as we look at the parts, we find that they add up to more than that whole. And, therefore, the whole with the ''W'' has become a hole with an ''H.'' It has become a hole in the ground into which the caps have been interred and over which today we will shovel the dirt.

So Members should be aware that when they vote today on the major bill, the multi-omnibus appropriation bill, they are funding the government at a reasonable level. And funding the government at a reasonable level means the end of the caps. And I hope that we will not again put ourselves through that.

Now, of course, it is also the case that that bill will undo part of what we did with Medicare. And as I look at the extent to which this bill today will repudiate what was so enthusiastically held in 1997, I do wonder whether or not the crack investigative team, assembled by the gentleman from Indiana on the Committee on Government Reform, ought not to be set forward. Because there is a possibility that in 1997 imposters invaded this House, impersonated Members and voted into public policy Medicare and spending programs that were so foolish that today we have to repudiate them.

Now, back in 1997, DNA evidence was not as developed, so we may never know whether it was the real Members of the House or a group of mass invaders who did it. But whatever the reason was, the fact that the bill today will be a thorough repudiation of the mistakes of 1997, is something to be noticed, although not mourned.

Mr. MOAKLEY. Mr. Speaker, I yield 4½ minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I wish we could vote. I wish we had something of consequence to vote on. I wish my colleagues on the other side of the aisle would have provided us with real legislation.

I thank my good friend from Massachusetts, the ranking member of the Committee on Rules; but unfortunately, what we have here is a bag of tricks. This is a continuing resolution with an extension to November 23. It is a rule for that. I would ask, though I do realize that we are facing the Thanksgiving holiday, that we take our responsibilities in this body seriously. And though I appreciate the work of the chairman of the Committee on Appropriations and the ranking member for their individual intensity in the negotiations of this particular omnibus

bill, it is sad and it is not worthy of the American people.

Earlier this morning we heard a point that I think is very well taken. The American people do not even know what we are doing up here. They do not understand the concept, and all of the mishmash and misinformation that has been given to them leaves them confused.

I think this bill has some valuable points to it. Ultimately, when it comes to the floor, we are told that teaching hospitals, Medicare payments to hospitals, and health care providers are included. That is a positive. It helps my community in Houston. My own school district suffered for the lack of teachers, so 100,000 teachers will be valuable. Fifty thousand police will be valuable as well.

But I cannot tell for the life of me whether we are spending the Social Security surplus or whether we are saving it. And because my seniors are extremely important to me, I have great doubts about this bill. And, in fact, since it is not here on the table, I think all the Members should be questioning this bill.

Then it is interesting that although we have argued continuously about riders and legislating on appropriations bills, because every time we bring up the idea of a patients' bill of rights, which 80 percent of the American people would like to see us pass, or prescription protection for our seniors, who are begging for relief because they cannot pay for housing and food and prescriptions at the same time, we get an argument that we cannot legislate on appropriations bills. Yet we have a 300-page State Department bill, which nobody knows what is in it; we have satellite TV special interests, and I am sure they are interested in that. I happen to support the resolution on that. But here we are lumping all of that together. We have the dairy issue, which some of our Members are for and against.

□ 1100

We are lowering the maintenance and readiness of our military by cutting into that very deeply. We have literally taken women for granted and thrown them aside because we have said family planning for women around the world, protecting their lives is irrelevant; here goes women again; just throw them off the side of the Earth.

And then I have been meeting for the families of the victims of the Tanzania and Kenya bombings. We agree we were in error. We know we did not have the kind of secure premises that we should have had in our embassies overseas. And yet, nobody has responded to the plea of these families to provide them with any relief. At least no one has called my office and said that we have given relief to the victims of those bombings who have lost loved ones. Some family members lost two members of their family.

And then we leave in a deep, dark hole 300,000 immigrants who have been paying taxes in this country who pleaded to simply allow them to apply for legal citizenship because the INS messed up procedurally their right to apply for citizenship. We have been begging for relief for these individuals who own homes, who pay taxes, whose children are in school, but we have thrown them aside.

Human lives around here does not matter. But if they have got a big checkbook, they can write a check to somebody, you can be sure, to get their stuff in an omnibus bill.

I would tell Members who are considering voting for this that it is not worth voting for and sacrificing principles when they do not know whether they are saving Social Security or whether they are digging a big, deep hole.

If we had gone through this process the way we were supposed to go through it and had the appropriate review of these appropriations bills, maybe we would be able to have a considered process in dealing with this omnibus bill.

I would simply say, Mr. Speaker, that this continuing resolution really needs to be extended so that we can go to the drawing boards and deal with this bill in the way that the American people would like us to do so. And that is to include the likes of prescription protection for our seniors; include a patients' bill of rights; to discuss a real hate crimes bill; to provide compensation for the families who lost loved ones in the bombings in Africa; to keep family planning in; and, yes, to take care of our teaching hospitals, the 100,000 teachers and the 50,000 police.

But for God's sake, let us not vote on a ghost of a bill when we do not know whether we are saving Social Security or spending every dime.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. PETERSON).

Mr. PETERSON of Minnesota. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I want to today associate myself with the remarks of the gentleman from Wisconsin (Mr. OBEY). This is no way to do the process and the work of the House.

As the gentleman from Wisconsin (Mr. OBEY) pointed out, we have nine authorizations in this bill. I would like to focus on one of them.

I have had the misfortune, I guess you might call it, of serving on the Livestock and Horticulture Subcommittee of the Committee on Agriculture the last 4 years and went through the process when Steve Gunderson and myself, as ranking member, and tried to bring some legislation to the floor.

At that time, we were told that this was too complicated; we could not legislate it; so we had to give this to the Department and set up a process to figure out how we are going to untangle this convoluted system that puts one part of the country against another.

So we went through that process. The results did not please the people that put this forward, so now they have turned around 180 degrees and they say, well, now it is not appropriate to do this by rule; now we are going to legislate it.

But what people need to understand, in addition to that, the fact that we are legislating 1(a), which is basically the current fluid milk differentials, we are also legislating the Northeast Compact again in this bill, we are taking probably the most important part of the dairy provision and suspending it until December 1, 2000. And that is the new manufacturing price maneuver that was established under this rule that USDA put forward.

Now, those of my colleagues that have dairy farms in their district should understand this. I represent a district that in some places we have more cows than we have people. I have one county that has 63,000 cows. I have more cows in my district than they have in the whole entire Northeast Dairy Compact. And so, we are very concerned about this. But the people that represent dairy farmers understand that the basic formula price that we have got in place has caused some tremendous volatility in the prices for dairy farmers.

We have seen a drop of $6 a hundredweight a few months ago. We just saw another big drop recently. We are not going to fix this by stalling this whole process and legislating, basically, the status quo on dairy.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Maine (Mr. BALDACCI).

Mr. BALDACCI. Mr. Speaker, first of all, this is certainly a very terrible process, and it is no way to run a railroad.

There are many things that I would add, or there are many things that I would take out if I were in charge and was able to do it. But that is not the way the process works. And now we are at this particular point.

I think that there are more good things in this package than there are things that cause me concern to vote against it. One, I would like to focus on in particular is dairy.

The policies that we have been hearing talked about as it pertains to dairy does not take away from the issue of recognizing that the USDA's policy was going to cost small dairy farmers $200 million. It was not going to leave things the way they were. It was going to take $200 million from small dairy farmers who are on the verge of collapse or death and be put out of business. It retains an extension in a dairy compact that was a compact between the consumers and the dairy farmers.

If we look at the price differentials, we will see that the price of milk in the Northeast is five cents cheaper than the national average. So that has been a benefit between the farmers and the consumers.

I am also a member of the House Committee on Agriculture, and we

work on these issues; and there is no unanimity to these issues, but there are always disagreements. I appreciate the ranking member of the Committee on Appropriations and the concerns that he shares, because some of us look at this glass of milk as half full rather than half empty.

I would also like to focus on the teachers, the teacher training, the smaller classrooms, more discipline, higher test scores. We are talking about 50,000 more police officers, safer schools, more protection in our community. We are looking at veterans' health care. And we are talking about corrections in the balanced budget amendment that impacted on hospitals and home health agencies.

So there are many things that I think that when we look at that we could be in opposition towards. And, believe me, there are many things that I would rewrite. But, as I have learned in this process, we will have an opportunity in the future to change those things, to fight for those things, and another day will be in front of us.

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

Mr. GOSS. Mr. Speaker, I yield myself such time as I may consume for the observation that this has been a debate about the continuing resolution rule, and I think it has been properly described.

I think it is a worthy rule. We all know we have to have the continuing resolution. We have provided for contingencies as this, as has been explained by the gentleman from Massachusetts (Mr. MOAKLEY) and myself. No matter how the Members feel about individual pieces of the appropriations process, I do urge their consideration and in a favorable way for this continuing resolution, which is necessary for us to get on with our business and the rest of the day's work.

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

The SPEAKER pro tempore (Mr. LATOURETTE). The question is on ordering the previous question.

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

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

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

The Sergeant at Arms will notify absent Members.

This will be a 15-minute vote followed by a possible 5-minute vote.

The vote was taken by electronic device, and there were—yeas 375, nays 45, not voting 13, as follows:

[Roll No. 599]

YEAS—375

Abercrombie
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capuano
Cardin
Castle
Chabot
Chambliss
Chenoweth-Hage
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Everett
Ewing
Farr
Fletcher
Foley
Ford
Fossella
Fowler
Frank (MA)
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)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hilliard
Hinojosa
Hobson
Hoeffel
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jackson (IL)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kaptur
Kasich
Kelly
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Mink
Moakley
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Paul
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schaffer
Schakowsky
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stearns
Stenholm
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Upton
Vento
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—45

Baird
Becerra
Blumenauer
Bonior
Brown (OH)
Carson
Condit
DeFazio
Doggett
Evans
Filner
Forbes
Gutierrez
Hill (IN)
Hinchey
Inslee
Jackson-Lee (TX)
Kanjorski
Kennedy
Kildee
Klink
Kucinich
Lee
Lewis (GA)
Luther
Maloney (CT)
McDermott
Miller, George
Minge
Mollohan
Napolitano
Pastor
Rahall
Rangel
Scott
Shows
Stabenow
Stark
Strickland
Taylor (MS)
Thurman
Udall (NM)
Velazquez
Waters
Wise

NOT VOTING—13

Ackerman
Capps
Conyers
Dunn
Fattah
Franks (NJ)
Hoekstra
McIntosh
Meehan
Ros-Lehtinen
Scarborough
Wexler
Weygand

□ 1129

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

Ms. MCCARTHY of Missouri, Mr. GEJDENSON, Ms. DELAURO, Mr. WAXMAN, and Mr. RUSH changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

MOTION TO RECONSIDER THE VOTE OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I move to reconsider the vote just taken.

The SPEAKER pro tempore (LATOURETTE). Did the gentleman from Wisconsin support the previous question?

Mr. OBEY. Yes, I did.

MOTION TO TABLE OFFERED BY MR. GOSS

Mr. GOSS. Mr. Speaker, I move to lay on the table the motion to reconsider.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. GOSS) to lay on the table the motion to reconsider the vote offered by the gentleman from Wisconsin (Mr. OBEY).

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

RECORDED VOTE

Mr. OBEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 316, noes 101, not voting 16, as follows:

[Roll No. 600]

YEAS—316

Abercrombie
Aderholt
Archer
Armey
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Cardin
Castle
Chabot
Chambliss
Clay
Clyburn
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
Delahunt
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Dreier
Duncan
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Everett
Ewing
Farr
Fletcher
Foley
Fossella
Fowler
Frank (MA)
Frelinghuysen
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutierrez
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hilliard
Hinojosa
Hobson
Holden
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jackson (IL)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Jones (OH)
Kaptur
Kasich
Kelly
Kilpatrick
King (NY)
Kingston
Klink
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Lampson
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Maloney (NY)
Matsui
McCarthy (NY)
McCollum
McCrery
McHugh
McInnis
McIntyre
McKeon
McKinney
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Mink
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Ose
Oxley
Packard
Pastor
Paul
Pease
Pelosi
Peterson (PA)
Phelps
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Roukema
Roybal-Allard
Royce
Rush
Ryun (KS)
Sabo
Salmon
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schaffer
Schakowsky
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Stearns
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Toomey
Towns
Traficant
Turner
Upton
Vento
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (AK)
Young (FL)

NAYS—101

Allen
Andrews
Baldwin
Barrett (WI)
Becerra
Bentsen
Berry
Blumenauer
Bonior
Brown (FL)
Brown (OH)
Capuano
Carson
Clayton
Clement
Condit
Costello
Coyne
DeGette
DeLauro
Doyle
Edwards
Etheridge
Evans
Fattah
Filner
Forbes
Ford
Frost
Gejdenson
Gordon
Green (TX)
Green (WI)
Gutknecht
Hastings (FL)
Hill (IN)
Hinchey
Hoeffel
Holt
Hooley
Inslee
Jackson-Lee (TX)
Johnson, E. B.
Kanjorski
Kennedy
Kildee
Kind (WI)
Kucinich
Lantos
Larson
Lee
Lewis (GA)
Luther
Maloney (CT)
Manzullo
Markey
Martinez
Mascara
McCarthy (MO)
McDermott
McGovern
McNulty
Meek (FL)
Miller, George
Minge
Moakley
Mollohan
Napolitano
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Payne
Petri
Pomeroy
Rahall
Rivers
Rothman
Ryan (WI)
Sanchez
Scott
Sensenbrenner
Slaughter
Spratt
Stabenow
Stark
Stenholm
Taylor (MS)
Thompson (CA)
Tierney
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watt (NC)
Wise
Woolsey
Wu

NOT VOTING—16

Ackerman
Capps
Chenoweth-Hage
Conyers
Dunn
Franks (NJ)
Hoekstra
Kleczka
McIntosh
Meehan
Peterson (MN)
Ros-Lehtinen
Scarborough
Strickland
Wexler
Weygand

□ 1139

Messrs. HOLT, OBERSTAR, and GUTKNECHT changed their vote from ''aye'' to ''no.''

Messrs. HERGER, DICKS, HALL of Ohio, and BOYD, and Mrs. MYRICK, Ms. BERKLEY, and Ms. ROYBAL-ALLARD changed their vote from ''no'' to ''aye.''

So the motion to table the motion to reconsider was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

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

RECORDED VOTE

Mr. OBEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 352, noes 63, not voting 18, as follows:

[Roll No. 601]

AYES—352

Abercrombie
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Bass
Bateman
Bentsen
Bereuter
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Boswell
Boucher
Boyd
Brady (TX)
Brown (FL)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clay
Clayton
Clement
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Cramer
Crane
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fletcher
Foley
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Greenwood
Hall (OH)
Hall (TX)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jackson (IL)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kildee
Kilpatrick
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lucas (KY)
Lucas (OK)
Luther
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meek (FL)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Mink
Moakley
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Olver
Ortiz
Ose
Oxley
Packard
Pastor
Paul
Pease
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun (KS)
Sabo
Salmon
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schaffer
Schakowsky
Scott
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stearns
Strickland
Stump
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher

Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Vento
Vitter
Walden
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOES—63

Baldwin
Barrett (WI)
Becerra
Blumenauer
Borski
Brady (PA)
Brown (OH)
Clyburn
Condit
Costello
Coyne
Crowley
DeFazio
Delahunt
Doggett
Fattah
Filner
Forbes
Green (WI)
Gutierrez
Gutknecht
Hastings (FL)
Hill (IN)
Hilliard
Hoeffel
Holt
Hooley
Inslee
Jackson-Lee (TX)
Johnson, E. B.
Kennedy
Kind (WI)
Klink
Kucinich
Lee
Maloney (CT)
Manzullo
McDermott
Meeks (NY)
Miller, George
Minge
Mollohan
Oberstar
Owens
Pallone
Pascrell
Payne
Pelosi
Peterson (MN)
Rahall
Ryan (WI)
Sanchez
Sensenbrenner
Stark
Stenholm
Stupak
Taylor (MS)
Thompson (MS)
Tierney
Velazquez
Visclosky
Waters
Wise

NOT VOTING—18

Ackerman
Barton
Berman
Capps
Conyers
Dunn
Franks (NJ)
Gekas
Hansen
Lowey
McIntosh
Meehan
Moore
Riley
Ros-Lehtinen
Scarborough
Wexler
Weygand

□ 1148

Ms. MCCARTHY of Missouri, and Messrs. OBEY, LUCAS of Kentucky and PETRI changed their vote from ''no'' to ''aye.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

MOTION OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I move to reconsider the vote just taken.

The SPEAKER pro tempore (Mr. LATOURETTE). Did the gentleman vote in favor of the resolution?

Mr. OBEY. Yes, I did.

MOTION TO TABLE OFFERED BY MR. GOSS

Mr. GOSS. Mr. Speaker, I move to lay on the table the motion to reconsider.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. GOSS) to lay on the table the motion to reconsider the vote offered by the gentleman from Wisconsin (Mr. OBEY).

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

RECORDED VOTE

Mr. OBEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 294, noes 123, not voting 16, as follows:

[Roll No. 602]

AYES—294

Abercrombie
Aderholt
Archer
Armey
Bachus
Baird
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berkley
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Cardin
Castle
Chabot
Chambliss
Chenoweth-Hage
Clayton
Clement
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Cramer
Crane
Cubin
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doolittle
Dreier
Duncan
Ehlers
Ehrlich
Emerson
Engel
Eshoo
Everett
Ewing
Fattah
Fletcher
Foley
Ford
Fossella
Fowler
Frelinghuysen
Gallegly
Ganske
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hilliard
Hobson
Hoekstra
Holden
Holt
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jackson (IL)
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
King (NY)
Kingston
Klink
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Maloney (NY)
Matsui
McCarthy (NY)
McCollum
McCrery
McHugh
McInnis
McIntyre
McKeon
McKinney
Meek (FL)
Menendez
Metcalf
Mica
Miller (FL)
Miller, Gary
Mink
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Pascrell
Pastor
Paul
Payne
Pease
Peterson (PA)
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Roemer
Rogan
Rogers
Rohrabacher
Roukema
Royce
Rush
Ryun (KS)
Sabo
Salmon
Sanders
Sanford
Sawyer
Saxton
Schaffer
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Stabenow
Stearns
Strickland
Stump
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Toomey
Traficant
Turner
Udall (CO)
Upton
Vento
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (AK)
Young (FL)

NOES—123

Allen
Andrews
Baldacci
Baldwin
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Blumenauer
Bonior
Brown (FL)
Brown (OH)
Capuano
Carson
Clyburn
Condit
Costello
Coyne
Crowley
Danner
Delahunt
DeLauro
Doggett
Dooley
Doyle
Edwards
Etheridge
Evans
Farr
Filner
Forbes
Frank (MA)
Frost
Gejdenson
Gonzalez
Gordon
Green (TX)
Green (WI)
Gutierrez
Gutknecht
Hill (IN)
Hinchey
Hinojosa
Hoeffel
Hooley
Inslee
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
Lampson
Larson
Lee
Levin
Lewis (GA)
Lofgren
Luther
Maloney (CT)
Manzullo
Markey
Martinez
Mascara
McCarthy (MO)
McDermott
McGovern
McNulty
Meeks (NY)
Millender-McDonald
Miller, George
Minge
Moakley
Mollohan
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pelosi
Peterson (MN)
Petri
Rahall
Rangel
Reyes
Rivers
Rodriguez
Rothman
Roybal-Allard
Ryan (WI)
Sanchez
Sandlin
Schakowsky
Scott
Sensenbrenner
Serrano
Shows
Slaughter
Spratt
Stark
Stenholm
Stupak
Taylor (MS)
Thompson (MS)
Tierney
Towns
Udall (NM)
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Wise
Woolsey
Wu

NOT VOTING—16

Ackerman
Capps
Clay
Conyers
Dunn
English
Franks (NJ)
Gekas
Jones (NC)
McIntosh
Meehan
Riley
Ros-Lehtinen
Scarborough
Wexler
Weygand

□ 1157

Mr. WAXMAN changed his vote from ''aye'' to ''no.''

So the motion to table the motion to reconsider was agreed to.

The result of the vote was announced as above recorded.

## MOTION TO ADJOURN

Mr. KIND. Mr. Speaker, I move that the House do now adjourn.

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

RECORDED VOTE

Mr. OBEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 25, noes 395, not voting 13, as follows:

[Roll No. 603]

AYES—25

Baldwin
Barrett (WI)
Berry
Dingell
Filner
Green (WI)
Gutknecht
Kind (WI)
Manzullo
McDermott
McKinney
Meek (FL)
Minge
Oberstar
Obey
Olver
Peterson (MN)
Petri
Rahall
Ryan (WI)
Sensenbrenner
Taylor (MS)
Towns
Udall (CO)
Wise

NOES—395

Abercrombie
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Diaz-Balart
Dickey
Dicks
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
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)
Greenwood
Gutierrez
Hall (OH)
Hall (TX)
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (PA)
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schaffer
Schakowsky
Scott
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Traficant
Turner
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—13

Ackerman
Capps
Clay
Conyers
Deutsch
English
Hansen
Hilliard
McIntosh
Meehan
Ros-Lehtinen
Scarborough
Wexler

□ 1213

Mr. EWING changed his vote from ''aye'' to ''no''.

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2420

Mr. BOEHLERT. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 2420.

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

There was no objection.

## MOTION TO ADJOURN

Mr. OBEY. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The question is on the motion to adjourn offered by the gentleman from Wisconsin (Mr. OBEY).

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

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

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 24, nays 378, not voting 31, as follows:

[Roll No. 604]

YEAS—24

Baldwin
Barrett (WI)
Berry
Dingell
Filner
Green (WI)
Gutknecht
Kind (WI)
Kleczka
Manzullo
McDermott
Minge
Oberstar
Obey
Peterson (MN)
Rahall
Ryan (WI)
Sensenbrenner
Taylor (MS)
Towns
Udall (CO)
Visclosky
Waters
Wise

NAYS—378

Abercrombie
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clay
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Doggett
Dooley
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Greenwood
Gutierrez
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
King (NY)
Kingston
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Moakley
Mollohan
Moore
Moran (KS)
Morella
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood

| | | |
|---|---|---|
| Ortiz | Sabo | Tancredo |
| Ose | Sanchez | Tanner |
| Owens | Sanders | Tauscher |
| Oxley | Sandlin | Tauzin |
| Packard | Sanford | Taylor (NC) |
| Pallone | Sawyer | Terry |
| Pascrell | Saxton | Thomas |
| Pastor | Schaffer | Thompson (CA) |
| Paul | Schakowsky | Thompson (MS) |
| Payne | Scott | Thornberry |
| Pease | Serrano | Thune |
| Pelosi | Sessions | Thurman |
| Phelps | Shaw | Tiahrt |
| Pickering | Shays | Tierney |
| Pickett | Sherman | Toomey |
| Pitts | Sherwood | Traficant |
| Pombo | Shimkus | Turner |
| Pomeroy | Shows | Udall (NM) |
| Porter | Shuster | Upton |
| Portman | Simpson | Vento |
| Price (NC) | Sisisky | Vitter |
| Pryce (OH) | Skeen | Walden |
| Quinn | Skelton | Walsh |
| Radanovich | Smith (MI) | Wamp |
| Ramstad | Smith (NJ) | Watkins |
| Rangel | Smith (TX) | Watt (NC) |
| Regula | Smith (WA) | Waxman |
| Reyes | Snyder | Weiner |
| Reynolds | Souder | Weldon (PA) |
| Rivers | Spence | Weller |
| Rodriguez | Spratt | Weygand |
| Roemer | Stabenow | Whitfield |
| Rogan | Stark | Wicker |
| Rogers | Stearns | Wilson |
| Rohrabacher | Stenholm | Wolf |
| Rothman | Strickland | Woolsey |
| Roukema | Stump | Wu |
| Roybal-Allard | Stupak | Wynn |
| Royce | Sununu | Young (AK) |
| Rush | Sweeney | Young (FL) |
| Ryun (KS) | Talent | |

NOT VOTING—31

| | | |
|---|---|---|
| Ackerman | Emerson | Ros-Lehtinen |
| Barr | Frost | Salmon |
| Boucher | Johnson, Sam | Scarborough |
| Cannon | Meehan | Shadegg |
| Capps | Moran (VA) | Slaughter |
| Clayton | Murtha | Velazquez |
| Conyers | Nussle | Watts (OK) |
| Danner | Olver | Weldon (FL) |
| DeFazio | Peterson (PA) | Wexler |
| Doyle | Petri | |
| Ehrlich | Riley | |

□ 1233

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

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

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

## COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

*Washington, DC, November 17, 1999.*

Hon. J. DENNIS HASTERT,
*The Speaker, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: I have the honor to transmit herewith a copy of the original Certificate of Election received from the Honorable Bill Jones, Secretary of State, State of California, indicating that, according to the semi-official canvas for the Special General election held November 16, 1999, the Honorable Joe Baca was elected Representative in Congress for the Forty-second Congressional District, State of California.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
*Clerk.*

## SWEARING IN OF THE HONORABLE JOE BACA OF CALIFORNIA AS A MEMBER OF THE HOUSE

The SPEAKER. Will the Member-elect from California (Mr. BACA) come forward, accompanied by the California delegation, and raise your right hand?

Mr. BACA appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear the true faith and allegiance to the same; that you will take this obligation freely, without any mental reservation or purpose of evasion, and that you will well and faithfully discharge the duties of the office on which you are about to enter. So help you God.

The SPEAKER. Congratulations. You are now a Member of the House of Representatives.

## INTRODUCTION OF THE HONORABLE JOE BACA, MEMBER OF THE HOUSE OF REPRESENTATIVES

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

Mr. LEWIS of California. Mr. Speaker, it is my honor and privilege to be cochair of the California delegation. I share that responsibility with the gentleman from California (Mr. FARR).

Mr. Speaker, it is my privilege to yield to the gentleman from California (Mr. FARR) for remarks.

Mr. FARR of California. Mr. Speaker, I thank the gentleman from California very much for yielding to me.

Mr. Speaker, what a great day for the State of California. All of us in this House know the honor of being sworn in as a Member of the House of Representatives, the only place in Washington where everyone has to be elected in order to take the oath of office.

It is a distinct pleasure that we honor another Californian in that regard, a person who has a great deal of experience in public life, and brings to this Chamber experience as a member of the board of trustees with a community college, was elected to the California State Assembly, was elected as the first pro tempore, the first Latino pro tempore in California history to that job, served in the California State Senate, and now is elected to serve his district in Southern California.

He is following in the footsteps of a great Member of this House, George Brown. We all remember the great service that he gave to this country and the deeds that he left, the great record that he left.

So JOE BACA comes to us with his own career of distinction, and I think he will be a great addition to this House. So I congratulate you.

On behalf of the California Democratic delegation, which I am Chair of, along with the gentleman from California (Mr. LEWIS), who is Dean of the Republican delegation from California, and as a joint bipartisan effort, we welcome the newest Member of our delegation, a delegation which has had over eight Members elected in special elections. So we know the special moment you are having right now, you are sharing with your family who is watching this on C–SPAN, and we appreciate the fact that you are here today to get sworn in. Congratulations on a great race and a great election.

Mr. LEWIS of California. Mr. Speaker, reclaiming my time, JOE, you should note with interest that a very sizable number of the Members on the floor happen to be from the California delegation. It was not always the case that we would have an occasion like this and we would have almost the entire delegation present.

But in recent years, we have had kind of a reawakening of our State. In the past, we have often been laughed at by States like Texas who come together regularly on issues relative to their own interests. Today, California is working together as it never has in its history, and our numbers are here to have a positive impact on the country.

So working with you in the seat of the former Dean of the California delegation, you have a great career ahead of you. We look forward to your help as we go about attempting to improve the country as we work on behalf of California's interest. So welcome, JOE. It is a great day for all of us.

## OPENING REMARKS OF THE HONORABLE JOE BACA

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

Mr. BACA. Mr. Speaker, I ask permission to address the House for 1 minute. I wanted to make sure that I followed the rules and procedures that are here.

Mr. Speaker, I do appreciate the gentleman from California (Mr. FARR) lowering this podium. I used to be 6 foot 5 as a paratrooper, but I made a lot of jumps; that is why I am only 5 foot 6.

It is really an honor to be here. I would like to thank the leadership for their support, the gentleman from Missouri (Mr. GEPHARDT), all of the Members, the DCCC individuals who are very helpful.

I want to thank God because God gave me the courage to run and to serve. Too many times we forget that it is the strength that we have, and God provided that strength to give us that courage. So I want to thank God.

I want to thank my family. I wish my mom and dad were here to see this. They are both deceased, but I know it is a proud moment in their lives. I know that somewhere up above they are seeing this even though they cannot be here right now. But I know very well that they are proud of their son,

because I am one of 15. I am the 15th child.

Like a lot of us, I come from a poor family, an individual, the only one that graduated from high school and college. My other brothers and sisters graduated, but I was able to pursue that. I know that they are very proud.

I wish my wife were here right now. She is watching this right now. She is Barbara Dominguez Baca, with whom I will be celebrating 31 years of marriage next week. On November 23, it will be our anniversary, so it will be 31 years of marriage to one wife, not two wives or three wives, but one wife.

I would like to also thank my children, because my children were supporters. I believe in strong family values, because family values are the core of what makes America great. It is what makes our country. I would like to thank my family, because they have been very supportive.

I would like to thank Joe, Jr. That is my first son. He is now 30. Then Jeremy Baca; that is my second son. Then my daughter, first daughter, and that is Natalie. Then, of course, my daughter that is 13 years of age. She is the reason my wife cannot be here because we believe it is important to have our children in school and to obtain that, and we did not want to take her out of school during that time. It was important for her to be there. My wife realizes that, because she is also a great student, a 4.0 student, doing well in school, so we want to make sure she continues to receive those grades. Of course, Mom is always there to help her.

So I love my family very much. I want to thank them.

But I also want to thank the voters, the voters of my district who made it possible for me to be here. Without the voters' support, I would not be here today.

I look forward to working in this House. It is going to be an honor for me to work on a bipartisan basis. I look forward to working with my colleague directly associated with me, and that is the gentleman from California (Mr. LEWIS). I look forward to working with him on issues that are important to all of us, the issues that are important to the State of California, because all of us care about the economy. All of us care about education, public safety, protecting Social Security, Medicare, drug prescriptions, areas that are important to a lot of us, health reform.

But most of all, we want to make sure that, as I look at the 52 Members of California, that we work together on a bipartisan basis to make California, like everybody else wants to make their State, a lot better. But I also look forward to working with the 52 delegates from California in assuring that we get our fair share of revenue coming back to California. No offense to the rest of the Members. But I believe, in reference to California, it is pretty big in population. We have over 34 million people in California. But it is important that we address those issues.

I want to work with them and also work with you on a bipartisan basis on other issues that are important with us as well that impact all of us.

What we all want is to improve the quality of life. We cannot do it by ourselves. We have to come together collectively. It has to come from a compromise, individuals willing to come together and do what is necessary to make our State and our Nation a lot better. It is not going to happen if we have political wedges that divide us. There are times that we have to come together to address those areas. We need to address those areas.

I want to thank you. I want to thank my family. I want to thank the leadership. I thank the gentleman from Missouri (Mr. GEPHARDT) very much for coming and getting all of the colleagues, the whips, you know, that raised all of the funds that were necessary.

I look forward to additional help from the other side in giving me additional monies. So it is very important for your support as well as we begin to work on a bipartisan effort.

Again, I thank the Speaker and my colleagues very much.

The SPEAKER. Does the gentleman from California (Mr. BACA) yield back the remainder of his time?

## MOTION TO ADJOURN

Mr. OBEY. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The question is on the motion to adjourn offered by the gentleman from Wisconsin (Mr. OBEY).

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 24, nays 379, not voting 31, as follows:

[Roll No. 605]

YEAS—24

Baldwin
Barrett (WI)
Berry
Brown (FL)
Filner
Green (WI)
Gutknecht
Kind (WI)
Kleczka
Luther
Manzullo
McDermott
McKinney
Minge
Oberstar
Obey
Peterson (MN)
Petri
Rahall
Ryan (WI)
Sensenbrenner
Taylor (MS)
Towns
Wise

NAYS—379

Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
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
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Doggett
Dooley
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fletcher
Foley
Forbes
Ford
Fossella
Frank (MA)
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gejdenson
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
King (NY)
Kingston
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McNulty
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Moakley
Mollohan
Moore
Moran (KS)
Morella
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (PA)
Phelps
Pickering
Pickett
Pitts
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Rothman
Roybal-Allard
Royce
Rush
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schaffer
Schakowsky
Scott
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Stabenow
Stark
Stearns
Stenholm

| | | |
|---|---|---|
| Strickland | Thurman | Watkins |
| Stump | Tiahrt | Watts (OK) |
| Stupak | Tierney | Waxman |
| Sununu | Toomey | Weiner |
| Sweeney | Traficant | Weldon (FL) |
| Talent | Turner | Weldon (PA) |
| Tancredo | Udall (CO) | Weller |
| Tanner | Udall (NM) | Weygand |
| Tauscher | Upton | Whitfield |
| Tauzin | Velazquez | Wicker |
| Taylor (NC) | Vento | Wilson |
| Terry | Visclosky | Wolf |
| Thomas | Vitter | Woolsey |
| Thompson (CA) | Walden | Wu |
| Thompson (MS) | Walsh | Wynn |
| Thornberry | Wamp | Young (AK) |
| Thune | Waters | Young (FL) |

NOT VOTING—31

| | | |
|---|---|---|
| Abercrombie | Gekas | Pombo |
| Ackerman | Greenwood | Ros-Lehtinen |
| Berman | Gutierrez | Roukema |
| Capps | Hutchinson | Ryun (KS) |
| Conyers | Jefferson | Scarborough |
| Dingell | Kilpatrick | Smith (MI) |
| Doolittle | Maloney (CT) | Spratt |
| Doyle | Meehan | Watt (NC) |
| Ehrlich | Mica | Wexler |
| Fowler | Moran (VA) | |
| Frost | Murtha | |

□ 1304

Messrs. TANCREDO, BRADY of Texas, and NORWOOD changed their vote from ''yea'' to ''nay.''

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

## FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2000

Mr. YOUNG of Florida. Mr. Speaker, pursuant to House Resolution 385, I call up the joint resolution (H.J. Res. 82) making further continuing appropriations for the fiscal year 2000, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The text of House Joint Resolution 82 is as follows:

H.J. RES. 82

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That Public Law 106–62 is further amended by striking ''November 18, 1999'' in section 106(c) and inserting in lieu thereof ''November 23, 1999''. Public Law 106–46 is amended by striking ''November 18, 1999'' and inserting in lieu thereof ''November 23, 1999''.

The SPEAKER pro tempore (Mr. LATOURETTE). Pursuant to House Resolution 385, the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) each will control 30 minutes.

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

GENERAL LEAVE

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.J. Res. 82, and that I may include tabular and extraneous material.

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

There was no objection.

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

This continuing resolution extends the current CR for 5 days, until November 23, specifically for the purpose of allowing the Senate to have time to consider the measures that we will send them today.

Mr. Speaker, in the interest of allowing our Members to get home to their families and preparing for the Thanksgiving period, I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield myself 20 minutes.

Mr. Speaker, I would very much like to see Members get home for Thanksgiving, but I think my public duty is to help Members understand what they are going to be voting on before they go home, because otherwise when they do go home, their experience with the news media and angry constituents is not going to be a very pleasant one; and I am afraid there are a lot of nasty surprises in this bill, some of which I will be discussing over the next 12 to 15 hours.

Let me say, first of all, that this bill has been a battleground about national priorities and national direction. It has been the arena for battles between the President and his allies on one side and his political opponents on the other. By any measure, I think it is safe to say that the President has won victory after victory. We are going to be stuck having to extend the government, I am afraid, several times through CRs like this one because of some of the decisions made in the bill that is coming next, and people need to understand how they interrelate.

I think you can say, for instance, that in the area of international leadership, the President and those of us who agree with him have won a great victory in funding the Wye peace process agreement. We have won a very important battle in making sure that debts that would never be repaid are going to be wiped out so that Latin America and Africa can, in fact, become good markets for our products as well as stable neighbors in an ever more complicated world.

We have won the fight to, at least for now, take the U.S. off the list of U.N. deadbeats. On the environmental front, the President has beaten down virtually every antienvironmental rider that was tossed his way. In the fight against street crime, the President won 50,000 new cops.

On the education front, it is important to understand some of the major achievements that we have made. We have seen a lot of people denigrate the President's effort to provide for 100,000 new teachers. I want to put that effort in context. What Democrats have been fighting for on education in this package is a four-pronged research-based attack on educational incompetence and poor performance. The research shows, for instance, that children do much better in smaller classes. That is why the President fought so hard for and won the battle for 100,000 new teachers. That research also shows that, especially at the high school level, students perform better, they exhibit less antisocial adolescent behavior, and there is far less violence in high schools that are smaller.

And so we have an initiative that will provide for smaller high schools, or at least to help local school districts build smaller learning centers within their high schools. The research also shows that students do best when their teachers are welltrained. It sounds obvious, but some people seem to have missed it. So we have an initiative in this bill that will add additional funding for partnership grants between university schools of education and local school districts so that those schools of education are producing the kinds of teachers that the districts actually need. And also in the process, we are trying to raise the standards for those teachers so that they are actually getting a degree in the subject that they are going to wind up teaching, also I guess a shocking idea in some quarters.

And lastly, research also shows that if you want to reform schools, you need to do it from bottom to top and around again, that reform has to be comprehensive, systemic; and that is why this bill adds additional money to the Obey-Porter bipartisan comprehensive school reform package.

All of those are very good things. I say that there is no doubt on the major issues that have divided us the last 3 months, the President has run the table. He has won on issue after issue. But I think there are some things that are just as important as winning and losing, and I want to talk about some of them as we discuss this continuing resolution. We are being asked to continue the government a few more days so it gives us time to pass the next bill that is coming at us. I think we need to understand what is in that bill before we vote on this resolution.

There are many things in that package that disturb me. The protracted battle to persuade the majority to allow the United States to pay its back dues to the United Nations has resulted in a compromise that may still prevent release of all of the funds that are needed to return the U.S. to a position of good standing in the U.N. I think that is regrettable.

The Republican majority was also steadfast in its refusal to provide the Justice Department with the $14 million that they need to pursue tobacco litigation. This money is needed for efforts to recover the hundreds of billions of tax dollars paid through the Medicare trust fund, the Public Health Service, the veterans and military medical systems, and the Social Security disability fund in dealing with tobacco-related illnesses. The tobacco companies that lied repeatedly to the American people about the health effects of smoking should pay a substantial portion of those costs. The Republican majority is clearly trying to protect them from having to repay the taxpayers.

I believe funds will be found by the administration to initiate litigation; but as everybody knows, legal outcomes are often dictated by the relative size of legal war chests. That is one of the things, for instance, that I am told CBS news had to take into account when they discussed whether or not to put on that famous ''60 Minutes'' special which went after the tobacco companies for not telling the truth. I would say that while the appropriation requested by the Justice Department to augment their ability to pursue that issue is small, the long-term fiscal impact on the Federal Government could be enormous; and we have failed to recognize that in the bill that is coming to us.

The Republican majority also repeatedly refused to include language that both the White House and I asked them to include to ensure that 100 percent of the money paid from the Medicare and Social Security trust funds is returned to those trust funds if it is recovered in litigation. That item was repeatedly raised during negotiations. It is the fair thing to do with those funds. I find it hard to construct an argument that they should be used for a different purpose, but the Republican leadership flatly rejected that concept in both the Senate and the House.

□ 1315

I think the reason (and this was even said in conference,) they did not want to approve this language is because it would provide incentives to proceed with the lawsuit. Well, we ought to proceed with that lawsuit.

I think nothing more clearly underlies or underscores the hollowness of the claim of the majority that they have suffered a recent conversion and are now strong supporters of Social Security. Nothing is more clearly underscoring of the hollowness of that claim than their new-found concern over the solvency of those trust funds. It is a concern that suddenly emerged around here after Labor Day when polling data demonstrated to them how badly they had been damaged by their attempts to pass a huge tax bill that rewarded the rich, using all of the resources needed to strengthen Social Security and Medicare.

Another issue at the center of negotiations was whether to include a small across-the-board cut. This cut was not necessary to reach the offset targets to make sure the bill was paid for; more than enough money was available from other sources. It is simply an attempt by the majority to create a symbol that could be used to pretend that in the midst of this orgy of gimmickry in spending, that they are continuing to be fiscally responsible.

If my colleagues take a look at the dollars being provided across the board by the majority, it is apparent, it is apparent to me that the Republican leadership is willing to spend almost any amount to get out of town, just so long as we can obscure how much that really is through accounting gimmicks. I think that is a big mistake.

The problem with an across-the-board cut is that people say, ''My God, any agency head ought to be able to administer a half a percent cut across the board.'' Of course they could. They could easily find waste if they are left to their own devices. But that is not the way this across-the-board cut is designed. Their across-the-board cut completely abandons the core responsibility of Congress to determine spending priorities. There are programs that could afford a 1 or 2 or even 10 percent cut. But, instead, the Congress requires much more limited authority be given to the President, and that means that this Congress ignores the fact that there are some programs that require a precise amount of money in order to protect the taxpayers' interest.

Those kinds of programs fall into two categories: one, to protect public safety, and the other to control the in-flow and out-flow of public funds. These are largely accounts that include things like the FBI, the Drug Enforcement Administration, the Air Traffic Control, Customs Service, and Border Patrol. Numerous studies have demonstrated that cuts in the administration of the Social Security agency can drive up the error rate in the disbursement of those funds enough to cost the Federal Government as much as $6 for every dollar saved in reduced expenditures in Social Security Administration; and yet those studies are ignored in the way this cut is applied.

Then we get to the question of national defense. The way national defense is treated in this across-the-board cut is very interesting. It was treated the way this bill treats it in order to protect congressional pork. So what the provision requires is that we will have to see about a $520 million reduction in operation and maintenance accounts, which is the core of our military readiness, and that is occurring at the same time that the Pentagon reported that two out of the 10 divisions in the U.S. Army are now rated at C–4; in other words, not close to having the parts, people, and maintenance that are necessary to undertake military action. Yet, operation and maintenance is going to be required to be cut by a larger percentage than anything else in this bill. The reason for that is because the folks who put this bill together wanted to protect the projects and the pork in the research and procurement accounts. So we get that weird anomalous result.

I will insert in the RECORD at this point, Mr. Speaker, extraneous material related to my remarks, and I will expand further on that subject for the RECORD.

Mr. OBEY. Mr. Speaker, I am amazed, for instance, that on pay-fors, that the conferees chose to ignore the opportunity to recoup for the taxpayers money that we should be recouping from the sale of what is known as the Block C portion of spectrum sales. Several years ago when block seed portion of the spectrum was auctioned off a number of winning bidders went into bankruptcy without paying the Government for the spectrum rights that they had purchased. They have been allowed to hold on to those spectrum rights, refused to make any payments, and now they have the prospect of reemerging from bankruptcy by selling their share of the spectrum for a good deal more than they paid for it. It is a good deal if you can get it, but the American taxpayers are taking a bath; and we were blocked from correcting this specifically by one Member of the House Republican leadership.

But what bothers me the most about this proposal is the fact that it is laced through with accounting fixes to conceal an orgy of spending that every Member would deny if confronted with it by his constituents. I will insert in the RECORD a chart which shows that when this bill is passed, the Congress will have spent $17,400 million that will not be counted in determining how much that we have spent. It also has declared almost $15 billion in expenditures to emergency spending so that they are also exempt from spending limits we are supposed to be abiding by.

LIST OF GIMMICKS IN APPROPRIATIONS BILLS

[In millions of dollars]

| | BA | O |
|---|---|---|
| SPENDING NOT COUNTED BY CONGRESS | | |
| Directed CBO to reduce their spending estimates, but actually spends Social Security: | | |
| AG—Directed outlay scoring (1.14% of BA) | ..... | −163 |
| CJ—Directed outlay scoring (1.14% of BA) | ..... | −336 |
| DOD—Directed outlay scoring | ..... | −10,500 |
| E&W—Directed outlay scoring (1.14% of BA) | ..... | −103 |
| FO—Directed outlay scoring (1.14% of BA) | ..... | −144 |
| INT—Directed outlay scoring (1.14% of BA) | ..... | −170 |
| L–HHS—Directed outlay scoring (1.14% of BA) | ..... | −970 |
| Directed outlay scoring (highway and transit firewalls) | ..... | −1,341 |
| TRANS—Directed outlay scoring (1.14% of BA) | ..... | −143 |
| TPO—Directed outlay scoring (1.14% of BA) | ..... | −151 |
| VA HUD—Directed outlay scoring (1.14% of BA) | ..... | −820 |
| DOD—Spectrum asset sales | −2,600 | −2,600 |
| Subtotal | −2,600 | −17,441 |
| Declaration of emergencies for normal program spending: | | |
| Declare Year 2000 Census an emergency | −4,476 | −4,118 |
| Defense emergency designations | −7,200 | −5,500 |
| Declare part of Head Start an emergency | −1,700 | −629 |
| LIHEAP emergency declaration | −1,100 | −825 |
| Refugees emergency declaration | −427 | −126 |
| Forest Service Wildland Fire Management | −90 | −3 |
| Public health emergency declaration | −584 | −310 |
| Subtotal | −15,577 | −11,511 |
| FY 2000 SPENDING COUNTED AGAINST 1999 OR 2001 | | |
| Legally delay spending until the final days of the fiscal year so it is counted next year: | | |
| DOD—Delay contractor payments | 0 | −1,250 |
| Labor HHS—Delayed Obligations $5.0 B in BA delayed until 9/29/00 | ..... | −1,674 |
| VA medical care delay obligation of $900 M | ..... | −720 |
| FO—Delayed obligations | ..... | −104 |
| CJS—Delayed availability of balances in Crime Victims Fund until after FY 2000 | −485 | −485 |
| Rescind section 8 housing funds | −1,300 | 0 |
| Subtotal, delayed obligations | −1,785 | −4,233 |
| Legally count spending against last fiscal year even though it is available for FY 2000: DOD—Advance Appropriations | −1,800 | −1,800 |
| Legally count spending against next fiscal year even though it is available for FY 2000: | | |
| DOE—Elk Hills School Lands Fund | −36 | −36 |
| L–HHS—Increased advance funding for FY 2001 (total FY 2001 advances are $19 billion) | −10,100 | −532 |

LIST OF GIMMICKS IN APPROPRIATIONS BILLS—Continued

[In millions of dollars]

| | BA | O |
|---|---|---|
| HUD—section 8 advance appropriation for FY 2001 (37% of program total) | −4,200 | 0 |
| Subtotal | −16,136 | −2,368 |
| MISCELLANEOUS SPECIAL ACCOUNTING GIMMICKS | | |
| Across the Board cut 0.38% | −2,143 | −1,206 |
| Capture Federal Reserve Surplus | −3,752 | −3,752 |
| New Hires Data Base for student loan collection (incl directed scoring) | −878 | −876 |
| Slip military and civilian pay by one day | | −3,589 |
| Labor HHS–HEALTH loan recapture | | −27 |
| United Mine Workers Combined Benefit Fund | −68 | −39 |
| L–HHS—Title XX, social services block grant, cut below mandatory level | −608 | −430 |
| TRANS—Mandatory offsets (rescission of FAA contract authority) | −30 | −10 |
| Subtotal | −7,479 | −9,929 |
| Grand total | −43,577 | −45,482 |

Mr. OBEY. Mr. Speaker, in this bill, for instance, they have decided now that they are going to declare Head Start to be an emergency. It has only been on the books since 1965. I guess we just found out that it is an emergency to deal with these kids. What they are really saying is they have a political emergency that requires them to hide the real cost of this bill from their taxpayers. That is the real emergency designation that is going on here.

Then they move about $4.2 billion in outlays into different years. That saves no money. It simply hides money. They have miscellaneous spending, accounting gimmicks all told of $45 billion on the outlays side, and $43 billion on the budget authority side. If my colleagues want to go home and explain to their constituents that kind of hide-and-seek attention to fiscal affairs, be my guest. That is not my flavor of ice cream.

Let me make one other comment, Mr. Speaker. One of the reasons that I have been so unhappy with this bill, as I said earlier, is that it stands over 1 foot high. I defy anyone to tell me, and I have a ruler to prove it, I defy any of my Republican colleagues, I defy any of my Republican colleagues to tell me what is in these authorization bills that they are asking us to swallow. How much are we going to hear? How much are the reporters in the gallery going to dig out after we have left that we do not know about? I am afraid, a lot. But I have to say that what bothers me more than anything is that these accounting gimmicks may appear to be funny, but in fact, they are not funny at all. I would not laugh too long, because what we are witnessing here is something that is immensely corrosive of democracy and this institution's role in democracy.

Mr. Speaker, the primary job that the Congress has each year is to pass a budget. If we cannot be honest with the American people about what we are doing in that budget, I think they have a right to question whether we are being honest with them on anything that we say to them. And the fact is that the list of accounting shell games that are in this bill, not for policy reasons, but for political reasons, I think brings discredit on the entire institution. That is because I guess we are determined to live under a fiction that requires us to pretend that we are spending billions of dollars less than we are actually spending.

Frankly, a lot of this spending is perfectly justifiable. I think that the Republican educational priorities are good. I support them as well as our own. But I do not like the fact that we are hiding what we are doing in the process. I will have more to say about this along the line.

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

Mr. YOUNG of Florida. Mr. Speaker, I have no other speakers except myself to close, so I will continue to reserve my time.

The SPEAKER pro tempore (Mr. LATOURETTE). The gentleman from Wisconsin (Mr. OBEY) has 10 minutes remaining.

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Indiana (Mr. ROEMER).

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

Mr. ROEMER. Mr. Speaker, I came to this body this morning prepared to vote for a bipartisan omnibus bill, prepared to support reforms in the quality and in the resources for our education budget and for our schoolchildren across the country; prepared to defend firewalls on Social Security and further reduce the deficit and the debt, which is the best tax cut for all Americans. I have spent the last hour and a half to 2 hours in the parliamentarian's office reading through this bill and getting through a little bit of it; and the more I read of it, the more concerns I have about Social Security and debt reduction.

The gentleman from Wisconsin (Mr. OBEY) has said that there are some gimmicks and games, and I think maybe a hope and a prayer in this budget that we do not dip further than CBO has already said, which they have stated that Congress has dipped $17 billion into Social Security. The most important thing for me in this budget is to not touch Social Security, further reduce the debt, and get quality education reforms. I do not see any firewalls on Social Security in this. CBO has not even scored this. We do not know what it does to Social Security.

Furthermore, when we have Head Start at $1.7 billion declared as an emergency, I am not sure what that does to Social Security. I am not sure saying that $2.4 billion becomes available on October 1, 2000, the next fiscal year, what is that impact on Social Security? Delayed obligations, $3 billion for NIH, $450 million for the Centers for Disease Control. What is the impact there on Social Security?

So all of these things give me a great deal of hesitation and reservation and concern, and I do not intend to vote for this omnibus bill.

Now, on education, Mr. Speaker, we have $145 million for public charter schools. I think that is a step in the right direction. We have $1.4 billion for more teachers, not just for more numbers; but we say 25 percent of the funds can go to quality improvement, to professional development. That is good progress, and I highly support that discretion and flexibility.

□ 1330

We furthermore have $335 million for the Eisenhower Professional Development Program, again to try to address the shortage in quality of teaching and too many teachers teaching outside their subject area. So I think there are some high concerns for success in education but I do not think this addresses the Social Security firewalls. It does not get scored by CBO, and I would encourage my colleagues to read this bill.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from North Carolina (Mrs. CLAYTON).

Mrs. CLAYTON. Mr. Speaker, I thank the gentleman from Wisconsin (Mr. OBEY) for yielding me this time.

Mr. Speaker, the budget process obviously allows us to say what is important to the American people. It is a process where we say some are winners and some are losers. It is a process for the Nation to declare what the priorities are. Obviously we cannot win everything we want so it has to be a compromise, but I can say, Mr. Speaker, the people in North Carolina, where there was actually a disaster, never was an emergency declared because it was not politically the right thing. Maybe those who indeed would have said that would have come from Social Security, we are trying to get the kind of basic relief, not all of it, just the basic relief, for our farmers which is in doubt.

Now, I want to vote for this bill because there are good things in it. I know there are winners and losers but I can say, Mr. Speaker, that as we go forward I think it says something about the American people when we ignore that over 72,000 people were affected in the region, farmers lost a tremendous amount of their crops. Many of them are going bankrupt and yet there is not the kind of relief that even responds in a very basic way to their needs, not all the relief because we knew an emergency was not declared.

We were willing to fight for that next year, but we need at least the $81 million that was there for marketing. So I would urge, Mr. Speaker, that we look at that to try to make sure that this budget process, as we vote on it, indeed is speaking to the basic need. Some will be winners, some will be losers, but the American nation should not lose the principle of responding to those who are most desperately in need, while we go forward with such an enormous amount of resources. Eighty-one million dollars is a pittance; it is what is symbolic of what we stand for that we should make sure that as we consider this bill that at least the

American farmers know that they were part of the consideration in this budget process.

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I very much appreciate and thank the gentleman from Wisconsin (Mr. OBEY), the distinguished ranking member, for yielding me time.

Mr. Speaker, as we approach yet another CR, with all of the terrible problems that the ranking member has described, I think it fair to say that none has been more harmed by the procedures of the House this year than the people I represent.

Shall I paraphrase Elizabeth Barrett Browning? How shall I dislike it? Let me count the ways.

What is this bill? The Commerce, Justice, State, Foreign Ops, Interior, Labor, HHS, DC bill, plus? All of our appropriations that remain have been packed on to the tiny D.C. appropriation. Five hundred thousand people are being used to take 300 million, or bills for 300 million, across the finish line, and the Nation's capital be damned; we just have to wait to spend our own money, understand, because almost all of the money in the D.C. appropriation is money raised in the District of Columbia.

Obviously I have to be for it. What kind of position does that put me in? The disgrace as affects the Nation's capital is outflanked only by what the procedures of the House this year have done for democracy itself and how we have displayed ourselves before the people of the United States. We have become, in and of ourselves, a threat to democracy. We have made democratic procedures a living joke on C-SPAN.

We are going to have before us a bill brimming with controversy. There is the international family planning gag rule that is certain to take the lives of countless of the poorest women in the world, with no chance to debate it up and down. There is the dairy controversy we have heard so much about today.

In a democracy, we vote our differences up and down. In a democracy we even vote our compromises up and down. This House has become an embarrassment to itself. However, I am very glad the Nation has been able to see it because maybe when we go home there will be a backlash that will keep us from ever doing this again.

The delay, with another CR, has needlessly harmed the people of the District of Columbia right at a time when we have gotten a new reform mayor and a reform city council. This has not made an ounce of difference to this body. The reputation of the House has been permanently damaged as an institution. We can reclaim it only by returning to regular order and democratic procedures.

Mr. OBEY. Mr. Speaker, I yield myself the remainder of the time.

Mr. Speaker, as I understand it section 1001 of the omnibus bill effectively waives the pay-as-you-go rules for all of the authorizing legislation included in the omnibus package. It also effectively, as I understand it, waives the pay-as-you-go rules for the outyear effects of other legislation passed this legislation.

I would like to ask the leadership of this House why these rules are being waived and how much spending is not being counted as a result of that?

We have seen no CBO scoring on the omnibus package. Can anyone tell us the amount of spending covered by these budget waivers?

I would also ask why Members' pay was exempted from this across-the-board cut when it was included in the previous across-the-board cut that was made?

I think those are but some of the questions that Members ought to be asking before they vote on the budget that is coming at us later this afternoon.

I would also say, Mr. Speaker, I regret the time that we have taken but I think every hour that we spend gives Members an additional opportunity to understand what is in these bills, and I think in the end that serves the interest both of every Member and the taxpayers that they are trying to represent.

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

Mr. YOUNG of Florida. Mr. Speaker, I yield myself the remaining time.

Mr. Speaker, I listened intently to all of the discussion and the debate from the Members on the other side of the aisle, and if any of that debate related to this CR that is presently before us I would have a lengthy response, but none of that debate relates to this CR. So at this point I would just like to make this suggestion, let us pass the CR and then get on to the appropriations bill that has been the subject of debate using this as a vehicle.

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

The SPEAKER pro tempore (Mr. LATOURETTE). All time for debate has expired.

The joint resolution is considered as having been read for amendment.

Pursuant to House Resolution 385, the previous question is ordered.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the joint resolution?

Mr. OBEY. Mr. Speaker, under these circumstances, regrettably I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. OBEY moves to recommit the joint resolution to the Committee on Appropriations.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

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

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

The Sergeant at Arms will notify absent Members.

The Chair would announce that if a vote on passage of the joint resolution is required, pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the time for votes on final passage and questions incidental thereto.

The vote was taken by electronic device, and there were—yeas 1, nays 420, not voting 13, as follows:

[Roll No. 606]

YEAS—1

Forbes

NAYS—420

| | | |
|---|---|---|
| Abercrombie | Capuano | English |
| Aderholt | Cardin | Eshoo |
| Allen | Carson | Etheridge |
| Andrews | Castle | Evans |
| Archer | Chabot | Everett |
| Armey | Chambliss | Ewing |
| Baca | Chenoweth-Hage | Farr |
| Baird | Clay | Fattah |
| Baker | Clayton | Filner |
| Baldacci | Clement | Fletcher |
| Baldwin | Clyburn | Foley |
| Ballenger | Coble | Ford |
| Barcia | Coburn | Fossella |
| Barr | Collins | Fowler |
| Barrett (NE) | Combest | Frank (MA) |
| Barrett (WI) | Condit | Franks (NJ) |
| Bartlett | Cook | Frelinghuysen |
| Barton | Cooksey | Frost |
| Bass | Costello | Gallegly |
| Bateman | Cox | Ganske |
| Becerra | Coyne | Gejdenson |
| Bentsen | Cramer | Gekas |
| Bereuter | Crane | Gephardt |
| Berkley | Crowley | Gibbons |
| Berman | Cubin | Gilchrest |
| Berry | Cummings | Gillmor |
| Biggert | Cunningham | Gilman |
| Bilbray | Danner | Gonzalez |
| Bilirakis | Davis (FL) | Goode |
| Bishop | Davis (IL) | Goodlatte |
| Blagojevich | Davis (VA) | Goodling |
| Bliley | Deal | Gordon |
| Blumenauer | DeFazio | Goss |
| Blunt | DeGette | Graham |
| Boehlert | DeLauro | Granger |
| Boehner | DeLay | Green (TX) |
| Bonilla | DeMint | Green (WI) |
| Bonior | Deutsch | Greenwood |
| Bono | Diaz-Balart | Gutierrez |
| Borski | Dickey | Gutknecht |
| Boswell | Dicks | Hall (OH) |
| Boucher | Dingell | Hall (TX) |
| Boyd | Dixon | Hansen |
| Brady (PA) | Doggett | Hastings (FL) |
| Brown (FL) | Dooley | Hastings (WA) |
| Brown (OH) | Doolittle | Hayes |
| Bryant | Doyle | Hayworth |
| Burr | Dreier | Hefley |
| Buyer | Duncan | Herger |
| Callahan | Dunn | Hill (IN) |
| Calvert | Edwards | Hill (MT) |
| Camp | Ehlers | Hilleary |
| Campbell | Ehrlich | Hilliard |
| Canady | Emerson | Hinchey |
| Cannon | Engel | Hinojosa |

Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—13

Ackerman
Bachus
Brady (TX)
Burton
Capps
Conyers
Delahunt
Hutchinson
Jefferson
Johnson, Sam
Meehan
Visclosky
Wexler

□ 1359

Messrs. TANNER, HEFLEY, BATEMAN, DAVIS of Illinois, MOLLOHAN, LINDER, CLYBURN, Ms. VELÁZQUEZ and Ms. JACKSON-LEE of Texas changed their vote from ''yea'' to ''nay.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

□ 1400

MOTION OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I move to reconsider the vote by which the House voted to reject the motion to recommit the bill to the Committee on Appropriations.

The SPEAKER pro tempore (Mr. LATOURETTE). Did the gentleman from Wisconsin vote on the prevailing side of the question on the motion?

Mr. OBEY. Yes, I did, Mr. Speaker.

MOTION TO TABLE OFFERED BY MR. YOUNG OF FLORIDA

Mr. YOUNG of Florida. Mr. Speaker, I move to lay on the table the motion to reconsider.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. YOUNG) to lay on the table the motion to reconsider the vote offered by the gentleman from Wisconsin (Mr. OBEY).

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

Mr. OBEY. Mr. Speaker, I demand a recorded vote.

The SPEAKER pro tempore. An insufficient number having arisen, a recorded vote is not in order.

So a recorded vote was refused.

The SPEAKER pro tempore. The question is on passage of the joint resolution.

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

RECORDED VOTE

Mr. OBEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 403, noes 16, not voting 15, as follows:

[Roll No. 607]

AYES—403

Abercrombie
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clay
Clayton
Clement
Coble
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Ford
Fossella
Fowler
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)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Minge
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (PA)
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Portman
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt

| | | |
|---|---|---|
| Tierney | Walden | Weller |
| Toomey | Walsh | Weygand |
| Towns | Wamp | Whitfield |
| Traficant | Waters | Wicker |
| Turner | Watkins | Wilson |
| Udall (CO) | Watt (NC) | Wise |
| Udall (NM) | Watts (OK) | Wolf |
| Upton | Waxman | Wu |
| Velazquez | Weiner | Wynn |
| Vento | Weldon (FL) | Young (AK) |
| Vitter | Weldon (PA) | Young (FL) |

NOES—16

| | | |
|---|---|---|
| Baldwin | Manzullo | Petri |
| Barrett (WI) | Miller, George | Ryan (WI) |
| Coburn | Oberstar | Sensenbrenner |
| Forbes | Obey | Souder |
| Green (WI) | Paul | |
| Kind (WI) | Peterson (MN) | |

NOT VOTING—15

| | | |
|---|---|---|
| Ackerman | Delahunt | Porter |
| Brady (TX) | Herger | Price (NC) |
| Capps | Jones (OH) | Visclosky |
| Clyburn | Meehan | Wexler |
| Conyers | Mink | Woolsey |

□ 1408

Mr. COYNE changed his vote from ''no'' to ''aye''.

So the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 329

Mr. FROST. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 329.

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

There was no objection.

## WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 3194, CONSOLIDATED APPROPRIATIONS AND DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2000

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 386 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 386

*Resolved*, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 3194) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2000, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

SEC. 2. Upon adoption of the conference report addressed in the first section of this resolution, the House shall be considered to have adopted a concurrent resolution consisting of the text printed in section 3.

*Sec.* 3. The text of the concurrent resolution addressed in section 2 is as follows:

''Resolved by the House of Representatives (the Senate concurring), That the enrolled copy of 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, shall not be presented to the President, to the end that the bill be, and is hereby, laid on the table.''

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

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

Mr. Speaker, H. Res. 386 is a typical rule providing for consideration of H.R. 3194, the conference report for the District of Columbia appropriations bill for fiscal year 2000. The rule waives all points of order against the conference report and its consideration and provides that the conference report shall be considered as read.

H. Res. 386 also provides that, upon the adoption of the conference report, the text of the concurrent resolution printed in the rule tabling the conference report accompanying the Department of Interior appropriations bill shall be considered as adopted.

Finally, House rules provide 1 hour of general debate divided equally between the chairman and ranking minority member on the Committee on Appropriations and one motion to recommit with or without instructions as is the right of the minority.

Mr. Speaker, this rule and this conference report bring the budget process for the fiscal year 2000 to a close by implementing a bipartisan compromise on the remaining appropriations bills, District of Columbia, Interior, Commerce-Justice-State, Foreign Operations, and Education, Labor, Health and Human Services.

Only three times in the last two decades has the Congress passed all 13 appropriations bills by the fiscal deadline. I point out one was recently when the gentleman from Wisconsin (Mr. OBEY) was chairman. It is true that we did not make this deadline this year. However, it is also true that keeping our fiscal house in order does take a little longer than the free-wheeling, big-spending days of the past because we must ensure that all funding is spent efficiently and where it is needed the most.

□ 1415

The conference report before us this afternoon not only holds the line on the President's additional spending requests, but also responsibly funds areas important to every American citizen and protects the American people from waste, fraud and abuse across the entire Federal Government.

Mr. Speaker, earlier this year the Republican Congress made a commitment to end the 30-year raid on Social Security and, according to the Congressional Budget Office, we have now completed that task. The President began the budget negotiations by taking a large step toward our position on the Social Security issue and joined us in locking away every penny of Social Security. We worked with him in a bipartisan fashion to protect retirement security. We were determined to protect American seniors and this Congress and its leadership denied any piece of legislation on the House floor that spent one penny of it.

To achieve our goal of protecting American seniors and responsibly funding important programs, we are including in this bill a plan to direct every Federal agency to reduce spending by less than one-half of one percent, .38 percent of 1 percent, by routing out waste, fraud, and abuse. Surely the government can save less than about half a penny out of every dollar. This Republican Congress is simply asking those who run Federal agencies to make fiscally responsible budgeting decisions with the money taxed out of our paychecks. We all know the agency directors and executives know where the waste is, and I am relatively certain they will be able to weed out at least that much in savings with this sensible plan.

In addition to meeting the fiscally responsible objectives, this conference report also ensures that our principles of quality and flexibility in the funding for teachers have been met. In the Labor-HHS section of the bill, this Congress ensures that funding may no longer be used to hire unqualified teachers, provides that schools will have more flexibility in using their funding for improving the quality of uncertified teachers, and increases the amount of funding that may used for professional training for teachers.

The administration pushed for a one-size-fits-all mandate in which Washington controlled the 100,000 New Teachers program. Not every district needs new teachers. Some need better-trained teachers. Other districts need books, high-tech equipment, and updated math and reading programs. I think it is foolish for the Washington bureaucracy to tell every school district in America that Washington knows best how to spend tax dollars to educate our children.

The debate in Washington is not only about money. It is also about how that money should be spent. This bill moves us closer to the right balance of education funding by providing additional funds for America's students through programs like Pell grants and special education while lowering the bureaucratic burden imposed by Washington through programs like Goals 2000.

The Commerce, Justice, State section of the conference report maintains our commitment to enhancing local law enforcement without involving Washington bureaucrats. We also provide funding for 1,000 new border patrol agents, funds for increased criminal and illegal alien detention, and the resources necessary to end the severe naturalization backlog at the INS.

The District of Columbia continues to receive the high level of funding provided in each round of this process. The

conference report paves the way for dramatic improvement in the education of Washington's children, the safety of our streets, and the management of our Nation's Capital.

H.R. 3194 also brokers a responsible compromise on the environment in the Interior appropriations section of this conference report. Republicans rejected attempts to impose the restrictions of the Kyoto global warming regime on Americans without Senate consideration of the treaty. Nevertheless, the bill maintains our high environmental standards and ensures our air and water will be cleaned into the next millennium.

While I will permit the chairman of the Committee on Appropriations to describe fully all the contents of the appropriations bill, I did want to note the inclusion of the satellite copyright legislation about which many of our constituents have expressed concerns during the past year. I am pleased that this bill will provide a new copyright license to satellite television that will allow constituents to receive their local television channels over their satellite service.

In addition, this bill will bring real competition, ensure better prices and choices for our constituents, protect existing subscribers from having their distant network service shut off, and make it easier for consumers to get either a waiver or an eligibility test for distant network service in the event the waiver request is denied. This bill is good for our constituents, and I am pleased to support it.

Mr. Speaker, I want to commend the chairman of the Committee on Appropriations, the gentleman from Florida (Mr. YOUNG), each of the subcommittee chairmen on the Committee on Appropriations, and the ranking minority member, the gentleman from Wisconsin (Mr. OBEY), for their tireless efforts over the past few weeks to reach an agreement on the budget.

This rule was favorably reported by the Committee on Rules yesterday, I think that might have been this morning, at about 3:30 a.m., and I urge my colleagues to support the bill on the floor so we may proceed with the general debate and consideration of this important conference report.

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

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

Mr. Speaker, at 3:20 a.m. this morning the Committee on Rules was convened to report this rule. The chairman of the Committee on Appropriations, the gentleman from Florida (Mr. YOUNG), said at that time that he would like to take the time to explain to the committee what was in this conference agreement, but that to do so might take 4 days. While I know he was engaging in a little hyperbole, I cannot think he was too terribly off the mark.

Mr. Speaker, this rule rolls five appropriation bills, agriculture disaster assistance funding, and $576 million for Hurricane Floyd disaster assistance, all into one bill. The conference agreement also contains a much-needed Medicare reimbursement fix for hospitals and nursing homes, the authorization for the Department of State, which contains terms and conditions that must be met in order for U.S. arrearages to be paid, as well as other matters that were not made clear to the Committee on Rules early this morning.

I am perfectly aware that Members are anxious to end the session of the 106th Congress, but could we not wait an extra hour or 2 to give Members an opportunity to find out what is really in this bill? I am also concerned that this enormous bill is only going to get 1 hour of debate when in fact each one of these bills in it should be considered separately. Evidently, the Republican leadership does not think that it is necessary for Members to know what they are voting on.

This is a very bad way to do business, Mr. Speaker. And no one should be surprised if Members raise objections to considering this rule at this time. While the contents of this omnibus appropriations bill might be known to negotiators from Congress, the White House, and a few select others, most of the Members of this body know what is in the bill only through news reports and summaries.

This is not the first time this has happened, nor will it be the last; but, Mr. Speaker, how hard would it be to give Members of this body a few extra hours to ask questions? The Republican leadership is obviously making contingent plans in case the other body does not act quickly on this conference agreement. The Committee on Rules reported a rule making in order two additional continuing resolutions that will carry us through November 23 and December 2. A few hours more today is not an extraordinary request, Mr. Speaker.

So what is in this bill? There are currently some significant improvements over the earlier appropriations vetoed by the President, and these represent a victory for Democrats and for the people of this country. The Commerce, Justice, State appropriation contains increased funding for the COPS program, increases for the Office of Civil Rights, the EEOC, and for Legal Services.

The Foreign Operations appropriation fully fund the Wye Agreement, allowing the United States to meet its obligations in the Middle East. The Interior appropriation contains increases in funding for the Bureau of Indian Affairs and for Indian schools and tribal community colleges, provides funding for the Lands Legacy program, and deletes the most objectionable riders that have been added to the bill in the Senate.

The Labor-HHS, Education appropriation provides $35.7 billion in funding for one of the top Democratic priorities, class size reduction. This is a major victory for the President and for Democrats in Congress; but even more so, it is a victory for parents and their children and for quality public school education. This conference agreement also includes funding for the Maternal and Child Health Block Grant, for the Low-Income Home Energy Assistance Program, and for the Older Americans Act programs.

This bill represents a lot of hard work and many hard-won compromises. However, there is one provision that is problematic for many Members of this House. While the bill funds the arrearages owed to the United Nations, these funds have been won at an extraordinarily high cost, a cost that for some Members may be too high. The fact that this bill trades off payment to the U.N. for family planning around the world is tragic. Women's lives and health are being held hostage, Mr. Speaker; and for many of us in this body, such a situation is deplorable. No one should be surprised if Members vote against this conference agreement because of that issue alone.

Finally, Mr. Speaker, this bill does contain an across-the-board cut. Granted, it is far smaller than originally proposed by the Republican majority, but the symbolism is hard to miss. Because this bill has only been whole for a matter of hours, it is doubtful that the Congressional Budget Office has had an opportunity to cost it out. But this across-the-board cut is a fig leaf designed to conceal the fact that gimmicks and bells and whistles have been used to mask the fact that this bill most likely does cut into the Social Security surplus. The White House may have bought into this charade, but this is one Member who understands that in this case the emperor and all his men have no clothes.

Mr. Speaker, this agreement is a mixed bag; and Members should really be given the time to look at it so they can intelligently make a decision about how they want to vote. There is a lot at stake here, and surely it is worth a little more time.

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

Mr. LINDER. Mr. Speaker, I yield 2 minutes to the gentlewoman from New Jersey (Mrs. ROUKEMA).

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

Mrs. ROUKEMA. Mr. Speaker, I want to rise in strong support of the rule as well as the bill.

There are numbers of issues here that are well taken care of in this bill, but I specifically want to say for people in New Jersey that we have not only help here for the victims of Hurricane Floyd, but also for New Jersey farmers who have suffered a terrible drought over the past year or more.

The FEMA use of money in this bill, $250 million, to buy out homes that were severely damaged by Floyd, is very, very necessary in New Jersey;

and it will help to not only have mitigation efforts but also do the buyout of some of these homes.

But I rise particularly today to point out, as a member of the Committee on Banking and Financial Services as well as a member of the board of directors of Bread for the World, that we do have in this bill a wonderful effort to help debt burden relief for those poorest countries, and I think that is very important. I want to commend the majority leader, the gentleman from Texas (Mr. ARMEY), because it was through his efforts that we were able to get this money in there, help the hungry and the poorest countries of the world, and really help put in place reforms for the next year that will address the questions of transparency in the International Monetary Fund.

But for my part, aside from the fact that this is long overdue to help feed those poor people in the poorest countries, I also want to say that I will continue to track the distribution of that debt relief and ensure that it is not being diverted by corrupt government actions. This is a wonderful activity. We cannot forget these poor people, and it is in the grand tradition of our great country, the United States of America.

Although we have spent many weeks trying to get to this point I believe we have a fair compromise for all. Although there are many items in this bill that I could speak about today there are a few I would like to mention today.

First I am pleased that this bill contains extra funding to help victims of Hurricane Floyd and the disastrous drought suffered by our New Jersey farmers.

This legislation allows FEMA to use $215 million to buyout homes severely damaged by the flood caused by Hurricane Floyd. This is very important to my state of New Jersey where many homes were damaged. This will help relocate some of those homes outside of the natural flood plain.

This bill also has additional funds to help our farmers who have suffered from weather related disasters.

I would also like to put my colleagues on notice—we, in New Jersey, are still tallying the price tag of Floyd. When the totality of the damage from this unprecedented hurricane is determined, we will most likely have to address this issue again early next year. And when we do, I strongly urge my colleagues to address the unique circumstances of small businesses that were damaged by the storm. These small businesses are the economic backbone of many of our communities and need and deserve direct grants to help them back on their feet.

Also I am pleased that this bill contains many of the provisions of H.R. 1402 which implements the Option 1-A milk pricing system that is so important to the small dairy farmers in New Jersey and the northeast. It also extends the dairy Compact for two years.

Finally, I am pleased that this bill advances the international plan to provide debt relief to the world's poorest countries.

Mr. Speaker, I am on the Board of Directors of Bread for the World—one of the distinguished and notable groups that have been spearheading the debt relief movement. Indeed, much of the religious community is urging us to write off some of the unpayable debt of the world's poorest countries during the year 2000. And under the right conditions, it's the right thing to do.

The language Majority Leader ARMEY has negotiated with Treasury is very helpful and I commend him for his efforts. It will increase the impact of the funding the House has already voted to appropriate for the relief of debts that very poor countries owe to the United States. This language will ensure that the International Monetary Fund and other governments also help provide for this debt relief. In addition, I believe it will require accountability to ensure that the monies will be directed to feeding the hungry in these poorest countries.

For my part, I will continue to track the distribution of this debt relief to ensure that it is not being diverted by corrupt government actions.

Mr. Speaker, this language will also give Congress another opportunity next year to push for IMF reform. Many Members—from both parties—agree that the IMF should be more transparent and more accountable—to the taxpayer's of the United States and to people in the countries where it works.

There is also widespread agreement on the basic goal of debt relief—to support economic development and the reduction of poverty in the poorest countries. Treasury, the World Bank and IMF have adopted promising new policies and procedures recently, and Congress will need to be vigilant that these changes really do translate debt relief into help and opportunity for poor and hungry people.

Mr. Speaker, this nonomnibus package is far from perfect. Like many Members, I could find certain parts of this bill problematic. But, we must look at the whole picture. And on the whole this bill is fair.

I urge my colleagues to support this bill.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, I thank my distinguished colleague for yielding me this time.

Mr. Speaker, once again I want to make clear why I have offered the motions that I have offered for the past 2½ hours. I did so because it was the plan of the leadership to bring the rule and the continuing resolution that just passed, to have that up right away at 10 o'clock, whiz it through the House, immediately move to the rule, which we are now on, and then move immediately to the omnibus appropriation bill, which none of us have read and none of us understand. And that vote would have been taken by noon without even having a single copy of that bill on the floor.

□ 1430

What I was trying to do is to give Members, first of all, enough time to simply get a copy on the floor; secondly, to give our staffs an opportunity to try to determine with greater certainty exactly what is in the authorization attachments and what is not; and thirdly, to develop at least some pieces of information available to rank and file Members so that those Members who were not in the negotiations understand just how replete with gimmicks and replete with fraud this upcoming bill is.

Now, we have done I think as much as we could reasonably do. It has never been my intention once the debate on the bill starts to offer further motions because I think both parties are entitled to lay out their views on that bill without interruption, and I have no intention of making future motions once we get to the bill itself.

I do ask the House, on this bill, to vote against this rule because we have no business doing business this way. We have no business adding nine separate authorization bills to the underlying appropriations bill. We have no business hiding from Members the $45 billion in spending gimmicks that are in these bills.

It just seems to me that the way we should proceed is to have an hour's debate on each of the provisions being added to the appropriations bills so that, whether Members are for them or against them, the House at least has an opportunity to understand what it is doing.

Nobody knows what we are doing on these bills except perhaps a few of the staffers who put them together, I will grant that. But I doubt that any Member is fully aware of all of the provisions in these bills. And we are going to regret a good many of them, I am sad to say.

I would simply say, for instance, that there are pieces of this bill, and this is not true of the appropriation items, but there are other pieces of the bill which we will consider which have not yet been scored by the Congressional Budget Office. We ought to know what they estimate the cost to be before we vote on this bill.

So I would urge my colleagues to vote against the rule.

Mr. LINDER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Pennsylvania (Mr. GOODLING).

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

Mr. Speaker, earlier in dissertation on the floor it was mentioned that the President won something in the area of education. I want to make sure, and I will do this several times this afternoon, that everybody understands that the President did not win anything in education.

The chairman of the Committee on Education and the Workforce did not win anything in the area of education. The children of the United States won a lot in the area of education. And, above all, the most disadvantaged children in the United States won in the area of education.

When I was able to show to the administration that 50 percent of many of the teachers in the schools in New York City and duplicated in large cities all over the country were totally

uncertified and, beyond that, probably not qualified, some that were certified, they agreed there is no reason to put one more teacher in there. We better get those who are there properly qualified.

When they realized that last year 10 percent of all those new teachers that were hired were totally unqualified, they realized putting one teacher in there was not going to help anything, they better get the people who are there more qualified. And so, we say in that legislation agreed to by the administration that any new hires must be properly qualified and anybody that was hired last year that was not qualified must be qualified within 1 year.

That is why the administration agreed that we should move from 15 to 25 percent in the area of flexibility. That is why the administration agreed that we should move it 100 percent in those school districts where they have all the uncertified and unqualified teachers.

That is why the administration agreed that public school choice should be available to the 7,000 schools that are Title I schools who are not doing anything about improving the quality of their education, and they said those parents should have the right, and we agreed.

We brought it up. They agreed. So nobody won except the children of the United States and, above all, those children who are most disadvantaged.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. STARK).

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

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

Mr. Speaker, I would like to talk about the calendar and explain that Thanksgiving does not come until Thursday, a week, and the ''turkey'' that we are about to consider today is stuffed with a lot of horrendous gifts and failures.

For example, stuffed away in this bill, unknown to many of my colleagues, is a gift of over $500 million a year to drug companies who have their pharmaceutical drugs exempted from certain protections under the Medicare bill. But at the same time we are giving $500 million a year to these pharmaceutical companies, members of the Committee on Ways and Means, all of them, all of the Republicans who were there voted to deny seniors a discount on their prescription drugs.

That means that the gentleman from Arizona (Mr. HAYWORTH), the gentleman from Pennsylvania (Mr. ENGLISH), the gentleman from Florida (Mr. SHAW), the gentleman from Florida (Mr. FOLEY), and the gentlewoman from Connecticut (Mrs. JOHNSON) all voted to deny the seniors in their district a discount on their prescription drugs, which would have cost the Federal Government not one penny. Yet, grandly, they are going to vote to give $500 million a year to the pharmaceutical companies.

Now, this bill is not paid for. There is a $4 billion gift to the medical providers. Yet it shortens Medicare solvency and raises the Part B premium on all of our seniors by $12.

At the same time, this bill has failed to give Medicaid to children of legal immigrants. Young children are denied medical care if they came to this country after 1996.

Yet, we had a great gift to the Blue Cross/Blue Shield company by weakening quality control standards for managed care under Medicare. We weakened the standards when this same Congress has been unable to finalize the managed care bill of rights. We are doing nothing under the Republican leadership except giving big dollars to the pharmaceutical companies in exchange for their donations, giving big gifts to Blue Cross and for-profit managed care plans who are reaming our seniors.

And yet, in the next bill to be considered, if this turkey that we will consider in the extenders happens to have a bowel movement, we are going to spend $40 million or $30 million a year turning the results of that activity into energy.

I would suggest, if we are going to put up with all this Republican alchemy, why do we not ask these same poultry producers to turn that by-product into gold; and then they might find the $17 billion they cannot find to pay for in this bill and, so, it is going to come out of the Social Security trust fund.

All in all, the gentleman from Texas (Mr. FROST) is correct. It is a bill we should not be voting on in the dark. Vote ''no'' on the rule and the bill.

Mr. LINDER. Mr. Speaker, I am pleased to yield 6 minutes to the gentleman from California (Mr. THOMAS).

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

Mr. THOMAS. Mr. Speaker, I thank the gentleman, the Chairman of Appropriations, for yielding me the time.

Mr. Speaker, we are supposed to be talking about a rule. But, obviously, we are into the substance of these measures. There has been a characterization of some of that substance by the gentleman from California (Mr. STARK), and I would like to take just a couple of minutes to set the stage for those of our colleagues who may be nervous about the fact that the body does not know what we are doing in terms of the Medicare reform or that items have been slipped into this bill.

Perhaps the gentleman does not remember that we had a subcommittee mark-up on October 15. We examined the bill at that time and voted it favorably to the full committee.

In between subcommittee passage and the full committee vote, the President wrote a letter to me dated October 19 and said, ''Dear Mr. Chairman, I am writing to respond to your request about administrative actions.''

He goes on and provides an outline for what the administration has been trying to do notwithstanding the Y2K computer problems that the administration has had the day after he signed the Balanced Budget Act of 1997. We were not aware of them prior to signing the bill, but they discovered them immediately after they signed the legislation.

His next-to-last paragraph said this: ''We believe that our administrative actions can complement legislative modifications to refine BBA payment policies. These legislative modifications should be targeted to address unintended consequences of the Balanced Budget Act of 1997 that can expect to adversely affect beneficiary access to quality care.''

That was exactly what we did. We targeted it. This is a refinement bill. And on October 21, it passed the full committee with a bipartisan vote. This is not something that was done in the dead of night at 3 a.m. in the morning. It went through the subcommittee. It went through the full committee. And then it came to the floor on November 5. And with 388 Members of the House supporting the very specific provisions that have been characterized as insidious or give-backs or rip-offs, 388 Members of the House voted for it.

But beyond that, after we worked with our sister committee on this side in jurisdiction, the Committee on Commerce, with the Senate Finance Committee, and with the White House to craft an agreement that looked virtually exactly like the House bill, there was a comment by White House representative Chris Jennings, who is identified as the health policy coordinator at the White House, in news stories published on November 11, Mr. Jennings said, ''This is an honorable compromise. It lays down a foundation for more significant Medicare reforms next year.''

It is quite true that the gentleman from California tried to offer a number of killer amendments to fundamentally alter Medicare, to change the entire structure on a modest bill that the President agreed needed to correct some flaws in the Balanced Budget Act of 1997 refinements.

No refinement bill could carry the kind of amendments the gentleman from California offered. And clearly, the purpose of those amends was to be able to stand up on the floor and then make a statement that somehow we refused to provide prescription drugs to seniors.

It seems to me that if less of that kind of hyperbole were employed and more of a willingness to work together, as has been indicated by the White House, health care coordinator, we could accomplish much. In a letter dated November 15 that was addressed to the Speaker signed by John Podesta, Chief of Staff to the President of the

United States, in which he said, for example, in the third paragraph, ''As Office of Management and Budget Director Lew indicated in his letter to Mr. Thomas on October 18, findings or clarifications by Congress do not change the law and do not result in scoring. Therefore, the attached clarifying language on the hospital outpatient department policy would not be scored by the OMB. With this in mind, we would not characterize such legislation as having an adverse effect in any way on the Social Security surplus.''

A letter from the White House says it does not affect the Social Security surplus. The comments from the White House people we worked with said it was an ''honorable compromise''. CBO has scored it, and I will put it in the RECORD in terms of the dollar amounts on a 1-year, 5-year, 10-year, in fact, a detailed scoring.

Why anyone would stand up on the floor of this House and characterize the Medicare legislation as reckless or inappropriate, when Democrats that we worked with to put the package together, such as the gentleman from Maryland (Mr. CARDIN), White House representatives, Chief of Staff John Podesta and their health care coordinator say this is an honorable agreement, that we have it scored that it does not affect the important hospital outpatient area, any adverse effect on Social Security, I have got to say it sounds a little desperate on the part of some individuals who voted no in subcommittee, no on the floor, and are voting no now that, frankly, their colleagues do not agree with them.

This is a good package. People are pleased to and it is endorsed by Republicans, some Democrats, most Democrats, 388 votes on the floor of the House, and the White House.

I am pleased to work together with those who want to improve Medicare to make sure that it is better for our seniors today and tomorrow.

Mr. Speaker, I include the following for the RECORD:

THE WHITE HOUSE,
*Washington, November 15, 1999.*

Hon. DENNIS HASTERT,
*Speaker of the House of Representatives,*
*Capitol Building, Washington, DC.*

DEAR MR. SPEAKER: We are pleased that we have been able to work out a strong, bipartisan agreement on the Balanced Budget Refinement Act of 1999. All parties to the agreement, in particular Mr. Thomas, Mr. Bliley, Mr. Dingell, Mr. Rangel, Mr. Stark, Mrs. Johnson, Mr. McCrery, Senator Roth, Senator Moynihan and Senator Nickles, played critical roles in achieving this outcome. We know that this was as high a priority for you as it has been for the President and we appreciate your leadership.

As you know, a technical drafting change in the BBA has resulted in some confusion over the outpatient payment formula that could result in a reduction in payments. Aside from correcting a payment formula flaw, the hospital outpatient PPS was not designed to impose an additional reduction in aggregate payments. We continue to believe that such a reduction would be unwise. During our deliberations on the balanced Budget Refinement Act, we agreed to resolve any confusion through a Congressional intent clarification provision. Earlier today, language to this effect was worked out between the White House and Mr. Thomas.

As Office of Management and Budget (OMB) Director Law indicated in his letter to Mr. Thomas on October 18, findings or clarifications by Congress do not change the law and do not result in scoring. Therefore, the attached clarifying language on the hospital outpatient department policy would not be scored by OMB. With this in mind, we would not characterize such legislation as having an adverse effect in any way on the Social Security surplus.

Achieving a bipartisan consensus on addressing the unintended consequences of the BBA is an important accomplishment. The President hopes that we can build on this achievement and pass legislation to strengthen and modernize Medicare.

Sincerely,

JOHN D. PODESTA,
*Chief of Staff to the President.*

Enclosure.

BUDGETARY IMPACT OF THE ''MEDICARE, MEDICAID, AND S–CHIP BALANCED BUDGET REFINEMENT ACT OF 1999''

[In billions of dollars]

| Program refinement | CBO estimate | |
|---|---|---|
| | 5 year | 10 year |
| House-Senate agreement: | | |
| Hospitals | 3.4 | 5.3 |
| Skilled Nursing Facilities | 2.1 | 2.1 |
| Outpatient Therapy Services | 0.6 | 0.6 |
| Home Health & Hospice | 1.3 | 1.4 |
| Dialysis & Durable Medical Equipment | 0.3 | 0.8 |
| Pap Smears & Immunosuppressive Drugs | 0.2 | 0.4 |
| Medicare+Choice | 1.9 | 2.5 |
| Medicaid | 0.7 | 1.2 |
| S–CHIP | 0.2 | 0.4 |
| Part B Interaction and Medicare+Choice Interaction | 0.8 | 1.8 |
| Total spending (reflecting House-Senate agreement) [1] | 12.4 | 17.1 |
| Addition per administration's request: | | |
| Administration's Request for Hospital Outpatient PPS Clarification [2] | 3.9 | 9.6 |
| Total spending (reflecting Administration's request) [1] | 16.0 | 27.0 |

[1] Components may not add to total due to rounding.
[2] Request detailed in letters from the OMB (10/18/99). Clarification will not be scored by OMB on its baseline.

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

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

Mr. Speaker, I rise reluctantly in opposition to this rule because I believe that it is not fair and it is not in keeping with the great tradition of this House for us to have an open debate and for Congress to work its will on important matters that affect our country.

□ 1445

There are at least nine bills rolled into this bill that this rule is for, five appropriations bills. I do not like to spend a good deal of time talking about process, but when the rule for a bill for at least nine pieces of legislation allows for 1 hour of debate, one-half an hour on each side, that is not serving the American people well.

One of the issues that I wish we could debate more fully if our bill on foreign operations were brought up separately, which it should have been, is the issue of international family planning. I think it is very instructive to the American people to see that the Republican majority in this House was willing to hold hostage the United States international role in the world. The Republican majority was willing to hold hostage the poorest women in the world and their access to family planning. They were willing to hold hostage our position at the United Nations at a time when we are calling out for multilateralism and not the U.S. carrying the full burden.

I think it points to the extremism of the Republican Party that this is, and I point out, my colleagues, this is not about abortion; it is about family planning, that a majority of the Republicans have voted to oppose all funding for all international family planning, that they would take that position and use it against the administration and force the administration's hand to agree to their position in order for us to maintain our vote at the U.N. while we paid our dues.

I urge my colleagues to vote ''no'' on this rule in the hopes that we could bring back the substantive matters before this House in a fair and open and democratic way.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from West Virginia (Mr. RAHALL).

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

Mr. Speaker, I rise in opposition to the rule and wish to set the record straight on the swirling misperceptions that have surrounded the West Virginia delegation's efforts to provide a balance between protecting jobs so essential for our Nation's energy security and protecting our environment at the same time. Over the past several weeks, the national media, environmental organizations, and the White House have engaged in a campaign of misinformation regarding a proposal by the West Virginia congressional delegation to address a coal mining crisis in our State.

Over the years, litigation in the State of West Virginia has resulted in some of the toughest mining reclamation laws in the Nation. Indeed our coal industry in West Virginia operates under greater environmental scrutiny than the industry does in any other State in our Nation. As a result of litigation, environmental plaintiffs entered into a settlement agreement with the United States on matters involving both the Clean Water Act and the Surface Mining and Reclamation Act.

On October 20 of this year, a Federal court decision rendered a rather unique interpretation of the relationship between provisions of the Clean Water Act and SMARA. This interpretation in my view is contrary to congressional intent in enacting the applicable statutes. Our delegation has sought to reaffirm the interpretation of these provisions of law and regulations that have been upheld by the EPA, the Corps of Engineers and the Interior Department. Nothing, and I repeat, nothing in our efforts have sought to undercut the

Clean Water Act. In fact, the provision of our legislation clearly states, and I quote, ''nothing in this section modifies, supersedes, undermines, displaces or amends any requirement or any regulation issued under the Federal Water Pollution Control Act.''

I do not know how to better state it, how to make it more clear. Yet despite these facts, a campaign of misinformation has been trumpeted around this Nation and has been unfair to our West Virginia congressional delegation. The White House certainly is to blame. This is unfortunate, because the White House and the President's senior advisors particularly have turned their back on the many hundreds of hard-working men and women whose livelihoods, whose families and whose futures now hang in the balance. These are the individuals who have toiled beneath the surfaces of this Nation in order to provide us energy security that lights this very chamber today.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from West Virginia (Mr. WISE).

Mr. WISE. Mr. Speaker, I rise in opposition to this rule and to the final spending bill. There may be many laudable provisions, but unfortunately this bill does not include the important Byrd-McConnell mining amendment that the West Virginia delegation has sought so hard to include. Failure to include the West Virginia delegation's language which would rectify a Federal court decision means months, perhaps even years of uncertainty, uncertainty about whether to enter into coal contracts, uncertainty about whether to make investments in future mining, uncertainty in families' lives about whether they will continue their jobs in the mining industry and, finally, uncertainty, yes, even for the environmental advocates, because there are no final rules of the road.

If this day ends without the important Byrd-McConnell language, I believe, though, we must continue working. First, all parties must agree that the present stay of the court decision has to remain in effect. Second, the DEP and Federal agencies must work together to analyze the full impact of the court's decision. And, third, all parties, mining, State and Federal officials, and environmental representatives must undertake serious negotiations to see if agreement can be reached to deal with the most severe impact of the court's decision.

But, Mr. Speaker, let me make a point. Great progress has been made in improving surface mining. As a result of environmental legislation and a sweeping environmental settlement just months ago, surface mining will never be the same again in the State of West Virginia. So great progress has been made. The question is whether balance will be preserved. And the court's decision takes it too far the other way. The important Byrd-McConnell language would guarantee that there would be balance, that gains in regulating mining would be preserved and at the same time the important mining jobs, particularly in those areas of high unemployment, would be preserved.

Mr. Speaker, mountaintop removal will never be conducted the same again. That is already a given. The Byrd-McConnell language, though, would guarantee that as we improve regulation in mountaintop removal, we do not automatically result in job removal. I wish this language had been included.

Mr. LINDER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Minnesota (Mr. GUTKNECHT).

Mr. GUTKNECHT. Mr. Speaker, I thank the gentleman from Georgia for yielding me this time.

I reluctantly have to rise in opposition to this rule. I want to at least explain why. Early in the process we were told that there was not going to be an omnibus bill. We now know that that is not true. We were also told that very controversial issues would not be included in the final bill. We know that is not true, either. But part of the reason I have to rise in opposition to this rule is I remember several years ago when one of my favorite Presidents stood right there and he held up a bill that weighed about 45 pounds and he dropped it on the desk right here with a big thud, and he said, Congress should not send bills like this to my office, and he said, and if they do, I will veto them. He did not keep that promise. He probably should have.

But in many respects, we all know, everybody in this body knows it is wrong to have these omnibus bills where we throw almost everything into it. If anybody here can say with an honest expression on their face that they know what everything is in that bill, well, God save you. We know that there is a lot of stuff in that. We are going to read over the next several months about issues that are in the bill, and we are going to be embarrassed by it.

But I am most embarrassed about what is happening to the dairy farmers in the upper Midwest. Every morning at 4:30 lights go on all over the upper Midwest, 3,000 in my district. Nobody works harder than dairy farmers, and this is a knife in the back to those people. For 62 years they have labored under the yoke of an unfair milk marketing order system, and this leadership has knifed them in the back in the 11th hour in a back-room deal. I can live with the outcome if we have regular order. I understand democracy. If we have an honest up or down vote and we lose in the House; we have an honest up or down vote and we lose in the Senate, I can live with that. That is called democracy. But when it is done at the 11th hour by a handful of leaders in a back-room deal, well, I cannot live with that, and I cannot vote for a rule that would support it.

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

Mr. DICKS. Mr. Speaker, I rise today to support this conference report and to commend my colleagues on the Committee on Appropriations, the gentleman from Wisconsin (Mr. OBEY) specifically, and those in the administration for their efforts. Bringing this package to the floor has not been easy. I want to applaud the patience and the determination both sides showed in reaching this agreement. I reluctantly opposed the conference report for the Interior appropriations bill earlier in the year because of numerous anti-environmental provisions that were attached by the other body. Thankfully we have removed or modified nearly all of those riders and significantly improved the Interior bill.

Additionally, though, through our negotiations with the White House, we were able to increase funding levels for some key programs that will better protect our environment. In the last few weeks, we negotiated millions of additional dollars for the President's land legacy initiative to protect sensitive or threatened lands in this country. The administration and Congress should be proud of the benefits this compromise means to our public lands.

Funding was included in both the Commerce Department as well as the Interior Department to help my State and three other West Coast States address the recent salmon listings under the Endangered Species Act. Funding for these programs was my top priority. I want to sincerely thank the gentleman from Kentucky (Mr. ROGERS), the gentleman from New York (Mr. SERRANO), and the gentleman from Ohio (Mr. REGULA) for working with me to provide these critical funds that will help our State protect and restore West Coast salmon provisions.

Additionally, funds were included to help implement the recently negotiated treaty between the United States and Canada that will aid our efforts to recover these fish by substantially reducing their harvest. I regret that the conference agreement did not provide the requested increase for the National Endowment for the Arts, but appreciate the modest increase for the National Endowment for the Humanities. I believe there is strong public support for both of the endowments and wish the funding levels to the arts better reflected that support.

Again I wish to warmly thank the gentleman from Ohio (Mr. REGULA) for his tireless work on the Interior appropriations bill. These negotiations were lengthy and tedious, but he demonstrated extraordinary leadership and was instrumental in bringing this agreement to the floor today.

Mr. LINDER. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. RYAN).

Mr. RYAN of Wisconsin. Mr. Speaker, I would like to speak out in opposition to not only this rule but to this final

bill for many reasons, but chief among those reasons why I am opposing this rule and why I am opposing this bill is because of the dairy policy provisions contained within this bill. Blame can be spread all over the place. The President did not adequately protect his own agency's reform. The majority of Congress swept against us.

The point is this: we are preserving a 62-year-old antiquated program that pays a farmer more for the price of milk he produces the farther away from Eau Claire, Wisconsin, he lives. This Congress, which is elected to defend the Constitution, freedom, this Congress which contains most Members of Congress who proclaim to be in favor of free market principles, are voting in this bill to destroy those very free market principles. What I say to those Members of Congress from the Northeast, from the South, you like milking cows, I understand that, ''Just don't milk our dairy farmers in the upper Midwest.''

The problem with this bill is that half of this dairy policy never came to this body. It did come to the Senate and it was defeated. So why on earth are we dealing with this legislation in this big appropriations bill? This should be done through regular order. It should not be done in this appropriations bill. Worst of all, it pits one, two, three regions of dairy farmers against one region, the upper Midwest. We simply want a chance to compete fairly on a level playing field in the upper Midwest, and we are being deprived of that because of this legislation that is being tacked onto this bill like a giant, ugly ornament on a big Christmas tree.

Mr. Speaker, I urge Members of this body to vote against this bill.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Ms. SLAUGHTER).

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

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman for yielding me this time. There is so much to say and so little time, but I would like to focus on two specific items of importance to the American people.

Mr. Speaker, I consider the health-related provisions of this bill to be a mixed bag. I am extremely pleased to see that Congress is continuing its commitment to double the budget of the National Institutes of Health over 5 years. This is the lifesaving research which families fighting cancer and other dread diseases are depending on. The bill increases the NIH budget by another 15 percent, raising it from $15.6 billion last year to $17.9 billion in fiscal year 2000.

□ 1500

But, unfortunately, the shell game continues in order to pay for this spending.

The bill delays the release of $4 billion of the NIH appropriations until September 29, 2000. Twenty of our colleagues wrote to the conferees urging them not to take this action, because medical research is not a faucet that can be turned off and on. No disease will wait for a clinical trial to get to the next round of funding. A colony of bacteria is not going to hibernate until the researcher receives the promised grant. Frankly, I am not too sure the researcher will stick around either. I am deeply concerned about the impact of this delayed appropriations on vital medical research.

In addition, I am appalled that Congress and the administration have conspired to imperil the health and welfare of women across the world by attaching onerous conditions to international family planning spending. Under this bill, United States funds are not only barred from going to groups that perform abortions directly or indirectly, but also to any group that lobbies in any way regarding governmental policies on abortion. An organization could even be barred from informing a government how many women were being harmed by unsafe or botched abortions, not just lobbying for abortion rights.

If the President uses his authority to waive this provision, international family planning funds are cut by 3 percent. At that point, thousands of women will not receive birth control, leading to unintended pregnancies and abortions. It is simply beyond my grasp how abortion opponents believe that policies like this one help their cause.

This provision will not prevent a single abortion. It will only cause more and more dangerous abortions to occur. A woman in the Third World dies every 3 minutes. Surely that is the harshest kind of birth control, and we will be prevented from telling them how to prevent unintended pregnancy.

I am pleased that the bill makes progress in restoring the unexpectedly deep cuts made in Medicare reimbursement to hospitals, home care and other facilities under the Balanced Budget Act. Although the relief provided itself is modest, it will make a major difference in my district of Rochester, New York, in enabling our health care community to continue to provide world class care.

Mr. LINDER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Wisconsin (Mr. GREEN).

Mr. GREEN of Wisconsin. Mr. Speaker, I thank my colleague for yielding me time.

Mr. Speaker, what I think is important to note today as this House appears poised apparently to vote for this bill with the anti-dairy reform in it, is it is important to point out why it was added to this bill.

It was added to this bill because these anti-reform provisions could not pass Congress in the normal fashion. Extension of the compact and 1(a) have not passed both Houses of Congress. Right now, there is a fight going on in the Senate that I think proves that point. Because they could not pass it in the normal fashion, they had to add it in the wee hours of this debate. That is unfortunate, but maybe it means that there is hope for those of us who believe in free market reforms. Maybe it shows to us, the fact that they have to try to get it done this way, maybe it shows us that there are more people behind us than we realized.

I can only hope that in the future, if given a chance to proceed in the normal order, maybe, just maybe, we will prevail, and maybe, just maybe, we will have true dairy reform.

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

Mr. KIND. Mr. Speaker, I thank my friend for yielding me time.

Mr. Speaker, I rise today in opposition to the rule and to the final bill. Where does a promise mean nothing anymore? Right here on the floor of the House of Representatives. Where is one of the last remaining vestiges of a Soviet style, state-controlled economic industry? Right here in the blessed United States of America, with a depression-era Federal milk marketing order policy. Unfortunately, because of a last minute deal brokered behind closed doors, the first significant step to reform an antiquated, senseless dairy policy will be blocked by language contained in this bill.

Just a couple of months ago, Mr. Speaker, I had a meeting with some of the leaders in the Republican Party on the House floor, where they promised me and other representatives that they would not allow any anti-dairy reform legislation to be attached to one of the year-end spending bills. But we wake up this morning and, lo and behold, there it is. Promises made, promises broken. And you would think an administration whose own reform proposals are under attack after three years of exhaustive work would stand a little more firm and fight for it, but that did not happen.

Now, it is never fun or pleasant to hold up the business of the House with delay tactics, and it is unfortunate we have had to resort to that tactic today. But I for one am willing to stay here until the cows come home, until we get this budget right, right for the American people, and right for the family farmers across the country.

For those of you who believe in budget integrity and fiscal discipline, there are a number of reasons for voting against it. It is $35 billion over the spending caps from the 1997 budget agreement. We are dipping into the Social Security surplus by $17 billion to $18 billion according to our own Congressional Budget Office. We have done absolutely nothing to extend the solvency of Social Security and Medicare by one day in this budget. To top it all off, we are milking family farmers across the country and consumers and taxpayers with this 11th hour, backroom deal that will prohibit reform of a depression-era national dairy policy.

We can do a lot better. I think the American people demand that we do a lot better.

I would encourage my colleagues to vote no on this budget agreement. Let us start over, let us get it right, and then let us go home.

Mr. LINDER. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from Connecticut (Mrs. JOHNSON).

Mrs. JOHNSON of Connecticut. Mr. Speaker, I rise in strong support of the bill, and particularly want to call attention to the Medicare ''salvation'' section. It is really a testament to the vitality of our democracy.

This Medicare salvation section is the direct result of a lot of us getting out there, visiting our nursing homes, talking to the people who run them and hearing from seniors who were being denied critical care because of mistakes made in past legislation or in administration policy.

Let me tell you, democracy is not a spectator sport, and this bill reflects that truth. Members of the subcommittee were out there, other Members of Congress were out there, and our chairman, the gentleman from California (Mr. THOMAS), whose very bright mind and big heart wrote this bill, also took the time to get out there into the facilities and talk with the seniors. That enabled us to build a very precise effective package, providing relief to hospitals, home health care agencies and nursing home facilities.

And it is a very fine job we've done. It helps all of our providers, but it does not fundamentally step back on this Congress' commitment to save Medicare in the long run, from financial crisis, and to be there for our seniors with quality health care.

I just want to say that while the administration was very helpful and has really worked with us in many ways, it is unfortunate that the process, because it costs money, does not allow them to make specific proposals to help us. We did all of this, and it was heavy lifting, just as Members, listening to seniors and care providers and putting together an honest package that goes right to the heart of the problem and addresses it.

Members can take great pride in having saved Medicare quality health care for our seniors. As we go home, we can help our hospitals, nursing homes and health care agencies understand this expansion of resources and provide the care our seniors richly need and deserve.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman from Texas for yielding me time.

Mr. Speaker, this is what I have been trying to do in the last few minutes, is to review what this House has brought to the American people and calling it a budget, that has who knows what and does not address many of the concerns that the American people have asked them to address.

Just as an example, Mr. Speaker, this is what part of the bill looks like, lines drawn through, scribbles being made, and no one knows what was in it and what is out of it.

My concern, Mr. Speaker, as I said earlier, and this rule concerns me and I rise to oppose the rule, is that what we have is a mishmash that includes a number of addendums that have nothing to do with the appropriation process.

The satellite issue is an important issue that I would argue that we needed to support. The State Department authorization is likewise very important, and I have fought long and hard for Medicare help for our hospitals and health providers and will continue to fight for that. But we do not have a Patients' Bill of Rights, we do not have the protection of seniors for prescription drugs, and we have two inserts on the family planning issue typed up that deny family planning for women around the world.

Though I am certainly concerned about those who have a different view from me, I am likewise concerned about developing nations where women will be violated, intimidated, forgetting family planning because of this legislation.

I can say that I am gratified that my office worked to increase the amount of money for mental health services in the Community Mental Health Program, but I do say we are doing a tragic injustice to have Members be responsible for voting for a bill whose paperwork has yet to come to the floor and who has given us the responsibility of reading this within the few hours that we have.

Mr. Speaker, this is a bad rule, this is a bad process, and I am sorely disappointed that this is what we have come to. We need to go back to work and present to the American people the kind of legislative initiative that will be warranted of this country and this Congress.

Mr. LINDER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Missouri (Mr. BLUNT)

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

Mr. Speaker, I rise in support of the rule and support of the bill. First of all, I want to say how much I appreciate the work of the appropriators. The new chairman, the gentleman from Florida (Mr. YOUNG), has done a tremendous job at a time when we are really laying out some new rules for appropriations, and all the members of appropriations on both sides of the aisle have worked hard to try to redefine this culture of what we are trying to achieve: A balanced budget, without spending Social Security.

We have heard a lot of debate about whose numbers may be right, whose predictions may be right. We really did not debate those things. Apparently the Congress did not debate them for 40 years, because we did not have a balanced budget without spending Social Security and nobody seemed to care.

It is great that we are down now to debating whose projection about income may be the closest to accurate next September, because that is really the projection date that counts. I am convinced we are not going to spend for the second year in a row a penny of Social Security income.

I like the way the committee put this package together. It is a big package, but it is a package of individual bills. You can go to each of those bills and see exactly what was in them, and what is in them are the items that should be in them. This is not a package that people have put things in that should not be there or are not understood to be there.

Social Security was not spent. That gives us a chance to really look at the future of Social Security. We cannot really talk about Social Security reform if we cannot stop spending the trust fund.

Somebody said the problem with the Social Security trust fund has been there was no trust and there is no fund. Well, this restores both of those concepts.

The balanced budget adjusters do tremendous things for home health care, for rural hospitals. This is a good bill, this is a good rule. I urge my colleagues to support both.

Mr. LINDER. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Florida (Mr. FOLEY).

Mr. FOLEY. I thank the gentleman from Georgia for yielding me time.

Mr. Speaker, for my colleagues who insist they do not know what is in this bill, they have not been paying attention during regular order, because within this bill are the multitude of bills that have been discussed in committee, discussed on this floor, and now rolled into one bill as we leave this process.

The others that suggest somehow we are dipping into the Social Security trust fund, the only reason we are here still is because the President keeps asking for more money, more spending, more funds for programs that he needs.

Now, some have suggested somehow we have been held hostage on international family planning. The President of the United States agreed to that provision in the bill.

Now, let us talk about why some people will vote against the fine bill here today. I challenge them to vote against increasing funding to Medicare choice. Organ transplant patients will have an extended coverage on anti-rejection drugs. Vote no to that today. I urge you to today.

Rehabilitation services, increasing therapy caps, something we have heard complaint after complaint from our citizens about, the need to increase physical therapy and rehabilitation.

Women's health. Pap smear tests now and cervical cancer screenings. Go ahead and vote against those fine initiatives. I challenge you to do it.

Increased flexibility for rural hospitals. Cancer hospitals, ensures that cancer hospitals will not face any reduction due to new outpatient prospective payment systems.

Changing the prospective payment system for hospital outpatients. Nursing home skilled facilities will be, in fact, have increased patients.

Home health care, reduce the scheduled reduction and increase benefit caps for some citizens.

Hospice care. Matt Lauer and I and several others were with hospice this week in Palm Beach County raising money for hospice.

□ 1515

This bill includes an increase in hospice coverage. Tell your hospice friends that you rejected this bill today because, I do not know why, but increased funding for them.

Teaching hospitals for New York and other places who have been belly-aching about not enough money for teaching hospitals. Thanks to the gentleman from California (Mr. THOMAS) and the Committee on Ways and Means, we have increased money for teaching hospitals. Durable equipment, increased senior access to durable equipment. Rural health care. On and on goes the list. For my Floridians who say they are going to vote against the bill, they are going to be voting against $142 million for Everglades restoration. Go back and tell that to the Floridians who depend on the Everglades for water. I urge my colleagues to vote ''no'' and go home and explain that.

Indian programs. You name the list of things that are accomplished in this bill through the hard work of the committee in order to make this a better country. Money for national forests, bettering education, continuing our commitment to block grants. On and on goes the list of fine things in this bill.

Those that live in rural farming areas, please pay special attention, because in this bill is a $178 million loan authorization for disaster relief, okay? My colleagues can go home and face their farmers this weekend and explain to them that they voted against this very important provision, if they have experienced a drought. Anyone from North Carolina, anyone from Florida, I urge you to go home and tell your farmers you had a chance to help them today and you chose not to from a partisan perspective. Juvenile accountability. On and on goes the list.

Mr. Speaker, I urge Members to support the rule, support the bill. It is a good bill.

Mr. FROST. Mr. Speaker, I yield the balance of my time to the gentleman from Wisconsin (Mr. OBEY), the ranking member on the Committee on Appropriations.

The SPEAKER pro tempore (Mr. HANSEN). The gentleman from Wisconsin (Mr. OBEY) is recognized for 3½ minutes.

Mr. OBEY. Mr. Speaker, let me simply address two points, since other Members have also addressed the dairy issue.

I believe that in this House a handshake is as good as a contract, and I believe that the day that one's word ceases to be one's bond is the day that we lose something very precious in this democratic institution.

I was told in August and again in September, and this was confirmed by one of the two Members of the Republican leadership 3 days ago in a conversation with me, I was told that if I would cooperate procedurally on appropriation bills with the majority, they would assure me that no extraneous dairy provision would be attached to any appropriation vehicle. The three key words were ''any appropriation vehicle.'' That promise has now been violated. I think that says more about the people who violated it than it says about anybody else in this institution. I deeply regret it.

I find it incredibly ironic that at a time when people are cheering with great huzzahs over the World Trade Organization-China deal, when they are earnestly pushing for free trade internationally, they are supporting internal trade barriers to the free flow of dairy products in the United States. That is absurdly old-fashioned, and no self-respecting free marketeer should be supporting it.

[From the Wall Street Journal, Nov. 18, 1999]

LOTT HAS A COW

There are a million stories inside the Beltway, most of which the pols don't want you to know. But we thought you might be amused by the one about Trent Lott, dairy queen.

As Public Works Chair . . . sorry, Senate Majority Leader, Mr. Lott has already built himself a pork-barrel legacy for the Mississippi ages. But who would have thought his largess was big enough for all New England? There's apparently nothing the guy won't do to re-elect a fellow ''singing senator,'' in this case the liberal James Jeffords of Vermont.

Vermont has lots of dairy farmers, most of whom are much less efficient than those in the Upper Midwest. Worse yet, Congressional permission for a six-state price-fixing dairy cartel known as the Northeast Compact is about to expire. So Mr. Jeffords who is running for a third term next November, got hold of Mr. Lott, who promised to jam an extension past an otherwise reluctant Senate.

Never mind that this milks consumers to the tune of about 20 extra cents a gallon. (Milk consumed by the same ''poor children'' who liberals like Mr. Jeffords and Vermont Democrat Pat Leahy are constantly invoking to sell their new programs.) Never mind that the Senate voted down and extension earlier this year.

And never mind that in the process of helping Mr. Jeffords, Mr. Lott is sticking a shiv in the back of another vulnerable GOP incumbent, Rod Grams of Minnesota. ''I guess Jeffords is in a tough race,'' Mr. Grams told us ruefully. ''But it can't be tougher than mine. And this is going to hurt me back in Minnesota, because it will hurt our farmers.''

Mr. Lott likes to complain that he lacks a real conservative majority. Yet Mr. Jeffords is a routine apostate, agreeing with Ted Kennedy on demand, while Mr. Grams is a reliable conservative. It's nice to know how much Mr. Lott values ideological loyalty when he's doling out backroom favors.

Not that Mr. Lott deserves all of the credit. He has help in the House, where Speaker Dennis Hastert has caved in to Missouri Rep. Roy Blunt's attempt to gut the free market dairy reforms that Congress urged on a reluctant Clinton Administration as recently as 1996. Mr. Blunt's affront would add another 16 cents or so to a gallon of milk around the country. Mr. Lott wants to ram this into the end-of-session budget bill too.

Beyond the muscle politics, all of this is one more embarrassing sign that Republicans seem to have kicked over the reform stool. They're mainly into incumbent protection now. Messrs. Blunt and Lott are supposed to be GOP leaders. But the difference between them and Dick Gephardt is more and more a matter of whose special interest gets gored.

As of this writing, Mr. Grams and Wisconsin Democrat Herb Kohl were promising to filibuster the Lott-Jeffords-Blunt cartel plans. But the way these things usually go, the dissenters get run over by the Members stampeding to leave town to brag about all of the pork they just voted to deliver. Cowabunga, Trent.

---

[From the Washington Post, Nov. 17, 1999]

GOP CHIEFS SOUR ON MILK REFORM—WHITE HOUSE, WISCONSIN'S KOHL BALK AT LOTT-HASTERT AGREEMENT

(By Michael Grunwald)

Three years after Congress ordered the Agriculture Department to revamp the nation's convoluted system for setting milk prices, Republican leaders agreed yesterday to send a new message to the department: Never mind.

Senate Majority Leader Trent Lott (R–Miss.) and House Speaker J. Dennis Hastert (R–Ill) settled on language undoing the department's modest market-oriented dairy reforms and largely preserving the depression-era ''Eau Claire system'' that sets milk prices according to distance from Eau Claire, Wis. They also agreed to a two-year extension of the controversial Northeast Dairy Compact, a regional milk cartel that sets prices even higher in New England.

But the last minute maneuvering faced stiff opposition from the White House, which warned that plans to attach the dairy provisions to a giant year-end spending bill could jeopardize the entire budget deal. ''It would create all sorts of obstacles,'' said presidential spokesman Jake Siewert, who noted that Clinton had promised to veto other spending bills including the milk language.

The upshot of the proposal—which lott pushed on behalf of Sen. James M. Jeffords (R–Vt.), who is up for reelection in 2000—would be a bitter defeat for dairy farmers in the upper Midwest, a huge victory for dairy farmers in the Northeast, and a status-quo solution to a battle that could have resulted in lower prices for consumers. Sen. Herb Kohl (D–Wis.) yesterday vowed a last-ditch effort to hold up congressional business to block the deal, and he could have assistance from the administration.

''This is a very big thing for us, and I'm going to do whatever I need to do to try to make sure this doesn't happen,'' said Kohl, who noted that his state has 25,000 dairies, compared with 3,000 for all of New England.

The byzantine Eau Claire system was designed to ensure that every region of the country maintained a local supply of fresh milk, at a time when it was not possible to transport milk long distances in refrigerated trucks. The 1996 farm bill, touted as an effort

to introduce free-market principles to America's farm economy, required the Clinton administration to propose a replacement for the Eau Claire regime. And while it authorized the Northeast Compact, it set its expiration date for this year.

Now Congress appears set to change its mind.

The Agriculture Department plan, which was supposed to go into effect last month before it was held up by a lawsuit in Vermont, would have smoothed out the formulas that favor farmers farther away from Eau Claire. Consumer advocates estimated that it would have cut milk prices by at least 2 cents a gallon nationally, saving consumers $185 million to $1 billion a year and saving taxpayers $42 million to $149 million on food programs. But the House passed a bill last month to suspend the new plan, and congressional leaders have agreed to include a version of that bill in the overall budget agreement. And yesterday's deal will extend the compact until February 2001.

Kohl complained that maintaining the status quo would mean maintaining an unfair playing field, providing government protection to help inefficient dairies compete with midwestern farmers. John Czwartacki, a spokesman for Lott, cautioned that no deal is final until the budget agreement is complete, but he suggested that midwestern senators such as Kohl and Rod Grams (R–Minn.), who also is up for reelection, will be unable to stop it.

''It's all done but the fireworks,'' Czwartacki said. ''I'm sure people will voice their unhappiness in tried and true ways. But on this issue, you can't make everyone happy.''

Not even the regional alliance of compact supporters—who include likely New York Senate candidate Hillary Rodham Clinton, but not her husband—got everything it wanted. It did not get a permanent extension of the Northeast Compact. And the agreement did not create a Southern Compact. Still, Kohl vowed yesterday to protest the deal by filibustering anything that hits the floor. And Grams warned that he might force the Senate clerk to read the entire budget bill aloud, which could take days.

''We have the government picking winners and losers, and that's wrong,'' Grams said. ''It's the whole country ganging up on the Midwest.''

The Agriculture Department proposals, while somewhat more market-oriented that the current system, would have maintained the government's guarantee of a minimum milk price in all regions. But according to Christopher Galen, spokesman for the National Milk Producers Federation, they would have cost dairy farmers across the country about $200 million a year, at a time when prices have dropped precipitously after several good years.

''We know people are upset in the Midwest, but we think this deal would create a rising tide that will lift almost all dairy farmers,'' said Galen, whose organization took no position on the compacts.

I also want to note that this bill is replete with gimmicks. This bill walks away from the majority party commitment to stick to the budget caps; it walks away from their ''let-us-pretend'' argument that they are saving Social Security; it hides $45 billion in budgetary sleight of hand.

We have in this bill, first of all, in spending that is not counted by Congress, $17 billion, $17 billion. We then have in so-called emergency spending, which is another way of avoiding the spending caps, we have over $11 billion in outlays; again, spending that is hidden in terms of whether or not it is going to be counted against the so-called budget limits that my Republican colleagues promised to live by in their own budget resolution.

Then we have what is called ''delayed outlays.'' What this really means is that we legally delay spending until the final days of the fiscal year, so it is not counted this year, but it is still spent. That accounts for $4.2 billion. Then we have what is called ''advance appropriations,'' spending that illegally counts spending against last year, even though it is available for this year, and that comes in at $2.4 billion. Then we have other gimmicks worth $9.9 billion. This from the new centurions who came in this place 5 years ago promising that under the Republican Party, things were going to be different. They are different. They have gotten worse.

So it seems to me, as I said earlier, this would be laughable if it was not so corrosive of the public's ability to believe what we are doing.

LIST OF GIMMICKS IN APPROPRIATIONS BILLS

[in millions of dollars]

| | BA | O |
|---|---|---|
| Spending Not Counted By Congress | | |
| Directed CBO to reduce their spending estimates, but actually spends Social Security: | | |
| AG—Directed outlay scoring (1.14% of BA) | ..... | −163 |
| CJ—Directed outlay scoring (1.14% of BA) | ..... | −336 |
| DOD—Directed outlay scoring | ..... | −10,500 |
| E & W—Directed outlay scoring (1.14% of BA) | ..... | −103 |
| FO—Directed outlay scoring (1.14% of BA) | ..... | −144 |
| INT—Directed outlay scoring (1.14% of BA) | ..... | −170 |
| L–HHS—Directed outlay scoring (1.14% of BA) | ..... | −970 |
| Directed outlay scoring (highway and transit firewalls) | ..... | −1,341 |
| TRANS—Directed outlay scoring (1.14% of BA) | ..... | −143 |
| TPO—Directed outlay scoring (1.14% of BA) | ..... | −151 |
| VA HUD—Directed outlay scoring (1.14% of BA) | ..... | −820 |
| DOD—Spectrum asset sales | −2,600 | −2,600 |
| Subtotal | −2,600 | −17,441 |
| Declaration of emergencies for normal program spending: | | |
| Declare Year 2000 Census an emergency | −4,476 | −4,118 |
| Defense emergency designations | −7,200 | −5,500 |
| Declare part of Head Start an emergency | −1,700 | −629 |
| LIHEAP emergency declaration | −1,100 | −825 |
| Refugees emergency declaration | −427 | −126 |
| Forest Service Wildland Fire Management | −90 | −3 |
| Public health emergency declaration | −584 | −310 |
| Subtotal | −15,577 | −11,511 |
| FY 2000 Spending Counted Against 1999 or 2001 | | |
| Legally delay spending until the final days of the fiscal year so it is counted next year: | | |
| DOD—Delay contractor payments | 0 | −1,250 |
| Labor HHS—Delayed Obligations $5.0 B in BA delayed until 9/29/00 | ..... | −1,674 |
| VA medical care delay obligation of $900 M | ..... | −720 |
| FO—Delayed obligations | ..... | −104 |
| CJS—Delayed availability of balances in Crime Victims Fund until after FY 2000 | −485 | −485 |
| Rescind section 8 housing funds | −1,300 | 0 |
| Subtotal, delayed obligations | −1,785 | −4,233 |
| Legally count spending against last fiscal year even though it is available for FY 2000: | | |
| DOD—Advance Appropriations | −1,800 | −1,800 |
| Legally count spending against next fiscal year even though it is available for FY 2000: | | |
| DOE—Elk Hills School Lands Fund | −36 | −36 |
| L–HHS—Increased advance funding for FY 2001 (total FY 2001 advances are $19 billion) | −10,100 | −532 |
| HUD—section 8 advance appropriation for FY 2001 (37% of program total) | −4,200 | 0 |
| Subtotal | −16,136 | −2,368 |
| Miscellaneous Special Accounting Gimmicks | | |
| Across the Board cut 0.38% | −2,143 | −1,206 |

LIST OF GIMMICKS IN APPROPRIATIONS BILLS—Continued

[in millions of dollars]

| | BA | O |
|---|---|---|
| Capture Federal Reserve Surplus | −3,752 | −3,752 |
| New Hires Data Base for student loan collection (incl directed scoring) | −878 | −876 |
| Slip military and civilian pay by one day | ..... | −3,589 |
| Labor HHS—HEATH loan recapture | ..... | −27 |
| United Mine Workers Combined Benefit Fund | −68 | −39 |
| L–HHS—Title XX, social services block grant, cut below mandatory level | −608 | −430 |
| TRANS—Mandatory offsets (rescission of FAA contract authority) | −30 | −10 |
| Subtotal | −7,479 | −9,929 |
| Grand total | −43,577 | −45,482 |

The SPEAKER pro tempore. All time of the minority has expired.

The gentleman from Georgia (Mr. LINDER) has 30 seconds remaining.

AMENDMENT OFFERED BY MR. LINDER

Mr. LINDER. Mr. Speaker, I offer an amendment to the resolution.

The Clerk read as follows:

Amendment offered by Mr. LINDER:

At the end of the first section of the resolution add the following:

The conference report shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The previous question shall be considered as ordered on the conference report to final adoption without intervening motion except one motion to recommit.

Mr. LINDER. Mr. Speaker, at this time I urge my colleagues to support the rule and the amendment to the rule, and I move the previous question on the amendment and on the resolution.

PARLIAMENTARY INQUIRY

Mr. OBEY. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Wisconsin will state it.

Mr. OBEY. Mr. Speaker, I am trying to understand what the import of the previous motion was. I understand that this is the method which will gag us and prevent any further motions being offered in protest to the rule that is brought before us. That is the effect of the gentleman's motion. It is, in fact, a new gag order, which will prevent us from doing anything except obediently moving toward passage of the bill. I am not going to contest it, but I think people need to know what it is. It is another symptom of how this House is run.

The SPEAKER pro tempore. That is not a parliamentary inquiry. The gentleman from Georgia managing the rule is offering an amendment to the rule.

Without objection, the previous question is ordered on the amendment and on the resolution.

There was no objection.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Georgia (Mr. LINDER).

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the resolution, as amended.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 226, nays 204, not voting 4, as follows:

[Roll No. 608]

YEAS—226

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

NAYS—204

Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blumenauer
Bonior
Borski
Boswell
Boyd
Brady (PA)
Brown (OH)
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Coburn
Condit
Costello
Coyne
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dickey
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Fletcher
Forbes
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Goode
Gordon
Green (TX)
Green (WI)
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hostettler
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McNulty
Meehan
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Nadler
Napolitano
Nussle
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Payne
Pelosi
Peterson (MN)
Petri
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Sensenbrenner
Serrano
Sherman
Shows
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Weygand
Wise
Woolsey
Wu
Wynn

NOT VOTING—4

Brady (TX)
Capps
Conyers
Wexler

□ 1543

Messrs. BONIOR, DICKEY, MATSUI, FLETCHER, BALDACCI, HINCHEY, WEYGAND, Ms. MALONEY of New York and Mrs. MCCARTHY of New York changed their vote from ''yea'' to ''nay.''

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

So the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1598

Mr. COOK. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 1598.

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

There was no objection.

## MESSAGE FROM THE PRESIDENT

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

□ 1545

## CONFERENCE REPORT ON H.R. 3194, CONSOLIDATED APPROPRIATIONS AND DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2000

Mr. YOUNG of Florida. Mr. Speaker, pursuant to House Resolution 386, I call up the conference report on the bill (H.R. 3194) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2000, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. HANSEN). Pursuant to the rule, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of November 17, 1999, Part II.)

The SPEAKER pro tempore. The gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) each will control 30 minutes.

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

GENERAL LEAVE

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the conference report to accompany H.R. 3194, and that I may include tabular and extraneous material.

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

There was no objection.

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

Mr. Speaker, we are coming to the successful conclusion of a long road toward completion of our fiscal responsibilities. I thank my friend and colleague from Wisconsin (Mr. OBEY) for calling for order in the House. I want to say ''thank you'' to him for the many, many long hours and long days we have spent together during this process as the House concluded its work on 13 separate appropriations bills.

Mr. Speaker, the bills that are included in this conference report today, all of these bills, have gone before the House in one form or another. They have also gone before the House as part of a conference report. Most of those bills have not even been changed to

any great extent from their previous forms.

The District of Columbia bill, which is the main vehicle for this conference report, has only one minor change that was acceptable to all parties involved. The bill on Foreign Operations is basically the same as passed the House, except for a minor change that was agreed to by all the parties. As for the other three bills remaining, the gentleman from Ohio (Mr. REGULA), the distinguished chairman of the Subcommittee on Interior Appropriations, will make some comments on that as we go through the debate.

The chairman of the Subcommittee on Labor, Health and Human Services, and Education Appropriations, the gentleman from Illinois (Mr. PORTER), will have some comments on that portion of the bill. And the chairman of the Subcommittee on Commerce, Justice, State and Judiciary Appropriations, the gentleman from Kentucky (Mr. ROGERS), will have some comments on that bill.

During the various discussions that have led up to the point where we are about to conclude consideration of our appropriations responsibilities, one of the complaints has been the size of the bill. And it is true that a number of nonappropriations issues have been added by virtue of reference to their bill number. But the fact is that the administration, the President's team, was here until nearly 3 o'clock this morning reading all of those pages, and they did read them all and gave us a sign-off to go ahead and file the bill. Not that we needed that, but it was a courtesy that we extended to the administration.

Mr. Speaker, of course, the staff representatives of the majority leadership and the minority leadership had access not only to this process last night and early this morning, but there has been ample opportunity for those who wanted to read the agreement and spend the hours late last night and early this morning to do so. They had that opportunity.

We have spent a considerable amount of time, long days and long nights, in negotiation with the representatives of the President. The gentleman from Wisconsin (Mr. OBEY) and I have spent a lot of time together in that room where we did the negotiating. But it is important to note, Members ought to know this, the negotiations were basically managed by the leadership of the subcommittees involved. This was not done at some high level with someone who was not involved in the day-to-day activities relative to these bills.

So, this is a real product of the Committee on Appropriations and the appropriations process. I can give at least 237 reasons to vote against this bill. But also I could give hundreds of reasons why this is a good bill. Throughout the debate we will do that, Mr. Speaker. I hope that we can get a good bipartisan vote for a good bipartisan bill that is even agreed to by the administration.

Mr. Speaker, I would ask that all of our colleagues on our side of the aisle show the gentleman from Wisconsin (Mr. OBEY) the courtesy of listening to what he has to say. There are some very strong differences here, and I would hope that the House would remain in order so that we could all hear what each of our speakers has to say.

Mr. Speaker, at this point in the RECORD I would like to insert tables showing the details of the District of Columbia Appropriations, Foreign Operation, Export Financing, and Related Programs Appropriations, and Miscellaneous Appropriations.

## DISTRICT OF COLUMBIA APPROPRIATIONS BILL, 2000

(Amounts in thousands)

| | FY 1999 Enacted | FY 2000 Request | H.R. 2587 | H.R. 3064 | H.R. 3194 | H.R. 3194 vs. enacted |
|---|---|---|---|---|---|---|
| FEDERAL FUNDS | | | | | | |
| District of Columbia Resident Tuition Support | | | 17,000 | 17,000 | 17,000 | +17,000 |
| Incentives for Adoption of Foster Children | | | 5,000 | 5,000 | 5,000 | +5,000 |
| Citizens Complaint Review Board | | | 500 | 500 | 500 | +500 |
| Federal Payment for Human Services | | | 250 | 250 | 250 | +250 |
| Metrorail improvements and expansion | 25,000 | | | | | -25,000 |
| Federal payment for management reform | 25,000 | | | | | -25,000 |
| Federal payment for Boys Town U.S.A | 7,100 | | | | | -7,100 |
| Nation's Capital Infrastructure Fund | 18,778 | | | | | -18,778 |
| Environmental Study and Related Activities at Lorton Correctional Complex | 7,000 | | | | | -7,000 |
| Federal payment to the District of Columbia corrections trustee operations | 184,800 | 176,000 | 176,000 | 176,000 | 176,000 | -8,800 |
| Federal payment to the District of Columbia Courts | 128,000 | 137,440 | 99,714 | 99,714 | 99,714 | -28,286 |
| Defender Services in D.C. Courts | | | 33,336 | 33,336 | 33,336 | +33,336 |
| Federal payment to the Court Services and Offender Supervision Agency of the District of Columbia | 59,400 | 80,300 | 93,800 | 93,800 | 93,800 | +34,400 |
| Federal payment for Children's National Medical Center | 1,000 | | 2,500 | 2,500 | 2,500 | +1,500 |
| Federal payment for Metropolitan Police Department | 1,200 | | 1,000 | 1,000 | 1,000 | -200 |
| Federal payment to General Services Administration - Lorton Correctional Complex | | | | | 6,700 | +6,700 |
| Federal payment for Fire Department | 3,240 | | | | | -3,240 |
| Federal payment to the Georgetown Waterfront Park Fund | 1,000 | | | | | -1,000 |
| Reappropriation (sec. 176) | | | | | 1,000 | +1,000 |
| Federal payment to Historical Society for City Museum | 2,000 | | | | | -2,000 |
| Federal payment for a National Museum of American Music and Downtown Revitalization | 700 | | | | | -700 |
| United States Park Police | 8,500 | | | | | -8,500 |
| Federal payment for waterfront improvements | 3,000 | | | | | -3,000 |
| Federal payment for mentoring services | 200 | | | | | -200 |
| Federal payment for hotline services | 50 | | | | | -50 |
| Federal payment for public charter schools | 15,622 | | | | | -15,622 |
| Medicare Coordinated Care Demonstration Project | 3,000 | | | | | -3,000 |
| National Revitalization Financing: | | | | | | |
| Economic Development | 25,000 | | | | | -25,000 |
| Special Education | 30,000 | | | | | -30,000 |
| Year 2000 Information Technology | 20,000 | | | | | -20,000 |
| Infrastructure and Economic Development | 50,000 | | | | | -50,000 |
| Y2K conversion emergency funding (courts) | 2,249 | | | | | -2,249 |
| Y2K conversion (emergency funding) | 61,800 | | | | | -61,800 |
| Total, Federal funds to the District of Columbia | 683,639 | 393,740 | 429,100 | 429,100 | 436,800 | -246,839 |
| DISTRICT OF COLUMBIA FUNDS | | | | | | |
| Operating Expenses | | | | | | |
| Governmental direction and support | (164,144) | (174,667) | (167,356) | (167,356) | (167,356) | (+3,212) |
| Economic development and regulation | (159,039) | (190,335) | (190,335) | (190,335) | (190,335) | (+31,296) |
| Public safety and justice | (755,786) | (778,670) | (778,770) | (778,770) | (778,770) | (+22,984) |
| Public education system | (788,956) | (850,411) | (867,411) | (867,411) | (867,411) | (+78,455) |
| Human support services | (1,514,751) | (1,525,996) | (1,526,361) | (1,526,111) | (1,526,361) | (+11,610) |
| Public works | (266,912) | (271,395) | (271,395) | (271,395) | (271,395) | (+4,483) |
| Receivership Programs | (318,979) | (337,077) | (342,077) | (342,077) | (342,077) | (+23,098) |
| Workforce Investments | | (8,500) | (8,500) | (8,500) | (8,500) | (+8,500) |
| Buyouts and Management Reforms | | | (18,000) | (18,000) | (18,000) | (+18,000) |
| Reserve | | (150,000) | (150,000) | (150,000) | (150,000) | (+150,000) |
| District of Columbia Financial Responsibility and Management Assistance Authority | (7,840) | (3,140) | (3,140) | (3,140) | (3,140) | (-4,700) |
| Financing and other | | (384,948) | | | | |
| Washington Convention Center Transfer Payment | (5,400) | | | | | (-5,400) |
| Repayment of Loans and Interest | (382,170) | | (328,417) | (328,417) | (328,417) | (-53,753) |
| Repayment of General Fund Recovery Debt | (38,453) | | (38,286) | (38,286) | (38,286) | (-167) |
| Payment of Interest on Short-Term Borrowing | (11,000) | | (9,000) | (9,000) | (9,000) | (-2,000) |
| Certificates of Participation | (7,926) | | (7,950) | (7,950) | (7,950) | (+24) |
| Human development | (6,674) | | | | | (-6,674) |
| Optical and Dental Insurance payments | | | (1,295) | (1,295) | (1,295) | (+1,295) |
| Productivity Bank | | | (20,000) | (20,000) | (18,000) | (+18,000) |
| Productivity Savings | | | (-20,000) | (-20,000) | (-18,000) | (-18,000) |
| Procurement and Management Savings | (-10,000) | (-21,457) | (-21,457) | (-21,457) | (-21,457) | (-11,457) |
| Total, operating expenses, general fund | (4,418,030) | (4,653,682) | (4,686,836) | (4,686,836) | (4,686,836) | (+268,806) |
| Enterprise Funds | | | | | | |
| Water and Sewer Authority and the Washington Aqueduct | (273,314) | (279,608) | (279,608) | (279,608) | (279,608) | (+6,294) |
| Lottery and Charitable Games Control Board | (225,200) | (234,400) | (234,400) | (234,400) | (234,400) | (+9,200) |
| Office of Cable Television | (2,108) | | | | | (-2,108) |
| Public Service Commission | (5,026) | | | | | (-5,026) |
| Office of People's Counsel | (2,501) | | | | | (-2,501) |
| Office of Insurance and Securities Regulation | (7,001) | | | | | (-7,001) |
| Office of Banking and Financial Institutions | (640) | | | | | (-640) |
| Sports and Entertainment Commission | (8,751) | (10,846) | (10,846) | (10,846) | (10,846) | (+2,095) |
| Public Benefit Corporation | (66,764) | (89,008) | (89,008) | (89,008) | (89,008) | (+22,244) |

## DISTRICT OF COLUMBIA APPROPRIATIONS BILL, 2000 — continued

(Amounts in thousands)

| | FY 1999 Enacted | FY 2000 Request | H.R. 2587 | H.R. 3064 | H.R. 3194 | H.R. 3194 vs. enacted |
|---|---|---|---|---|---|---|
| D.C. Retirement Board | (18,202) | (9,892) | (9,892) | (9,892) | (9,892) | (-8,310) |
| Correctional Industries Fund | (3,332) | (1,810) | (1,810) | (1,810) | (1,810) | (-1,522) |
| Washington Convention Center | (48,139) | (50,226) | (50,226) | (50,226) | (50,226) | (+2,087) |
| Total, Enterprise Funds | (660,978) | (675,790) | (675,790) | (675,790) | (675,790) | (+14,812) |
| Total, operating expenses | (5,079,008) | (5,329,472) | (5,362,626) | (5,362,626) | (5,362,626) | (+283,618) |
| Capital Outlay | | | | | | |
| General fund | (1,711,161) | (1,218,638) | (1,218,638) | (1,218,638) | (1,218,638) | (-492,523) |
| Water and Sewer Fund | | (197,169) | (197,169) | (197,169) | (197,169) | (+197,169) |
| Total, Capital Outlay | (1,711,161) | (1,415,807) | (1,415,807) | (1,415,807) | (1,415,807) | (-295,354) |
| Total, District of Columbia funds | (6,790,169) | (6,745,279) | (6,778,433) | (6,778,433) | (6,778,433) | (-11,736) |
| Total: | | | | | | |
| Federal Funds to the District of Columbia | 683,639 | 393,740 | 429,100 | 429,100 | 436,800 | -246,839 |
| District of Columbia funds | (6,790,169) | (6,745,279) | (6,778,433) | (6,778,433) | (6,778,433) | (-11,736) |

## FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS BILL, 2000

(Amounts in thousands)

| | FY 1999 Enacted | FY 2000 Request | House | Senate | Conference | Conference vs. enacted |
|---|---|---|---|---|---|---|
| TITLE I - EXPORT AND INVESTMENT ASSISTANCE | | | | | | |
| EXPORT-IMPORT BANK OF THE UNITED STATES | | | | | | |
| Subsidy appropriation | 765,000 | 839,000 | 759,000 | 785,000 | 759,000 | -6,000 |
| Emergency funding (by transfer) | (10,000) | ..... | ..... | ..... | ..... | (-10,000) |
| (Direct loan authorization) | (1,333,000) | (1,687,000) | (1,350,000) | (1,333,000) | (1,350,000) | (+17,000) |
| (Guaranteed loan authorization) | (12,702,000) | (13,825,000) | (10,400,000) | (10,500,000) | (10,400,000) | (-2,302,000) |
| Administrative expenses | 50,000 | 57,000 | 55,000 | 55,000 | 55,000 | +5,000 |
| Y2K conversion (emergency funding) | 400 | ..... | ..... | ..... | ..... | -400 |
| Negative subsidy | -25,000 | -15,000 | -15,000 | -15,000 | -15,000 | +10,000 |
| Total, Export-Import Bank of the United States | 790,400 | 881,000 | 799,000 | 825,000 | 799,000 | +8,600 |
| OVERSEAS PRIVATE INVESTMENT CORPORATION | | | | | | |
| Noncredit account: | | | | | | |
| Administrative expenses | 32,500 | 35,000 | 35,000 | 31,500 | 35,000 | +2,500 |
| Y2K conversion (emergency funding) | 840 | ..... | ..... | ..... | ..... | -840 |
| Insurance fees and other offsetting collections | -260,000 | -303,000 | -303,000 | -303,000 | -303,000 | -43,000 |
| Direct loans: | | | | | | |
| Loan subsidy | 4,000 | 14,000 | 10,500 | 14,000 | 14,000 | +10,000 |
| (Loan authorization) | (136,000) | (130,000) | (85,000) | (100,000) | (130,000) | (-6,000) |
| Guaranteed loans: | | | | | | |
| Loan subsidy | 46,000 | 10,000 | 10,000 | 10,000 | 10,000 | -36,000 |
| (Loan authorization) | (1,750,000) | (1,000,000) | (850,000) | (1,000,000) | (1,000,000) | (-750,000) |
| Y2K conversion (emergency funding) | 1,260 | ..... | ..... | ..... | ..... | -1,260 |
| Total, Overseas Private Investment Corporation | -175,400 | -244,000 | -247,500 | -247,500 | -244,000 | -68,600 |
| TRADE AND DEVELOPMENT AGENCY | | | | | | |
| Trade and development agency | 44,000 | 48,000 | 44,000 | 43,000 | 44,000 | ..... |
| Total, title I, Export and investment assistance | 659,000 | 685,000 | 595,500 | 620,500 | 599,000 | -60,000 |
| (Loan authorizations) | (15,921,000) | (16,642,000) | (12,685,000) | (12,933,000) | (12,880,000) | (-3,041,000) |
| TITLE II - BILATERAL ECONOMIC ASSISTANCE | | | | | | |
| FUNDS APPROPRIATED TO THE PRESIDENT | | | | | | |
| Agency for International Development | | | | | | |
| Child survival and disease programs fund | 650,000 | 600,000 | 685,000 | ..... | 715,000 | +65,000 |
| UNICEF | ..... | ..... | ..... | (105,000) | (110,000) | (+110,000) |
| Emergency funding | 50,000 | ..... | ..... | ..... | ..... | -50,000 |
| Development assistance | 1,225,000 | 770,440 | 1,201,000 | 1,928,500 | 1,228,000 | +3,000 |
| Transfer out - UNICEF | ..... | ..... | ..... | (-105,000) | ..... | ..... |
| Central America and the Caribbean Emergency Disaster Recovery Fund (Emergency Funding) | 621,000 | ..... | ..... | ..... | ..... | -621,000 |
| Emergency funding (transfer out) | (-17,000) | ..... | ..... | ..... | ..... | (+17,000) |
| Development Fund for Africa | ..... | 512,560 | ..... | ..... | ..... | ..... |
| International disaster assistance | 200,000 | 220,000 | 200,880 | 175,000 | 202,880 | +2,880 |
| Emergency funding | 188,000 | ..... | ..... | ..... | ..... | -188,000 |
| Micro & Small Enterprise Development program account: | | | | | | |
| Subsidy appropriation | 1,500 | 1,500 | 1,500 | 1,500 | 1,500 | ..... |
| (Direct loan authorization) | (1,000) | ..... | ..... | ..... | ..... | (-1,000) |
| (Guaranteed loan authorization) | (40,000) | (30,000) | (30,000) | (40,000) | (30,000) | (-10,000) |
| Administrative expenses | 500 | 500 | 500 | 500 | 500 | ..... |
| Urban and environmental credit program account: | | | | | | |
| Subsidy appropriation (Title VI Funding) | 1,500 | 3,000 | ..... | 1,500 | 1,500 | ..... |
| (Guaranteed loan authorization) | (14,000) | (26,000) | ..... | (14,000) | (14,000) | ..... |
| Administrative expenses | 5,000 | 5,000 | 5,000 | 4,000 | 5,000 | ..... |
| Development credit authority program account: | | | | | | |
| (By transfer) | ..... | (15,000) | ..... | (7,500) | (3,000) | (+3,000) |
| (Guaranteed loan authorization) | ..... | (200,000) | ..... | ..... | (40,000) | (+40,000) |
| Subtotal, development assistance | 2,942,500 | 2,113,000 | 2,093,880 | 2,111,000 | 2,154,380 | -788,120 |
| Payment to the Foreign Service Retirement and Disability Fund | 44,552 | 43,837 | 43,837 | 43,837 | 43,837 | -715 |
| Operating expenses of the Agency for International Development | 479,950 | 522,739 | 479,950 | 495,000 | 520,000 | +40,050 |
| Emergency funding (by transfer) | (8,000) | ..... | ..... | ..... | ..... | (-8,000) |
| Y2K conversion (emergency funding) | 10,200 | ..... | ..... | ..... | ..... | -10,200 |
| Operating expenses of the Agency for International Development Office of Inspector General | 30,750 | 25,261 | 25,000 | 25,000 | 25,000 | -5,750 |
| Emergency funding (by transfer) | (1,500) | ..... | ..... | ..... | ..... | (-1,500) |
| Total, Agency for International Development | 3,507,952 | 2,704,837 | 2,642,667 | 2,674,837 | 2,743,217 | -764,735 |

## FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS BILL, 2000 — continued

(Amounts in thousands)

| | FY 1999 Enacted | FY 2000 Request | House | Senate | Conference | Conference vs. enacted |
|---|---|---|---|---|---|---|
| Other Bilateral Economic Assistance | | | | | | |
| Economic support fund | 2,362,000 | 2,543,000 | 2,227,000 | 2,195,000 | 2,345,500 | -16,500 |
| Emergency funding | 211,500 | | | | 450,000 | +238,500 |
| Emergency funding (transfer out) | (-3,770) | | | | | (+3,770) |
| International Fund for Ireland | 19,600 | | 19,600 | | 19,600 | |
| Assistance for Eastern Europe and the Baltic States | 430,000 | 393,000 | 393,000 | 535,000 | 535,000 | +105,000 |
| Emergency funding | 120,000 | | | | | -120,000 |
| Assistance for the Independent States of the former Soviet Union | 801,000 | 1,032,000 | 725,000 | 780,000 | 839,000 | +38,000 |
| Emergency funding | 46,000 | | | | | -46,000 |
| Total, Other Bilateral Economic Assistance | 3,990,100 | 3,968,000 | 3,364,600 | 3,510,000 | 4,189,100 | +199,000 |
| INDEPENDENT AGENCIES | | | | | | |
| Inter-American Foundation | | | | | | |
| Appropriation | | 22,300 | | | | |
| (By transfer) | (20,000) | | (5,000) | (18,000) | (5,000) | (-15,000) |
| Total | (20,000) | (22,300) | (5,000) | (18,000) | (5,000) | (-15,000) |
| African Development Foundation | | | | | | |
| Appropriation | | 14,400 | | | | |
| (By transfer) | (11,000) | | (14,400) | (12,500) | (14,400) | (+3,400) |
| Y2K conversion (emergency funding) | 137 | | | | | -137 |
| Total | (11,137) | (14,400) | (14,400) | (12,500) | (14,400) | (+3,263) |
| Peace Corps | | | | | | |
| Appropriation | 240,000 | 270,000 | 240,000 | 220,000 | 245,000 | +5,000 |
| Emergency funding (by transfer) | (1,769) | | | | | (-1,769) |
| Department of State | | | | | | |
| International narcotics control and law enforcement | 261,000 | 295,000 | 285,000 | 215,000 | 305,000 | +44,000 |
| Emergency funding | 255,600 | | | | | -255,600 |
| Migration and refugee assistance | 640,000 | 660,000 | 640,000 | 610,000 | 625,000 | -15,000 |
| Emergency funding | 266,000 | | | | | -266,000 |
| United States Emergency Refugee and Migration Assistance Fund | 30,000 | 30,000 | 30,000 | 20,000 | 12,500 | -17,500 |
| Emergency funding | 165,000 | | | | | -165,000 |
| Nonproliferation, anti-terrorism, demining and related programs | 198,000 | 231,000 | 181,630 | 175,000 | 216,600 | +18,600 |
| Emergency funding | 20,000 | | | | | -20,000 |
| National Commission on Terrorism | 840 | | | | | -840 |
| U.S. Commission on International Religious Freedom | 3,000 | | | | | -3,000 |
| Total, Department of State | 1,839,440 | 1,216,000 | 1,136,630 | 1,020,000 | 1,159,100 | -680,340 |
| Department of the Treasury | | | | | | |
| International affairs technical assistance | 3,000 | 8,500 | 1,500 | 1,500 | 1,500 | -1,500 |
| Debt restructuring | 33,000 | 370,000 | 33,000 | 43,000 | 123,000 | +90,000 |
| Emergency funding | 41,000 | | | | | -41,000 |
| United States community adjustment and investment program (Title VI Funding) | 10,000 | 17,000 | | | 10,000 | |
| Subtotal, Department of the Treasury | 87,000 | 395,500 | 34,500 | 44,500 | 134,500 | +47,500 |
| Total, title II, Bilateral economic assistance | 9,664,629 | 8,591,037 | 7,418,397 | 7,469,337 | 8,470,917 | -1,193,712 |
| Appropriations | (7,675,192) | (8,591,037) | (7,418,397) | (7,469,337) | (8,020,917) | (+345,725) |
| Emergency funding | (1,994,437) | | | | (450,000) | (-1,544,437) |
| Rescission | (-5,000) | | | | | (+5,000) |
| (By transfer) | (10,230) | (15,000) | (19,400) | (38,000) | (22,400) | (+12,170) |
| (By transfer) (emergency appropriations) | (11,269) | | | | | (-11,269) |
| (Loan authorizations) | (55,000) | (256,000) | (30,000) | (54,000) | (84,000) | (+29,000) |

## FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS BILL, 2000 — continued

(Amounts in thousands)

| | FY 1999 Enacted | FY 2000 Request | House | Senate | Conference | Conference vs. enacted |
|---|---|---|---|---|---|---|
| TITLE III - MILITARY ASSISTANCE | | | | | | |
| FUNDS APPROPRIATED TO THE PRESIDENT | | | | | | |
| International Military Education and Training | 50,000 | 52,000 | 45,000 | 50,000 | 50,000 | ..... |
| Foreign Military Financing Program: | | | | | | |
| Grants | 3,330,000 | 3,780,000 | 3,470,000 | 3,410,000 | 3,420,000 | +90,000 |
| (Limitation on administrative expenses) | (29,910) | (30,000) | (30,495) | (30,000) | (30,495) | (+585) |
| Direct loans: | | | | | | |
| Subsidy appropriation | 20,000 | ..... | ..... | ..... | ..... | -20,000 |
| (Loan authorization) | (167,000) | ..... | ..... | ..... | ..... | (-167,000) |
| FMF program level | (3,497,000) | (3,780,000) | (3,470,000) | (3,410,000) | (3,420,000) | (-77,000) |
| Total, Foreign Military Financing | 3,350,000 | 3,780,000 | 3,470,000 | 3,410,000 | 3,420,000 | +70,000 |
| Emergency Funding (Title VI) | 50,000 | ..... | ..... | ..... | 1,375,000 | +1,325,000 |
| Special Defense Acquisition Fund: | | | | | | |
| Offsetting collections | -19,000 | -6,000 | -6,000 | -6,000 | -6,000 | +13,000 |
| Peacekeeping operations | 76,500 | 130,000 | 76,500 | 80,000 | 153,000 | +76,500 |
| Total, title III, Military assistance | 3,507,500 | 3,956,000 | 3,585,500 | 3,534,000 | 4,992,000 | +1,484,500 |
| (Limitation on administrative expenses) | (29,910) | (30,000) | (30,495) | (30,000) | (30,495) | (+585) |
| (Loan authorization) | (167,000) | ..... | ..... | ..... | ..... | (-167,000) |
| TITLE IV - MULTILATERAL ECONOMIC ASSISTANCE | | | | | | |
| FUNDS APPROPRIATED TO THE PRESIDENT | | | | | | |
| International Financial Institutions | | | | | | |
| World Bank Group | | | | | | |
| Contribution to the International Bank for Reconstruction and Development: | | | | | | |
| Global Environment Facility | 192,500 | 143,333 | 50,000 | 25,000 | 35,800 | -156,700 |
| Rescission | -25,000 | ..... | ..... | ..... | ..... | +25,000 |
| Subtotal, Global Environment Facility | 167,500 | 143,333 | 50,000 | 25,000 | 35,800 | -131,700 |
| Contribution to the International Development Association | 800,000 | 803,430 | 568,600 | 776,600 | 775,000 | -25,000 |
| Title VI Funding | ..... | ..... | ..... | ..... | ..... | ..... |
| Contribution to Multilateral Investment Guarantee Agency | ..... | 10,000 | ..... | 10,000 | 4,000 | +4,000 |
| (Limitation on callable capital subscriptions) | ..... | (50,000) | ..... | (50,000) | (20,000) | (+20,000) |
| Total, World Bank Group | 967,500 | 956,763 | 618,600 | 811,600 | 814,800 | -152,700 |
| Contribution to the Inter-American Development Bank: | | | | | | |
| Paid-in capital | 25,611 | 25,611 | 25,611 | 25,611 | 25,611 | ..... |
| (Limitation on callable capital subscriptions) | (1,503,719) | (1,503,719) | (1,503,719) | (1,503,719) | (1,503,719) | ..... |
| Fund for special operations | 21,152 | ..... | ..... | ..... | ..... | -21,152 |
| Contribution to the Inter-American Investment Corporation (Title VI Funding) | ..... | 25,000 | ..... | ..... | 16,000 | +16,000 |
| Contribution to the Enterprise for the Americas Multilateral Investment Fund | 50,000 | 28,500 | ..... | ..... | ..... | -50,000 |
| Total, contribution to the Inter-American Development Bank | 96,763 | 79,111 | 25,611 | 25,611 | 41,611 | -55,152 |
| Contribution to the Asian Development Bank: | | | | | | |
| Paid-in capital | 13,222 | 13,728 | 13,728 | 13,728 | 13,728 | +506 |
| (Limitation on callable capital subscriptions) | (647,858) | (672,745) | (672,745) | (672,745) | (672,745) | (+24,887) |
| Contribution to the Asian Development Fund | 210,000 | 177,017 | 100,000 | 50,000 | 77,000 | -133,000 |
| Total, contribution to the Asian Development Bank | 223,222 | 190,745 | 113,728 | 63,728 | 90,728 | -132,494 |
| Contribution to the African Development Bank: | | | | | | |
| Paid-in capital (Title VI Funding) | ..... | 5,100 | ..... | 5,100 | 4,100 | +4,100 |
| (Limitation on callable capital subscriptions) | ..... | (80,000) | ..... | ..... | (64,000) | (+64,000) |
| Contribution to the African Development Fund | 128,000 | 127,000 | 108,000 | ..... | 128,000 | ..... |
| Contribution to the European Bank for Reconstruction and Development: | | | | | | |
| Paid-in capital | 35,779 | 35,779 | 35,779 | 35,779 | 35,779 | ..... |
| (Limitation on callable capital subscriptions) | (123,238) | (123,238) | (123,238) | (123,238) | (123,238) | ..... |
| Total, International Financial Institutions | 1,451,264 | 1,394,498 | 901,718 | 941,818 | 1,115,018 | -336,246 |
| (Limitation on callable capital subscript) | (2,274,815) | (2,429,702) | (2,299,702) | (2,349,702) | (2,383,702) | (+108,887) |

## FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS BILL, 2000 — continued

(Amounts in thousands)

| | FY 1999 Enacted | FY 2000 Request | House | Senate | Conference | Conference vs. enacted |
|---|---|---|---|---|---|---|
| International Organizations and Programs | | | | | | |
| Appropriation | 187,000 | 293,000 | 167,000 | 170,000 | 183,000 | -4,000 |
| (By transfer) | (2,500) | (2,500) | (2,500) | (2,500) | (2,500) | ..... |
| Total, title IV, Multilateral economic assistance | 1,638,264 | 1,687,498 | 1,068,718 | 1,111,818 | 1,298,018 | -340,246 |
| Appropriations | (1,663,264) | (1,687,498) | (1,068,718) | (1,111,818) | (1,298,018) | (-365,246) |
| Rescission | (-25,000) | ..... | ..... | ..... | ..... | (+25,000) |
| (By transfer) | (2,500) | (2,500) | (2,500) | (2,500) | (2,500) | ..... |
| (Limitation on callable capital subscript) | (2,274,815) | (2,429,702) | (2,299,702) | (2,349,702) | (2,383,702) | (+108,887) |
| TITLE VI | | | | | | |
| FUNDS APPROPRIATED TO THE PRESIDENT | | | | | | |
| International Monetary Programs | | | | | | |
| Loans to International Monetary Fund | 3,361,000 | ..... | ..... | ..... | ..... | -3,361,000 |
| United States Quota, International Monetary Fund | 14,500,000 | ..... | ..... | ..... | ..... | -14,500,000 |
| Total, International Monetary Programs | 17,861,000 | ..... | ..... | ..... | ..... | -17,861,000 |
| Grand total | 33,330,393 | 14,919,535 | 12,668,115 | 12,735,655 | 15,359,935 | -17,970,458 |
| Appropriations | (31,313,456) | (14,919,535) | (12,668,115) | (12,735,655) | (13,534,935) | (-17,778,521) |
| Emergency appropriations | (2,046,937) | ..... | ..... | ..... | (1,825,000) | (-221,937) |
| Rescission | (-30,000) | ..... | ..... | ..... | ..... | (+30,000) |
| (By transfer) | (12,730) | (17,500) | (21,900) | (40,500) | (24,900) | (+12,170) |
| (By transfer) (emergency appropriations) | (21,269) | ..... | ..... | ..... | ..... | (-21,269) |
| (Limitation on administrative expenses) | (29,910) | (30,000) | (30,495) | (30,000) | (30,495) | (+585) |
| (Limitation on callable capital subscript) | (2,274,815) | (2,429,702) | (2,299,702) | (2,349,702) | (2,383,702) | (+108,887) |
| (Loan authorizations) | (16,143,000) | (16,898,000) | (12,715,000) | (12,987,000) | (12,964,000) | (-3,179,000) |
| CONGRESSIONAL BUDGET RECAP | | | | | | |
| Total mandatory and discretionary | 31,246,456 | 14,919,535 | 12,668,115 | 12,735,655 | 13,534,935 | -17,711,521 |
| Mandatory | 44,552 | 43,837 | 43,837 | 43,837 | 43,837 | -715 |
| Discretionary | 31,201,904 | 14,875,698 | 12,624,278 | 12,691,818 | 13,491,098 | -17,710,806 |

## MISCELLANEOUS APPROPRIATIONS (H.R.3425)

(Amounts in thousands)

| | Conference |
|---|---|
| TITLE I - EMERGENCY SUPPLEMENTAL APPROPRIATIONS | |
| CHAPTER 1 | |
| DEPARTMENT OF AGRICULTURE | |
| Farm Service Agency: | |
| Agricultural Credit Insurance Fund Program Account: | |
| Loan authorizations: | |
| Farm ownership loans: | |
| Direct | (21,951) |
| Guaranteed | (568,627) |
| Subtotal | (590,578) |
| Farm operating loans: | |
| Direct | (400,000) |
| Guaranteed unsubsidized | (302,158) |
| Guaranteed subsidized | (702,558) |
| Subtotal | (1,404,716) |
| Emergency disaster loans | (547,000) |
| Total, Loan authorizations | (2,542,294) |
| Loan subsidies: | |
| Farm ownership loans: | |
| Direct (contingent emergency appropriations) | 828 |
| Guaranteed (contingent emergency appropriations) | 3,184 |
| Subtotal | 4,012 |
| Farm operating loans: | |
| Direct (contingent emergency appropriations) | 23,441 |
| Guaranteed unsubsidized (contingent emergency appropriations) | 4,260 |
| Guaranteed subsidized (contingent emergency appropriations) | 61,895 |
| Subtotal | 89,596 |
| Emergency disaster loans (contingent emergency appropriations) | 84,949 |
| Total, Agricultural Credit Insurance Fund Program Account | 178,557 |
| Emergency conservation program (contingent emergency appropriations) | 50,000 |
| Total, Farm Service Agency | 228,557 |
| Commodity Credit Corporation Fund: | |
| Crop loss assistance (contingent emergency appropriations) | 186,000 |
| Specialty crop assistance (contingent emergency appropriations) | 2,800 |
| Livestock assistance (contingent emergency appropriations) | 10,000 |
| Total, Commodity Credit Corporation Fund | 198,800 |
| Natural Resources Conservation Service: | |
| Watershed and flood prevention operations (contingent emergency appropriations) | 80,000 |
| Rural Housing Service: | |
| Rural Housing Insurance Fund Program Account: | |
| Loan authorizations: | |
| Single family (sec. 502) | (50,000) |
| Housing repair (sec. 504) | (15,000) |
| Farm labor (sec. 514) | (5,000) |
| Subtotal | (70,000) |
| Loan subsidies: | |
| Single family (sec. 502) (contingent emergency appropriations) | 4,265 |
| Housing repair (sec. 504) (contingent emergency appropriations) | 4,584 |
| Farm labor (sec. 514) (contingent emergency appropriations) | 2,250 |
| Total, Rural Housing Insurance Fund Program Account | 11,099 |
| Rural housing assistance grants (contingent emergency appropriations) | 14,500 |
| Total, Rural Housing Service | 25,599 |
| General Provisions | |
| Noninsured crop disaster assistance program (contingent emergency appropriations) (sec. 101) | 20,000 |
| Total, title I: | |
| New budget (obligational) authority | 552,956 |
| (Loan authorization) | (2,612,294) |

## MISCELLANEOUS APPROPRIATIONS (H.R.3425) — continued

(Amounts in thousands)

| | Conference |
|---|---|
| TITLE II - OTHER APPROPRIATIONS MATTERS | |
| Department of Agriculture: | |
| Citrus canker/tree replacement (sec. 204) | 16,000 |
| Crop insurance pilot programs (sec. 205) | 1,000 |
| Harney County losses (sec. 207) | 1,090 |
| Tillamook Railroad disaster repairs (sec. 208) | 5,000 |
| Department of Defense: | |
| Operation and Maintenance, Army: Army readiness enhancements (sec. 218) | 100,000 |
| Operation and Maintenance, Defense-wide: Washington Square project (by transfer) (sec. 219) | (500) |
| Department of the Interior: | |
| United States Fish and Wildlife Service: Land and water conservation fund (sec. 222) | 1,250 |
| Legislative Branch: | |
| Payments to Widows and Heirs of Deceased Members of Congress: Gratuities, deceased Members (sec. 223) | 137 |
| Department of Transportation: | |
| Federal Transit Administration: Capital investment grants (Highway Trust Fund, Mass Transit Account): | |
| Buses and bus-related facilities (sec. 225) | 6,000 |
| Federal Railroad Administration: Pennsylvania Station redevelopment project (advance appropriations) (sec. 232) | 60,000 |
| General Services Administration: | |
| Extension of no-cost land conveyances (sec. 233) | 2,000 |
| Executive Office of the President: | |
| Office of National Drug Control Policy (sec. 237) | 3,000 |
| Department of the Treasury: | |
| United States Secret Service: Salaries and expenses (sec. 240) | 10,000 |
| (By transfer) (sec. 240) | (21,000) |
| Total, title II: | |
| New budget (obligational) authority | 205,477 |
| Appropriations | (145,477) |
| Advance appropriations | (60,000) |
| (By transfer) | (21,500) |
| (Loan authorization) | (2,612,294) |
| Grand total, all titles: | |
| New budget (obligational) authority | 758,433 |
| Appropriations | (145,477) |
| Contingent emergency appropriations | (552,956) |
| Advance appropriations | (60,000) |
| (By transfer) | (21,500) |
| (Loan authorization) | (2,612,294) |

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

Mr. OBEY. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Missouri (Mr. GEPHARDT), the honorable minority leader.

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

Mr. GEPHARDT. Mr. Speaker, I want to thank the Members of the Committee on Appropriations on both sides of the aisle for tremendous long hours and hard work. I want to thank all of the Members of the President's staff for the work that they did in trying to bring this to a successful conclusion.

Mr. Speaker, this has been an imperfect process, and this is an imperfect bill. But on balance, it has more to recommend it than not, and I will support its final passage. Procedurally, this bill repeats many of the same mistakes that were made last fall by the leadership. Despite the promises of the Speaker last January, once again we have a bill that was not done on time and was not done in regular order. We have an omnibus bill that reflects a ''kitchen sink'' approach to governing and, once again, Members did not have adequate time to read the bill to understand all of its provisions.

On the substance of the bill, I am disappointed over the family planning provision that was contained and attached to the U.N. funding. I do not think it is the right thing to do. And I am upset that we failed to include a hate crimes provision in this bill, and I think we had a chance to do that.

But on balance, this budget is an overall victory for our priorities. The President and Democrats in Congress hung together in support of an agreement that has made a real commitment to the priorities that we feel are critical to the continued health and well-being of America's families. Once again, as we did lasted fall in our negotiations with Speaker Gingrich, we snatched a modest victory out of a misguided Republican budget process that cared more about providing a tax cut for the wealthy and corporate special interests than about doing the right thing for average Americans.

We achieved a big win for our efforts to educate our children for the challenges of the next century. This bill contains funding for 100,000 new, qualified teachers to reduce class size and increase discipline and accountability in America's classrooms. I am very happy that that priority has been recognized in this budget.

It makes a strong commitment to after-school programs to keep kids off the street and in safe and productive environments until they go home. And it advances us substantially on our goal towards getting 1 million children included in Head Start finally in this country, and I am very happy that that priority has been advanced.

We achieved a big win in the effort to fight crime. This budget will allow local police departments to hire an additional 50,000 officers over and above the 100,000 that have already been hired to continue our progress in making our neighborhoods safe.

Mr. Speaker, we achieved a big win for the environment by stripping out the most extreme Republican anti-environmental provisions that were sneaked into the back door of this budget.

But for all we have accomplished in this bill, this Congress has this year failed the American people. Despite the progress we made in the last several weeks on behalf of these priorities, we have not done enough on the agenda of the American people. And instead of doing the people's business, we squandered at least 2 months debating a failed trillion dollar tax cut for the wealthy and special interests.

Despite the chest beating, the button wearing and the commercial airing of the Republicans, this Congress failed to extend the life of Social Security by 1 day. We have done nothing to provide a prescription drug benefit for seniors to modernize Medicare to meet their current needs. We failed to enact key bipartisan reform efforts, the Patients' Bill of Rights, and the Shays-Meehan campaign reform bill into law.

We dropped the ball, and we lost a real opportunity to modernize our health care system once and for all. And we did not help low-income families get a step up into the middle-class with a minimum wage increase. We did not strike a blow against violence in our schools and our playgrounds by passing common sense gun safety legislation.

Our work, in short, is not finished. In many ways, it has not even yet begun. We intend to be back here in January ready and prepared to fight for the priorities and the agenda of the American people. And I simply say to our friends on the other side of the aisle, we have achieved a certain level of agreement here today on some important priorities. I am glad for that, and I thank them for their help in bringing that about.

Mr. Speaker, in that same spirit of can-do, I say to our friends in the Republican Party today: let us continue to work together next year. Let us get a Patients' Bill of Rights that really gets the job done. Let us get campaign reform. Let us get something done on gun safety. Let us pass a minimum wage increase. Let us get Medicare reform. Let us extend the solvency of Social Security. Let us get a prescription drug benefit for our senior citizens. If we could do this, we can do that, and the American people would be very happy for it.

Mr. YOUNG of Florida. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Texas (Mr. ARMEY), the majority leader.

Mr. ARMEY. Mr. Speaker, I thank the gentleman from Florida (Mr. YOUNG) for yielding me this time. Let me just say, Mr. Speaker, I believe this is a very, very proud moment for this body. To think that we could in just these few short years move ourselves from where we had been in 1994, perpetual debt as much as $250 billion a year for as long as anybody could see to the point where with this budget deal we will consummate and finalize forever an end to the raid on Social Security.

Beginning in 1998, fiscal year 1999, and now with this budget agreement in fiscal year 2000, we will have retired a third of a trillion dollars' worth of debt for the American people. We will have stopped the raid on Social Security forever. We will have enforced this with an across-the-board spending reduction that acknowledges truly it is time now to be disciplined to eliminate waste, inefficiency, fraud in the use of the taxpayers' dollars. A new commitment of good government in government.

□ 1600

Then when we start looking at the details, some of the things we did in education to bring a real opportunity for the schools that serve the children better, and for those children in the most desperate of economic circumstances in their families who find themselves with the most desperate of situations in their schools, to actually have the opportunity now in this bill for public school choice is a wonderful new break, through reinforcing the consistent pattern of this year of providing respect for local communities as they manage their schools, providing greater opportunity to use the resources provided through the Federal Government for better management, better performance on the school on behalf of the children. It is just another good example of the good work we have done.

So I say to our colleagues, we saw the opportunity that was presented to us to stop the raid and to write good policy on education and defense and any number of ways. We seized the opportunity, and we saw it through, and today is the day.

Let us vote it through, and let us go home and enjoy the results with our schools, our communities, our families, and our constituents.

I say to everyone congratulations, and I thank all of my colleagues for their long, hard work. I know we are all tired at this time of the year, but we all should have such a sense of gratification. We did the right thing, and we did it well.

Mr. OBEY. Mr. Speaker, I yield 4 minutes to the gentleman from Michigan (Mr. BONIOR), the distinguished minority whip.

Mr. BONIOR. Mr. Speaker, I share the views of the gentleman from Missouri (Mr. GEPHARDT), my leader, with respect to the process in which we have been engaged. Seven weeks late on a budget, and of course this budget is minus many important issues that he enumerated: Nothing for Social Security solvency, nothing on Medicare reform, nothing on prescription drugs,

nothing on Patients' Bill of Rights, nothing on the minimum wage.

We, indeed, have not done the people's work, and we have squandered a good deal of our time debating a tax bill that did not meet the approval of the American public.

But the bill that we have before us today does have some good features in it. It is with that in mind that I rise in support of it. It is a victory, first of all, for our children because it provides funding to hire and train 100,000 new teachers and dramatically expand the after-school program.

It is a budget victory, in a sense, for public safety because it provides funding to hire and train 50,000 police officers to patrol our streets and neighborhoods and keep our children safe in school.

Third, this budget is a victory for the environment because it increases funding to protect our clean water, to preserve community parks and forests and historic sites through the Lands Legacy Program, and to fight the congestion and pollution that threaten our quality of life of our constituents.

The fourth issue that I would mention here this afternoon is in the foreign policy area. This provides the resources to move the Mideast peace process forward, providing resources for the Israelis, the Palestinians, and the Jordanians. I think that moves on successes that we have had in the past.

This year, Federal funding allows schools in my congressional district Macomb and St. Clair Counties in Michigan to hire 60 new teachers. What that has done is it has translated into smaller classes, greater discipline, more learning, higher academic performance. This is an investment in our future, and it is an investment that will pay dividends in years to come.

This year's budget also provides funding to enable 675,000 students to participate in the after-school program where they can mentor with seniors and other adults working in athletic and crafts and the computer rooms and the libraries and all the things that are necessary to keep them safe in a safe environment after school, to help them mentor in a way in which they can learn the respect of their elders and work with their elders and learn the skills of those who have gone before them.

Programs like the Kids Klub in Macomb and St. Clair Counties will directly benefit from this budget and will help young people set off on the right foot.

This budget will also help keep our families safe through the hiring of 50,000 new police officers. As with the teacher initiative, this builds on our past successes.

Because of Federal funding, 85 extra officers patrol in my district today. That makes people safer in their homes and their businesses, and serves as a strong deterrent to would-be criminals. It also makes our students strong in their places of education.

So, Mr. Speaker, let me just conclude by saying that I am very pleased that we Democrats were able to strip some of these environmental riders from the bill, protecting the environment, protecting the budget process itself. We have done good things for education. We have done good things to protect our communities in terms of its safety with the addition of the police officers. We have done the responsible thing to move peace forward in foreign lands.

So for these reasons, for our children, for our communities, for our environment, for our international responsibilities and obligations, I am voting yes on this budget.

Mr. YOUNG of Florida. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Texas (Mr. DELAY), the majority whip.

Mr. DELAY. Mr. Speaker, I want to congratulate the gentleman from Florida (Mr. YOUNG), the chairman of the Committee on Appropriations, on an outstanding performance in bringing this bill to the floor and finalizing the budget process. This chairman of the Committee on Appropriations and the chairmen of the subcommittees have done an outstanding job.

I rise in support of this bill, but more importantly, I rise to set the record straight. The Republican majority in Congress has redefined the way that budgets are crafted. In so doing, we have set the Nation down the path to fiscal responsibility.

When I ran for office the first time, I ran because I found a situation where we were running up the debt on my children and my grandchildren and no one wanting to pay down the debt; that we had budgets that ran deficits as far as the eye could see and no one trying to balance the budget; that we had a situation where we raised surpluses in the Social Security Trust Fund so that we could spend the money on big government programs.

I ran for office and never really thought that I would be standing before my colleagues today very, very proud of the work of this House over the last 5 years. At this time, it is important for everyone to reflect on how far we have come.

When Republicans took control 5 years ago, we pledged that we would change the scope of government; and we are delivering on that promise, going down the line of issues that are important in this country. The fact is unavoidable that this Congress has been an overwhelming success.

Even when people would like to rewrite recent history, this is the first time in my 15-year career that we put 13 appropriations bills on the desk of the President. He signed eight of them and vetoed five because there was not enough spending to suit him.

We negotiated each bill individually. This is not an omnibus bill. Each bill was negotiated individually, and each authorizing bill that is in this package has been voted on by this House.

We have rebuilt our military after years of neglect. We took significant power over education away from the Federal Government, returned it to the States. We tried to cut waste by just suggesting a 1 percent across-the-board cut. Incredibly, the Democrats maintain that a measly 1 percent of waste could not be found in the Federal Government. Well, even the President eventually agreed with us. Now we have an across-the-board spending cut.

We have stopped the raid on Social Security. We have balanced the budget for the second time in 50 years without raising a dime of taxes to do it. We are paying down the debt, $99 billion last year. We will, next year, pay $130 billion down on our children's debt.

Mr. Speaker, this bill is the last step in a very successful budget season. We have worked hard to balance the budget and pay down the debt without raising taxes or raiding Social Security. The hard work has paid off. Vote for this bill.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Mississippi (Mr. TAYLOR).

Mr. TAYLOR of Mississippi. Mr. Speaker, I would like to encourage my colleagues to vote against this. It is not necessarily that it is an entirely bad bill. But a year ago right now, all of us went around our respective districts and asked for the opportunity to spend the people's money wisely.

The problem that I have with this bill is that, for the next 3 weeks, The Washington Post, the Washington Times, the New York Times are going to be running a series of articles every day of what was in this bill, and one is not going to know it was there. But one is going to have to tell one's constituents, well, gosh, I did not know that money for a fleet buyout in Alaska was there or for a wood lot in North Carolina was there or for all the other silly things.

I encourage my Republican colleagues to vote against it because many of them ran against Goals 2000. Yet, there is $491 million for Goals 2000 in here. Many of them said they were against the Department of Commerce. Well, it has got a $3.6 billion increase, but they call it emergency because it has got money for the census that apparently no one knew was coming even though the Constitution says we are going to do it every 10 years.

But more than everything else, I think my colleagues are playing a shell game with the men and women of the United States military. Everyone was real proud a couple weeks ago when they said we increased the defense budget. Well, today, my colleagues are cutting it back by $1 billion, $1 billion.

To make matters worse, those troops who are already underpaid, who got a minuscule pay raise just a few weeks ago, my colleagues are now telling them we are going to delay the time they are paid. Now, for a Congressman, we make pretty good money. Getting paid a day or two later really should not affect us. But when one is an E–1, E–5, O–1, O–2, and one is just barely

getting by, to move payday back, in many instances, is the difference between them being able to buy diapers for their kids or one can put food on the table.

It is not right. We should not do it. If it takes us waiting a couple more days to do it right, then I encourage us to do so.

Mr. YOUNG of Florida. Mr. Speaker, I yield 2¼ minutes to the distinguished gentleman from Ohio (Mr. REGULA), chairman of the Subcommittee on the Interior.

(Mr. REGULA asked and was given permission to revise and extend his remarks and include extraneous material.)

Mr. REGULA. Mr. Speaker, Webster defines ''perfect'' as being without fault or flawless. He defines ''good'' as being praiseworthy, useful, or beneficial.

Well, the document before us is not perfect under Webster's definition. It abundantly does fit Webster's definition of good. It is praiseworthy. It is useful. It is beneficial.

In the conference report, we have modified a number of the riders. I believe many of my colleagues will be pleased with our changes. Most importantly, they are fair. I am especially pleased with this report as it continues our commitment to the American people in protecting the environment, in providing for our national parks, forests, wildlife refuges, and public lands, as well as our cultural resources.

As the gentleman from Michigan (Mr. BONIOR) said, this bill is a victory for the environment. It is a bill that will provide pride in America's heritage, not only now, but far into the future. I think it is something we all could take pride in.

I urge each of my colleagues to support the bill.

Mr. Speaker, I yield to the gentlewoman from Idaho (Mrs. CHENOWETH-HAGE) for a colloquy.

Mrs. CHENOWETH-HAGE. Mr. Speaker, I would like to ask the gentleman from Ohio (Mr. REGULA), chairman of the Subcommittee on Interior, to clarify some matters concerning the President's so-called American Heritage Rivers initiative that concerns the Interior and related agencies portion of the appropriations act.

Is it the understanding of the gentleman from Ohio (Mr. REGULA) that there is nothing in his bill that authorizes the American Heritage Rivers initiative?

Mr. REGULA. Yes, Mr. Speaker, I would like to clarify that matter. There is no language whatsoever in the Interior portion that provides an authorization for the American Heritage Rivers initiative.

Mrs. CHENOWETH-HAGE. Mr. Speaker, in addition, is it true that there is no separate appropriation for the American Heritage Rivers initiative in the Interior portion of the bill?

Mr. REGULA. Yes, Mr. Speaker, it is true there is no appropriation for the American Heritage Rivers initiative in the appropriations act.

Mrs. CHENOWETH-HAGE. Mr. Speaker, it is clear that there is no appropriations, nor authorization, but on their insistence on spending money on this unauthorized and unappropriated initiative, how have you instructed the Forest Service managers in this?

□ 1615

Mr. REGULA. There is no such authorization or appropriation, Mr. Speaker. The statement of the managers provides a limitation on spending for the Forest Service for purposes related to designated American Heritage Rivers.

This is not an appropriation, but provides the maximum that may be spent. It is language of limitation on what can be spent from existing funds.

Mr. Speaker, Webster defines ''perfect'' as being without fault, or flawless. He defines ''good'' as praiseworthy, useful or beneficial. While the document before you is not perfect under Webster's definition, it abundantly does fit Webster's definition of good.

In this new conference report we have modified a number of the riders and I believe that many of you will be pleased with our changes. Most importantly they are fair.

I am especially pleased with this conference report, as it continues our commitment to the American people in protecting the environment and in providing for our national parks, forests, wildlife refuges and public lands, as well as our cultural resources. As the gentleman from Michigan said, ''This bill is a victory for the environment to the State of Florida.'' I urge you to support this new bill.

At this point Mr. Speaker, I would like to insert into the RECORD a table detailing the various accounts in the bill. It is a bill that will provide pride in America's heritage not only now but far into the future.

## DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL, 2000

(Amounts in thousands)

| | FY 1999 Enacted | FY 2000 Request | House | Senate | Conference | Conference vs. enacted |
|---|---|---|---|---|---|---|
| TITLE I - DEPARTMENT OF THE INTERIOR | | | | | | |
| Bureau of Land Management | | | | | | |
| Management of lands and resources | 612,511 | 641,100 | 631,068 | 634,321 | 646,218 | +33,707 |
| Wildland fire management | 286,895 | 305,850 | 292,399 | 283,805 | 292,282 | +5,387 |
| Central hazardous materials fund | 10,000 | 11,350 | 10,000 | 10,000 | 10,000 | ..... |
| Construction | 10,997 | 8,350 | 11,100 | 12,418 | 11,425 | +428 |
| Payments in lieu of taxes | 125,000 | 125,000 | 145,000 | 135,000 | 135,000 | +10,000 |
| Land acquisition | 14,600 | 48,900 | 15,000 | 17,400 | 15,500 | +900 |
| Oregon and California grant lands | 97,037 | 101,650 | 99,225 | 99,225 | 99,225 | +2,188 |
| Range improvements (indefinite) | 10,000 | 10,000 | 10,000 | 10,000 | 10,000 | ..... |
| Service charges, deposits, and forfeitures (indefinite) | 8,055 | 8,800 | 8,800 | 8,800 | 8,800 | +745 |
| Miscellaneous trust funds (indefinite) | 8,800 | 7,700 | 7,700 | 7,700 | 7,700 | -1,100 |
| Total, Bureau of Land Management | 1,183,895 | 1,268,700 | 1,230,292 | 1,218,669 | 1,236,150 | +52,255 |
| United States Fish and Wildlife Service | | | | | | |
| Resource management | 661,136 | 724,000 | 710,700 | 684,569 | 716,046 | +54,910 |
| Construction | 50,453 | 43,569 | 43,933 | 40,434 | 54,583 | +4,130 |
| Emergency appropriations | 37,612 | ..... | ..... | ..... | ..... | -37,612 |
| Land acquisition | 48,024 | 73,632 | 42,000 | 56,444 | 50,513 | +2,489 |
| Cooperative endangered species conservation fund | 14,000 | 80,000 | 15,000 | 21,480 | 23,000 | +9,000 |
| National wildlife refuge fund | 10,779 | 10,000 | 10,779 | 10,000 | 10,779 | ..... |
| North American wetlands conservation fund | 15,000 | 15,000 | 15,000 | 15,000 | 15,000 | ..... |
| Wildlife conservation and appreciation fund | 800 | 800 | 800 | 800 | 800 | ..... |
| Multinational species conservation fund | 2,000 | 3,000 | 2,000 | 2,400 | 2,400 | +400 |
| Commercial salmon fishery capacity reduction | ..... | ..... | ..... | ..... | 5,000 | +5,000 |
| Total, United States Fish and Wildlife Service | 839,804 | 950,001 | 840,212 | 831,127 | 878,121 | +38,317 |
| National Park Service | | | | | | |
| Operation of the national park system | 1,285,604 | 1,389,627 | 1,387,307 | 1,355,176 | 1,365,059 | +79,455 |
| Emergency appropriations | 2,320 | ..... | ..... | ..... | ..... | -2,320 |
| National recreation and preservation | 46,225 | 48,336 | 49,449 | 51,451 | 53,899 | +7,674 |
| Historic preservation fund | 72,412 | 80,512 | 46,712 | 42,412 | 75,212 | +2,800 |
| Construction | 226,058 | 194,000 | 169,856 | 223,153 | 225,493 | -565 |
| Emergency appropriations | 13,680 | ..... | ..... | ..... | ..... | -13,680 |
| Land and water conservation fund (rescission of contract authority) | -30,000 | -30,000 | -30,000 | -30,000 | -30,000 | ..... |
| Land acquisition and state assistance | 147,925 | 172,468 | 132,000 | 107,725 | 120,700 | -27,225 |
| Conservation grants and planning assistance | ..... | 200,000 | ..... | ..... | ..... | ..... |
| Urban park and recreation fund | ..... | 4,000 | ..... | ..... | ..... | ..... |
| Total, National Park Service (net) | 1,764,224 | 2,058,943 | 1,755,324 | 1,749,917 | 1,810,363 | +46,139 |
| United States Geological Survey | | | | | | |
| Surveys, investigations, and research | 797,896 | 838,485 | 820,444 | 813,093 | 823,833 | +25,937 |
| Emergency appropriations | 1,000 | ..... | ..... | ..... | ..... | -1,000 |
| Minerals Management Service | | | | | | |
| Royalty and offshore minerals management | 217,902 | 234,082 | 234,082 | 234,682 | 234,682 | +16,780 |
| Additions to receipts | -100,000 | -124,000 | -124,000 | -124,000 | -124,000 | -24,000 |
| Oil spill research | 6,118 | 6,118 | 6,118 | 6,118 | 6,118 | ..... |
| Total, Minerals Management Service | 124,020 | 116,200 | 116,200 | 116,800 | 116,800 | -7,220 |
| Office of Surface Mining Reclamation and Enforcement | | | | | | |
| Regulation and technology | 93,078 | 94,391 | 95,693 | 95,891 | 95,891 | +2,813 |
| Receipts from performance bond forfeitures (indefinite) | 275 | 275 | 275 | 275 | 275 | ..... |
| Subtotal | 93,353 | 94,666 | 95,968 | 96,166 | 96,166 | +2,813 |
| Abandoned mine reclamation fund (definite, trust fund) | 185,416 | 211,158 | 196,458 | 185,658 | 196,208 | +10,792 |
| Total, Office of Surface Mining Reclamation and Enforcement | 278,769 | 305,824 | 292,426 | 281,824 | 292,374 | +13,605 |
| Bureau of Indian Affairs | | | | | | |
| Operation of Indian programs | 1,584,124 | 1,694,387 | 1,631,050 | 1,633,296 | 1,670,444 | +86,320 |
| Construction | 123,421 | 174,258 | 126,023 | 146,884 | 169,884 | +46,463 |
| Indian land and water claim settlements and miscellaneous payments to Indians | 28,882 | 28,401 | 25,901 | 27,131 | 27,256 | -1,626 |
| Indian guaranteed loan program account | 5,001 | 5,008 | 5,008 | 5,004 | 5,008 | +7 |
| (Limitation on guaranteed loans) | (59,682) | (59,682) | (59,682) | (59,682) | (59,682) | ..... |
| Indian land consolidation pilot | 5,000 | ..... | ..... | ..... | ..... | -5,000 |
| Total, Bureau of Indian Affairs | 1,746,428 | 1,902,054 | 1,787,982 | 1,812,315 | 1,872,592 | +126,164 |

## DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL, 2000— continued

(Amounts in thousands)

| | FY 1999 Enacted | FY 2000 Request | House | Senate | Conference | Conference vs. enacted |
|---|---|---|---|---|---|---|
| Departmental Offices | | | | | | |
| Insular Affairs: | | | | | | |
| Assistance to Territories | 38,455 | 40,355 | 34,600 | 39,605 | 42,451 | +3,996 |
| Northern Marianas Islands Covenant | 27,720 | 27,720 | 27,720 | 27,720 | 27,720 | ..... |
| Subtotal, Assistance to Territories | 66,175 | 68,075 | 62,320 | 67,325 | 70,171 | +3,996 |
| Compact of Free Association | 8,930 | 8,545 | 8,545 | 8,545 | 8,545 | -385 |
| Mandatory payments | 12,000 | 12,000 | 12,000 | 12,000 | 12,000 | ..... |
| Subtotal, Compact of Free Association | 20,930 | 20,545 | 20,545 | 20,545 | 20,545 | -385 |
| Total, Insular Affairs | 87,105 | 88,620 | 82,865 | 87,870 | 90,716 | +3,611 |
| Departmental management | 64,686 | 63,064 | 62,864 | 62,203 | 62,864 | -1,822 |
| Y2K conversion (emergency appropriations) | 80,347 | ..... | ..... | ..... | ..... | -80,347 |
| Office of the Solicitor | 36,784 | 41,500 | 36,784 | 36,784 | 40,196 | +3,412 |
| Office of Inspector General | 25,486 | 27,614 | 26,086 | 26,614 | 26,086 | +600 |
| Office of the Special Trustee for American Indians | 61,299 | 90,025 | 90,025 | 73,836 | 90,025 | +28,726 |
| Indian land consolidation pilot | ..... | 10,000 | 5,000 | 5,000 | 5,000 | +5,000 |
| Natural resource damage assessment fund | 4,492 | 7,900 | 5,400 | 4,621 | 5,400 | +908 |
| Management of Federal lands for subsistence uses | 8,000 | ..... | ..... | ..... | ..... | -8,000 |
| Glacier Bay fishing (emergency appropriations) | 26,000 | ..... | ..... | ..... | ..... | -26,000 |
| Total, Departmental Offices | 394,199 | 328,723 | 309,024 | 296,928 | 320,287 | -73,912 |
| Total, title I, Department of the Interior: | | | | | | |
| New budget (obligational) authority (net) | 7,130,235 | 7,768,930 | 7,151,904 | 7,120,673 | 7,350,520 | +220,285 |
| Appropriations | (6,999,276) | (7,798,930) | (7,181,904) | (7,150,673) | (7,380,520) | (+381,244) |
| Emergency appropriations | (160,959) | ..... | ..... | ..... | ..... | (-160,959) |
| Rescissions | (-30,000) | (-30,000) | (-30,000) | (-30,000) | (-30,000) | ..... |
| (Limitation on guaranteed loans) | (59,682) | (59,682) | (59,682) | (59,682) | (59,682) | ..... |
| TITLE II - RELATED AGENCIES | | | | | | |
| DEPARTMENT OF AGRICULTURE | | | | | | |
| Forest Service | | | | | | |
| Forest and rangeland research | 197,444 | 234,644 | 204,373 | 187,444 | 202,700 | +5,256 |
| State and private forestry | 170,722 | 252,422 | 181,464 | 190,793 | 202,534 | +31,812 |
| National forest system | 1,298,570 | 1,357,178 | 1,254,434 | 1,239,051 | 1,269,504 | -29,066 |
| Wildland fire management | 560,176 | 560,730 | 561,354 | 560,980 | 561,354 | +1,178 |
| Emergency appropriations | 102,000 | 90,000 | ..... | 90,000 | 90,000 | -12,000 |
| Reconstruction and maintenance | 297,352 | 295,000 | 396,602 | 362,095 | 398,927 | +101,575 |
| Emergency appropriations | 5,611 | ..... | ..... | ..... | ..... | -5,611 |
| Land acquisition | 117,918 | 118,000 | 1,000 | 36,370 | 79,575 | -38,343 |
| Acquisition of lands for national forests special acts | 1,069 | 1,069 | 1,069 | 1,069 | 1,069 | ..... |
| Acquisition of lands to complete land exchanges (indefinite) | 210 | 210 | 210 | 210 | 210 | ..... |
| Range betterment fund (indefinite) | 3,300 | 3,300 | 3,300 | 3,300 | 3,300 | ..... |
| Gifts, donations and bequests for forest and rangeland research | 92 | 92 | 92 | 92 | 92 | ..... |
| Southeast Alaska economic disaster fund | ..... | ..... | ..... | ..... | 22,000 | +22,000 |
| Management of Federal lands for subsistence uses | 3,000 | ..... | ..... | ..... | ..... | -3,000 |
| Total, Forest Service | 2,757,464 | 2,912,645 | 2,603,898 | 2,671,404 | 2,831,265 | +73,801 |
| DEPARTMENT OF ENERGY | | | | | | |
| Clean coal technology: | | | | | | |
| Deferral | -40,000 | -256,000 | -256,000 | -156,000 | -156,000 | -116,000 |
| Fossil energy research and development | 384,056 | 340,000 | 256,292 | 366,975 | 395,025 | +10,969 |
| Biomass energy development (by transfer) | ..... | (24,000) | (24,000) | (24,000) | (24,000) | (+24,000) |
| Alternative fuels production (indefinite) | -1,300 | -1,000 | -1,000 | -1,000 | -1,000 | +300 |
| Naval petroleum and oil shale reserves | 14,000 | ..... | ..... | ..... | ..... | -14,000 |
| Elk Hills school lands fund | 36,000 | 36,000 | 36,000 | ..... | ..... | -36,000 |
| Energy conservation | 691,701 | 812,515 | 706,822 | 659,817 | 720,242 | +28,541 |
| Biomass energy development (by transfer) | ..... | (25,000) | (25,000) | (25,000) | (25,000) | (+25,000) |
| Economic regulation | 1,801 | 2,000 | 2,000 | 2,000 | 2,000 | +199 |
| Strategic petroleum reserve | 160,120 | 159,000 | 146,000 | 159,000 | 159,000 | -1,120 |
| SPR petroleum account | ..... | 5,000 | ..... | ..... | ..... | ..... |
| Energy Information Administration | 70,500 | 72,644 | 72,644 | 70,500 | 72,644 | +2,144 |
| Total, Department of Energy: | | | | | | |
| New budget (obligational) authority (net) | 1,316,878 | 1,170,159 | 962,758 | 1,101,292 | 1,191,911 | -124,967 |
| Appropriations | (1,356,878) | (1,426,159) | (1,218,758) | (1,257,292) | (1,347,911) | (-8,967) |
| Deferral | (-40,000) | (-256,000) | (-256,000) | (-156,000) | (-156,000) | (-116,000) |
| (By transfer) | ..... | (49,000) | (49,000) | (49,000) | (49,000) | (+49,000) |

## DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL, 2000— continued

(Amounts in thousands)

| | FY 1999 Enacted | FY 2000 Request | House | Senate | Conference | Conference vs. enacted |
|---|---|---|---|---|---|---|
| DEPARTMENT OF HEALTH AND HUMAN SERVICES | | | | | | |
| Indian Health Service | | | | | | |
| Indian health services | 1,950,322 | 2,094,922 | 2,085,407 | 2,138,001 | 2,078,967 | +128,645 |
| Indian health facilities | 291,965 | 317,465 | 312,478 | 189,252 | 318,580 | +26,615 |
| Total, Indian Health Service | 2,242,287 | 2,412,387 | 2,397,885 | 2,327,253 | 2,397,547 | +155,260 |
| OTHER RELATED AGENCIES | | | | | | |
| Office of Navajo and Hopi Indian Relocation | | | | | | |
| Salaries and expenses | 13,000 | 14,000 | 13,400 | 8,000 | 8,000 | -5,000 |
| Institute of American Indian and Alaska Native Culture and Arts Development | | | | | | |
| Payment to the Institute | 4,250 | 4,250 | ..... | 4,250 | 2,125 | -2,125 |
| Smithsonian Institution | | | | | | |
| Salaries and expenses | 347,154 | 380,501 | 371,501 | 367,062 | 372,901 | +25,747 |
| Construction and improvements, National Zoological Park | 4,400 | ..... | ..... | 4,400 | ..... | -4,400 |
| Repair and restoration of buildings | 40,000 | 47,900 | 47,900 | 35,000 | 47,900 | +7,900 |
| Construction | 16,000 | 19,000 | 19,000 | 19,000 | 19,000 | +3,000 |
| Y2K conversion (emergency appropriations) | 4,700 | ..... | ..... | ..... | ..... | -4,700 |
| Total, Smithsonian Institution | 412,254 | 447,401 | 438,401 | 425,462 | 439,801 | +27,547 |
| National Gallery of Art | | | | | | |
| Salaries and expenses | 57,938 | 61,438 | 61,538 | 61,438 | 61,538 | +3,600 |
| Repair, restoration and renovation of buildings | 6,311 | 6,311 | 6,311 | 6,311 | 6,311 | ..... |
| Y2K conversion (emergency appropriations) | 101 | ..... | ..... | ..... | ..... | -101 |
| Total, National Gallery of Art | 64,350 | 67,749 | 67,849 | 67,749 | 67,849 | +3,499 |
| John F. Kennedy Center for the Performing Arts | | | | | | |
| Operations and maintenance | 12,187 | 14,000 | 12,441 | 14,000 | 14,000 | +1,813 |
| Construction | 20,000 | 20,000 | 20,000 | 20,000 | 20,000 | ..... |
| Total, John F. Kennedy Center for the Performing Arts | 32,187 | 34,000 | 32,441 | 34,000 | 34,000 | +1,813 |
| Woodrow Wilson International Center for Scholars | | | | | | |
| Salaries and expenses | 5,840 | 6,040 | 7,040 | 6,040 | 6,790 | +950 |
| National Foundation on the Arts and the Humanities | | | | | | |
| National Endowment for the Arts | | | | | | |
| Grants and administration | 83,500 | 137,000 | 83,500 | 90,000 | 85,000 | +1,500 |
| Matching grants | 14,500 | 13,000 | 14,500 | 13,000 | 13,000 | -1,500 |
| Total, National Endowment for the Arts | 98,000 | 150,000 | 98,000 | 103,000 | 98,000 | ..... |
| National Endowment for the Humanities | | | | | | |
| Grants and administration | 96,800 | 129,800 | 96,800 | 101,000 | 101,000 | +4,200 |
| Matching grants | 13,900 | 20,200 | 13,900 | 14,700 | 14,700 | +800 |
| Total, National Endowment for the Humanities | 110,700 | 150,000 | 110,700 | 115,700 | 115,700 | +5,000 |
| Institute of Museum and Library Services/ Office of Museum Services | | | | | | |
| Grants and administration | 23,405 | 34,000 | 24,400 | 23,905 | 24,400 | +995 |
| Total, National Foundation on the Arts and the Humanities | 232,105 | 334,000 | 233,100 | 242,605 | 238,100 | +5,995 |
| Commission of Fine Arts | | | | | | |
| Salaries and expenses | 898 | 1,078 | 935 | 1,078 | 1,005 | +107 |
| National Capital Arts and Cultural Affairs | | | | | | |
| Grants | 7,000 | 6,000 | 7,000 | 7,000 | 7,000 | ..... |
| Advisory Council on Historic Preservation | | | | | | |
| Salaries and expenses | 2,800 | 3,000 | 3,000 | 2,906 | 3,000 | +200 |
| National Capital Planning Commission | | | | | | |
| Salaries and expenses | 5,954 | 6,312 | 6,312 | 6,312 | 6,312 | +358 |
| Y2K conversion (emergency appropriations) | 381 | ..... | ..... | ..... | ..... | -381 |

## DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL, 2000 — continued

(Amounts in thousands)

| | FY 1999 Enacted | FY 2000 Request | House | Senate | Conference | Conference vs. enacted |
|---|---|---|---|---|---|---|
| United States Holocaust Memorial Council | | | | | | |
| Holocaust Memorial Council | 32,107 | 33,786 | 33,286 | 33,286 | 33,286 | +1,179 |
| Y2K conversion (emergency appropriations) | 900 | | | | | -900 |
| Emergency appropriations | 2,000 | | | | | -2,000 |
| Total, United States Holocaust Memorial Council | 35,007 | 33,786 | 33,286 | 33,286 | 33,286 | -1,721 |
| Presidio Trust | | | | | | |
| Presidio trust fund | 34,913 | 44,400 | 44,400 | 44,400 | 44,400 | +9,487 |
| Total, title II, related agencies: | | | | | | |
| New budget (obligational) authority (net) | 7,167,568 | 7,497,207 | 6,851,705 | 6,983,037 | 7,312,391 | +144,823 |
| Appropriations | (7,091,875) | (7,663,207) | (7,107,705) | (7,049,037) | (7,378,391) | (+286,516) |
| Emergency appropriations | (115,693) | (90,000) | | (90,000) | (90,000) | (-25,693) |
| Deferral | (-40,000) | (-256,000) | (-256,000) | (-156,000) | (-156,000) | (-116,000) |
| (By transfer) | | (49,000) | (49,000) | (49,000) | (49,000) | (+49,000) |
| TITLE III | | | | | | |
| Across-the-board cut in Floor action | | | -69,000 | -48,000 | | |
| TITLE V | | | | | | |
| United Mine Workers of America combined benefit fund (emergency appropriations) | | | | | 68,000 | +68,000 |
| TITLE VI | | | | | | |
| Priority land acquisitions and exchanges | | | | | 197,500 | +197,500 |
| Grand total: | | | | | | |
| New budget (obligational) authority (net) | 14,297,803 | 15,266,137 | 13,934,609 | 14,055,710 | 14,928,411 | +630,608 |
| Appropriations | (14,091,151) | (15,462,137) | (14,220,609) | (14,151,710) | (14,956,411) | (+865,260) |
| Emergency appropriations | (276,652) | (90,000) | | (90,000) | (158,000) | (-118,652) |
| Rescissions | (-30,000) | (-30,000) | (-30,000) | (-30,000) | (-30,000) | |
| Deferral | (-40,000) | (-256,000) | (-256,000) | (-156,000) | (-156,000) | (-116,000) |
| (By transfer) | | (49,000) | (49,000) | (49,000) | (49,000) | (+49,000) |
| (Limitation on guaranteed loans) | (59,682) | (59,682) | (59,682) | (59,682) | (59,682) | |
| TITLE I - DEPARTMENT OF THE INTERIOR | | | | | | |
| Bureau of Land Management | 1,183,895 | 1,268,700 | 1,230,292 | 1,218,669 | 1,236,150 | +52,255 |
| United States Fish and Wildlife Service | 839,804 | 950,001 | 840,212 | 831,127 | 878,121 | +38,317 |
| National Park Service | 1,764,224 | 2,058,943 | 1,755,324 | 1,749,917 | 1,810,363 | +46,139 |
| United States Geological Survey | 798,896 | 838,485 | 820,444 | 813,093 | 823,833 | +24,937 |
| Minerals Management Service | 124,020 | 116,200 | 116,200 | 116,800 | 116,800 | -7,220 |
| Office of Surface Mining Reclamation and Enforcement | 278,769 | 305,824 | 292,426 | 281,824 | 292,374 | +13,605 |
| Bureau of Indian Affairs | 1,746,428 | 1,902,054 | 1,787,982 | 1,812,315 | 1,872,592 | +126,164 |
| Departmental Offices | 394,199 | 328,723 | 309,024 | 296,928 | 320,287 | -73,912 |
| Total, Title I - Department of the Interior | 7,130,235 | 7,768,930 | 7,151,904 | 7,120,673 | 7,350,520 | +220,285 |
| TITLE II - RELATED AGENCIES | | | | | | |
| Forest Service | 2,757,464 | 2,912,645 | 2,603,898 | 2,671,404 | 2,831,265 | +73,801 |
| Department of Energy | 1,316,878 | 1,170,159 | 962,758 | 1,101,292 | 1,191,911 | -124,967 |
| Indian Health Service | 2,242,287 | 2,412,387 | 2,397,885 | 2,327,253 | 2,397,547 | +155,260 |
| Office of Navajo and Hopi Indian Relocation | 13,000 | 14,000 | 13,400 | 8,000 | 8,000 | -5,000 |
| Institute of American Indian and Alaska Native Culture and Arts Development | 4,250 | 4,250 | | 4,250 | 2,125 | -2,125 |
| Smithsonian Institution | 412,254 | 447,401 | 438,401 | 425,462 | 439,801 | +27,547 |
| National Gallery of Art | 64,350 | 67,749 | 67,849 | 67,749 | 67,849 | +3,499 |
| John F. Kennedy Center for the Performing Arts | 32,187 | 34,000 | 32,441 | 34,000 | 34,000 | +1,813 |
| Woodrow Wilson International Center for Scholars | 5,840 | 6,040 | 7,040 | 6,040 | 6,790 | +950 |
| National Endowment for the Arts | 98,000 | 150,000 | 98,000 | 103,000 | 98,000 | |
| National Endowment for the Humanities | 110,700 | 150,000 | 110,700 | 115,700 | 115,700 | +5,000 |
| Institute of Museum and Library Services | 23,405 | 34,000 | 24,400 | 23,905 | 24,400 | +995 |
| Commission of Fine Arts | 898 | 1,078 | 935 | 1,078 | 1,005 | +107 |
| National Capital Arts and Cultural Affairs | 7,000 | 6,000 | 7,000 | 7,000 | 7,000 | |
| Advisory Council on Historic Preservation | 2,800 | 3,000 | 3,000 | 2,906 | 3,000 | +200 |
| National Capital Planning Commission | 6,335 | 6,312 | 6,312 | 6,312 | 6,312 | -23 |
| Holocaust Memorial Council | 35,007 | 33,786 | 33,286 | 33,286 | 33,286 | -1,721 |
| Presidio Trust | 34,913 | 44,400 | 44,400 | 44,400 | 44,400 | +9,487 |
| Total, Title II - Related Agencies | 7,167,568 | 7,497,207 | 6,851,705 | 6,983,037 | 7,312,391 | +144,823 |
| TITLE III | | | | | | |
| Across-the-board cut in Floor action | | | -69,000 | -48,000 | | |
| TITLE V | | | | | | |
| United Mine Workers of America combined benefit fund (emergency appropriations) | | | | | 68,000 | +68,000 |

## DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL, 2000— continued

(Amounts in thousands)

| | FY 1999 Enacted | FY 2000 Request | House | Senate | Conference | Conference vs. enacted |
|---|---|---|---|---|---|---|
| TITLE VI | | | | | | |
| Priority land acquisitions and exchanges | ..... | ..... | ..... | ..... | 197,500 | +197,500 |
| Grand total | 14,297,803 | 15,266,137 | 13,934,609 | 14,055,710 | 14,928,411 | +630,608 |

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Mrs. LOWEY), a member of the committee.

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

Yes, my colleagues, there is good news in this bill; but there is a strong commitment to the education of our young people, there is a significant increase to Title X, America's family planning program, and there is desperately needed relief for hospitals, which have been struggling with budget cuts.

The bill demonstrates our ongoing support for a secure and lasting peace in the Middle East. The Wye River package will help bolster Israel's security and provide the momentum needed to carry both parties through this delicate period in the peace process.

The bill also fulfills our obligation to pay our U.N. arrears. I have fought hard with my colleagues to make this a reality, but my enthusiasm has been dampened by the dangerous family planning restrictions that were forced upon us by the majority in return for these critical dues. The restrictions are unreasonable and irresponsible, and my colleagues can be sure I will fight to ensure that they are never again codified in U.S. law.

I am also very disturbed that Federal employees' access to contraceptive coverage has been damaged in this bill. The majority has modified the provisions which the President just signed into law only 2 months ago to dramatically expand the number of individuals who can opt out of providing contraceptives. My colleagues, this is sneaky politics, and it is bad policy.

I want to make it clear today that I will not rest in my efforts to ensure that Americans have true access to family planning services. We cannot continue to let a few extremists hold good public policy hostage to their narrow agenda.

Mr. YOUNG of Florida. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. SHAW).

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

Mr. SHAW. Mr. Speaker, I rise in support of the bill.

Today, America's seniors will be able to breathe easier and worry less about their health care. Why? Because with the passage of the Medicare Balanced Budget Refinement Act of 1999, health care providers who have been struggling under the burden of money-saving regulations imposed in 1997 will now be getting some much-needed relief.

For several years Medicare Providers have been caring for Medicare patients day in and day out—often for Medicare payments that are not adequate to cover their costs. In my district, for example, the Sylvester Cancer Hospital was losing approximately $700,000 a year caring for Medicare cancer patients. Until now. This bill will give cancer hospitals the opportunity to break even. Hospices, which care for the most vulnerable Medicare patients will also benefit. They will get the help they need to provide the newest medications to comfort their patients.

In the last year I have worked with Chairman THOMAS, who I want to thank for his efforts in addressing the many concerns that have been brought to my attention by Medicare providers and beneficiaries in my district. The result of that work is this bill. While it doesn't provide all the Medicare fixes that are needed—it does address the most urgent needs immediately.

Mr. YOUNG of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. GOODLATTE).

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

Mr. GOODLATTE. Mr. Speaker, I rise to engage the majority leader in a colloquy regarding the satellite legislation which has been added to this omnibus bill.

As the majority leader is aware, I have been working for some time with my colleague, the gentleman from Virginia (Mr. BOUCHER), and many others, to pass legislation that will reauthorize the compulsory license for satellite broadcasts and encourage the development of technology that will deliver local network signals to satellite owners.

We passed the Satellite Home Viewer Act reauthorization earlier this year with overwhelming bipartisan support and engaged the other body in a lengthy and difficult conference. The conference report was filed and passed last week in the House by a vote of 411 to 8. Few bills of this magnitude have passed by such a wide margin. Included in this conference report was important language supported unanimously by the conferees to ensure that rural Americans are not left behind as this new local-into-local technology is rolled out by the satellite companies.

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

Mr. GOODLATTE. I yield to the gentleman from Virginia.

Mr. BOUCHER. Mr. Speaker, I thank the gentleman for yielding to me, and let me simply compliment my friend and colleague, the gentleman from Virginia (Mr. GOODLATTE), for the excellent work he has done in the face of very difficult circumstances in order to obtain a way that viewers in the cities, medium-sized and small, and throughout rural America will have the opportunity to have their local TV stations delivered to them by satellite.

We have had a range of problems. We are about to have those resolved in a manner that I think is satisfactory, and I want to thank my colleague and friend from Virginia for his very able assistance in reaching that satisfactory result.

Mr. GOODLATTE. Reclaiming my time, Mr. Speaker, I thank the gentleman for his kind words and for his critical support in this effort.

Yesterday, we delivered to the Speaker a letter that included over 245 signatures from Members who supported the rural provisions of this conference report. Similar letters were delivered to the Senate majority leader from rural Senators.

Mr. Speaker, Rural America should take note of the high level of support for this language in Congress and the hard work of members like Senator CONRAD BURNS of Montana, Senator TED STEVENS of Alaska, Senator JOHN WARNER of Virginia, Senator PATRICK LEAHY of Virginia, Congresswoman BARBARA CUBIN of Wyoming, and Congresswoman JOANN EMERSON of Missouri.

Unfortunately, problems in the other body have doomed this language for the year. Because the other body did not wish to take the steps required to pass the bill over a threatened filibuster, they have reached an agreement with our leadership in the House to attach the Satellite Home Viewer Act to the D.C. appropriations bill next year.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. BOUCHER) so that the gentlemen might continue their colloquy.

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

Mr. BOUCHER. I yield to the gentleman from Virginia.

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

Mr. Speaker, the supporters of this legislation understand that along with this agreement comes a commitment from our leadership to work to pass similar legislation early next year, and if the gentleman will yield to him, the majority leader will clarify the details of this commitment.

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

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

Mr. ARMEY. Mr. Speaker, I thank the gentleman for yielding, and I want to congratulate the gentleman from Virginia (Mr. GOODLATTE) on his hard work on this important issue. I share the gentleman's commitment to ensuring that rural Americans can receive their network signals over satellite.

The Satellite Home Viewer Act conference report, which included the loan guarantee language, was supported by myself and the majority of both parties in the House. I share the gentleman's concern that time constraints prevented the conference report from being enacted as it passed the House; however, I appreciate the gentleman's willingness to reach an agreement that will ensure passage of the rest of this satellite legislation that is so important to satellite subscribers.

To address my good friend's concern, I commit to the gentleman from Virginia that we will move rural satellite loan guarantee legislation through the House early next year. It is my hope that the relevant committees of jurisdiction will engage in a full debate and discussion of the merits of this loan guarantee package and move appropriate legislation forward expeditiously.

However, if for whatever reason such legislation is not ready for floor consideration in the House under regular order by early spring, I further commit that I will allow the gentleman from Virginia an opportunity to have an up or down floor vote by March 31, 2000, on the rural loan guarantee program, similar to that which appeared in the Satellite Home Viewer Act conference report which passed in the House.

Mr. GOODLATTE. Mr. Speaker, will the gentleman continue to yield?

Mr. BOUCHER. I yield to the gentleman from Virginia.

Mr. GOODLATTE. Mr. Speaker, I thank the distinguished majority leader for his support and commitment to scheduling floor time for this important legislation by April of next year.

Am I to understand that the legislation to be scheduled for a vote will authorize a level of appropriations that is both sufficient to accomplish such a program and at least $1.2 billion?

Mr. ARMEY. If the gentleman will continue to yield, it is my understanding that is consistent with the language in the Satellite Home Viewer Act conference report; that is correct.

Mr. GOODLATTE. It is also my understanding that the Senate leadership has made a similar commitment to floor consideration by a time certain next year.

Mr. ARMEY. That is also my understanding, yes.

In addition, I will commit to placing time limits on the referral of the legislation to committees in such a way that causes the legislation to be discharged by all relevant committees by the March 31 deadline, and I will work with the Speaker on committee referrals and understand that he shares my commitment to this timetable.

Mr. GOODLATTE. Mr. Speaker, I thank the gentleman for his courtesy.

Mr. YOUNG of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky (Mr. ROGERS), the distinguished chairman of the Subcommittee on Commerce, Justice, State, and Judiciary of the Committee on Appropriations.

Mr. ROGERS. Mr. Speaker, this bill contains a victory for the American agenda. In my portion of the bill there is extra money for disasters through the disaster loan program in SBA. We fully fund the year 2000 census, every penny that is needed; we increase the drug and crime funding, FBI, DEA and local law enforcement block grants, as well as the COPS program of the President, which is fully funded at less than half of what he requested; and there is embassy security money here to beef up the security for our personnel serving overseas in our embassies.

But most importantly to me is a final vindication in this bill of an effort started by this subcommittee many years ago to reform the U.N. Along with the monies in the bill to fully pay the U.N. arrears payments of the U.S., there are conditions which the U.N. must agree to. This subcommittee several years ago began what now has become a full-blown U.N. reform agenda which now requires the U.N. to consider our payments of arrearages to be payment in full, reduces the rate of U.S. contributions to the U.N. from 25 to 22 percent for the annual assessment, plus a reduction from 31 to 25 percent for the peacekeeping rate of contributions, requires the U.N. to live with a zero-growth budget, requires personnel reforms at the U.N., opens their books to GAO scrutiny, requires IGs, inspectors general, in the affiliated organizations of the U.N., like the ILO, the WHO, and the FAO, and gives the U.S. a voice on the budget committee of the U.N., among other reforms. This is an effort that now is vindicated.

This subcommittee led the way many years ago. It gained a head of steam, and it has been a rough and rocky road; but now we can say that with these payments of the arrearages to the U.N. comes the conditions of reform in the U.N. that will make the U.N. a better agency for all of us.

I would like, at this point, to insert into the RECORD a table detailing the funding for the Commerce, Justice, State, and Judiciary section of the bill.

## DEPARTMENTS OF COMMERCE, JUSTICE, STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 2000

(Amounts in thousands)

| | FY 1999 Enacted | FY 2000 Request | House | Senate | Conference | Conference vs. enacted |
|---|---|---|---|---|---|---|
| TITLE I - DEPARTMENT OF JUSTICE | | | | | | |
| General Administration | | | | | | |
| Salaries and expenses | 79,328 | 87,534 | 79,328 | 82,485 | 79,328 | ..... |
| Joint automated booking system | ..... | ..... | ..... | 6,000 | 1,800 | +1,800 |
| Narrowband communications | ..... | 80,000 | ..... | 20,000 | 10,625 | +10,625 |
| (By transfer) | ..... | ..... | (101,434) | ..... | (92,545) | (+92,545) |
| Counterterrorism fund | 10,000 | 27,000 | 10,000 | 27,000 | 10,000 | ..... |
| 1st Responder grants | 135,000 | ..... | ..... | ..... | ..... | -135,000 |
| Telecommunications carrier compliance fund | ..... | 7,000 | 7,000 | 7,000 | 7,000 | +7,000 |
| Defense function | ..... | 8,000 | 8,000 | 8,000 | 8,000 | +8,000 |
| Administrative review and appeals: | | | | | | |
| Direct appropriation | 75,312 | 89,901 | 84,200 | 30,727 | 98,136 | +22,824 |
| Crime trust fund | 59,251 | 59,251 | 50,363 | 59,251 | 50,363 | -8,888 |
| Total, Administrative review and appeals | 134,563 | 149,152 | 134,563 | 89,978 | 148,499 | +13,936 |
| Office of Inspector General | 34,175 | 45,021 | 42,475 | 32,049 | 40,275 | +6,100 |
| Total, General administration | 393,066 | 403,707 | 281,366 | 272,512 | 305,527 | -87,539 |
| Appropriations | (333,815) | (344,456) | (231,003) | (213,261) | (255,164) | (-78,651) |
| Crime trust fund | (59,251) | (59,251) | (50,363) | (59,251) | (50,363) | (-8,888) |
| United States Parole Commission | | | | | | |
| Salaries and expenses | 7,380 | 8,527 | 7,380 | 7,176 | 8,527 | +1,147 |
| Legal Activities | | | | | | |
| General legal activities: | | | | | | |
| Direct appropriation | 466,540 | 568,316 | 355,691 | 299,260 | 357,016 | -109,524 |
| Crime trust fund | 8,160 | 8,555 | 147,929 | 185,740 | 147,929 | +139,769 |
| Total, General legal activities | 474,700 | 576,871 | 503,620 | 485,000 | 504,945 | +30,245 |
| Vaccine injury compensation trust fund (permanent) | 4,028 | 4,028 | 3,424 | 4,028 | 4,028 | ..... |
| Antitrust Division | 98,267 | 114,373 | 105,167 | 112,318 | 110,000 | +11,733 |
| Offsetting fee collections - carryover | -30,000 | -47,799 | -47,799 | ..... | -28,150 | +1,850 |
| Offsetting fee collections - current year | -68,275 | -66,574 | -57,368 | -112,318 | -81,850 | -13,575 |
| Direct appropriation | -8 | ..... | ..... | ..... | ..... | +8 |
| United States Attorneys: | | | | | | |
| Direct appropriation | 1,009,253 | 1,217,788 | 1,161,957 | 589,478 | 1,161,957 | +152,704 |
| Crime trust fund | 80,698 | 57,000 | ..... | 500,000 | ..... | -80,698 |
| Total, United States Attorneys | 1,089,951 | 1,274,788 | 1,161,957 | 1,089,478 | 1,161,957 | +72,006 |
| United States Trustee System Fund: | | | | | | |
| Current year fee funding | 114,248 | 129,329 | 108,248 | 112,775 | 106,775 | -7,473 |
| Fees and interest (legislative proposal) | ..... | 32,000 | 6,000 | ..... | 6,000 | +6,000 |
| Total, United States trustee system fund | 114,248 | 161,329 | 114,248 | 112,775 | 112,775 | -1,473 |
| Offsetting fee collections | -114,248 | -129,329 | -108,248 | -112,775 | -106,775 | +7,473 |
| Offsetting fee collections - legislative proposal | ..... | -32,000 | -6,000 | ..... | -6,000 | -6,000 |
| Total, US trustee offsetting fee collections | -114,248 | -161,329 | -114,248 | -112,775 | -112,775 | +1,473 |
| Foreign Claims Settlement Commission | 1,227 | 1,175 | 1,175 | 1,175 | 1,175 | -52 |
| United States Marshals Service: | | | | | | |
| Direct appropriation | 476,356 | 543,380 | 329,289 | 409,253 | 333,745 | -142,611 |
| Crime trust fund | 25,553 | 26,210 | 209,620 | 138,000 | 209,620 | +184,067 |
| Construction | 4,600 | 8,832 | 4,600 | 9,632 | 6,000 | +1,400 |
| Justice prisoner and alien transportation system | ..... | ..... | ..... | 9,000 | ..... | ..... |
| Total, United States Marshals Service | 506,509 | 578,422 | 543,509 | 565,885 | 549,365 | +42,856 |
| Federal prisoner detention | 425,000 | 550,232 | 525,000 | 500,000 | 525,000 | +100,000 |
| Fees and expenses of witnesses | 95,000 | 110,000 | 95,000 | 110,000 | 95,000 | ..... |
| Community Relations Service | 7,199 | 10,344 | 7,199 | 7,199 | 7,199 | ..... |
| Assets forfeiture fund | 23,000 | 23,000 | ..... | 23,000 | 23,000 | ..... |
| Total, Legal activities | 2,626,606 | 3,128,860 | 2,840,884 | 2,785,765 | 2,871,669 | +245,063 |
| Appropriations | (2,512,195) | (3,037,095) | (2,483,335) | (1,962,025) | (2,514,120) | (+1,925) |
| Crime trust fund | (114,411) | (91,765) | (357,549) | (823,740) | (357,549) | (+243,138) |
| Radiation Exposure Compensation | | | | | | |
| Administrative expenses | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | ..... |
| Payment to radiation exposure compensation trust fund | ..... | 21,714 | ..... | 20,300 | 3,200 | +3,200 |
| Total, Radiation Exposure Compensation | 2,000 | 23,714 | 2,000 | 22,300 | 5,200 | +3,200 |

## DEPARTMENTS OF COMMERCE, JUSTICE, STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 2000— continued

(Amounts in thousands)

| | FY 1999 Enacted | FY 2000 Request | House | Senate | Conference | Conference vs. enacted |
|---|---|---|---|---|---|---|
| Interagency Law Enforcement | | | | | | |
| Interagency crime and drug enforcement 1/ | 304,014 | ..... | 316,792 | 304,014 | 316,792 | +12,778 |
| High intensity inter-state gang activities | ..... | ..... | ..... | 20,000 | ..... | ..... |
| Total, Interagency Law Enforcement | 304,014 | ..... | 316,792 | 324,014 | 316,792 | +12,778 |
| Federal Bureau of Investigation | | | | | | |
| Salaries and expenses | 2,396,239 | 2,742,876 | 2,044,542 | 2,432,791 | 2,044,542 | -351,697 |
| Counterintelligence and national security | 292,473 | 260,000 | 292,473 | 260,000 | 292,473 | ..... |
| FBI Fingerprint identification | 47,800 | ..... | ..... | ..... | ..... | -47,800 |
| Direct appropriation | 2,736,512 | 3,002,876 | 2,337,015 | 2,692,791 | 2,337,015 | -399,497 |
| Crime trust fund | 223,356 | 280,501 | 752,853 | 280,501 | 752,853 | +529,497 |
| Subtotal, Salaries and expenses | 2,959,868 | 3,283,377 | 3,089,868 | 2,973,292 | 3,089,868 | +130,000 |
| Construction | 1,287 | 10,287 | 1,287 | 10,287 | 1,287 | ..... |
| Total, Federal Bureau of Investigation | 2,961,155 | 3,293,664 | 3,091,155 | 2,983,579 | 3,091,155 | +130,000 |
| Appropriations | (2,737,799) | (3,013,163) | (2,338,302) | (2,703,078) | (2,338,302) | (-399,497) |
| Crime trust fund | (223,356) | (280,501) | (752,853) | (280,501) | (752,853) | (+529,497) |
| Drug Enforcement Administration | | | | | | |
| Salaries and expenses | 875,523 | 1,055,572 | 1,012,330 | 878,517 | 1,013,330 | +137,807 |
| Diversion control fund | -76,710 | -80,330 | -80,330 | -80,330 | -80,330 | -3,620 |
| Direct appropriation | 798,813 | 975,242 | 932,000 | 798,187 | 933,000 | +134,187 |
| Crime trust fund | 405,000 | 405,000 | 344,250 | 419,459 | 343,250 | -61,750 |
| Subtotal, Salaries and expenses | 1,203,813 | 1,380,242 | 1,276,250 | 1,217,646 | 1,276,250 | +72,437 |
| Construction | 8,000 | 8,000 | 8,000 | 5,500 | 5,500 | -2,500 |
| Total, Drug Enforcement Administration | 1,211,813 | 1,388,242 | 1,284,250 | 1,223,146 | 1,281,750 | +69,937 |
| Appropriations | (806,813) | (983,242) | (940,000) | (803,687) | (938,500) | (+131,687) |
| Crime trust fund | (405,000) | (405,000) | (344,250) | (419,459) | (343,250) | (-61,750) |
| Immigration and Naturalization Service | | | | | | |
| Salaries and expenses | 1,617,269 | 2,435,638 | 1,621,041 | 1,697,164 | 1,642,440 | +25,171 |
| Enforcement and border affairs | (1,069,754) | (1,900,627) | (1,086,030) | ..... | (1,107,429) | (+37,675) |
| Citizenship and benefits, immigration support and program direction | (547,515) | (535,011) | (535,011) | ..... | (535,011) | (-12,504) |
| Crime trust fund | 842,490 | 500,000 | 1,311,225 | 873,000 | 1,267,225 | +424,735 |
| Subtotal, Direct and crime trust fund | 2,459,759 | 2,935,638 | 2,932,266 | 2,570,164 | 2,909,665 | +449,906 |
| Fee accounts: | | | | | | |
| Immigration user fee | (486,071) | (517,800) | (446,151) | (446,151) | (446,151) | (-39,920) |
| Land border inspection fund | (3,275) | (6,595) | (6,595) | (1,012) | (1,548) | (-1,727) |
| Immigration examinations fund | (635,700) | (688,579) | (712,800) | (712,800) | (708,500) | (+72,800) |
| Breached bond fund 2/ | (176,950) | (116,900) | (117,501) | (127,771) | (110,423) | (-66,527) |
| Immigration enforcement fines | (4,050) | (3,800) | (1,303) | (1,303) | (1,850) | (-2,200) |
| H-1b Visa fees | ..... | (1,125) | (1,125) | (1,125) | (1,125) | (+1,125) |
| Subtotal, Fee accounts | (1,306,046) | (1,334,799) | (1,285,475) | (1,290,162) | (1,269,597) | (-36,449) |
| Construction | 90,000 | 99,664 | 90,000 | 138,964 | 99,664 | +9,664 |
| Total, Immigration and Naturalization Service | (3,855,805) | (4,370,101) | (4,307,741) | (3,999,290) | (4,278,926) | (+423,121) |
| Appropriations | (1,707,269) | (2,535,302) | (1,711,041) | (1,836,128) | (1,742,104) | (+34,835) |
| Crime trust fund | (842,490) | (500,000) | (1,311,225) | (873,000) | (1,267,225) | (+424,735) |
| (Fee accounts) | (1,306,046) | (1,334,799) | (1,285,475) | (1,290,162) | (1,269,597) | (-36,449) |
| Federal Prison System | | | | | | |
| Salaries and expenses | 2,952,154 | 3,191,928 | 3,140,004 | 3,166,774 | 3,179,110 | +226,956 |
| Prior year carryover | -90,000 | -70,000 | -90,000 | -50,000 | -90,000 | ..... |
| Direct appropriation | 2,862,154 | 3,121,928 | 3,050,004 | 3,116,774 | 3,089,110 | +226,956 |
| Crime trust fund | 26,499 | 26,499 | 22,524 | 46,599 | 22,524 | -3,975 |
| Subtotal, Salaries and expenses | 2,888,653 | 3,148,427 | 3,072,528 | 3,163,373 | 3,111,634 | +222,981 |
| Buildings and facilities | 410,997 | 558,791 | 556,791 | 549,791 | 556,791 | +145,794 |
| Federal Prison Industries, Incorporated (limitation on administrative expenses) | 3,000 | 3,429 | 2,490 | 3,429 | 3,429 | +429 |
| Total, Federal Prison System | 3,302,650 | 3,710,647 | 3,631,809 | 3,716,593 | 3,671,854 | +369,204 |

## DEPARTMENTS OF COMMERCE, JUSTICE, STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 2000—continued

(Amounts in thousands)

| | FY 1999 Enacted | FY 2000 Request | House | Senate | Conference | Conference vs. enacted |
|---|---|---|---|---|---|---|
| Office of Justice Programs | | | | | | |
| Justice assistance | 147,151 | 338,648 | 217,436 | 373,092 | 307,611 | +160,460 |
| (By transfer) | | (7,000) | (7,000) | | (7,000) | (+7,000) |
| State and local law enforcement assistance: | | | | | | |
| Direct appropriations: | | | | | | |
| Byrne grants (discretionary) | 47,000 | | | 52,100 | | -47,000 |
| Byrne grants (formula) | 505,000 | | | 500,000 | | -505,000 |
| Local law enforcement block grant | | | 523,000 | | 523,000 | +523,000 |
| Boys and Girls clubs (earmark) | | | (40,000) | | (50,000) | (+50,000) |
| State prison grants | | | 686,500 | | 686,500 | +686,500 |
| State criminal alien assistance program | | | 420,000 | | 420,000 | +420,000 |
| Indian tribal courts program | | | | | 5,000 | +5,000 |
| Subtotal, Direct appropriations | 552,000 | | 1,629,500 | 552,100 | 1,634,500 | +1,082,500 |
| Crime trust fund: | | | | | | |
| Byrne grants (formula) | | 400,000 | 505,000 | | 500,000 | +500,000 |
| Byrne grants (discretionary) | | 59,950 | 47,000 | | 52,000 | +52,000 |
| Local law enforcement block grant | 523,000 | | | 400,000 | | -523,000 |
| Boys and Girls clubs (earmark) | (40,000) | | | (50,000) | | (-40,000) |
| Police corps | | | | (30,000) | | |
| Juvenile crime block grant | 250,000 | | 250,000 | 100,000 | 250,000 | |
| Drug testing and intervention program | | 100,000 | | | | |
| Indian tribal courts program | 5,000 | 5,000 | | 5,000 | | -5,000 |
| Drug courts | 40,000 | 50,000 | 40,000 | 40,000 | 40,000 | |
| Crime identification technology | 45,000 | | | 260,000 | | -45,000 |
| Safe schools initiative | | | | (15,000) | | |
| Upgrade criminal history records | | | | (40,000) | | |
| Global criminal justice information netwrk | | | | (12,000) | | |
| State prison grants | 720,500 | 75,000 | | 75,000 | | -720,500 |
| State criminal alien assistance program | 420,000 | 500,000 | | 100,000 | | -420,000 |
| Violence Against Women grants | 282,750 | 282,750 | 282,750 | 283,750 | 283,750 | +1,000 |
| State prison drug treatment | 63,000 | 65,100 | 63,000 | 63,000 | 63,000 | |
| DNA identification grants | 15,000 | | | 30,000 | | -15,000 |
| Certainty of punishment grants | | 35,000 | | | | |
| Indian country initiatives | | | | 45,000 | | |
| Other crime control programs | 5,700 | 5,700 | 5,700 | 5,700 | 5,700 | |
| Subtotal, Crime trust fund | 2,369,950 | 1,578,500 | 1,193,450 | 1,407,450 | 1,194,450 | -1,175,500 |
| Total, State and local law enforcement | 2,921,950 | 1,578,500 | 2,822,950 | 1,959,550 | 2,828,950 | -93,000 |
| Weed and seed program fund | 33,500 | | 33,500 | 40,000 | 33,500 | |
| Crime trust fund | | 33,500 | | | | |
| Community oriented policing services: | | | | | | |
| Direct appropriations: | | | | | | |
| Crime analysis technology | | 100,000 | | | | |
| Hiring program | | | 150,000 | 167,675 | 344,500 | +344,500 |
| School violence | | | 17,500 | | | |
| Crime identification technology | | | 15,000 | | 130,000 | +130,000 |
| Safe schools initiative | | | | | (15,000) | (+15,000) |
| Upgrade criminal history records | | | | | (35,000) | (+35,000) |
| DNA identification/crime lab | | | | | (30,000) | (+30,000) |
| Technology | | | 15,500 | | | |
| Bulletproof vest grants | | | 25,000 | | | |
| Management administration | | | | 17,325 | 29,825 | +29,825 |
| Methamphetamine | | | | | 35,675 | +35,675 |
| Community prosecutors | | | | | 10,000 | +10,000 |
| Subtotal, Direct appropriations | | 100,000 | 223,000 | 185,000 | 550,000 | +550,000 |
| Crime trust fund: | | | | | | |
| Hiring program 3/ | 1,400,000 | 600,000 | | 140,000 | 45,000 | -1,355,000 |
| Police corps 3/ | 30,000 | | | | | -30,000 |
| Crime identification technology | | 250,000 | 45,000 | | | |
| Community prosecutors | | 200,000 | | | | |
| Prevention | | 125,000 | | | | |
| Subtotal, Crime trust fund | 1,430,000 | 1,175,000 | 45,000 | 140,000 | 45,000 | -1,385,000 |
| Total, Community oriented policing services | 1,430,000 | 1,275,000 | 268,000 | 325,000 | 595,000 | -835,000 |
| Juvenile justice programs | 284,597 | 288,597 | 286,597 | 322,597 | 287,097 | +2,500 |
| Safe school initiative | | | | (38,000) | | |

## DEPARTMENTS OF COMMERCE, JUSTICE, STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 2000—continued

(Amounts in thousands)

| | FY 1999 Enacted | FY 2000 Request | House | Senate | Conference | Conference vs. enacted |
|---|---|---|---|---|---|---|
| Public safety officers benefits program: | | | | | | |
| Death benefits | 31,809 | 32,541 | 32,541 | 32,541 | 32,541 | +732 |
| Disability benefits | ..... | 3,500 | ..... | 3,500 | ..... | ..... |
| Total, Public safety officers benefits program | 31,809 | 36,041 | 32,541 | 36,041 | 32,541 | +732 |
| Total, Office of Justice Programs | 4,849,007 | 3,550,286 | 3,661,024 | 3,056,280 | 4,084,699 | -764,308 |
| Appropriations | (1,049,057) | (763,286) | (2,422,574) | (1,508,830) | (2,845,249) | (+1,796,192) |
| Crime trust fund | (3,799,950) | (2,787,000) | (1,238,450) | (1,547,450) | (1,239,450) | (-2,560,500) |
| General Provisions | | | | | | |
| General Pricing level adjustments | ..... | ..... | ..... | -2,468 | ..... | ..... |
| Total, title I, Department of Justice | 18,207,450 | 18,542,949 | 18,138,926 | 17,098,025 | 18,646,502 | +439,052 |
| Appropriations | (12,736,493) | (14,392,933) | (14,061,712) | (13,048,025) | (14,613,288) | (+1,876,795) |
| Crime trust fund | (5,470,957) | (4,150,016) | (4,077,214) | (4,050,000) | (4,033,214) | (-1,437,743) |
| (By transfer) | ..... | (7,000) | (108,434) | ..... | (99,545) | (+99,545) |
| TITLE II - DEPARTMENT OF COMMERCE AND RELATED AGENCIES | | | | | | |
| TRADE AND INFRASTRUCTURE DEVELOPMENT | | | | | | |
| Office of the United States Trade Representative | | | | | | |
| Salaries and expenses | 24,200 | 26,501 | 25,205 | 26,067 | 25,635 | +1,435 |
| Supplemental appropriations (P.L. 106-31) | 1,300 | ..... | ..... | ..... | ..... | -1,300 |
| International Trade Commission | | | | | | |
| Salaries and expenses | 44,495 | 47,200 | 44,495 | 45,700 | 44,495 | ..... |
| Total, Related agencies | 69,995 | 73,701 | 69,700 | 71,767 | 70,130 | +135 |
| DEPARTMENT OF COMMERCE | | | | | | |
| International Trade Administration | | | | | | |
| Operations and administration | 286,264 | 308,431 | 298,236 | 311,344 | 311,503 | +25,239 |
| Offsetting fee collections | -1,600 | -3,000 | -3,000 | -3,000 | -3,000 | -1,400 |
| Direct appropriation | 284,664 | 305,431 | 295,236 | 308,344 | 308,503 | +23,839 |
| Export Administration | | | | | | |
| Operations and administration | 50,454 | 58,578 | 47,650 | 54,054 | 52,161 | +1,707 |
| CWC enforcement | 1,877 | 1,877 | 1,877 | 1,877 | 1,877 | ..... |
| Total, Export Administration | 52,331 | 60,455 | 49,527 | 55,931 | 54,038 | +1,707 |
| Economic Development Administration | | | | | | |
| Economic development assistance programs | 368,379 | 364,379 | 364,379 | 203,379 | 361,879 | -6,500 |
| Salaries and expenses | 24,000 | 28,971 | 24,000 | 24,937 | 26,500 | +2,500 |
| Total, Economic Development Administration | 392,379 | 393,350 | 388,379 | 228,316 | 388,379 | -4,000 |
| Minority Business Development Agency | | | | | | |
| Minority business development | 27,000 | 27,627 | 27,000 | 27,627 | 27,314 | +314 |
| Total, Trade and Infrastructure Development | 826,369 | 860,564 | 829,842 | 691,985 | 848,364 | +21,995 |
| ECONOMIC AND INFORMATION INFRASTRUCTURE | | | | | | |
| Economic and Statistical Analysis | | | | | | |
| Salaries and expenses | 48,490 | 55,123 | 48,490 | 51,158 | 49,499 | +1,009 |
| Bureau of the Census | | | | | | |
| Salaries and expenses | 136,147 | 156,944 | 136,147 | 156,944 | 140,000 | +3,853 |
| Periodic censuses and programs | 1,186,902 | 4,637,754 | 142,320 | 2,914,754 | 142,320 | -1,044,582 |
| Supplemental appropriations (P.L. 106-31) | 44,900 | ..... | ..... | ..... | ..... | -44,900 |
| Emergency appropriations | ..... | ..... | 4,476,253 | ..... | 4,476,253 | +4,476,253 |
| Total, Bureau of the Census | 1,367,949 | 4,794,698 | 4,754,720 | 3,071,698 | 4,758,573 | +3,390,624 |

## DEPARTMENTS OF COMMERCE, JUSTICE, STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 2000— continued

(Amounts in thousands)

| | FY 1999 Enacted | FY 2000 Request | House | Senate | Conference | Conference vs. enacted |
|---|---|---|---|---|---|---|
| National Telecommunications and Information Administration | | | | | | |
| Salaries and expenses | 10,940 | 17,212 | 10,940 | 11,009 | 10,975 | +35 |
| Public telecommunications facilities, planning and construction | 21,000 | 35,055 | 18,000 | 30,000 | 26,500 | +5,500 |
| Advance appropriations, FY 2001 - 2003 | ..... | 299,000 | ..... | ..... | ..... | ..... |
| Information infrastructure grants | 18,000 | 20,102 | 13,000 | 18,102 | 15,500 | -2,500 |
| Total, National Telecommunications and Information Administration | 49,940 | 371,369 | 41,940 | 59,111 | 52,975 | +3,035 |
| Patent and Trademark Office | | | | | | |
| Current year fee funding | 643,026 | 785,976 | 735,538 | 785,976 | 755,000 | +111,974 |
| Prior year fee funding | 71,000 | ..... | ..... | ..... | ..... | -71,000 |
| (Prior year carryover) | (40,500) | (115,774) | (116,000) | (115,774) | (116,000) | (+75,500) |
| Rescission | -71,000 | ..... | ..... | ..... | ..... | +71,000 |
| Subtotal | (683,526) | (901,750) | (851,538) | (901,750) | (871,000) | (+187,474) |
| Legislative proposal fees | 102,000 | 20,000 | ..... | ..... | ..... | -102,000 |
| Total, Patent and Trademark Office | (785,526) | (921,750) | (851,538) | (901,750) | (871,000) | (+85,474) |
| Offsetting fee collections | -643,026 | -785,976 | -785,976 | -785,976 | -785,976 | -142,950 |
| Offsetting fee collections - legislative proposal | -102,000 | -20,000 | ..... | ..... | ..... | +102,000 |
| Total, PTO offsetting fee collections | -745,026 | -805,976 | -785,976 | -785,976 | -785,976 | -40,950 |
| Total, Economic and Information Infrastructure | 1,466,379 | 5,221,190 | 4,794,712 | 3,181,967 | 4,830,071 | +3,363,692 |
| SCIENCE AND TECHNOLOGY | | | | | | |
| Technology Administration | | | | | | |
| Under Secretary for Technology/ Office of Technology Policy | | | | | | |
| Salaries and expenses | 9,495 | 8,972 | 7,972 | 7,972 | 7,972 | -1,523 |
| National Institute of Standards and Technology | | | | | | |
| Scientific and technical research and services | 280,136 | 289,622 | 280,136 | 288,128 | 283,132 | +2,996 |
| Industrial technology services | 310,300 | 338,536 | 99,836 | 336,336 | 247,436 | -62,864 |
| Construction of research facilities | 56,714 | 106,798 | 56,714 | 117,500 | 108,414 | +51,700 |
| NTIS revolving fund | ..... | 2,000 | ..... | ..... | ..... | ..... |
| Total, National Institute of Standards and Technology | 647,150 | 736,956 | 436,686 | 741,964 | 638,982 | -8,168 |
| National Oceanic and Atmospheric Administration | | | | | | |
| Operations, research, and facilities | 1,579,844 | 1,738,911 | 1,475,128 | 1,783,118 | 1,688,189 | +108,345 |
| Offsetting collections (fisheries) (proposed) | ..... | -20,000 | ..... | ..... | ..... | ..... |
| Offsetting collections (navigations) (proposed) | ..... | -14,000 | ..... | ..... | ..... | ..... |
| Supplemental appropriations (P.L. 106-31) | 1,880 | ..... | ..... | ..... | ..... | -1,880 |
| Direct appropriation | 1,581,724 | 1,704,911 | 1,475,128 | 1,783,118 | 1,688,189 | +106,465 |
| (By transfer from Promote and Develop Fund) | (63,381) | (64,926) | (67,226) | (66,426) | (68,000) | (+4,619) |
| (By transfer from Damage assessment and restoration revolving fund, permanent) | 5,000 | ..... | ..... | ..... | ..... | -5,000 |
| (Damage assessment and restoration revolving fund) | -5,000 | ..... | ..... | ..... | ..... | +5,000 |
| (By transfer from Coastal zone management) | ..... | 4,000 | ..... | ..... | ..... | ..... |
| Total, Operations, research and facilities | 1,581,724 | 1,708,911 | 1,475,128 | 1,783,118 | 1,688,189 | +106,465 |
| Procurement, acquisition and construction | 584,677 | 630,578 | 480,330 | 670,578 | 596,067 | +11,390 |
| Advance appropriations, FY 2001 - 2018 | ..... | 5,363,345 | ..... | ..... | ..... | ..... |
| Pacific coastal salmon recovery | ..... | 160,000 | ..... | 100,000 | 58,000 | +58,000 |
| Coastal zone management fund | 4,000 | ..... | 4,000 | 4,000 | 4,000 | ..... |
| Mandatory offset | -4,000 | -4,000 | -4,000 | -4,000 | -4,000 | ..... |
| Fishermen's contingency fund | 953 | 953 | 953 | 953 | 953 | ..... |
| Foreign fishing observer fund | 189 | 189 | 189 | 189 | 189 | ..... |
| Fisheries finance program account | 338 | 10,258 | 238 | 2,038 | 338 | ..... |
| Total, National Oceanic and Atmospheric Administration | 2,167,881 | 7,870,234 | 1,956,838 | 2,556,876 | 2,343,736 | +175,855 |
| Appropriations | (2,167,881) | (2,506,889) | (1,956,838) | (2,556,876) | (2,343,736) | (+175,855) |
| Advance appropriations | ..... | (5,363,345) | ..... | ..... | ..... | ..... |
| Total, Science and Technology | 2,824,526 | 8,616,162 | 2,401,496 | 3,306,812 | 2,990,690 | +166,164 |

## DEPARTMENTS OF COMMERCE, JUSTICE, STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 2000— continued

(Amounts in thousands)

| | FY 1999 Enacted | FY 2000 Request | House | Senate | Conference | Conference vs. enacted |
|---|---|---|---|---|---|---|
| General Administration | | | | | | |
| Salaries and expenses | 30,000 | 34,046 | 30,000 | 34,046 | 31,500 | +1,500 |
| Office of Inspector General | 21,000 | 23,454 | 22,000 | 17,900 | 20,000 | -1,000 |
| Total, General administration | 51,000 | 57,500 | 52,000 | 51,946 | 51,500 | +500 |
| National Oceanic and Atmospheric Administration | | | | | | |
| Fisheries promotional fund (rescission) | ..... | -1,187 | -1,187 | ..... | -1,187 | -1,187 |
| Total, Department of Commerce | 5,098,279 | 14,680,528 | 8,007,163 | 7,160,943 | 8,649,308 | +3,551,029 |
| Appropriations | (5,169,279) | (9,019,370) | (3,532,097) | (7,160,943) | (4,174,242) | (-995,037) |
| Emergency appropriations | ..... | ..... | (4,476,253) | ..... | (4,476,253) | (+4,476,253) |
| Rescissions | (-71,000) | (-1,187) | (-1,187) | ..... | (-1,187) | (+69,813) |
| Advance appropriations | ..... | (5,662,345) | ..... | ..... | ..... | ..... |
| Total, title II, Department of Commerce and related agencies | 5,168,274 | 14,754,229 | 8,076,863 | 7,232,710 | 8,719,438 | +3,551,164 |
| Appropriations | (5,239,274) | (9,093,071) | (3,601,797) | (7,232,710) | (4,244,372) | (-994,902) |
| Emergency appropriations | ..... | ..... | (4,476,253) | ..... | (4,476,253) | (+4,476,253) |
| Rescissions | (-71,000) | (-1,187) | (-1,187) | ..... | (-1,187) | (+69,813) |
| Advance appropriations | ..... | (5,662,345) | ..... | ..... | ..... | ..... |
| (By transfer) | (63,381) | (64,926) | (67,226) | (66,426) | (68,000) | (+4,619) |
| TITLE III - THE JUDICIARY | | | | | | |
| Supreme Court of the United States | | | | | | |
| Salaries and expenses: | | | | | | |
| Salaries of justices | 1,690 | 1,698 | 1,698 | 1,698 | 1,698 | +8 |
| Other salaries and expenses | 29,369 | 34,241 | 33,343 | 34,205 | 33,794 | +4,425 |
| Supplemental appropriations (P.L. 106-31) | 921 | ..... | ..... | ..... | ..... | -921 |
| Total, Salaries and expenses | 31,980 | 35,939 | 35,041 | 35,903 | 35,492 | +3,512 |
| Care of the building and grounds | 5,400 | 22,658 | 6,872 | 9,652 | 8,002 | +2,602 |
| Total, Supreme Court of the United States | 37,380 | 58,597 | 41,913 | 45,555 | 43,494 | +6,114 |
| United States Court of Appeals for the Federal Circuit | | | | | | |
| Salaries and expenses: | | | | | | |
| Salaries of judges | 1,943 | 1,945 | 1,945 | 1,945 | 1,945 | +2 |
| Other salaries and expenses | 14,158 | 15,691 | 14,156 | 14,966 | 14,852 | +694 |
| Total, Salaries and expenses | 16,101 | 17,636 | 16,101 | 16,911 | 16,797 | +696 |
| United States Court of International Trade | | | | | | |
| Salaries and expenses: | | | | | | |
| Salaries of judges | 1,506 | 1,525 | 1,525 | 1,525 | 1,525 | +19 |
| Other salaries and expenses | 10,298 | 10,621 | 10,279 | 10,432 | 10,432 | +134 |
| Total, Salaries and expenses | 11,804 | 12,146 | 11,804 | 11,957 | 11,957 | +153 |
| Courts of Appeals, District Courts, and Other Judicial Services | | | | | | |
| Salaries and expenses: | | | | | | |
| Salaries of judges and bankruptcy judges | 238,329 | 240,375 | 240,375 | 240,375 | 240,375 | +2,046 |
| Other salaries and expenses | 2,583,492 | 2,979,551 | 2,669,763 | 2,651,890 | 2,717,763 | +134,271 |
| Direct appropriation | 2,821,821 | 3,219,926 | 2,910,138 | 2,892,265 | 2,958,138 | +136,317 |
| Crime trust fund | 10,164 | 29,395 | 156,539 | 100,000 | 156,539 | +146,375 |
| Total, Salaries and expenses | 2,831,985 | 3,249,321 | 3,066,677 | 2,992,265 | 3,114,677 | +282,692 |
| Vaccine Injury Compensation Trust Fund | 2,515 | 2,581 | 2,138 | 2,581 | 2,515 | ..... |
| Defender services | 360,952 | 374,839 | 361,548 | 353,888 | 358,848 | -2,104 |
| Crime trust fund | 30,879 | 36,605 | 26,247 | ..... | 26,247 | -4,632 |
| Fees of jurors and commissioners | 66,861 | 69,510 | 63,400 | 60,918 | 60,918 | -5,943 |
| Court security | 174,569 | 206,012 | 190,029 | 196,026 | 193,028 | +18,459 |
| Total, Courts of Appeals, District Courts, and Other Judicial Services | 3,467,761 | 3,938,868 | 3,710,039 | 3,605,678 | 3,756,233 | +288,472 |
| Administrative Office of the United States Courts | | | | | | |
| Salaries and expenses | 54,500 | 58,428 | 54,500 | 56,054 | 55,000 | +500 |
| Federal Judicial Center | | | | | | |
| Salaries and expenses | 17,716 | 18,997 | 17,716 | 18,476 | 18,000 | +284 |

## DEPARTMENTS OF COMMERCE, JUSTICE, STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 2000— continued

(Amounts in thousands)

| | FY 1999 Enacted | FY 2000 Request | House | Senate | Conference | Conference vs. enacted |
|---|---|---|---|---|---|---|
| Judicial Retirement Funds | | | | | | |
| Payment to Judiciary Trust Funds | 37,300 | 39,700 | 39,700 | 39,700 | 39,700 | +2,400 |
| United States Sentencing Commission | | | | | | |
| Salaries and expenses | 9,487 | 10,600 | 8,500 | 9,743 | 8,500 | -987 |
| General Provisions | | | | | | |
| Judges pay raise (sec. 304) | ..... | 9,000 | ..... | 9,611 | 9,611 | +9,611 |
| Total, title III, the Judiciary | 3,652,049 | 4,163,972 | 3,900,273 | 3,813,685 | 3,959,292 | +307,243 |
| Appropriations | (3,611,006) | (4,097,972) | (3,717,487) | (3,713,685) | (3,776,506) | (+165,500) |
| Crime trust fund | (41,043) | (66,000) | (182,786) | (100,000) | (182,786) | (+141,743) |
| TITLE IV - DEPARTMENT OF STATE | | | | | | |
| Administration of Foreign Affairs | | | | | | |
| Diplomatic and consular programs 4/ | 1,644,300 | 2,838,934 | 2,472,825 | 2,671,429 | 2,569,825 | +925,525 |
| Worldwide security upgrade | ..... | ..... | 254,000 | ..... | 254,000 | +254,000 |
| Total, Diplomatic and consular programs | 1,644,300 | 2,838,934 | 2,726,825 | 2,671,429 | 2,823,825 | +1,179,525 |
| Salaries and expenses | 355,000 | ..... | ..... | ..... | ..... | -355,000 |
| Capital investment fund | 80,000 | 90,000 | 80,000 | 50,000 | 80,000 | ..... |
| Office of Inspector General | 27,495 | 30,054 | 28,495 | 26,495 | 27,495 | ..... |
| Educational and cultural exchange programs | ..... | 210,329 | 175,000 | 216,476 | 205,000 | +205,000 |
| Representation allowances | 4,350 | 5,850 | 4,350 | 5,850 | 5,850 | +1,500 |
| Protection of foreign missions and officials | 8,100 | 9,490 | 8,100 | 8,100 | 8,100 | ..... |
| Security and maintenance of United States missions | 403,561 | 747,683 | 403,561 | 583,496 | 428,561 | +25,000 |
| Worldwide security upgrade | ..... | ..... | 313,617 | ..... | 313,617 | +313,617 |
| Advance appropriations, FY 2001 - 2005 | ..... | 3,600,000 | ..... | ..... | ..... | ..... |
| Emergencies in the diplomatic and consular service | 5,500 | 17,000 | 5,500 | 7,000 | 5,500 | ..... |
| (By transfer) | (4,000) | (4,000) | (4,000) | (4,000) | (4,000) | ..... |
| Commission on Holocaust Assets in U.S. (by transfer) | (2,000) | (1,162) | (1,162) | ..... | (1,162) | (-838) |
| Repatriation Loans Program Account: | | | | | | |
| Direct loans subsidy | 593 | 593 | 593 | 593 | 593 | ..... |
| Administrative expenses | 607 | 607 | 607 | 607 | 607 | ..... |
| (By transfer) | (1,000) | (1,000) | (1,000) | (1,000) | (1,000) | ..... |
| Total, Repatriation loans program account | 1,200 | 1,200 | 1,200 | 1,200 | 1,200 | ..... |
| Payment to the American Institute in Taiwan | 14,750 | 15,760 | 14,750 | 16,000 | 15,375 | +625 |
| Payment to the Foreign Service Retirement and Disability Fund | 132,500 | 128,541 | 128,541 | 128,541 | 128,541 | -3,959 |
| Total, Administration of Foreign Affairs | 2,676,756 | 7,694,841 | 3,889,939 | 3,714,587 | 4,043,064 | +1,366,308 |
| Appropriations | (2,676,756) | (4,094,841) | (3,889,939) | (3,714,587) | (4,043,064) | (+1,366,308) |
| Advance appropriations | ..... | (3,600,000) | ..... | ..... | ..... | ..... |
| International Organizations and Conferences | | | | | | |
| Contributions to international organizations, current year assessment | 922,000 | 963,308 | 842,937 | 943,308 | 885,203 | -36,797 |
| Contributions for international peacekeeping activities, current year | 231,000 | 485,000 | 200,000 | 387,925 | 500,000 | +269,000 |
| Arrearage payments | 475,000 | 446,000 | 351,000 | ..... | 351,000 | -124,000 |
| International conferences and contingencies (by transfer) | (16,223) | ..... | ..... | ..... | ..... | (-16,223) |
| Total, International Organizations and Conferences | 1,628,000 | 1,894,308 | 1,393,937 | 1,331,233 | 1,736,203 | +108,203 |
| International Commissions | | | | | | |
| International Boundary and Water Commission, United States and Mexico: | | | | | | |
| Salaries and expenses | 19,551 | 20,413 | 19,551 | 19,551 | 19,551 | ..... |
| Construction | 5,939 | 8,435 | 5,750 | 5,939 | 5,939 | ..... |
| American sections, international commissions | 5,733 | 6,493 | 5,733 | 5,733 | 5,733 | ..... |
| International fisheries commissions | 14,549 | 16,702 | 14,549 | 15,549 | 15,549 | +1,000 |
| Total, International commissions | 45,772 | 52,043 | 45,583 | 46,772 | 46,772 | +1,000 |
| Other | | | | | | |
| Payment to the Asia Foundation | 8,250 | 15,000 | 8,000 | ..... | 8,250 | ..... |
| Eisenhower Exchange Fellowship Program, trust fund | ..... | 525 | 525 | 465 | 465 | +465 |
| Israeli Arab scholarship program | ..... | 350 | 350 | 340 | 340 | +340 |
| East-West Center | ..... | 12,500 | ..... | 12,500 | 12,500 | +12,500 |
| North/South Center | ..... | 2,500 | ..... | ..... | 1,750 | +1,750 |
| National Endowment for Democracy | ..... | 32,000 | 31,000 | 30,000 | 31,000 | +31,000 |
| Total, Department of State | 4,358,778 | 9,704,067 | 5,369,334 | 5,135,897 | 5,880,344 | +1,521,566 |
| Appropriations | (4,358,778) | (6,104,067) | (5,369,334) | (5,135,897) | (5,880,344) | (+1,521,566) |
| Advance appropriations | ..... | (3,600,000) | ..... | ..... | ..... | ..... |

## DEPARTMENTS OF COMMERCE, JUSTICE, STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 2000— continued

(Amounts in thousands)

| | FY 1999 Enacted | FY 2000 Request | House | Senate | Conference | Conference vs. enacted |
|---|---|---|---|---|---|---|
| RELATED AGENCIES | | | | | | |
| Arms Control and Disarmament Agency | | | | | | |
| Arms control and disarmament activities | 41,500 | ..... | ..... | ..... | ..... | -41,500 |
| United States Information Agency | | | | | | |
| International information programs | 455,246 | ..... | ..... | ..... | ..... | -455,246 |
| Technology fund (by transfer) | (2,000) | ..... | ..... | ..... | ..... | (-2,000) |
| Educational and cultural exchange programs | 202,500 | ..... | ..... | ..... | ..... | -202,500 |
| Eisenhower Exchange Fellowship Program, trust fund | 525 | ..... | ..... | ..... | ..... | -525 |
| Israeli Arab scholarship program | 350 | ..... | ..... | ..... | ..... | -350 |
| International Broadcasting Operations | 362,365 | ..... | ..... | ..... | ..... | -362,365 |
| Broadcasting to Cuba (direct) | 22,095 | ..... | ..... | ..... | ..... | -22,095 |
| Radio construction | 13,245 | ..... | ..... | ..... | ..... | -13,245 |
| East-West Center | 12,500 | ..... | ..... | ..... | ..... | -12,500 |
| North/South Center | 1,750 | ..... | ..... | ..... | ..... | -1,750 |
| National Endowment for Democracy | 31,000 | ..... | ..... | ..... | ..... | -31,000 |
| Total, United States Information Agency | 1,101,576 | ..... | ..... | ..... | ..... | -1,101,576 |
| Broadcasting Board of Governors | | | | | | |
| International Broadcasting Operations | ..... | 431,722 | 410,404 | 362,365 | 388,421 | +388,421 |
| Broadcasting to Cuba | ..... | ..... | ..... | 23,664 | 22,095 | +22,095 |
| Broadcasting capital improvements | ..... | 20,868 | 11,258 | 13,245 | 11,258 | +11,258 |
| Total, Broadcasting Board of Governors | ..... | 452,590 | 421,662 | 399,274 | 421,774 | +421,774 |
| Total, related agencies | 1,143,076 | 452,590 | 421,662 | 399,274 | 421,774 | -721,302 |
| Total, title IV, Department of State | 5,501,854 | 10,156,657 | 5,790,996 | 5,535,171 | 6,302,118 | +800,264 |
| Appropriations | (5,501,854) | (6,556,657) | (5,790,996) | (5,535,171) | (6,302,118) | (+800,264) |
| Advance appropriations | ..... | (3,600,000) | ..... | ..... | ..... | ..... |
| (By transfer) | (25,223) | (6,162) | (6,162) | (5,000) | (6,162) | (-19,061) |
| TITLE V - RELATED AGENCIES | | | | | | |
| DEPARTMENT OF TRANSPORTATION | | | | | | |
| Maritime Administration | | | | | | |
| Maritime Security Program | 89,650 | 98,700 | 98,700 | 98,700 | 96,200 | +6,550 |
| Operations and training | 69,303 | 72,164 | 71,303 | 72,664 | 72,073 | +2,770 |
| Maritime Guaranteed Loan (Title XI) Program Account: | | | | | | |
| Guaranteed loans subsidy | 6,000 | 6,000 | 5,400 | 11,000 | 6,000 | ..... |
| Administrative expenses | 3,725 | 3,893 | 3,725 | 3,893 | 3,809 | +84 |
| Total, Maritime guaranteed loan program account | 9,725 | 9,893 | 9,125 | 14,893 | 9,809 | +84 |
| Total, Maritime Administration | 168,678 | 180,757 | 179,128 | 186,257 | 178,082 | +9,404 |
| Census Monitoring Board | | | | | | |
| Salaries and expenses | ..... | 4,000 | ..... | 4,000 | ..... | ..... |
| Commission for the Preservation of America's Heritage Abroad | | | | | | |
| Salaries and expenses | 265 | 265 | 265 | 490 | 490 | +225 |
| Commission on Civil Rights | | | | | | |
| Salaries and expenses | 8,900 | 11,000 | 8,900 | 8,900 | 8,900 | ..... |
| Commission on Electronic Commerce | | | | | | |
| Salaries and expenses | ..... | ..... | ..... | ..... | 1,400 | +1,400 |
| Commission on Security and Cooperation in Europe | | | | | | |
| Salaries and expenses | 1,170 | 1,250 | 1,170 | 1,250 | 1,182 | +12 |
| Equal Employment Opportunity Commission | | | | | | |
| Salaries and expenses | 279,000 | 312,000 | 279,000 | 279,000 | 282,000 | +3,000 |
| Federal Communications Commission | | | | | | |
| Salaries and expenses | 192,000 | 230,887 | 192,000 | 232,805 | 210,000 | +18,000 |
| Offsetting fee collections - current year | -172,523 | -185,754 | -185,754 | -185,754 | -185,754 | -13,231 |
| Direct appropriation | 19,477 | 45,133 | 6,246 | 47,051 | 24,246 | +4,769 |
| Federal Maritime Commission | | | | | | |
| Salaries and expenses | 14,150 | 15,300 | 14,150 | 14,150 | 14,150 | ..... |

## DEPARTMENTS OF COMMERCE, JUSTICE, STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 2000— continued

(Amounts in thousands)

| | FY 1999 Enacted | FY 2000 Request | House | Senate | Conference | Conference vs. enacted |
|---|---|---|---|---|---|---|
| Federal Trade Commission | | | | | | |
| Salaries and expenses | 116,679 | 133,368 | 116,679 | 133,368 | 125,024 | +8,345 |
| Offsetting fee collections - carryover | -30,000 | -39,472 | -39,472 | -19,309 | -21,000 | +9,000 |
| Offsetting fee collections - current year | -76,500 | -93,896 | -77,207 | -114,059 | -104,024 | -27,524 |
| Direct appropriation | 10,179 | | | | | -10,179 |
| Legal Services Corporation | | | | | | |
| Payment to the Legal Services Corporation | 300,000 | 340,000 | 250,000 | 300,000 | 305,000 | +5,000 |
| Marine Mammal Commission | | | | | | |
| Salaries and expenses | 1,240 | 1,300 | 1,240 | 1,300 | 1,270 | +30 |
| Ocean Policy Commission | | | | | | |
| Salaries and expenses | 3,500 | | | | | -3,500 |
| Securities and Exchange Commission | | | | | | |
| Salaries and expenses | 23,000 | | | | | -23,000 |
| Current year fees | 214,000 | 230,000 | 193,200 | 240,000 | 173,800 | -40,200 |
| 1998 fees | 87,000 | 130,800 | 130,800 | 130,800 | 194,000 | +107,000 |
| Direct appropriation | 324,000 | 360,800 | 324,000 | 370,800 | 367,800 | +43,800 |
| Small Business Administration | | | | | | |
| Salaries and expenses | 288,300 | 263,000 | 245,500 | 246,300 | 322,800 | +34,500 |
| Office of Inspector General | 10,800 | 11,000 | 10,800 | 13,250 | 11,000 | +200 |
| Business Loans Program Account: | | | | | | |
| Direct loans subsidy | 2,200 | 4,000 | 762 | 4,000 | | -2,200 |
| Guaranteed loans subsidy | 128,030 | 144,368 | 128,030 | 164,368 | 137,800 | +9,770 |
| Administrative expenses | 94,000 | 131,000 | 94,000 | 129,000 | 129,000 | +35,000 |
| Total, Business loans program account | 224,230 | 279,368 | 222,792 | 297,368 | 266,800 | +42,570 |
| Disaster Loans Program Account: | | | | | | |
| Direct loans subsidy | 76,329 | 39,400 | 139,400 | 77,700 | 140,400 | +64,071 |
| Contingent emergency appropriations | | 158,000 | | | | |
| Administrative expenses | 116,000 | 86,000 | 116,000 | 86,000 | 136,000 | +20,000 |
| Contingent emergency appropriations | | 75,000 | | | | |
| Total, Disaster loans program account | 192,329 | 358,400 | 255,400 | 163,700 | 276,400 | +84,071 |
| Surety bond guarantees revolving fund | 3,300 | | | | | -3,300 |
| Total, Small Business Administration | 718,959 | 911,768 | 734,492 | 720,618 | 877,000 | +158,041 |
| State Justice Institute | | | | | | |
| Salaries and expenses 5/ | 6,850 | 15,000 | | 6,850 | 6,850 | |
| Total, title V, Related agencies | 1,856,368 | 2,198,573 | 1,798,591 | 1,940,666 | 2,068,370 | +212,002 |
| Appropriations | (1,856,368) | (1,965,573) | (1,798,591) | (1,940,666) | (2,068,370) | (+212,002) |
| Contingent emergency appropriations | | (233,000) | | | | |
| TITLE VII - RESCISSIONS | | | | | | |
| DEPARTMENT OF JUSTICE | | | | | | |
| General Administration | | | | | | |
| Working capital fund (rescission) | -99,000 | | | -22,577 | | +99,000 |
| Legal Activities | | | | | | |
| Assets forfeiture fund (rescission) | -2,000 | | | -5,500 | | +2,000 |
| Federal Bureau of Investigation | | | | | | |
| FY 1998 FBI construction (rescission) | -4,000 | | | | | +4,000 |
| No Year FBI salaries and expenses (rescission) | -6,400 | | | | | +6,400 |
| FY 1996 VCRP (rescission) | -2,000 | | | | | +2,000 |
| FY 1997 VCRP (rescission) | -300 | | | | | +300 |
| Total, Federal Bureau of Investigation | -12,700 | | | | | +12,700 |
| Drug Enforcement Administration | | | | | | |
| Drug diversion fund (rescission) | | | | -35,000 | -35,000 | -35,000 |
| Immigration and Naturalization Service | | | | | | |
| Immigration emergency fund (rescission) | -5,000 | | -1,137 | | -1,137 | +3,863 |

## DEPARTMENTS OF COMMERCE, JUSTICE, STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 2000— continued

(Amounts in thousands)

| | FY 1999 Enacted | FY 2000 Request | House | Senate | Conference | Conference vs. enacted |
|---|---|---|---|---|---|---|
| DEPARTMENT OF COMMERCE | | | | | | |
| FY 1998 Commerce (rescission) | -2,090 | | | | | +2,090 |
| National Institute of Standards and Technology | | | | | | |
| Industrial technology services (rescission) | -6,000 | | | | | +6,000 |
| National Oceanic and Atmospheric Administration | | | | | | |
| Operations, research and facilities (rescission of emergency appropriations) | | -3,400 | | -3,400 | | |
| DEPARTMENT OF STATE AND RELATED AGENCIES | | | | | | |
| DEPARTMENT OF STATE | | | | | | |
| Administration of Foreign Affairs | | | | | | |
| Security and maintenance of United States Missions (rescission) | | | | -58,436 | | |
| United States Information Agency | | | | | | |
| Buying power maintenance (rescission) | -20,000 | | | | | +20,000 |
| Broadcasting Board of Governors | | | | | | |
| International broadcasting operations (rescission) | | | -14,829 | -18,780 | -15,516 | -15,516 |
| RELATED AGENCY | | | | | | |
| DEPARTMENT OF TRANSPORTATION | | | | | | |
| Maritime Administration | | | | | | |
| Ship construction fund (rescission) | -17,000 | | | | | +17,000 |
| Small Business Administration | | | | | | |
| Business Loans Program Account: | | | | | | |
| Guaranteed loans subsidy (rescission) | | | -12,400 | | -13,100 | -13,100 |
| General reduction | | | | -92,000 | | |
| Total, title VII, Rescissions | -163,790 | -3,400 | -28,366 | -235,693 | -64,753 | +99,037 |
| Appropriations | | | | (-92,000) | | |
| Rescissions | (-163,790) | | (-28,366) | (-140,293) | (-64,753) | (+99,037) |
| Rescission of emergency appropriations | | (-3,400) | | (-3,400) | | |
| TITLE VIII - OTHER APPROPRIATIONS | | | | | | |
| DEPARTMENT OF JUSTICE | | | | | | |
| Federal Bureau of Investigation | | | | | | |
| Salaries and expenses | 21,680 | | | | | -21,680 |
| Drug Enforcement Administration | | | | | | |
| Salaries and expenses | 10,200 | | | | | -10,200 |
| Immigration and Naturalization Service | | | | | | |
| Salaries and expenses | 10,000 | | | | | -10,000 |
| Border affairs | 80,000 | | | | | -80,000 |
| Department of Justice (Y2K conversion) | 84,396 | | | | | -84,396 |
| Total, Department of Justice | 206,276 | | | | | -206,276 |
| DEPARTMENT OF COMMERCE AND RELATED AGENCIES | | | | | | |
| National Oceanic and Atmospheric Administration | | | | | | |
| Operations, research, and facilities | 5,000 | | | | | -5,000 |
| Department of Commerce (Y2K conversion) | 57,920 | | | | | -57,920 |
| Total, Department of Commerce | 62,920 | | | | | -62,920 |
| THE JUDICIARY | | | | | | |
| Judicial information technology fund (Y2K conversion) | 13,044 | | | | | -13,044 |
| DEPARTMENT OF STATE | | | | | | |
| Administration of Foreign Affairs | | | | | | |
| Diplomatic and consular programs | 790,771 | | | | | -790,771 |
| Salaries and expenses | 12,000 | | | | | -12,000 |
| Office of Inspector General | 1,000 | | | | | -1,000 |
| Security and maintenance of United States missions | 677,500 | | | | | -677,500 |
| Emergencies in the diplomatic and consular service | 12,929 | | | | | -12,929 |
| Department of State (Y2K conversion) | 64,918 | | | | | -64,918 |
| Total, Department of State | 1,559,118 | | | | | -1,559,118 |

## DEPARTMENTS OF COMMERCE, JUSTICE, STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 2000— continued

(Amounts in thousands)

| | FY 1999 Enacted | FY 2000 Request | House | Senate | Conference | Conference vs. enacted |
|---|---|---|---|---|---|---|
| RELATED AGENCIES | | | | | | |
| Small Business Administration | | | | | | |
| Disaster Loans Program Account: | | | | | | |
| Direct loans subsidy | 71,000 | ..... | ..... | ..... | ..... | -71,000 |
| Administrative expenses | 30,000 | ..... | ..... | ..... | ..... | -30,000 |
| Total, Disaster loans program account | 101,000 | ..... | ..... | ..... | ..... | -101,000 |
| Small Business Administration (Y2K conversion) | 4,840 | ..... | ..... | ..... | ..... | -4,840 |
| Total, Small Business Administration | 105,840 | ..... | ..... | ..... | ..... | -105,840 |
| DEPARTMENT OF TRANSPORTATION | | | | | | |
| Maritime Administration (Y2K conversion) | 530 | ..... | ..... | ..... | ..... | -530 |
| Federal Communications Commission (Y2K conversion) | 8,516 | ..... | ..... | ..... | ..... | -8,516 |
| Federal Trade Commission (Y2K conversion) | 550 | ..... | ..... | ..... | ..... | -550 |
| Marine Mammal Commission (Y2K conversion) | 38 | ..... | ..... | ..... | ..... | -38 |
| Office of the US Trade Representative (Y2K conversion) | 498 | ..... | ..... | ..... | ..... | -498 |
| Securities and Exchange Commission (Y2K conversion) | 8,175 | ..... | ..... | ..... | ..... | -8,175 |
| United States Information Agency (Y2K conversion) | 9,562 | ..... | ..... | ..... | ..... | -9,562 |
| Total, title VIII, emergency appropriations | 1,975,067 | ..... | ..... | ..... | ..... | -1,975,067 |
| Grand total: | | | | | | |
| New budget (obligational) authority | 36,197,272 | 49,812,980 | 37,677,283 | 35,384,564 | 39,630,967 | +3,433,695 |
| Appropriations | (28,944,995) | (36,106,206) | (28,970,583) | (31,378,257) | (31,004,654) | (+2,059,659) |
| Emergency appropriations | (1,975,067) | ..... | (4,476,253) | ..... | (4,476,253) | (+2,501,186) |
| Contingent emergency appropriations | ..... | (233,000) | ..... | ..... | ..... | ..... |
| Advance appropriations | ..... | (9,262,345) | ..... | ..... | ..... | ..... |
| Rescissions | (-234,790) | (-1,187) | (-29,553) | (-140,293) | (-65,940) | (+168,850) |
| Rescission of emergency appropriations | ..... | (-3,400) | ..... | (-3,400) | ..... | ..... |
| Crime trust fund | (5,512,000) | (4,216,016) | (4,260,000) | (4,150,000) | (4,216,000) | (-1,296,000) |
| (By transfer) | (88,604) | (78,088) | (181,822) | (71,426) | (173,707) | (+85,103) |

1/ The Administration's request proposes to eliminate this account and distribute the funding to GLA, US Attorneys, US Marshals, FBI, DEA and INS.

2/ The Administration's June 8, 1999 budget amendment proposes to reinstate the 245(i) adjustment of status fee, which would increase receipts in the Breached Bond Fund by $110 million.

3/ The President's request includes $30 million for the Police Corps within the hiring program.

4/ As a result of the Foreign Affairs Reform and Restructuring Act of 1998 and other changes, the amounts requested and recommended in FY 2000 include amounts appropriated separately in previous fiscal years for State Department, USIA and ACDA salaries and expenses.

5/ The President's budget proposed $5 million for State Justice Institute.

Mr. YOUNG of Florida. Mr. Speaker, will the Chair advise how much time is remaining on each side.

The SPEAKER pro tempore (Mr. HANSEN). The gentleman from Florida (Mr. YOUNG) has 15¼ minutes remaining, and the gentleman from Wisconsin (Mr. OBEY) has 15 minutes remaining.

Mr. YOUNG of Florida. Mr. Speaker, I yield 2½ minutes to the gentleman from Illinois (Mr. PORTER), the chairman of the Subcommittee on Labor, Health and Human Services, and Education of the Committee on Appropriations.

Mr. PORTER. Mr. Speaker, I thank the gentleman for yielding me this time and for his leadership in bringing this bill to final passage.

Mr. Speaker, compromise is the nature of our process under the Constitution, and the American people are the winners with this legislation.

In the Labor, Health and Human Services, and Education portion of the bill we have plussed up Job Corps, consolidated health centers, and Ryan White AIDS they are at the highest priority. I am particularly proud that we have funded biomedical research through the National Institutes of Health with a 15 percent increase, or $2.3 billion. This is the second 15 percent increase in a row toward our goal of doubling funding for biomedical research over 5 years. This is the best spent money in all of government and lengthens and protects the lives of every American.

In education, we increased the overall account by $2.2 billion over FY 1999 and included large increases for impact aid, for Pell Grants, for the TRIO program, and a very large increase for special education, allowing our local school districts a great deal more flexibility with their own money.

Now, Mr. Speaker, for the record, I want to ensure that our intent on section 210, the provision concerning the Secretary's organ transplantation rule, is totally clear. Section 210 delays for 42 days publication of the organ transplant rule to allow the Secretary to consult with the transplant community. The provision is the result of difficult negotiations between Members of both bodies and the administration.

□ 1630

Our provision originally provided for a 90-day delay with a required 60-day comment period. Based on the agreement between myself; the gentleman from Florida (Mr. YOUNG), the chairman of the committee; the gentleman from Wisconsin (Mr. OBEY), the ranking member of the subcommittee and the full committee; the chairman of the Senate subcommittee, Senator SPECTER; and the administration, we changed the comment period from 60 days to 21 days and provided 21 days for the Secretary to review the comments.

There has been a major study by the Institute of Medicine Study on this issue and several periods of comment either have occurred or will occur under the proposed rule. The compromise assures that those with an interest in this issue will have one more chance to comment and have these comments reviewed. As a result, our agreement includes language in the Statement of the Managers that there will be no further delay following the 42-day period.

Mr. Speaker, this was a difficult negotiation. However, I believe that the provisions of this bill represent the true compromise between all parties, and not a provision placed in the worker incentive bill without the knowledge or any participation in the negotiations by those at our table, including the Secretary of Health and Human Services and the Director of OMB that were there in our negotiation.

Mr. OBEY. Mr. Speaker, I yield myself 30 seconds to engage in a colloquy with the gentleman from Illinois (Mr. PORTER).

Mr. Speaker, the conference agreement encourages the Secretary of Labor to spend up to $2 million to answer several questions relating to the costs and benefits of safety and health programs. But am I correct in stating that the conferees do not intend in any way that the Secretary delay her rulemaking on safety and health programs while developing this information?

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

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

Mr. PORTER. Mr. Speaker, the gentleman is correct. It was not our intent in funding this data collection to block or delay the issuance of the safety and health program standard.

Mr. OBEY. Mr. Speaker, I thank the gentleman for his comments; and I want to say it has been a pleasure to work with him, as usual.

Mr. OBEY. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, we have come a long way from where we started in this session.

Originally, the Republican budget resolution that was presented in this House maintained the fiction that we could afford a huge tax cut with 70 percent of the benefit going to persons earning over $100,000 a year and still not do damage to the rest of our national priorities.

That tax cut would have used every single dollar that could have been used to extend the life of Social Security and Medicare. And the public understands that; and in the end they, I think, by their actions in the polls, convinced our friends on the Republican side to begin to walk away from that issue.

In September, we were given a different problem because the majority established a budget allocation for the bill containing Education and Health and Labor programs which would have resulted in cutting education funding by almost one-third in real terms. We said no to that. The President said no to that. And the shape of these appropriations bills today is far different as a result.

I want to publicly thank the President. I want to publicly thank the Vice President. I want to thank the President's Chief of Staff, John Podesta; Jack Lew, his principal budget negotiator; and all the others who stood with us fighting for smaller class sizes, fighting for quality teachers, fighting for more cops on the beat, fighting against legislation that threatened environmental cleanup, fighting against short-sighted efforts to limit our international leadership responsibilities abroad.

I am also proud of the fact that we have in the area of education provided for additional support for comprehensive school reform, for additional support for teacher training, additional support for smaller class size, and additional support to assist local school districts to reduce high school size in order to get a better handle on student violence and juvenile adolescent behavior.

I am also proud of the fact that, under this bill, 10 States will be provided planning grants in order to develop plans for a Federal-State partnership to cover all of their citizens with health coverage. I think that is a major breakthrough; and I hope it leads to ending the abomination in this country, the moral abomination of having some 40 million people in this country without health insurance.

But I am still going to oppose this bill despite all of those features because someone, I believe, has to stand for the institutional need to present budgets in a forthright way.

Three years ago, when the executive and legislative branches of Government agreed on a budget deal, I called it a public lie. I said, if it was not a public lie, it was at least a giant public fib, because it was promising that Congress would live by spending levels that, in fact, it would never live by. And history has demonstrated that to be correct.

Last year, Congress spent $35 billion more than that budget agreement provided; and this year it is spending much more than that before the limits. Some of that spending is outrageous, and some of it is perfectly defensible.

I do not so much object to some of that spending as I object to the fact that the Congress, in my view, is simply lying about it and pretending that it is not taking place. That, I think, is an even more fundamental problem.

It is clear to me that, in the end, after all of their initial efforts to cut all of the priorities that the President has been fighting for, it is clear that the Republican majority in this House, in order to get out of town, was willing to give the President virtually everything he asked for in spending so long as we would adopt accounting fictions that would hide what, in fact, we were doing. And that is the honest truth.

So, Mr. Speaker, I will vote against this. I understand there are many good

things in the bill, and I am proud to have helped negotiate some of them. But, in the end, I believe that next year we are going to come back here with the budget problem being fundamentally worse because of the fictions we have in this bill.

Mr. YOUNG of Florida. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Virginia (Mr. BLILEY), the chairman of our Committee on Commerce.

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

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

Mr. Speaker, I rise in strong support of this bill. There are a few items in particular that I would like to highlight from the Medicare provisions of this bill.

First, it directs a significant amount of new monies toward hospitals. This includes more funds for small, rural hospitals and for patients who receive cancer treatments, those most in need of assistance. Congress cannot allow these hospitals, which serve an important role in our communities, to close their doors.

Additionally, we provide new monies for the Medicare+Choice program. This vital program gives seniors the option to choose a private health plan instead of remaining in the traditional Medicare program.

I am also proud to have strengthened this bill by including $150 million to pay for immunosuppressive drugs for transplant patients. Medicare currently only covers these drugs for 36 months. Through our work in the Conference Committee, however, we have ensured that organ transplants will have greater access to these life-saving drugs for a longer period of time. Access of these drugs to patients could literally mean the difference between life and death.

Finally, this bill dedicates more funding for community health centers and rural health clinics, for S–CHIP, and also for State outreach efforts for former welfare recipients.

Mr. Speaker, I rise today in strong support of the ''Medicare, Medicaid and S–CHIP Balance Budget Refinement Act of 1999.'' This bill restores needed funds to hospitals, nursing homes, managed care providers, and home health agencies most seriously impacted by changes made in the Balanced Budget Act of 1997.

The Conference Report, included in this omnibus bill, reflects many hours of hard work in the House and the Senate. I want to particularly commend the efforts of Members of the Commerce Committee, Ways and Means Committee and the Senate Finance Committee. I am pleased that we were able to come together and craft this bill—there is much to be proud of in the legislation.

Congress made some very important changes to the Medicare and Medicaid programs when it passed the Balanced Budget Act. The Medicare program was facing bankruptcy and seniors' choice of private health plans and providers was limited. The Balanced Budget Act changed that and helped ensure the vitality of this program for years into the future.

In that legislation, the Commerce Committee also helped create the State Children's Health Insurance Program—otherwise known as S–CHIP—to provide health coverage for millions of low-income uninsured children. It was historic legislation and I am very proud of it.

But in some areas we all went a little too far. Now we are doing the right thing by going back and refining some of the policies put into effect by the BBA to address some of the unintended consequences of that legislation.

Mr. Speaker, I'm proud of the work the Committees in both chambers put into this bill. I know it enjoys wide bipartisan support and deserves the support of all my colleagues.

Mr. YOUNG of Florida. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. THOMAS).

Mr. THOMAS. Mr. Speaker, I thank the gentleman for yielding the 1 minute.

Mr. Speaker, I am here to point to that portion of the deal that deals with seniors and the disabled in the Medicare section. This would not have happened without a bipartisan, cooperative effort.

I especially want to thank the staff: Ann Marie Lynch and the majority committee, Bill Vaughn, for his willingness to maintain confidentiality as we worked on this; the commerce staff, especially the members of the Subcommittee on both Ways and Means and Commerce; chairmen of the full committee, the gentleman from Texas (Mr. ARCHER) and the gentleman from Virginia (Mr. BLILEY), who just spoke; my friends and colleagues, the gentlewoman from Connecticut (Mrs. JOHNSON) and the gentleman from Louisiana (Mr. MCCRERY), without which the congressional portion would not have been put together.

I want to thank Chris Jennings from the White House, Nancy Ann MinDeParle at the Health Care Financing Administration and Bonnie Washington.

Details of the Medicare measure can be found at TND.house.gov. This lays the groundwork for next year.

Republicans brought prevention in Medicare in 1997. We brought refinement this year. And working in a cooperative way, as evidenced by my friend the gentleman from Maryland (Mr. CARDIN), the gentleman from Wisconsin (Mr. KLECZKA), and other Democrats, we can move forward in modernizing Medicare next year as well.

I want to thank them all. There is no reason in the world why my colleagues should not vote yes on this measure.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Wisconsin (Mr. RYAN).

Mr. RYAN of Wisconsin. Mr. Speaker, I thank my colleague from Wisconsin for yielding 1 minute to me.

The previous speaker said there should be no reason to vote against this bill. I will give my colleagues one darn good reason why we should not vote for this bill, because this bill contains within it anti-dairy provisions which go right to the bottom line of the dairy farmers in the upper Midwest.

I really do applaud this Medicare provision. I would like to thank the gentleman from California (Mr. THOMAS), the chairman of the Subcommittee on Health, for including very important Medicare language which helps southern Wisconsin Medicare beneficiaries.

But what this legislation includes is legislation that has not even passed through the House of Representatives or through the United States Senate which goes right to the bottom line of the dairy farmers in the upper Midwest.

Mr. Speaker, I implore my colleagues, let us bring this legislation down the pike on regular order, not tack it on this ugly Christmas tree as a big ugly ornament.

This legislation is not fair for our dairy farmers. This legislation takes them and puts them at a competitive disadvantage against all other farmers in the country. And it revokes the free market principles that we were elected to protect.

Mr. YOUNG of Florida. Mr. Speaker, I yield 1½ minutes to the gentleman from New York (Mr. GILMAN), chairman of the Committee on Foreign Affairs.

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

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

Mr. Speaker, I am pleased to rise in support of this omnibus bill. I commend the House leadership, the majority leader, the majority whip, in addition to the Committee on Appropriations chairman, the distinguished gentleman, for their untiring efforts to finalize the conference report on the H.R. 3194 and for their willingness to include it in certain important authorization measures. I also extend thanks to House staffers Bill Inglee, Brian Gunderson, and Susan Hirschman for their diligent efforts on our behalf.

In particular, this package includes the authorization for the important U.N. reform and arrears payment package as well as other significant programs, such as the 5-year authorization for a greatly enhanced embassy security program to protect American personnel and facilities abroad and a 10-year authorization for Radio Free Asia.

The legislative vehicle by which this is accomplished is the inclusion of H.R. 3427, introduced by the distinguished gentleman from New Jersey (Mr. SMITH) of the Subcommittee on International Operations and Human Rights; the gentlewoman from Georgia (Ms. MCKINNEY), the ranking Democrat on that subcommittee; and the gentleman from Connecticut (Mr. GEJDENSON), the committee's ranking member; and myself.

H.R. 3427 reflects the House and Senate agreements that were reached on

H.R. 2415 and S. 886, the Senate amendments to H.R. 2415. This compromise measure also accommodates numerous requests of the administration. The House Committee on International Relations worked diligently to produce a bipartisan bill in concert with our colleagues on the Senate Foreign Relations Committee.

I thank the leadership of the Committee on Appropriations, and I urge my colleagues to fully support this omnibus measure.

The SPEAKER pro tempore (Mr. HANSEN). The gentleman from Florida (Mr. YOUNG) has 9 minutes remaining, and the gentleman from Wisconsin (Mr. OBEY) has 8½ minutes remaining.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Wisconsin (Mr. GREEN).

Mr. GREEN of Wisconsin. Mr. Speaker, I thank the gentleman for yielding me the time and for his leadership on the issue that he and I are joined together on, and that is dairy.

I must reluctantly urge my colleagues to vote against this bill today because of the dairy provisions that it contains.

It is real important to understand what has not happened today with the inclusion of these provisions. We have not done one thing to help dairy farmers in this Nation. We have not addressed the fact that most of the dairy farmers that we are losing in this Nation we are losing in the upper Midwest. In my home State, we are losing five each and every single day.

We have not addressed the fact that many of the Nation's largest co-ops are gouging our dairy farmers, underpaying them. And we have not taken one step away from the Soviet style dairy system that has ruled this country since 1937.

Because of what this bill does not do in dairy, I must reluctantly urge a no vote.

Mr. YOUNG of Florida. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. WALSH), the very distinguished chairman of our Subcommittee on VA, HUD and Independent Agencies.

Mr. WALSH. Mr. Speaker, congratulations to the chairman. We did it. We balanced the budget, as we said we would. We cut the national debt by over $100 billion with this budget, as we said we would. And we did it without touching the Social Security trust fund for the first time in this half century.

Remember back in his State of the Union address, the President promised to spend 38 percent of the Social Security trust fund for the surplus for Social Security. We said, no, Mr. President, we want 100 percent of that surplus. And that is what we did. We gave our troops in the field a good solid pay raise, and they deserve it.

Let me say, Mr. Speaker, on dairy, it would be terribly wrong for us to harm 75 percent of the farmers, the dairy farmers in this country by supporting the Glickman-Clinton dairy proposal. It is wrong for the country. The Congress is on record opposing that legislation.

What is in this bill was supported by 380 Members of the Congress. This is good legislation. I urge my colleagues to support it.

***NOTICE***

***Incomplete record of House proceedings. Except for concluding business which follows, today's House proceedings will be continued in the next issue of the Record.***

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. CAPPS (at the request of Mr. GEPHARDT) for today and the balance of the week on account of family illness.

## 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. PALLONE, for 5 minutes, today.

Mr. MALONEY of Connecticut, for 5 minutes, today.

Mr. UDALL of New Mexico, for 5 minutes, today.

Mr. UDALL of Colorado, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mrs. CLAYTON, for 5 minutes, today.

(The following Members (at the request of Mr. BARTON of Texas) to revise and extend their remarks and include extraneous material:)

Mr. LEACH, for 5 minutes, today.

Mr. BARTON of Texas, for 5 minutes, today.

Mrs. MYRICK, for 5 minutes, today.

## SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 278. An act to direct the Secretary of the Interior to convey certain lands to the county of Rio Arriba, New Mexico.

S. 382. An act to establish the Minuteman Missile National Historic Site in the State of South Dakota, and for other purposes.

S. 1235. An act to amend part G of title I of the Omnibus Crime Control and Safe Streets Act of 1968 to allow railroad police officers to attend the Federal Bureau of Investigation National Academy for law enforcement training.

S. 1398. An act to clarify certain boundaries on maps relating to the Coastal Barrier Resources System.

## JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a joint resolution of the House of the following title:

H.J. Res. 83. A joint resolution making further continuing appropriations for the fiscal year 2000, and for other purposes.

## ADJOURNMENT

Ms. JACKSON-LEE of Texas. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 p.m.), under its previous order, the House adjourned until tomorrow, Friday, November 19, 1999, at noon.

## OATH OF OFFICE OF MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

> ''I AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.''

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 106th Congress, pursuant to the provisions of 2 U.S.C. 25:

JOE BACA, Forty-second, California.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

5439. A letter from the Associate Administrator, Dairy Programs, Agricultural Marketing Service, transmitting the Service's

final rule—Milk in the New England and Other Marketing Areas; Exemption of Handlers Operating Plants in Clark County, Nevada, From Order Requirements [Docket No. DA–00–01] received November 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5440. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Herbicide Safener HOE–107892; Extension of Tolerance for Emergency Exemptions [OPP–300933; FRL–6385–5] (RIN: 2070–AB78) received November 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5441. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Glyphosate; Pesticide Tolerance [OPP–300946; FRL–6390–5] (RIN: 2070–AB78) received November 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5442. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Clopyralid; Pesticide Tolerances for Emergency Exemptions [OPP–300938; FRL–6388–5] (RIN: 2070–AB78) received November 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5443. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Avermectin B1 and its delta-8,9-isomer; Extension of Tolerance for Emergency Exemptions [OPP–300948; FRL–6391–8] (RIN: 2070–AB78) received November 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5444. A letter from the Acquisition and Technology, Principal Deputy Under Secretary of Defense, transmitting a report entitled ''Establishing an Entitlement to Reimburse Rental Car Costs to Military Service Members''; to the Committee on Armed Services.

5445. A letter from the Secretary of Defense, transmitting a Report On Proposed Obligations For Weapons Destruction And Non-Proliferation In The Former Soviet Union; to the Committee on Armed Services.

5446. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; States of Colorado, Utah and Wyoming; General Conformity [CO–001–0035a; UT–001–0023a; WY–001–0004a; FRL–6471–4] received November 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5447. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; New Jersey; Approval of Carbon Monoxide State Implementation Plan Revision; Determination of Carbon Monoxide Attainment; Removal of Oxygenated Gasoline Program [Region 2 Docket No. NJ37–2–203 FRL–6477–3] received November 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5448. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Iowa Update to Materials Incorporated by Reference [IA 075–1075: FRL–6462–3] received November 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5449. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—NESHAPS: Final Standards for Hazardous Air Pollutants for Hazardous Waste Combustors [FRL–6477–9] (RIN: 2050–AE01) received November 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5450. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants: Generic Maximum Achievable Control Technology [AD-FRL–6478–8] (RIN: 2060–AG91) received November 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5451. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants: Generic Maximum Achievable Control Technology; Process Wastewater Provisions [AD-FRL–6478–6] (RIN: 2060–AI53) received November 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5452. A letter from the Chief, Policy and Programming Division, Federal Communications Commission, transmitting the Commission's final rule—In the Matter of Implementation of Local Competition Provisions of the Telecommunications Act of 1996 [CC Docket No. 96–98] received November 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5453. A letter from the Deputy Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule—Allocation of Spectrum Below 5 GHz Transferred from Federal Government Use [ET Docket No. 94–32] received November 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5454. A letter from the Assistant Bureau Chief, Management, International Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of the Commission's Regulatory Policies to Allow Non-U.S. Licensed Space Stations to Provide Domestic and International Satellite Service in the United States [IB Docket No. 96–111] received November 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5455. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting the Commission's final rule—Landowner Notification, Expanded Categorical Exclusions, and Other Environmental Filing Requirements (Docket No. RM98–17–000; Order No. 609) received November 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5456. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 2000–07, authorizing the furnishing of assistance from the Emergency Refugee and Migration Assistance Fund to meet the urgent needs related to the Timor crisis and for the North Caucasus crisis, pursuant to 22 U.S.C. 2601(c)(3); to the Committee on International Relations.

5457. A communication from the President of the United States, transmitting a report on progress toward a negotiated settlement of the Cyprus question covering the period August 1, 1999, to September 30, 1999, pursuant to 22 U.S.C. 2373(c); to the Committee on International Relations.

5458. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the justification and designation of Burma, China, Iran, Iraq, and Sudan as ''countries of particular concern'' for having engaged in or tolerated particularly severe violations of religious freedom; to the Committee on International Relations.

5459. A letter from the Chairman and Chief Executive Officer, Chemical Safety and Hazard Investigation Board, transmitting the Board's Annual Report on Audit and Investigative Activities for Fiscal Year 1999, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

5460. A letter from the Comptroller General, transmitting a list of General Accounting Office reports from the previous month; to the Committee on Government Reform.

5461. A letter from the Secretary of Transportation, transmitting the Semiannual Report of the Office of Inspector General for the period ended September 30, 1999, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

5462. A letter from the the Chief Administrative Officer, U.S. House of Representatives, transmitting the quarterly report of the Statement of Disbursements of the House of Representatives covering receipts and expenditures of appropriations and other funds for the period July 1, 1999 through September 30, 1999, pursuant to 2 U.S.C. 104a; (H. Doc. No. 106–125); to the Committee on House Administration and ordered to be printed.

5463. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Indiana Regulatory Program [SPATS No. IN–143–FOR; State Program Amendment No. 98–5] received November 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5464. A letter from the Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Maryland Regulatory Program [MD–044–FOR] received November 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5465. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Ohio Regulatory Program [OH–246–FOR] received November 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5466. A letter from the Secretary of Agriculture, Secretary of the Army, transmitting notification of the intention of the Department of the Army and the Department of Agriculture to interchange jurisdiction of Military and National Forest System lands at the Army's Fort Hunter Liggett Military Reservation, California, and the USDA Forest Service's Toiyabe National Forest in Mineral County, Nevada, pursuant to 16 U.S.C. 505a; jointly to the Committees on Armed Services and Resources.

5467. A letter from the Acting Director, Office of Civilian Radioactive Waste Management, Department of Energy, transmitting a report entitled ''A Roadmap for Developing Accelerator Transmutation of Waste Technology—A Report to Congress''; jointly to the Committees on Commerce and Science.

5468. A letter from the Secretary of Health and Human Services, transmitting activities taken relative to Medicare approved home health agencies including the status, implementation and impact of the revised survey cycle; jointly to the Committees on Ways and Means and Commerce.

5469. A letter from the Chairman of the Securities and Exchange Commission, Chairman of the Commodity Futures Trading Commission, Secretary of Treasury, Chairman of transmitting the President's Working

Group on Financial Markets entitled ''Over-the-Counter Derivatives Markets and the Commodity Exchange Act''; jointly to the Committees on Agriculture, Banking and Financial Services, and Commerce.

5470. A letter from the Acting, Executive Office of the President, transmitting a legislative proposal entitled, ''Southeast Europe Trade Preference Act''; jointly to the Committees on Ways and Means, Education and the Workforce, and Agriculture.

## 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. LEACH: Committee on Banking and Financial Services. H.R. 1095. A bill to require the United States to take action to provide bilateral debt relief, and improve the provision of multilateral debt relief, in order to give a fresh start to poor countries; with an amendment (Rept. 106–483 Pt. 1). Ordered to be printed.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 728. A bill to amend the Watershed Protection and Flood Prevention Act to authorize the Secretary of Agriculture to provide cost share assistance for the rehabilitation of structural measures constructed as part of water resource projects previously funded by the Secretary under such Act or related laws; with amendments (Rept. 106–484 Pt. 1). Ordered to be printed.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 2669. A bill to reauthorize the Coastal Zone Management Act of 1972, and for other purposes; with an amendment (Rept. 106–485). Referred to the Committee of the Whole House on the State of the Union.

## TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

H.R. 1838. Referral to the Committee on Armed Services extended for a period ending not later than November 19, 1999.

H.R. 3081. Referral to the Committee on Education and the Workforce extended for a period ending not later than November 19, 1999.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mrs. JOHNSON of Connecticut (for herself and Mr. CARDIN):

H.R. 3443. A bill to amend part E of title IV of the Social Security Act to provide States with more funding and greater flexibility in carrying out programs designed to help children make the transition from foster care to self-sufficiency, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CHENOWETH-HAGE (for herself, Mr. BARR of Georgia, Mr. WATTS of Oklahoma, Mr. DOOLITTLE, Mrs. CUBIN, Mr. GIBBONS, Mr. COBURN, Mr. YOUNG of Alaska, Mr. MCINTOSH, Mr. PAUL, Mr. GOODE, Mr. HASTINGS of Washington, Mr. CANNON, Mr. SMITH of Michigan, Mr. SKEEN, Mr. PICKETT, Mr. HILL of Montana, Mr. BATEMAN, Mr. RYUN of Kansas, and Mr. WICKER):

H.R. 3444. A bill to repeal section 658 of Public Law 104–208, commonly referred to as the LAUTENBERG amendment; to the Committee on the Judiciary.

By Mrs. FOWLER:

H.R. 3445. A bill to amend title 10, United States Code, to allow the Secretaries of the military departments to authorize civilian special agents of their respective military criminal investigative organizations to execute warrants and make arrests; to the Committee on Armed Services.

By Mr. OBERSTAR:

H.R. 3446. A bill to authorize appropriations for the Surface Transportation Board, to enhance railroad competition, to protect collective bargaining agreements, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. HASTINGS of Washington (for himself and Mr. WALDEN of Oregon):

H.R. 3447. A bill to amend the Pacific Northwest Electric Power Planning and Conservation Act to provide for sales of electricity by the Bonneville Power Authority to joint operating entities; to the Committee on Resources, 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 (for himself, Mr. DOOLEY of California, Mr. BOEHLERT, and Mrs. TAUSCHER):

H.R. 3448. A bill to improve the management of environmental information and to encourage innovation in the pursuit of enhanced environmental quality, and for other purposes; to the Committee on Commerce, and in addition to the Committees on Transportation and Infrastructure, and the Budget, 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. 3449. A bill to amend the Clean Air Act to provide for a State waiver of the requirements concerning the oxygen content of gasoline; to the Committee on Commerce.

By Mr. EHLERS:

H.R. 3450. A bill to direct the Archivist of the United States to transfer certain Federal land located in the State of Michigan to the Gerald R. Ford Foundation in trust, and for other purposes; to the Committee on Government Reform.

By Mr. ABERCROMBIE:

H.R. 3451. A bill to amend the Internal Revenue Code of 1986 to allow the unused portion of the low-income housing credit for buildings financed with tax exempt State bonds to be used for the construction of military housing in the State; to the Committee on Ways and Means.

By Mr. BAKER (for himself, Mr. HUNTER, Mr. STUMP, Mr. TRAFICANT, Mr. HEFLEY, Mr. COOKSEY, Mr. WAMP, Mrs. BONO, Mrs. CHENOWETH-HAGE, Mr. BACHUS, Mrs. JOHNSON of Connecticut, Mr. SAM JOHNSON of Texas, Mr. CUNNINGHAM, Mr. TAUZIN, and Mr. TANCREDO):

H.R. 3452. A bill to establish conditions on the payment of certain balances under the Panama Canal Act of 1979; to the Committee on Armed Services.

By Mr. GOODLATTE:

H.R. 3453. A bill to amend the Food Stamp Act of 1977 to require the Secretary of Agriculture to purchase additional commodities for distribution under section 214 of the Emergency Food Assistance Act of 1983 for fiscal years 2001 and 2002; to the Committee on Agriculture.

By Mr. CHAMBLISS:

H.R. 3454. A bill to designate the United States post office located at 451 College Street in Macon, Georgia, as the ''Henry McNeal Turner Post Office''; to the Committee on Government Reform.

By Ms. JACKSON-LEE of Texas (for herself, Ms. MILLENDER-MCDONALD, Ms. KILPATRICK, Ms. LEE, Ms. SCHAKOWSKY, Mr. GREEN of Texas, Mr. MCDERMOTT, Mr. EDWARDS, Mr. PALLONE, Mr. KUCINICH, Mrs. MINK of Hawaii, Mr. RANGEL, Mr. BARRETT of Wisconsin, Mr. SAWYER, Mr. MENENDEZ, Mr. PASTOR, Mr. CRAMER, Mrs. MEEK of Florida, Ms. BROWN of Florida, Mr. DAVIS of Illinois, Mr. CLYBURN, Mr. TOWNS, Mrs. NAPOLITANO, Ms. PELOSI, Mr. FARR of California, Mr. CUMMINGS, Mr. UDALL of Colorado, Mr. FORD, Mr. MARTINEZ, Mr. FORBES, Mr. RODRIGUEZ, Mr. JEFFERSON, Mr. GONZALEZ, Mr. FATTAH, Mr. LARSON, Mr. OWENS, Mr. BALDACCI, Mr. PASCRELL, Mr. WEYGAND, Mr. BACA, Mr. MEEKS of New York, Mr. BAIRD, Mr. STRICKLAND, and Mr. LAMPSON):

H.R. 3455. A bill to amend the Public Health Service Act with respect to mental health services for children, adolescents and their families; to the Committee on Commerce.

By Mr. COBLE:

H.R. 3456. A bill to amend statutory damages provisions of title 17, United States Code; to the Committee on the Judiciary.

By Mr. UPTON (for himself, Mr. STUPAK, Ms. JACKSON-LEE of Texas, Mr. BLILEY, and Mr. ROEMER):

H.R. 3457. A bill to amend the Controlled Substances Act to direct the emergency scheduling of gamma hydroxybutyric acid, to provide for a national awareness campaign, and for other purposes; to the Committee on Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. PRYCE of Ohio:

H.R. 3458. A bill to reduce the incidence of child abuse and neglect, and for other purposes; to the Committee on the Judiciary.

By Mr. ANDREWS:

H.R. 3459. A bill to provide that a person who brings a product liability action in a Federal or State court for injuries sustained from a product which is not in compliance with a voluntary or mandatory standard issued by the Consumer Product Safety Commission may recover treble damages, and for other purposes; to the Committee on the Judiciary, 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. BACHUS (for himself and Mr. JONES of North Carolina):

H.R. 3460. A bill to amend title 10, United States Code, to require the consent of a member of the Armed Forces before administering the member with an investigational new drug or drug unapproved for its applied use; to the Committee on Armed Services.

By Mrs. BIGGERT (for herself and Mr. TRAFICANT):

H.R. 3461. A bill to amend title XVIII of the Social Security Act to establish additional provisions to combat waste, fraud, and abuse within the Medicare Program, and for other purposes; to the Committee on Ways and

Means, and in addition to the Committees on Commerce, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOEHNER (for himself, Mr. OXLEY, and Mr. PORTMAN):

H.R. 3462. A bill to amend title I of the Employee Retirement Income Security Act of 1974 to establish certain requirements enforceable under such title relating to certain stock purchase arrangements maintained by employers for employees, and to amend the Internal Revenue Code of 1986 to provide favorable treatment for such arrangements meeting such requirements, subject to certain restrictions on disposition of transferred shares; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BONIOR (for himself, Mr. LEVIN, Ms. STABENOW, Ms. KAPTUR, Mr. WELDON of Pennsylvania, Mr. HINCHEY, and Mr. HORN):

H.R. 3463. A bill to amend title 36, United States Code, to grant a Federal charter to the Ukrainian American Veterans, Incorporated; to the Committee on the Judiciary.

By Mr. BOSWELL:

H.R. 3464. A bill to establish a cooperative program of the Department of Agriculture, the Department of Energy, and the Environmental Protection Agency to evaluate the feasibility of using only fuel blended with ethanol to power municipal vehicles; to the Committee on Commerce.

By Mr. BRADY of Texas (for himself, Mr. MCINTOSH, and Mr. BRYANt):

H.R. 3465. A bill to provide safer schools and a better educational environment; to the Committee on Education and the Workforce.

By Mr. CAMP (for himself, Mrs. JOHNSON of Connecticut, and Mrs. THURMAN):

H.R. 3466. A bill to amend the Internal Revenue Code of 1986 to expand the credit for electricity produced from certain renewable resources to energy produced from landfill gas; to the Committee on Ways and Means.

By Mr. CAMPBELL:

H.R. 3467. A bill to amend title 10, United States Code, to direct the Secretary of Defense to establish procedures for ensuring that persons reporting instances of suspected child abuse occurring on military installations may submit such reports anonymously; to the Committee on Armed Services.

By Mr. CANNON:

H.R. 3468. A bill to direct the Secretary of the Interior to convey to certain water rights to Duchesne City, Utah; to the Committee on Resources.

By Mr. EVANS (for himself and Mr. LEACH):

H.R. 3469. A bill to amend title 10, United States Code, to provide for the coverage and treatment of overhead costs of United States factories and arsenals when not making supplies for the Army, and for other purposes; to the Committee on Armed Services.

By Mr. GREEN of Wisconsin:

H.R. 3470. A bill to provide for the appointment of 1 additional Federal district judge for the eastern district of Wisconsin, and for other purposes; to the Committee on the Judiciary.

By Mr. GREENWOOD:

H.R. 3471. A bill to authorize the Secretary of Health and Human Services to carry out demonstration projects to increase the supply of organs donated for human transplantation; to the Committee on Commerce.

By Mr. HOLT:

H.R. 3472. A bill to provide for mandatory licensing and registration of handguns; to the Committee on the Judiciary.

H.R. 3473. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to restrict the transfer by local law enforcement agencies of certain firearms; to the Committee on the Judiciary.

H.R. 3474. A bill to suspend temporarily the duty on Fungaflor 500 EC; to the Committee on Ways and Means.

H.R. 3475. A bill to suspend temporarily the duty on NORBLOC 7966; to the Committee on Ways and Means.

H.R. 3476. A bill to suspend temporarily the duty on Imazalil; to the Committee on Ways and Means.

By Ms. HOOLEY of Oregon:

H.R. 3477. A bill to amend the Truth in Lending Act to require credit card statements to include the date by which a consumer's payment by mail must be postmarked in order to avoid the late fee and to prohibit a late fee for a consumer's payment by mail which is postmarked by such date, and for other purposes; to the Committee on Banking and Financial Services.

By Ms. KAPTUR (for herself, Mr. KANJORSKI, Mr. GILLMOR, and Mr. HANSEN):

H.R. 3478. A bill to establish a compensation program for the contractors of the Departments of Energy and Defense and beryllium vendors who sustained a beryllium-related illness due to the performance fo their duty, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Education and the Workforce, and Armed Services, 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. KELLY (for herself, Mr. FRANKS of New Jersey, and Mr. JONES of North Carolina):

H.R. 3479. A bill to authorize the Small Business Administration to make grants and loans to small business concerns, and grants to agricultural enterprises, to enable such concerns and enterprises to reopen for business after a natural or other disaster; to the Committee on Small Business.

By Mr. KLINK (for himself and Ms. DEGETTE):

H.R. 3480. A bill to amend title XIX and XXI of the Social Security Act to expand enrollment of children under the Medicaid and State children's health insurance program (SCHIP) through the expanded use of presumptive eligibility; to the Committee on Commerce.

By Mrs. LOWEY:

H.R. 3481. A bill to impose a 2-year moratorium on the issuance of new Federal licenses to deal in firearms; to the Committee on the Judiciary.

By Mr. MALONEY of Connecticut:

H.R. 3482. A bill to amend title XVIII of the Social Security Act to assure access of Medicare beneficiaries to prescription drug coverage through the NICE drug benefit program; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MARKEY:

H.R. 3483. A bill to amend the Federal securities laws to enhance oversight over certain derivatives dealers and hedge funds, reduce the potential for such entitles to increase systemic risk in the financial markets, enhance investor protections, and for other purposes; to the Committee on Commerce.

By Mr. MCCOLLUM (for himself and Mrs. JOHNSON of Connecticut):

H.R. 3484. A bill to amend title 18, United States Code, to provide that certain sexual crimes against children are predicate crimes for the interception of communications, and for other purposes; to the Committee on the Judiciary.

By Mr. MCCOLLUM (for himself, Mr. DELAY, Mr. DIAZ-BALART, Mr. SAXTON, Mr. SMITH of New Jersey, Mr. FRANKS of New Jersey, Mr. ROGAN, Mr. FOLEY, Mr. TIAHRT, and Ms. ROS-LEHTINEN):

H.R. 3485. A bill to modify the enforcement of certain anti-terrorism judgments, and for other purposes; to the Committee on the Judiciary.

By Mr. MORAN of Kansas:

H.R. 3486. A bill to protect previously approved State Medicaid plans from changes in Federal payment for school-based health services for Medicaid-eligible children with individualized education programs; to the Committee on Commerce.

By Mr. OXLEY (for himself, Mr. DAVIS of Virginia, Mr. BOUCHER, Ms. ESHOO, and Mr. STUPAK):

H.R. 3487. A bill to provide consumers in multitenant buildings with the benefits of competition among providers of telecommunications services by ensuring reasonable and nondiscriminatory access to rooftops of mulitenants buildings by competitive telecommunications carriers, and promote the development of fixed wireless, local telephony, and broadband infrastructure, and for other purposes; to the Committee on Commerce.

By Mr. PALLONE (for himself, Mr. ANDREWS, Mr. SMITH of New Jersey, Mr. FRANKS of New Jersey, Mr. PASCRELL, Mr. FRELINGHUYSEN, Mr. HOLT, Mr. LOBIONDO, Mr. ROTHman, Mr. PAYNE, Mr. MENENDEZ, Mrs. ROUKEMA, and Mr. SAXTON):

H.R. 3488. A bill to designate the United States Post Office located at 60 Third Avenue in Long Branch, New Jersey, as the ''Pat King Post Office Building''; to the Committee on Government Reform.

By Mr. PICKERING (for himself, Mr. MARKEY, Mrs. WILSON, Mr. LARGENT, and Mr. TAUZIN):

H.R. 3489. A bill to amend the Communications Act of 1934 to regulate interstate commerce in the use of mobile telephones and to strengthen and clarify prohibitions on electronic eaves-dropping, and for other purposes; to the Committee on Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PORTMAN (for himself and Mr. CARDIN):

H.R. 3490. A bill to amend the Internal Revenue Code of 1986 to clarify the status of professional employer organizations and to promote and protect the interests of professional employer organizations, their customers, and workers; to the Committee on Ways and Means.

By Mr. PORTMAN:

H.R. 3491. A bill to amend the Internal Revenue Code of 1986 to codify the authority of the Secretary of the Treasury to issue regulations covering the practice of enrolled agents before the Internal Revenue Service; to the Committee on Ways and Means.

By Mr. ROYCE (for himself, Mr. BENTSEN, Mr. JONES of North Carolina, and Mr. METCALF):

H.R. 3492. A bill to amend the Fair Debt Collection Practices Act to exempt mortgage servicers from certain requirements of the Act with respect to federally related mortgage loans secured by a first lien, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. RYAN of Wisconsin:

H.R. 3493. A bill to promote international monetary stability and to share seigniorage with officially dollarized countries; to the Committee on Banking and Financial Services.

By Mr. SANDERS (for himself, Ms. PELOSI, Ms. WATERS, Mr. FILNER, Mr. KUCINICH, Mr. DEFAZIO, Mr. OWENS, and Mr. EVANS):

H.R. 3494. A bill to clarify that no provisions of title LXII of the Revised Statutes of the United States, the Home Owners' Loan Act, or any other Federal law have ever been intended, and may not be construed, to supersede nondiscriminatory State or local laws that regulate fees and surcharges imposed by operators of automated teller machines for use of such machines; to the Committee on Banking and Financial Services.

By Mr. STRICKLAND (for himself, Mr. GORDON, Mr. UDALL of Colorado, Mr. WHITFIELD, Mrs. TAUSCHER, Mr. BAIRD, Mr. BROWN of Ohio, Mr. PHELPS, Mr. FORBES, Mr. PALLONE, and Ms. KAPTUR):

H.R. 3495. A bill to establish a compensation program for Department of Energy employees injured in Federal nuclear activities; to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TANNER:

H.R. 3496. A bill to amend the Internal Revenue Code of 1986 to provide that certain uses of a facility owned by a tax-exempt organization shall not be treated as private business use for purposes of determining whether bonds issued to provide the facility are tax-exempt bonds; to the Committee on Ways and Means.

By Mr. THOMPSON of Mississippi (for himself, Mr. SHOWS, and Mr. TAYLOR of Mississippi):

H.R. 3497. A bill to authorize a study on the feasibility of preserving certain Civil War battlefields along the Vicksburg Campaign Trail and of establishing a Civil Rights Trail in the State of Mississippi; to the Committee on Resources.

By Mr. TOWNS (for himself, Mr. TAUZIN, Mr. DINGELL, Mr. MARKEY, and Mr. OXLEY):

H.R. 3498. A bill to amend the Communications Act of 1934 to improve the operations of the Telecommunications Development Fund; to the Committee on Commerce.

By Mr. TRAFICANT:

H.R. 3499. A bill to amend section 107 of the Housing and Community Development Act of 1974 to authorize the Secretary of Housing and Urban Development to make grants from community development block grant amounts to the Park and Recreation Commission, City of Youngstown, Ohio, for the construction of a community center and the renovation of a sports complex in such city; to the Committee on Banking and Financial Services.

By Mr. UDALL of Colorado:

H.R. 3500. A bill to direct the Administrator of the Small Business Administration to conduct a pilot program to raise awareness about telecommuting among small business employers and to encourage such employers to offer telecommuting options to employees; to the Committee on Small Business.

By Mr. UDALL of Colorado (for himself and Mr. UDALL of New Mexico):

H.R. 3501. A bill to promote and appropriately recognize the role of volunteers and partnership organizations in the stewardship of the resources and values of Federal lands administered by the Secretary of Agriculture and the Secretary of the Interior, and for other purposes; to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. UDALL of New Mexico:

H.R. 3502. A bill to enhance the ability of the National Laboratories to meet Department of Energy missions, and for other purposes; to the Committee on Science, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WATERS:

H.R. 3503. A bill to provide for basic low-cost banking accounts, to eliminate certain automated teller machine surcharges, and to reauthorize a bank fee survey conducted by the Board of Governors of the Federal Reserve System, and for other purposes; to the Committee on Banking and Financial Services.

By Ms. WATERS (for herself, Mr. CLYBURN, Mr. TOWNS, Mr. MARKEY, Mr. CONYERS, Mrs. MEEK of Florida, Mr. FRANK of Massachusetts, Ms. BROWN of Florida, Ms. LEE, Mr. SANDERS, Mr. PAYNE, Mr. CAPUANO, Mrs. MALONEY of New York, Ms. MILLENDER-MCDONALD, Ms. JACKSON-LEE of Texas, Mr. MEEKS of New York, and Mrs. JONES of Ohio):

H.R. 3504. A bill to amend the Bank Holding Company Act of 1956, the Revised Statutes of the United States, the Community Reinvestment Act of 1977, and the GRAMM–Leach-Bliley Act with regard to community reinvestment, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. WATKINS:

H.R. 3505. A bill to amend the Internal Revenue Code of 1986 to provide for a medical research tax credit; to the Committee on Ways and Means.

By Mr. WELDON of Florida:

H.R. 3506. A bill to amend the Service Contract Act of 1965 to provide for the responsibility in certain cases of a parent corporation of a Federal contractor to provide health care benefits to retired employees of the contractor if the contractor fails to provide such benefits; to the Committee on Education and the Workforce.

By Mr. WISE (for himself, Mr. RAHALL, and Mr. MOLLOHAN):

H.R. 3507. A bill to establish a program of supplemental unemployment benefits for unemployed coal miners who have exhausted their rights to regular unemployment benefits, and whose separation from employment is due to environmental laws or court orders directly related to the mining of coal; to the Committee on Ways and Means.

By Mr. WU (for himself, Mr. DAVIS of Virginia, and Mr. STARK):

H.R. 3508. A bill to amend the Immigration and Nationality Act to provide status in each of fiscal years 2000 through 2002 for 65,000 H–1B nonimmigrants who have a master's or Ph. D. degree and meet the requirements for such status and whose employers make scholarhip payments to institutions of higher education for undergraduate and postgraduate education; to the Committee on the Judiciary.

By Mr. YOUNG of Florida:

H.J. Res. 84. A joint resolution making further continuing appropriations for the fiscal year 2000, and for other purposes; to the Committee on Appropriations.

By Mr. ARMEY:

H.J. Res. 85. A joint resolution appointing the day for the convening of the second session of the One Hundred Sixth Congress; considered and agreed to. considered and agreed to.

H. Con. Res. 234. Concurrent resolution tabling 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; considered and agreed to.

H. Con. Res. 235. Concurrent resolution providing for the sine die adjournment of the first session of the One Hundred Sixth Congress; considered and agreed to.

By Mr. ROGERS:

H. Con. Res. 236. Concurrent resolution correcting the enrollment of H.R. 1180; considered and agreed to.

By Mr. GEORGE MILLER of California (for himself, Mr. KILDEE, Mr. KENNEDY of Rhode Island, Mr. VENTO, Mr. PASTOR, Mr. INSLEE, Mr. UNDERWOOD, Mr. FALEOMAVAEGA, Mr. MCDERMOTT, Mrs. CHRISTENSEN, Ms. ESHOO, and Ms. WATERS):

H. Con. Res. 237. Concurrent resolution expressing the sense of the Congress that a portion of the budget surplus should be used to fulfill moral and legal responsibilities of the United States by ensuring proper payment and management of all federally held tribal trust fund accounts and individual Indian money accounts; to the Committee on Resources.

By Ms. PELOSI (for herself, Mr. GEJDENSON, Mr. PORTER, Mr. LANTOS, Mr. DEFAZIO, Ms. KILPATRICK, Mr. MEEHAN, Mr. OBERSTAR, Mr. HOLT, Mr. DELAHUNT, Ms. ESHOO, Ms. SCHAKOWSKY, Mr. ENGEL, Ms. KAPTUR, Mr. BOUCHER, Mr. STARK, Mr. MOAKLEY, Ms. STABENOW, Mr. MALONEY of Connecticut, Mr. KIND, Mr. FROST, Mr. HINCHEY, Mr. LAFALCE, Ms. WOOLSEY, Mr. UDALL of Colorado, Ms. SLAUGHTER, Ms. WATERS, Mr. MCDERMOTT, Mr. PAYNE, Mr. BERMAN, Mr. CUMMINGS, Mr. MCGOVERN, Mr. SANDERS, and Mr. OLVER):

H. Con. Res. 238. Concurrent resolution expressing the sense of Congress regarding a peaceful resolution of the conflict in the state of Chiapas, Mexico, and for other purposes; to the Committee on International Relations.

By Mr. FROST:

H. Res. 391. A resolution designating minority membership on certain standing committees of the House; considered and agreed to.

By Mr. WELLER:

H. Res. 392. A resolution expressing the sense of the House of Representatives regarding National Pearl Harbor Remembrance Day; to the Committee on Government Reform.

H. Res. 393. A resolution returning to the Senate the bill S. 4; considered and agreed to.

H. Res. 394. A resolution returning to the Senate the bill S. 1232; considered and agreed to.

By Mr. ARMEY:

H. Res. 395. A resolution providing for a committee of two Members to be appointed by the House to inform the President; considered and agreed to.

By Mr. DREIER (for himself, Mr. YOUNG of Florida, Mr. BASS, Mr. WHITFIELD, Mr. JONES of North Carolina, Mr. CONDIT, Mr. LUTHER, Ms. MCCARTHY of Missouri, Ms. DUNN, Mr. SESSIONS, Mr. STEARNS, Mr. REGULA, Mr. GILCHREST, Mr. GREENWOOD, Mr. SENSENBRENNER, Mr. GOODE, Mr. THUNE, Mr. LEWIS of Kentucky, Mrs. MYRICK, Mr. HASTINGS of Washington, Mr. BAKER, Mr. VITTER, Mr.

BACHUS, Mr. CASTLE, Mr. ROYCE, Mr. HALL of Texas, Mr. WAMP, Mr. METCALF, Mr. LAFALCE, Mrs. ROUKEMA, Mr. WELDON of Florida, Mr. SIMPSON, Mr. REYNOLDS, Ms. PRYCE of Ohio, Mr. BARTON of Texas, Mr. EVERETT, Mr. HAYWORTH, Mr. STUMP, Mr. BERMAN, Mr. BILBRAY, Mr. CALLAHAN, Mr. CUNNINGHAM, Mr. YOUNG of Alaska, Mr. KOLBE, Mr. SALMON, Mr. SHADEGG, Mr. HUTCHINSON, Mrs. BONO, Mr. CALVERT, Mr. CAMPBELL, Mr. DOOLEY of California, Mr. DOOLITTLE, Mr. HASTERT, Mr. FARR of California, Mr. HERGER, Mr. HORN, Mr. HUNTER, Mr. KUYKENDALL, Mr. GALLEGLY, Mr. MCKEON, Mr. MARTINEZ, Mr. GARY MILLER of California, Mrs. NAPOLITANO, Mr. OSE, Mr. POMBO, Mr. RADANOVICH, Mr. ROGAN, Mr. ROHRABACHER, Mr. THOMAS, Mr. THOMPSON of California, Mr. HEFLEY, Mr. MCINNIS, Mr. SCHAFFER, Mr. TANCREDO, Mrs. JOHNSON of Connecticut, Mr. SHAYS, Mr. BILIRAKIS, Mr. CANADY of Florida, Mr. DIAZ-BALART, Mr. FOLEY, Mrs. FOWLER, Mr. MCCOLLUM, Mr. MICA, Mr. MILLER of Florida, Mr. SCARBOROUGH, Mr. SHAW, Mr. BARR of Georgia, Mr. BISHOP, Mr. COLLINS, Mr. DEAL of Georgia, Mr. ISAKSON, Mr. KINGSTON, Mr. LINDER, Mr. NORWOOD, Mr. ABERCROMBIE, Mrs. BIGGERT, Mr. CRANE, Mr. HYDE, Mr. LAHOOD, Mr. MANZULLO, Mr. PORTER, Mr. SHIMKUS, Mr. WELLER, Mr. BURTON of Indiana, Mr. BUYER, Mr. HOSTETTLER, Mr. MCINTOSH, Mr. SOUDER, Mr. LATHAM, Mr. LEACH, Mr. MOORE, Mr. MORAN of Kansas, Mr. TIAHRT, Mr. FLETCHER, Mr. LUCAS of Kentucky, Mrs. NORTHUP, Mr. COOKSEY, Mr. MCCRERY, Mr. TAUZIN, Mr. BARTLETT of Maryland, Mr. EHRLICH, Mrs. MORELLA, Mr. CAMP, Mr. EHLERS, Mr. HOEKSTRA, Mr. STUPAK, Mr. UPTON, Mr. MINGE, Mr. PETERSON of Minnesota, Mr. RAMSTAD, Mr. BLUNT, Ms. DANNER, Mrs. EMERSON, Mr. HULSHOF, Mr. ARMEY, Mr. SKELTON, Mr. TALENT, Mr. PICKERING, Mr. TAYLOR of Mississippi, Mr. WICKER, Mr. BARRETT of Nebraska, Mr. BEREUTER, Mr. TERRY, Mr. GIBBONS, Mr. SUNUNU, Mr. ANDREWS, Mr. SMITH of New Jersey, Mr. FRANKS of New Jersey, Mr. SKEEN, Mrs. WILSON, Mr. BOEHLERT, Mr. FOSSELLA, Mr. GILMAN, Mr. HOUGHTON, Mrs. KELLY, Mr. KING, Mr. LAZIO, Mr. MCHUGH, Mr. OWENS, Mr. QUINN, Mr. SWEENEY, Mr. BALLENGER, Mr. COBLE, Mr. HAYES, Mr. BURR of North Carolina, Mr. BOEHNER, Mr. CHABOT, Mr. GILLMOR, Mr. LATOURETTE, Mr. NEY, Mr. OXLEY, Mr. PORTMAN, Mr. TRAFICANT, Mr. COBURN, Mr. LARGENT, Mr. LUCAS of Oklahoma, Mr. WATTS of Oklahoma, Mr. BLUMENAUER, Mr. WALDEN of Oregon, Mr. ENGLISH, Mr. FATTAH, Mr. GEKAS, Mr. GOODLING, Mr. KANJORSKI, Mr. PETERSON of Pennsylvania, Mr. PITTS, Mr. SHERWOOD, Mr. TOOMEY, Mr. WELDON of Pennsylvania, Mr. DEMINT, Mr. GRAHAM, Mr. SANFORD, Mr. SPENCE, Mr. BRYANT, Mr. CLEMENT, Mr. DUNCAN, Mr. HILLEARY, Mr. JENKINS, Mr. ARCHER, Mr. BONILLA, Mr. BRADY of Texas, Mr. COMBEST, Ms. GRANGER, Mr. SAM JOHNSON of Texas, Mr. SANDLIN, Mr. SMITH of Texas, Mr. STENHOLM, Mr. THORNBERRY, Mr. DELAY, Mr. COOK, Mr. HANSEN, Mr. BATEMAN, Mr. DAVIS of Virginia, Mr. BOUCHER, Mr. GOODLATTE, Mr. SISISKY, Mr. INSLEE, Mr. NETHERCUTT, Mr. SMITH of Washington, Mr. GREEN of Wisconsin, Mr. RYAN of Wisconsin, Mrs. CUBIN, Mr. GOSS, Mr. SAXTON, Mr. WATKINS, Mr. PACKARD, Mr. EWING, Mr. PEASE, Mrs. TAUSCHER, Mr. HALL of Ohio, Mr. GANSKE, Mr. RILEY, Mr. MATSUI, Mr. LOBIONDO, Mr. HOBSON, Mr. DICKEY, Mr. RYUN of Kansas, Mrs. CLAYTON, Mr. BLILEY, Mr. CHAMBLISS, Mr. TANNER, Mr. SHOWS, Mr. FORD, Mr. SCOTT, and Mr. CANNON):

H. Res. 396. A resolution expressing the sense of the House of Representatives that a biennial budget process should be enacted in the second session of the 106th Congress; to the Committee on the Budget.

By Mr. GEJDENSON (for himself, Mr. BATEMAN, Ms. DELAURO, Mr. GOODE, Mr. GOODLATTE, Mrs. JOHNSON of Connecticut, Mr. LARSON, Mr. MALONEY of Connecticut, and Mr. SHAYS):

H. Res. 397. A resolution commending the submarine force of the United States Navy on the 100th anniversary of the force; to the Committee on Armed Services.

By Mr. RADANOVICH (for himself and Mr. BONIOR):

H. Res. 398. A resolution calling upon the President to provide for appropriate training and materials to all Foreign Service officers, United States Department of State officials, and any other executive branch employee involved in responding to issues related to human rights, ethnic cleansing, and genocide, and for other purposes; to the Committee on International Relations.

By Mr. TANCREDO (for himself, Mr. COBURN, Mr. MCINTOSH, Mr. GRAHAM, Mrs. CHENOWETH-HAGE, Mr. PITTS, Mr. MCINNIS, Mr. LARGENT, Mr. HOEKSTRA, and Mr. DOOLITTLE):

H. Res. 399. A resolution expressing the sense of the House of Representatives with respect to violence within our schools and the initiatives within States and localities to address this epidemic; to the Committee on Education and the Workforce.

By Mr. UDALL of New Mexico:

H. Res. 400. A resolution expressing the sense of the House of Representatives regarding Earth Day; to the Committee on Commerce.

## MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

285. The SPEAKER presented a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 68 to memorialize the Congress of the United States to end tobacco subsidies and to redirect this support to food-processing agricultural activities; to the Committee on Agriculture.

286. Also, a memorial of the Senate of the State of New Jersey, relative to Senate Resolution No. 113 memorializing the Congress of the United States to oppose the proposed transfer of the United States Navy ships and sailors from the Earle Naval Weapons Station, located in Monmouth County, New Jersey, to naval stations at Norfolk, Virginia and Mayport, Florida and requests the postponement of any final transfer decision so that the feasibility and practicality of the transfer can be properly studied; to the Committee on Armed Services.

287. Also, a memorial of the Senate of the State of New Jersey, relative to Senate Resolution No. 97 memorializing the Congress of the United States and the President to provide federal assistance to cover costs incurred by the State in providing health care at New Jersey hospitals to the Kosovo refugees; to the Committee on Commerce.

288. Also, a memorial of the House of Representatives of the Commonwealth of Massachusetts, relative to a resolution memorializing the President and the Congress to act boldly to secure that East Timor triumphantly transitions to independence by seeking the prompt ratification by the Indonesian National Assembly of the East Timorese's Referendum Vote, and for other purposes; to the Committee on International Relations.

289. Also, a memorial of the Senate of the State of New Jersey, relative to Senate Resolution No. 63 memorializing the Congress of the United States, the President of the United States, and the Secretary of the Interior to take whatever action is necessary to establish the Sandy Hook bay and peninsula, as a National Park Service entity separate and distinct from the Gateway National Recreation Area for administrative and funding purposes; to the Committee on Resources.

290. Also, a memorial of the Senate of the State of New Jersey, relative to Senate Resolution No. 79 memorializing the Federal Government to continue its financial support for the Port Newark-Elizabeth dredging project; to the Committee on Transportation and Infrastructure.

291. Also, a memorial of the Senate of the State of New Jersey, relative to Senate Resolution No. 1 memorializing the President and the Congress of the United States, and the Federal Emergency Management Agency to take all available steps to expeditiously provide relief to New Jersey's flood victims and not to deduct State monies provided for flood relief from the calculation of federal monies allocated to New Jersey for its recovery from the devastating effects of Hurricane Floyd and its aftermath; to the Committee on Transportation and Infrastructure.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BONIOR:

H.R. 3509. A bill for the relief of Elizabeth McKenney Padgett; to the Committee on the Judiciary.

By Mrs. LOWEY:

H.R. 3510. A bill to authorize the Secretary of Transportation to convey the National Defense Reserve Fleet vessel S.S. GUAM to American Trade Fair Ship, Inc.; to the Committee on Armed Services.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 72: Mr. FOSSELLA and Mrs. MCCARTHY of New York.

H.R. 73: Mr. GOODLATTE.

H.R. 133: Mr. BLUMENAUER.

H.R. 148: Mr. MASCARA.

H.R. 205: Mr. WISE.

H.R. 303: Mr. CRAMER.

H.R. 332: Mr. STEARNS.

H.R. 353: Mr. SMITH of Texas.

H.R. 355: Mr. WISE.

H.R. 357: Ms. STABENOW and Mr. BOSWELL.

H.R. 372: Mr. ROTHMAN.

H.R. 380: Mrs. CLAYTON and Ms. MCCARTHY of Missouri.

H.R. 407: Mr. HUNTER.

H.R. 443: Mr. BECERRA, Ms. STABENOW, Mr. LAZIO, Mr. WEYGAND, Mr. KLINK, Ms. BERKLEY, Mr. UDALL of New Mexico, Mr. THOMPSON of California, Mr. INSLEE, Mr. PRICE of North Carolina, and Mr. GREENWOOD.

H.R. 444: Mr. LATOURETTE and Mr. STUPAK.
H.R. 475: Mrs. CHRISTENSEN, Mr. HANSEN, and Mr. FROST.
H.R. 531: Mr. INSLEE.
H.R. 534: Mr. OXLEY, Mr. ALLEN, Mr. LAHOOD, and Mrs. WILSON.
H.R. 648: Mr. WISE.
H.R. 670: Mr. MARKEY, Mr. COX, Mr. CRAMER, Mr. GEPHARDT, Mr. GUTIERREZ, Mrs. MALONEY of New York, Mr. DIXON, Mr. CONDIT, Mr. PETERSON of Minnesota, Mr. BILBRAY, Mr. HASTINGS of Florida, Mr. LATOURETTE, Mr. MINGE, Mr. GEJDENSON, Mr. CALLAHAN, and Mr. BARR of Georgia.
H.R. 701: Mr. HANSEN, Mr. GEORGE Miller of California, Mr. SMITH of New Jersey, and Mr. SAXTON.
H.R. 721: Mr. EVERETT and Mr. BACHUS.
H.R. 732: Mr. CAMP.
H.R. 742: Ms. LEE.
H.R. 762: Mr. HINOJOSA, Mrs. ROUKEMA, Mr. JOHN, Mr. THOMPSON of California, Mr. DICKEY, Mr. GEORGE MILLER of California, Mr. KANJORSKI, Mr. BAIRD, and Mr. EWING.
H.R. 797: Mr. BERRY.
H.R. 815: Mr. FLETCHER.
H.R. 827: Mrs. CHRISTENSEN.
H.R. 846: Mr. PRICE of North Carolina, Mr. OWENS, and Mr. WU.
H.R. 847: Mr. MCGOVERN.
H.R. 852: Mr. LUCAS of Kentucky, Mr. JOHN, and Mr. BARRETT of Nebraska.
H.R. 864: Mr. CANNON.
H.R. 903: Ms. LEE.
H.R. 904: Mr. SMITH of Washington.
H.R. 937: Mr. MILLER of Florida.
H.R. 941: Mrs. LOWEY.
H.R. 957: Mr. WALDEN of Oregon.
H.R. 982: Mrs. CUBIN.
H.R. 997: Ms. DEGETTE and Ms. RIVERS.
H.R. 1044: Mr. BEREUTER.
H.R. 1060: Mr. SANDERS.
H.R. 1071: Mrs. CHRISTENSEN and Mr. WISE.
H.R. 1079: Mr. DICKS, Mr. BONIOR, and Mr. CALVERT.
H.R. 1095: Mr. TIERNEY.
H.R. 1102: Mr. MCINNIS.
H.R. 1115: Ms. BALDWIN.
H.R. 1129: Ms. STABENOW.
H.R. 1142: Mr. WATKINS.
H.R. 1187: Mr. BILBRAY.
H.R. 1195: Mrs. LOWEY.
H.R. 1217: Mr. HOLDEN, Mr. RODRIGUEZ, Mr. BAKER, and Mr. GALLEGLY.
H.R. 1228: Mrs. LOWEY and Mr. HORN.
H.R. 1274: Mrs. MALONEY of New York.
H.R. 1276: Mr. DEAL of Georgia.
H.R. 1291: Ms. WOOLSEY and Mr. GALLEGLY.
H.R. 1300: Ms. LEE and Mr. PACKARD.
H.R. 1310: Mr. ENGEL and Mr. BURR of North Carolina.
H.R. 1311: Mr. BURR of North Carolina.
H.R. 1387: Mr. WISE.
H.R. 1396: Mr. WYNN and Ms. CARSON.
H.R. 1413: Mr. WISE.
H.R. 1422: Mr. MURTHA, Mr. DOYLE, Mr. DEUTSCH, Mr. JEFFERSON, Mr. KUYKENDALL, Mr. DIAZ-BALART, and Mr. HOLT.
H.R. 1445: Mr. TIERNEY.
H.R. 1452: Mrs. JONES of Ohio and Mr. KUCINICH.
H.R. 1472: Mr. PASCRELL.
H.R. 1494: Mr. PACKARD.
H.R. 1495: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 1545: Ms. STABENOW.
H.R. 1591: Mr. GONZALEZ.
H.R. 1592: Mr. MCCOLLUM.
H.R. 1593: Mr. MANZULLO.
H.R. 1625: Mr. ROMERO-BARCELO and Mr. SHERMAN.
H.R. 1649: Mr. COOK.
H.R. 1686: Mr. COLLINS and Mr. DELAY.
H.R. 1708: Mr. PAUL.
H.R. 1731: Mr. CALVERT.
H.R. 1748: Mrs. MCCARTHY of New York.
H.R. 1775: Mrs. THURMAN.
H.R. 1776: Mr. RYUN of Kansas.
H.R. 1816: Mr. GUTIERREZ.
H.R. 1824: Mr. HOEKSTRA and Mr. BOEHNER.
H.R. 1850: Mr. CHABOT.
H.R. 1885: Ms. LEE.
H.R. 1926: Mr. WISE.
H.R. 1939: Mr. BAIRD.
H.R. 1943: Mr. PETERSON of Minnesota.
H.R. 1967: Mr. STICKLAND.
H.R. 1990: Mr. MORAN of Kansas and Mr. HOLDEN.
H.R. 1997: Mr. DIXON.
H.R. 2000: Mr. JOHN.
H.R. 2004: Mr. WALSH.
H.R. 2053: Mr. DIXON and Ms. MILLENDER-MCDONALD.
H.R. 2057: Mrs. MYRICK.
H.R. 2066: Mr. BEREUTER.
H.R. 2106: Mr. LEWIS of Georgia.
H.R. 2120: Ms. ROYBAL-ALLARD and Mrs. JONES of Ohio.
H.R. 2121: Mr. LEWIS of Georgia.
H.R. 2137: Mr. MCCOLLUM.
H.R. 2221: Mr. WAMP.
H.R. 2233: Mr. LEWIS of Georgia.
H.R. 2244: Mr. LUCAS of Oklahoma.
H.R. 2259: Mrs. MORELLA.
H.R. 2282: Mr. BLUMENAUER, Mr. DEFAZIO, and Mr. WALDEN of Oregon.
H.R. 2340: Mr. LEWIS of Georgia, Mr. ISAKSON, Mr. ETHERIDGE, Mr. CANADY of Florida, Mr. KENNEDY of Rhode Island, Ms. MCKINNEY, and Mr. WATKINS.
H.R. 2372: Mr. TAYLOR of North Carolina, Mr. SWEENEY, Mrs. MYRICK, Mr. FORD, and Mr. DUNCAN.
H.R. 2420: Mr. COLLINS, Mr. SHERWOOD, Mrs. MALONEY of New York, Mr. CONDIT, Mr. BASS, Mr. ABERCROMBIE, and Mr. ORTIZ.
H.R. 2494: Mr. HERGER.
H.R. 2505: Mr. FRANK of Massachusetts.
H.R. 2511: Mr. HASTINGS of Washington, Mr. LOBIONDO, Mr. PACKARD, and Mr. WALDEN of Oregon.
H.R. 2534: Mr. MARTINEZ, Mr. BONIOR, and Mr. SAWYER.
H.R. 2539: Mr. BILBRAY, Mr. CUNNINGHAM, Mr. DOOLITTLE, Mr. GALLEGLY, Mr. HUNTER Mr. KUYKENDALL, Mr. OSE, Mr. POMBO, Mr. THOMAS, Mr. HERGER, Mr. ROGAN, Mr. CAMPBELL, and Mr. LEWIS of California.
H.R. 2544: Mr. WAMP and Mr. LUCAS of Oklahoma.
H.R. 2551: Mr. RAHALL, Mr. GORDON, Mr. WAMP, Mr. MASCARA, Mr. LANTOS, Mr. FORD, Ms. MCKINNEY, Mr. BORSKI, Mr. CLEMENT, and Mr. BLAGOJEVICH.
H.R. 2554: Mrs. LOBIONDO, Mr. FRELINGHUYSEN, and Mrs. ROUKEMA.
H.R. 2572: Mr. HOLDEN and Mr. DAVIS of Florida.
H.R. 2576: Mrs. MYRICK.
H.R. 2620: Mr. PALLONE.
H.R. 2631: Mr. GEORGE MILLER of California.
H.R. 2635: Mr. BURR of North Carolina, Mr. DEUTSCH, Mr. STEARNS, Ms. ESHOO, and Mrs. FOWLER.
H.R. 2698: Mr. SHAYS.
H.R. 2707: Mr. FORBES.
H.R. 2718: Mr. RUSH, Mr. EHRLICH, and Mr. HALL of Texas.
H.R. 2720: Mr. SMITH of Washington, Mr. SMITH of New Jersey, Mr. PETRI, Mr. COLLINS, Mr. COBLE, Mr. MOAKLEY, and Mr. SWEENEY.
H.R. 2722: Ms. BERKLEY, Mr. SABO, Mr. MATSUI, Mr. OBERSTAR, and Mr. RODRIGUEZ.
H.R. 2726: Mr. ORTIZ and Mr. GOODLATTE.
H.R. 2733: Mr. FORST, Mr. BLUMENAUER, Mr. DEFAZIO, and Mr. WALDEN of Oregon.
H.R. 2763: Mr. PASCRELL.
H.R. 2764: Mr. MARTINEZ and Mr. THOMPSON of Mississippi.
H.R. 2798: Mr. ROGAN.
H.R. 2802: Mr. BONIOR.
H.R. 2829: Mr. WISE, Mr. MINGE, and Mr. HINCHEY.
H.R. 2830: Mr. BOSWELL, Mr. LEWIS of Georgia, Mr. THOMPSON of Mississippi, Mr. MINGE, and Mr. HINCHEY.
H.R. 2870: Ms. SCHAKOWSKY, Mr. MARKEY, and Mr. FOSSELLA.
H.R. 2900: Mr. BERMAN and Mr. FILNER.
H.R. 2901: Mr. ADERHOLT.
H.R. 2902: Mr. VISCLOSKY, Mr. FORBES, Mr. RUSH, Mr. SAWYER, Mr. JACKSON of Illinois, Mr. DELAHUNT, Mrs. MEEK of Florida, Ms. BROWN of Florida, Mr. MASCARA, Mr. PALLONE, Mr. KLINK, Mr. DAVIS of Illinois, and Mr. TRAFICANT.
H.R. 2906: Mr. GOODLING and Mr. CANADY of Florida.
H.R. 2928: Mr. ROHRABACHER, Mr. ISTOOK, Mr. HOEKSTRA, and Mr. COBURN.
H.R. 2933: Ms. SCHAKOWSKY, Mr. MARTINEZ, Mr. SAWYER, and Mr. UDALL of New Mexico.
H.R. 2934: Mr. MARTINEZ, Mr. SAWYER, and Mr. UDALL of New Mexico.
H.R. 2945: Mrs. CUBIN, Mr. BILBRAY, Mr. KUYKENDALL, Mr. GIBBONS, Mr. BURR of North Carolina, Mr. LAHOOD, Mr. OBERSTAR, Mr. TOWNS, Mrs. MINK of Hawaii, Mr. RAHALL, Mr. GEORGE MILLER of California, Ms. KAPTUR, Mr. LAMPSON, Mr. DIXON, Ms. RIVERS, Mr. FRANK of Massachusetts, Mrs. CAPPS, Ms. JACKSON-LEE of Texas, Mr. BLUMENAUER, Mr. FILNER, Mr. JENKINS, and Ms. WOOLEY.
H.R. 2953: Mr. SWEENEY.
H.R. 2866: Mr. BALDACCI, Ms. BROWN of Florida, Mr. GALLEGLY, Mr. GEPHARDT, Mr. GONZALEZ, Mr. JOHN, Mrs. JONES of Ohio, Mr. KUYKENDALL, Mr. LAHOOD, Ms. LEE, Mr. METCALF, Mr. TANCREDO, Mr. TRAFICANT, Mr. UDALL of Colorado, and Mr. COYNE.
H.R. 2985: Mr. OSE.
H.R. 2991: Mr. POMBO, Mr. TAYLOR of North Carolina, Ms. GRANGER, Mrs. MYRICK, Mr. LAMPSON, Mr. RYAN of Wisconsin, Mr. MCCRERY, Mr. BEREUTER, and Mr. TALENT.
H.R. 2992: Mr. MCINTOSH, Mr. CUNNINGHAM, Mr. SKEEN, Mr. LARGENT, Mr. HUNTER, and Mr. DREIER.
H.R. 3003: Mr. BAIRD and Mr. HINCHEY.
H.R. 3008: Mr. BLUMENAUER, Mr. EVANS, Mr. RUSH, Mr. THOMPSON of Mississippi, Mr. CONYERS, Mr. FATTAH, and Mrs. CHRISTENSEN.
H.R. 3031: Mr. BLUMENAUER.
H.R. 3059: Mr. UDALL of Colorado.
H.R. 3071: Mrs. CHRISTENSEN.
H.R. 3082: Mr. MANZULLO.
H.R. 3083: Mr. CUMMINGS.
H.R. 3088: Mr. PETRI, Mr. SOUDER, and Mr. NORWOOD.
H.R. 3091: Mr. RUSH, Mr. STUPAK, Mr. ETHERIDGE, Ms. STABENOW, Mrs. THURMAN, Ms. BALDWIN, Mr. BARRETT of Wisconsin, Mr. JEFFERSON, Mr. INSLEE, Ms. MILLENDER-MCDONALD, Mrs. CLAYTON, Mr. BLAGOJEVICH, Mr. CLYBURN, Mr. HOYER, Mr. BOEHLERT, Mr. UDALL of Colorado, Mr. MALONEY of Connecticut, Mr. WELDON of Pennsylvania, Mr. SHERMAN, Mr. THOMPSON of Mississippi, Mr. DINGELL, Mr. WATT of North Carolina, Mrs. TAUSCHER, and Mr. LIPINSKI.
H.R. 3100: Mr. MORAN of Virginia.
H.R. 3107: Ms. PELOSI and Mr. FRANK of Massachusetts.
H.R. 3115: Mr. BEREUTER and Mr. MCCRERY.
H.R. 3116: Mr. ENGLISH and Mr. MALONEY of Connecticut.
H.R. 3140: Mr. OLVER, Mr. LUCAS of Oklahoma, Mr. SHAYS, Mr. RUSH, Mr. PETERSON of Minnesota, Mr. BAIRD, and Mr. GOOLDING.
H.R. 3144: Mr. SPRATT, Mr. SANDLIN, Mr. RUSH, and Mr. BERRY.
H.R. 3148: Mr. EVANS.
H.R. 3150: Mrs. MORELLA.
H.R. 3160: Mr. HAYWORTH.
H.R. 3173: Mr. TALENT, Mr. BERRY, and Mr. RILEY.
H.R. 3180: Mr. DEAL of Georgia.
H.R. 3192: Mr. SANDLIN.
H.R. 3193: Mr. KLINK, Mr. DEFAZIO, Mr. PASTOR, Mr. PETERSON of Minnesota, Mr. COMBEST, and Mrs. KELLY.
H.R. 3201: Mr. MORAN of Kansas.
H.R. 3212: Mr. DEAL of Georgia.

H.R. 3213: Mrs. MYRICK.
H.R. 3218: Mr. GILCHREST and Mrs. MYRICK.
H.R. 3222: Mrs. NORTHUP.
H.R. 3224: Ms. SLAUGHTER.
H.R. 3232: Mr. ABERCROMBIE.
H.R. 3233: Mrs. MINK of Hawaii.
H.R. 3235: Mr. STUPAK and Mrs. MINK of Hawaii.
H.R. 3240: Mr. OBERSTAR and Mr. MILLER of Florida.
H.R. 3242: Ms. DUNN, Mr. ISAKSON, Mr. SANFORD, Mr. HILLIARD, Mr. BOSWELL, and Mrs. KELLY.
H.R. 3248: Mrs. MYRICK and Mr. SHADEGG.
H.R. 3252: Mrs. MYRICK.
H.R. 3262: Mr. ISAKSON.
H.R. 3270: Mrs. JOHNSON of Connecticut, Mrs. FOWLER, Mrs. MYRICK, and Mr. FOLEY.
H.R. 3275: Mr. CONYERS, Ms. SLAUGHTER, Mr. KUCINICH, Ms. MILLENDER-MCDONALD, Mr. BARRETT of Wisconsin, Mr. CAPUANO, Mr. HOEFFEL, Mr. LARSON, Mr. UDALL of Colorado, Mr. WU, Mr. FORBES, and Mrs. MCCARTHY of New York.
H.R. 3293: Mr. BROWN of Ohio, Mr. ENGLISH, Mr. CONYERS, Mr. SCARBOROUGH, Mr. KUCINICH, Mr. LATHAM, and Mr. SMITH of Texas.
H.R. 3301: Mrs. CAPPS.
H.R. 3308: Ms. MCCARTHY of Missouri, Mr. SAXTON, Mr. BOEHNER, Mr. LARGENT, Mr. LAFALCE, Mr. HASTINGS of Washington, Ms. SLAUGHTER, Mr. BLAGOJEVICH, Mr. EHRLICH, and Mr. MCKEON.
H.R. 3311: Mr. MCINTOSH.
H.R. 3319: Mr. BENTSEN.
H.R. 3320: Mr. SCOTT, Mr. GEPHARDT, Mr. TAYLOR of Mississippi, Mr. HASTINGS of Florida, Mr. MURTHA, Ms. NORTON, Mr. BERMAN, and Mr. LIPINSKI.
H.R. 3330: Mr. PALLONE.
H.R. 3331: Mr. GILCHREST.
H.R. 3367: Mr. HERGER.
H.R. 3371: Mr. HERGER.
H.R. 3375: Mr. SWEENEY, Mr. HOLT, Mr. HOUGHTON, Mr. WALSH, Mr. WEINER, Mr. MCHUGH, Mr. HOLDEN, Mr. HOYER, and Mr. NADLER.
H.R. 3377: Ms. RIVERS and Mrs. MALONEY of New York.
H.R. 3379: Mr. BRYANT.
H.R. 3387: Mr. ANDREWS, Mr. BOUCHER, Mrs. CAPPS, Mr. DEUTSCH, Mrs. EMERSON, Mr. HASTINGS of Florida, Mr. HILLIARD, Mr. HOEFFEL, Mr. HOUGHTON, Mr. LARSON, Ms. LEE, Mr. MENENDEZ, Mr. MORAN of Virginia, Ms. PELOSI, Mr. ROTHMAN, Mr. SAWYER, and Mr. WATT of North Carolina.
H.R. 3397: Mr. STUPAK.
H.R. 3405: Mrs. LOWEY, Mr. WEXLER, Mr. CAPUANO, Mr. FORBES, Mr. MENENDEZ, Mr. BILBRAY, Mr. MALONEY of Connecticut, and Mrs. MEEK of Florida.
H.R. 3408: Mr. HALL of Ohio, Mr. NEY, and Mr. MCCOLLUM.
H.R. 3410: Ms. GRANGER.
H.R. 3439: Mr. FOSSELLA.
H.J. Res. 53: Mr. GOODLATTE.
H.J. Res. 55: Mr. GALLEGLY.
H.J. Res. 77: Mr. GRAHAM, Mr. METCALF, Mr. SALMON, Mr. YOUNG of Alaska, Mr. NETHERCUTT, Mr. CRANE, Ms. DANNER, and Mr. HUNTER.
H. Con. Res. 23: Mr. CALVERT.
H. Con. Res. 67: Mr. LUTHER and Mr. OLVER.
H. Con. Res. 79: Mr. RANGEL.
H. Con. Res. 115: Mrs. CHRISTENSEN.
H. Con. Res. 123: Mrs. THURMAN, Mr. BARRETT of Wisconsin, Mr. DAVIS of Illinois, and Mrs. JOHNSON of Connecticut.
H. Con. Res. 177: Mr. LANTOS and Mr. THOMPSON of Mississippi.
H. Con. Res. 186: Mr. DUNCAN, Mr. EVERETT, and Mr. METCALF.
H. Con. Res. 218: Mr. PALLONE, Ms. RIVERS, Mr. GOODLATTE, Mr. COYNE, and Mr. RUSH.
H. Con. Res. 225: Mr. PRICE of North Carolina and Mr. MCGOVERN.
H. Con. Res. 228: Mrs. FOWLER, Mr. SNYDER, and Mr. ORTIZ.
H. Con. Res. 231: Mr. DUNCAN, Mr. NEY, Mr. WAMP, and Mr. DOOLITTLE.
H. Res. 37: Mr. GREEN of Texas and Ms. SCHAKOWSKY.
H. Res. 107: Mr. SABO.
H. Res. 144: Ms. ROYBAL-ALLARD and Mr. TURNER.
H. Res. 238: Mr. BLUMENAUER, Mr. DEFAZIO, and Mr. WALDEN of Oregon.
H. Res. 309: Mr. THOMPSON of Mississippi.
H. Res. 346: Ms. WATERS, Mr. SHOWS, Mr. COBURN, Mr. MEEKS of New York, Mr. PAYNE, Mr. DEAL of Georgia, Mr. OWENS, Ms. KILPARTICK, Ms. STABENOW, Ms. MCKINNEY, Mr. FROST, Mr. LAMPSON, Mr. LUCAS of Kentucky, Mr. WATT of North Carolina, Mrs. MINK OF Hawaii, Mr. SMITH of Texas, and Mr. THOMPSON of Mississippi.
H. Res. 347: Mr. ENGLISH.
H. Res. 357: Mr. DAVIS of Virginia, Mr. DELAHUNT, Mrs. CLAYTON, and Mr. BERMAN.
H. Res. 369: Mr. RUSH.
H. Res. 289: Mr. DELAHUNT, and Mr. KUCINICH.

## DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 329: Mr. FROST.
H.R. 1598: Mr. COOK.
H.R. 2420: Mr. BOEHLERT.
H.R. 2699: Mr. CHAMBLISS.
H. Con. Res. 173: Mrs. TAUSCHER.

## PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

70. The SPEAKER presented a petition of the Town Board of Southampton, relative to Resolution No. 1199 petitioning the Federal Government to permit the Suffolk County Department of Health to have access to and participate in monitoring health related activity at the Plum Island Disease Center; to the Committee on Agriculture.

71. Also, a petition of the Southern Governors' Association, relative to a resolution petitioning support for funding efforts for the National Guard Youth Challenge Program; to the Committee on Armed Services.

72. Also, a petition of the Southern Governors' Association, relative to a resolution petitioning support for the reauthorization of the Older Americans Act; to the Committee on Education and the Workforce.

73. Also, a petition of the Southern Governors' Association, relative to a resolution petitioning the reauthorization of the Endangered Species Act; to the Committee on Resources.

74. Also, a petition of the Southern Governors' Association, relative to a resolution petitioning support for Outer Continental Shelf Coastal Impact Assistance; to the Committee on Resources.

75. Also, a petition of the Southern Governors' Association, relative to a resolution petitioning support for the reauthorization of the Airport Improvement Program; to the Committee on Transportation and Infrastructure.

76. Also, a petition of the Southern Governors' Association, relative to a resolution petitioning for the passage of ''Fast-Track'' authority for the President to Negotiate International Trade Agreements; to the Committee on Ways and Means.

77. Also, a petition of the Village of East Hazel Crest, relative to Resolution 99–4 petitioning Congressional Representatives to support the Firefighter Investment and Response Enhancement Act; jointly to the Committees on Science and Transportation and Infrastructure.

United States of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, FIRST SESSION

Vol. 145 WASHINGTON, THURSDAY, NOVEMBER 18, 1999 No. 164

# Senate

The Senate met at 11 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

**REVISED NOTICE—NOVEMBER 17, 1999**

If the 106th Congress, 1st Session, adjourns sine die on or before November 18, 1999, a final issue of the Congressional Record for the 106th Congress, 1st Session, will be published on December 3, 1999, in order to permit Members to revise and extend their remarks.

All material for insertion must be signed by the Member and delivered to the respective offices of the Official Reporters of Debates (Room HT–60 or S–123 of the Capitol), Monday through Friday, between the hours of 10:00 a.m. and 3:00 p.m. through December 1. The final issue will be dated December 3, 1999, and will be delivered on Monday, December 6, 1999.

If the 106th Congress does not adjourn until a later date in 1999, the final issue will be printed at a date to be announced.

None of the material printed in the final issue of the Congressional Record may contain subject matter, or relate to any event that occurred after the sine die date.

Senators' statements should also be submitted electronically, either on a disk to accompany the signed statement, or by e-mail to the Official Reporters of Debates at ''Records@Reporters''.

Members of the House of Representatives' statements may also be submitted electronically by e-mail or disk, to accompany the signed statement, and formatted according to the instructions for the Extensions of Remarks template at http://clerkhouse.house.gov. The Official Reporters will transmit to GPO the template formatted electronic file only after receipt of, and authentication with, the hard copy, signed manuscript. Deliver statements (and template formatted disks, in lieu of e-mail) to the Official Reporters in Room HT–60.

Members of Congress desiring to purchase reprints of material submitted for inclusion in the Congressional Record may do so by contacting the Congressional Printing Management Division, at the Government Printing Office, on 512–0224, between the hours of 8:00 a.m. and 4:00 p.m. daily.

By order of the Joint Committee on Printing.

WILLIAM M. THOMAS, *Chairman.*

**NOTICE**

Effective January 1, 2000, the subscription price of the Congressional Record will be $357 per year, or $179 for 6 months. Individual issues may be purchased for $3.00 per copy. The cost for the microfiche edition will remain $141 per year; single copies will remain $1.50 per issue. This price increase is necessary based upon the cost of printing and distribution.

MICHAEL F. DiMARIO, *Public Printer.*

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, the only source of lasting authentic courage, we thank You that You use ordinary people to do extraordinary things. This morning, we turn to the psalmist and to Jesus for the bracing truth about courage to see things through, not just to the end of the Senate session but to the accomplishment of Your ends. David reminds us: ''Be of good courage, and He shall strengthen your heart, all you who hope in the Lord''—Psalm 31:24. And Jesus challenges us to take courage (John 16:33). We know that we can take courage to press on because You have taken hold of us. You have called us to serve You because You have chosen to get Your work done through us. So bless the Senators as they confront the issues of the budget, consider creative compromises, and seek to bring this Senate session to a conclusion. In this quiet moment, may they take courage and press on. Through our Lord and Savior. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JAMES INHOFE, a Senator from the State of Oklahoma, led the Pledge of Allegiance as follows:

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

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDING OFFICER (Mr. INHOFE) The Senator from Ohio.

SCHEDULE

Mr. VOINOVICH. Mr. President, today the Senate will be in a period of morning business until 12 noon, with Senator VOINOVICH in control of the first 30 minutes and Senator DURBIN in control of the second 30 minutes.

For the information of all Senators, the final appropriations items were filed last night and are expected to be considered in the House throughout the day. Therefore, following morning business, it is expected that the Senate will begin consideration of the final appropriations items as they are received. Members will be notified as the schedule for consideration becomes clearer. The Senate may also consider any legislative or executive items cleared for action during today's session.

I thank my colleagues for their attention.

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The assistant minority leader.

BANKRUPTCY REFORM

Mr. REID. Mr. President, I appreciate the Senator outlining for us what the intent is for the day. I hope that part of what we are going to do is to work on completing the bankruptcy bill. I say to my friends in the majority that we only have a few amendments remaining. I have spoken to Senator LEAHY and his staff, and I am ready to offer a unanimous-consent request. I will not ask that the Senator accept this, recognizing that he must speak with the manager of the bill, Senator GRASSLEY. But what I would like to do is ask unanimous consent that the following amendments numbered 2517, 2537, 2538, 2539, 2658, 2666, 2667, 2747, 2748, 2753, 2759, 2761, 2763, and 2670, and any amendment agreed upon by the two managers be the only amendments—those I have just read and those agreed to by the two managers—in order to S. 625, the bill to amend title 11, United States Code, and for other purposes, and that following the disposition of all the above-described amendments, the bill be immediately advanced to third reading; that the Senate then proceed to the House companion bill, H.R. 833; that all after the enacting clause be stricken, the text of the Senate bill, as amended, be inserted; that the bill be advanced to third reading; that a vote occur on passage of the bill without any intervening action, motion or debate; that the Senate insist on its amendments, request a conference with the House, and the Senate bill be placed back on the calendar.

Mr. President, that is the unanimous-consent request that I spread across the RECORD of the Senate, recognizing that at this time there will not be an objection to it. We will make this unanimous-consent request at some later time.

The PRESIDING OFFICER. Is there objection?

Mr. REID. I am not asking, Mr. President, that there be objection. I am not asking unanimous consent at this time.

I say to the majority that we have enumerated 14 amendments. Seven of them have tentatively been agreed upon or they will be withdrawn. Only seven amendments are now between completing the bankruptcy bill and not completing it this year. The only two amendments of the seven that I understand are causing any controversy are the ones dealing with gun manufacturers and clinic violence.

On the gun manufacturing amendment, the proponents have agreed to a 70-minute time agreement, and on the amendment relating to clinic violence, the proponent has agreed to 30 minutes. So there is really not much left to complete this bill. I hope that during the day there can be discussions ongoing to complete this bill. We would be willing at any time the majority wants to lock in these amendments; we would be willing to come back and I would propound this unanimous consent request, or we could have the majority do so, so that this bill could be completed in a reasonably short period of time.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 12 noon, with Senators permitted to speak therein up to 5 minutes.

Under the previous order, the time until 11:30 shall be under the control of the Senator from Ohio, Mr. VOINOVICH, or his designee.

ORDER OF PROCEDURE

Mr. NICKLES. Mr. President, my colleague from Nevada spent several minutes outlining a unanimous consent. It was on the time of the Senator from Ohio. I wonder if we might accommodate that.

Mr. REID. Absolutely.

Mr. NICKLES. Mr. President, I ask unanimous consent that the Senator from Ohio have charge of the time until 11:35 and then the remainder of the time under the charge of the designee of the minority leader.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The PRESIDING OFFICER. The Senator from Ohio.

THE STATE OF AFFAIRS IN THE BALKANS

Mr. VOINOVICH. Mr. President, as the first session of the 106th Congress comes to a close, I want to remind my colleagues that the aftermath of our nation's largest foreign policy initiative this year and a 78-day air war, will be our nation's biggest foreign policy concern next year.

As my colleagues are aware, I opposed our nation's ''sign or we'll bomb'' diplomacy that ultimately led to the decision to conduct the air war over Kosovo and Serbia earlier this year. Instead, I believed that we should have done all that we could to negotiate a real diplomatic solution. Nevertheless, at the conclusion of the conflict, I came to the Senate floor and commented that ''some good always blows in an ill wind.''

The ''good'' that I saw in the ill wind of the bombing campaign was the opportunity for NATO and the United States to provide the impetus for a lasting peace throughout Southeastern Europe. Since that time, my staff and I have spent hours working hard to ensure that some good does blow in and that we do not lose this opportunity to promote peace, stability and prosperity in that region of our world.

To ensure the future of Southeast Europe, it is important to understand its past. Every student of history is well aware that this century's two

most horrific wars had deep roots in the Balkans, but few people are aware of the level of violence, bloodshed, hatred and destruction that has been commonplace in the region for centuries. Indeed, the Balkans have been the site of numerous wars and countless battles, and have been fought over by every major regional power since the days of the Roman legions.

Over the last 10 years, regional ethnic tensions have resulted in yet another nightmare for the people of the Balkans. And for the third time this century, Europe, reluctantly, has turned its attention to their southern neighbors.

Their concern can be attributed to self-interest; an attempt to get Southeast Europe to settle down so as to avoid any possible spillover that could bring unrest to their nations, and a genuine concern over the ethnic cleansing and human rights violations in the region. To do this, Europe has involved the international community, and in particular, the United States, which, for the first time in our history, has immersed itself politically and militarily in the region.

Our willingness to get involved and lead should have come earlier. Indeed, when conflicts began in Bosnia in the early 1990's, it was reported that a key foreign policy official of the Bush Administration made the statement that ''we have no dog in this fight.'' History records that nothing could have been further from the truth. According to Ambassador Richard Holbrooke in his book, ''To End A War'':

> Europe believed it could solve Yugoslavia without the United States; Washington believed that, with the Cold War over, it could leave Yugoslavia to Europe. Europe's hour had not dawned in Yugoslavia; Washington had a dog in this particular fight.

The overconfidence of Europe and the disengagement of the United States contributed greatly to the tragedy of Slavonia, Krijna and Bosnia-Herzegovina. When we finally realized it was important for the U.S. to get involved, we dealt with, and thus, legitimatized three war criminals—Slobodan Milosevic, Franco Tudjman and Alija Izetbegovic—at the Dayton Peace Accords.

Unfortunately, the legitimitization of Milosevic caused us to continue to have a relationship with him at a time when we should have been working with opposition leaders to get rid of him. Then, when he showed his true colors, we were reluctant to be as aggressive as we should have been. We misjudged him, we underestimated him, and now we're paying the price for our mistake.

As a result, we have spent at least $18 billion in operations in Bosnia and Herzegovina, Kosovo, Serbia and elsewhere. We will, no doubt, spend billions more. In addition, we have placed a tremendous strain on the equipment and personnel of our Armed Forces due to our past and present involvement in peacekeeping missions in Southeast Europe. Also, the State Department has paid an incredible amount of attention to the Balkans. And finally, we have complicated our relations with other nations on the international scene—primarily, Russia and China.

A November 1 article written by Elizabeth Sullivan, foreign-affairs correspondent for the Cleveland Plain Dealer, indicates that the Russians harbor resentment and incredulity towards the United States over our assuming an air of moral superiority regarding their actions in Chechnya. They see our attitude as a double standard, which affects our ability to appeal to their better instincts. She writes:

> The Kremlin is resolutely turning a deaf ear to U.S. admonitions for restraint in Chechnya. The criticisms have inflamed anti-U.S. feelings in Russia where it's bitterly recalled that NATO's unpopular bombing killed hundreds of Yugoslav civilians. It is the first big display of lost U.S. influence after Kosovo.

It is clear that instability in Southeast Europe has the potential to threaten America's overall interests throughout the rest of Europe. However, a full-fledged integration of Southeast Europe into the whole European community would remove the burden and expense of maintaining a constant peacekeeping force, end years of diplomatic wrangling and political posturing, and more important, end the death and destruction that has plagued the region.

Recently, I met with a number of Ambassadors from the Balkans region in the LBJ room here in the Capitol. They made it very clear to me that they are ready to work together. I was pleased that they realized they have a symbiotic relationship—a relationship that must be cultivated in order to bring about peace and implement a modern, free-market economy. The Holy Spirit was definitely present in that room. There was an aura of enlightenment among those leaders, and we must capitalize on the momentum of this cooperative spirit if we are to successfully bring the region into the broader European fold.

Consider that not so many years ago, no one would have thought that European political and economic cooperation, let alone union, was possible. After all, two world wars had been fought in the trenches and on the fields of Europe, fostering tremendous ill-will among many nationalities.

Today, those feelings have largely dissipated. Germans, French, Italians—all share the same currency. They cross national boundaries freely. They work cooperatively to solve economic problems because it is in their collective best interest. We are seeing that in terms of competition right now. The Ambassadors I met with see this cooperation and wish it for their nations, but, they are also quite frustrated with the lack of speed by the international community in responding to the humanitarian and economic needs of the region.

The NATO air war triggered immense human suffering which has not yet been fully remedied. Here are some facts:

The refugee exodus from Kosovo decimated the economies of surrounding nations, especially in Macedonia. Macedonia's reaching out to help their fellow man was done at a great sacrifice to their economy and the quality of life of their people.

In the Federal Republic of Yugoslavia (FRY), there are still 500,000 refugees from Slavonia, Krijna, and Bosnia. Another 150,000 were displaced during the Kosovo bombing.

In Kosovo, the international community has had to deal with 700,000 refugees who have returned after the conflict. 500,000 of these refugees are still officially considered ''internally displaced persons,'' without any place to call their own.

Kosovo has turned into an armed camp where soldiers from numerous countries are forced to keep the peace and prevent further bloodshed.

The lack of an effective internal police force has led to virtual chaos, where organized crime and illegal drug trafficking is said to be rampant and a cause of great concern among its citizens.

On this last point, a senior official from the Organization for Security and Cooperation in Europe, OSCE, told me that the reason there is no effective police force in Kosovo is because there aren't enough qualified or even interested individuals willing to join the force. The official told me that if the crime problem in Kosovo isn't checked, it will spread to the entire region and into the rest of Europe.

Indeed, this point was illustrated again in the November 1 Elizabeth Sullivan article for the Cleveland Plain Dealer. She wrote:

> The scope of the gun, drug and prostitute trade fanned by the Kosovo conflict is also becoming clear. [Last week] Italian and Swiss police busted a ring that allegedly smuggled millions of dollars in Swiss weapons to Kosovo, and Albanian prostitutes out to Italy, using humanitarian aid as a cover.

The growing crime problem was definitely a topic of concern for the Ambassadors I met with. I was amazed that they considered organized crime and drugs their No. 1 or No. 2 concern to be addressed. Think of that, organized crime and drugs as their No. 1 or No. 2 concern in the region.

The fact of the matter is, the bombing has had a terribly destabilizing effect on the region, and a very real impact on the humanitarian situation and basic human existence as well, one that has not been widely reported to the American people. The T.V. cameras are gone now. You know how it is: out of sight, out of mind, and we have moved on to other issues.

Although it's hard to grasp the extent of the problem, for the last several months, the U.S. has been working through the United Nations and the International Committee for the Red

Cross to deal with the needs of the region. Both the UN and the Red Cross claim that they will be able to keep people fed, clothed and sheltered through the upcoming winter. Yet, I have received a number of credible reports in recent weeks which indicate that in fact we will witness a humanitarian catastrophe in the region in the months ahead because of a lack of shelter, heat, food and medical care.

I am aware that there are individuals in the foreign policy community who are opposed to providing significant assistance to the people of Serbia. They believe that humanitarian suffering will lead to political discontent which will, in turn, lead to a popular movement that will bring about the removal of Slobodan Milosevic. I disagree.

With the exception of South Africa, crippling sanctions have not successfully brought about a change in political leadership. Just look at Saddam Hussein in Iraq. We don't know what is going on there anymore.

To emphasize this point, Professor Julie Mertus of the Ohio Northern University wrote an excellent piece which was recently published in the Washington Post. Professor Mertus specializes in international law. Here is what she has to say:

> How does a freezing and hungry Yugoslavia advance U.S. policy goals? Certainly Milosevic will not be hungry this winter. The idea is that the pain and suffering among the lowest strata of society will ''trickle up'' to the higher echelons. Protests by discontented citizens will lead to policy changes and perhaps even the removal of Milosevic. The problem is that humans do not behave this way. Cold, dispirited citizens do not take to the streets. Rather, they draw up inside their own homes and try to survive. If the going gets tough, they try to exit, often leaving the country. Only the few with hope continue to fight, and even they cannot persist for long when they are isolated from supportive networks.

Our sanctions policy has allowed Milosevic to blame Serbia's faltering economy, declining humanitarian situation and international isolation on the West. He has been able to deflect the ire of the Serbian people who have little access to independent media.

We must pursue specific courses of action that will help us get rid of Milosevic once and for all.

No. 1, we must continue to squeeze Milosevic so that his allies inside and outside the Serbian government will see that he is vulnerable and his hold on power is tenuous. Milosevic is an indicted war criminal, and we have to make his allies understand that his fate is their fate. In other words, leave now, or pay later.

No. 2, we should work with our allies to announce a detailed humanitarian and economic aid package that would be available to the people of Serbia once Milosevic is removed. The importance of this kind of package to the success of democratization was underscored recently when several of us met with the leaders of the anti-Milosevic force right here in the Capitol.

They talked about how important it was we have a clear, defined package that says, if he goes, here is what we are willing to do.

No. 3, we should provide as much assistance as we can, including such things as heating oil, food, clothing and direct financial assistance, as soon as possible to the Serbian opposition groups, particularly the mayors, who are struggling to bring about democratic change.

No. 4, we should continue to support President Djukanovic of Montenegro with whom I met two weeks ago. He is a bright and energetic leader and a key ally for peace and prosperity in Southeast Europe.

No. 5, we must undertake a massive effort to overrun Milosevic's monopoly control on Serbia's mass media. Milosevic's distorted information must be countered with the truth; a commodity we must get to the Serb people whatever way possible.

As I mentioned earlier, I held a meeting recently with a number of ambassadors and senior embassy staff from the nations of Southeast Europe to get their reaction to the Stability Pact initiative. And they were honest; they said things were not going well. They were very clear that it was essential that the United States be at the table to provide leadership and contribute our fair share.

Without our presence, they are not confident that our NATO allies will make good on the promises they made at the end of the war. And, quite frankly, I think it is up to us to make it clear to our European allies that we expect them to adhere to their commitment.

We are going to be at the table. We are going to have leadership. We are anteing up, and it is time for you to ante up and make good on your promises.

The best way I can summarize the attitude at the meeting I had with the ambassadors, and the meeting I had with the Serbian opposition leaders is a word in Serbo-Croatian—''edemo''—which means, ''let's get going!''

On balance, I believe there has been some real progress made on a number of fronts in our policy towards Southeast Europe in recent months. The Stability Pact is moving ahead—albeit slowly and indeed need of some additional leadership, particularly ours. The policy toward sanctions seems to be finessed a bit and real work finally is being done on the ground in the region to deal with humanitarian concerns. I am pleased the administration is starting to soften up on this a little bit.

The administration is meeting with Serbian opposition leaders and financial support is beginning to trickle into the movement. Southeastern European nations are beginning to think regionally with the understanding they have a symbiotic relationship in their efforts to promote and develop their economies. That is wonderful.

Although in many respects, things are much better off today than they were after the war, the momentum has to be increased significantly, and that is the challenge of this Congress and this administration.

The administration, working through the State Department, bears the responsibility of bringing about real change in Serbia and honoring the commitments the United States has made to friendly governments in Southeast Europe. Congress has an obligation to provide oversight and support to the administration's policies towards the restoration of peace and stability in the region.

To that end, I look forward to working with my colleagues in the next session of Congress to loosen some of the restrictive language that was placed in the Foreign Operations appropriations bill, language that the State Department claims has made it difficult, and continues to make it difficult, for them to do the kinds of things they would like to be doing in Southeast Europe.

The Senate has already made a positive start with the recent unanimous passage of the Serbia Democratization Act. I believe we need to build on that progress.

Southeast Europe is strategic to our national interests and key to our efforts to maintain peace in the world. Until the nations of Southeast Europe are welcomed into the broader European community, those efforts will remain unfulfilled. The United States must provide the leadership because we do ''have a dog in this fight.''

I thank the Chair. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. VOINOVICH). Without objection, it is so ordered.

## MILITARY STATE OF READINESS

Mr. INHOFE. Mr. President, I was presiding when the distinguished Senator from Ohio was talking about the problems the U.N. faces in Kosovo. I share all of the concerns the Senator from Ohio expressed. In addition to that, since I am the chairman of the Senate Armed Services Readiness Subcommittee, I have another concern, and that is the deployment of troops in 1995 into Bosnia, then again to Kosovo, and the way they are being deployed today has put us in an apparent condition in terms of our state of readiness.

It is very unfortunate that during this administration we have had a cut in our force strength by approximately 50 percent, only to find out just last week that two of our Army divisions are now rated at C–4. That means they are not capable of combat today. Those

two divisions are the 10th Army Division, of which most are located in Bosnia, and the 1st Infantry Division located in Kosovo.

This means that if something should happen, we are not in a ready condition to defend America, where we do have national security interests which, in my opinion, we do not have and never had in either Bosnia or Kosovo. I stood side by side with the Senator from Ohio in trying to keep us from making that deployment. We were not successful. I do believe we should be looking very soon at any way we can bring our troops back to a state of readiness, to do what we are supposed to be doing, the No. 1 function of Government, and that is to defend America.

## VIEQUES

Mr. INHOFE. Mr. President, I have been a little disturbed not knowing the certainty of the schedule and how long we will have to get some things done at the last minute. I want to bring up one issue that has to be discussed briefly, and that is the issue of the range that has been used for 58 years on the island of Vieques located 6 miles off the shores of Puerto Rico.

I am concerned about this because we started using this range 58 years ago. We have become dependent upon it because it is the only range we can use that offers an integrated three-level type of training—first, high-altitude bombing; second, the type of protection that comes from the ships to the shore using live fire; and third, the Marine expeditionary amphibious movements. All three of those can be done simultaneously and have been done successfully over the last 58 years.

The problem we have with this range is that there is no place else in the Western Hemisphere that we can actually give the training to our troops. Right, now we have deployed into the Persian Gulf the U.S.S. *Kennedy*. Because this President put a moratorium on training in Vieques, only half of those deployed on the U.S.S. *Kennedy* have ever had the necessary training should they have to become involved in combat.

We have scheduled for the 18th of February the deployment of the U.S.S. *Eisenhower* Battle Group. If this battle group goes through the Mediterranean and goes to the Persian Gulf, the chances are better than 50–50 they will see combat. If we do not allow them to have the training on the island of Vieques prior to their deployment, they will have to go into combat very likely without ever having any live ordnance training. This goes for the pilots flying the F–18s and the F–14s that will be deployed off the U.S.S. *Eisenhower*.

I was there 3 weeks ago and watched them during their training, but they were unable to use live ordnances and use that range. It goes for the 24th Marine Expeditionary Unit and the others who would be deployed at the same time.

I would like to quote, if I could, Gen. Wes Clark. Of course, he is one for whom we all have a great deal of respect. We watched the way he worked commanding the European forces and the NATO forces. He said:

> The live fire training that our forces were exposed to at training ranges such as Vieques helped ensure that the forces assigned to this theater—

We are talking about Kosovo, those 78, 79 days—

> were ready-on-arrival and prepared to fight, win and survive.

What General Clark is saying is, we were successful. Even though we should not have been in Kosovo to start with, once we made that decision, we were successful in dropping our cruise missiles in there and our bombs because of the training those pilots had on the island of Vieques.

Capt. James Stark, Jr., the commanding officer of the Roosevelt Roads Naval Station, said:

> When you steam off to battle you're either ready or you're not. If you're not, that means casualties. That means more POWs. That means less precision and longer campaigns. You pay a price for all this in war, and that price is blood.

We are talking about American blood. I am very proud of all the military, uniformed and others. This is the first time in the years I have served in the Senate that they have been willing to stand up for something they know is right, not knowing for sure where the President is going to be on this issue.

The President has imposed a moratorium on training on the island of Vieques. We are going to try our best to encourage him, for the lives of Americans, to allow us to use it to train those people who are on the U.S.S. Eisenhower, ready to be deployed.

Richard Danzig, the Secretary of the Navy, said:

> Only by providing this preparation can we fairly ask our service members to put their lives at risk.

In a joint statement between the Chairman of the Joint Chiefs of Staff, the Chief of Naval Operations, and the Commandant of the Marine Corps, they said: Vieques provides integrated live-fire training ''critical to our readiness,'' and the failure to provide for adequate live-fire training for our naval forces before deployment will place those forces at unacceptably high risk during deployment.

This is military language to mean casualties, those who can be killed in action.

I am proud of Admiral Johnson, the Chief of Naval Operations, and General Jones, the Commandant of the Marine Corps, when they say: Without the ability to train on Vieques, the U.S.S. *Eisenhower* Battle Group and the 24th Marine Expeditionary Unit scheduled for deployment in February 2000 would not be ready for such deployment ''without greatly increasing the risk to those men and women who we ask to go in harm's way.''

Lastly, Admiral Murphy, the Commander of the Sixth Fleet of the Navy, said: The loss of training on Vieques would ''cost American lives.''

It is a very serious thing. I sometimes listen to the complaints we hear from some of the Puerto Ricans, but mostly from the people of the island of Vieques, who say: Wait a minute. How would you like to have bombs dropped and live ordnances fired where you are?

You can't do anything about that. They actually have a 10-mile buffer range between the bombing range and where people live.

I happen to represent the State of Oklahoma. We have a very fine organization there called Fort Sill, where we do all our artillery training. I have said on the floor here several times before that, while on Vieques they have a 10-mile buffer zone, we have only a 1-mile buffer zone in the State of Oklahoma between a population of 100,000 people living in Lawton and the live-fire range.

So let me just wind up and conclude by saying that many of us, including Senator WARNER, the chairman of our Armed Services Committee, are asking the President and pleading with him to work out some type of arrangement to, at the very least during this interim while we are in recess, provide for training on the island of Vieques because if that does not happen, we will lose American lives.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. INHOFE). Without objection, it is so ordered.

Mr. DURBIN. Would the Chair be kind enough to tell me what the order of business is?

The PRESIDING OFFICER. We are in morning business until the hour of 12 o'clock and under the minority's time.

Mr. DURBIN. I understand that my colleague, Senator KENNEDY from Massachusetts, will be joining me on the floor shortly. I will certainly yield at that point.

## VIDEO CAMERAS IN THE COCKPITS OF AIRCRAFT

Mr. DURBIN. Mr. President, I would like to address several topics that I think may be of interest to those who are following the debate in the Senate. One in particular has become a focal point of the news media across the United States and literally around the world. That was the crash of the EgyptAir aircraft just a few weeks ago and the loss of over 200 lives.

I find it interesting, as we try to piece together all the information to determine what happened in that aircraft disaster, how limited we are with

respect to investigative tools. We have the so-called black box which has the flight data information. We are poring through that to try to determine what was happening mechanically on that plane when it went down. Then we have the audio recording which is now the focus of all sorts of international speculation. We listen to that audio recording for sounds, for words, and then try to piece together this mystery to determine what happened in the cockpit of that plane which led to this loss of life.

This is more than just to satisfy curiosity. This investigation is being undertaken, as most are, to determine whether there is something we can or should do to change the way aircraft are maintained and flown to protect those who are passengers. These investigations are critically important. We often come up with information about a mechanical failure. We then set out to repair it. We decide that planes won't go back up in the air until that is taken care of. If there is human error—that will happen in most accidents—we at least get to the bottom of the equation and understand what is going on.

The thing I find absolutely incredible, in 1999, is that we are dealing with such primitive tools when it comes to investigating aircraft disasters. The idea of an audio recording in a cockpit goes back to the 1930s. That was the state of the art then. But today, technology is far more advanced and I would suggest that we need to update plane safety by putting a video camera in the new planes' cockpits so we can determine what is happening in a crash.

The obvious is not being used. If you walk into a bank, if you walk into most office buildings, a casino, a convenience store, or stand in front of an ATM machine, you will be on a video camera which will reflect your conduct and your activities. Think what a difference it would make today if there had been a video camera in the cockpit of the EgyptAir aircraft.

The obvious question is, Why haven't we done this? The technology is there. It is a question of will. It may be a question of legislation. That is why I have written not only to the head of the Federal Aviation Administration as well as the Department of Transportation and the National Transportation Safety Board, urging them to expedite this question about whether or not we can safely install a video camera in the cockpit of aircraft to make certain that if there is an accident, so that we have another tool available to determine the reason for the disaster. We wouldn't be involved in all this speculation with the people of Egypt about the utterance of a prayer and whether that meant this was a suicide mission or something far different if we had a videotape we could refer to. We could find out who was at the controls and what they did at those controls. We would have an obvious clear answer to the question.

As I went through this, I was amazed. I stopped and thought for a moment, why in the world are we still stuck with a tape recording of voices and sounds in the investigation of this aircraft disaster? I am urging my colleagues, those who feel as I do, to join me in this effort to make certain we bring the very best technology to the cockpits of aircraft, not only in the United States but those who serve the United States, so the day may come that if there is a disaster, we will have a final and complete answer, not just to satisfy curiosity but, even more important, to make sure passengers across the world can at least have some piece of mind knowing we have done everything we can to make airline safety our top and highest priority.

## CLOSING DAYS OF THE SESSION

Mr. DURBIN. In the closing days of this session—it is interesting—we have spent almost a year debating 13 appropriations bills. Now we are trying to bring them to a close. We have some six or seven bills that will finally be lumped together in a huge package which literally no single Member of the Senate will ever read.

It will come to the floor. And then weeks afterwards, when people pore through the details, they will call us in our offices and say: Did you know there was a paragraph in this bill which has an impact on some people or some businesses? In all honesty, we don't. We rely on our leadership and other appropriators. Frankly, we rely on a system that is flawed, a system that allows this to happen too often. It is an unfortunate system and, frankly, reflects the fact that this Congress has been very unproductive.

When Members of the Senate return to their homes and are asked by average families in their States, what did you accomplish to make life better for the families of America, we will be hard pressed to point to any significant thing we have done.

If we pay attention to the polling data of what Americans are worried about and what families are concerned about, we have missed the boat entirely. We have missed it entirely, when it comes to the question of the relationship between American families and their health insurance companies. Time and time again, when asked, these families respond that they are concerned about the fact doctors are no longer making decisions, nurses are no longer making decisions. Decisions are being made by insurance companies and their clerks.

We are down to the wire. Most of the major issues that are on the minds of the American public are being buried in this session of the Congress. Most of the bills, such as the Patients' Bill of Rights, that could have helped working families are being stifled and gutted. The Senate passed a bill several months ago which was an embarrassment. It was, in fact, a protection bill for the insurance companies. It didn't protect patients. It protected the CEOs of companies that are making literally millions of dollars off health care in America.

Over the steadfast opposition of the Republican leadership, the House of Representatives took a different course. They overwhelmingly approved, 275–151, a bipartisan bill with strong protections for all privately insured Americans. What a contrast. The Senate came up with an insurance version of the bill; the House came up with a version for American families.

Well, keep hope alive. Can there be a conference? Can we come together? Can we finally come up with a bill to protect American families? No. The honest answer is the Republican leadership in the House and the Senate refuse to convene the conference to come up with the bill and the House leadership has rigged the naming of conferees so that their conferees are all members who opposed the House passed bill. So we leave and close this session at the end of 1999 no better than when we started. We have nothing to say to the families across America when they ask whether we have taken any steps to protect them when it comes to their relationship with these insurance companies.

I am glad 68 Republicans in the House of Representatives broke from their leadership and voted with the Democrats for a real Patients' Bill of Rights. The bill the Senate passed on July 15 did absolutely nothing when it came to protecting Americans and dealing with their concerns about health insurance.

Let us take a look at some of the differences between the two bills introduced in the House and the Senate. This chart shows the Senate Republican bill and the bipartisan bill passed by Republicans and Democrats in the House of Representatives. It goes through a long litany of things American families tell us they want to see in their health insurance policies: protecting all patients, whether they are employed in a small or large business or bought their own insurance; the ability to hold plans accountable if they make the wrong decision about medical care; the definition of medical necessity; access to specialists; access to out-of-network providers—the list goes on and on—can a woman keep her OB/GYN as her primary care physician if that is the person with whom she is comfortable.

Some plans say no. Many women across America think that is a decision that should be made by them and their doctors. That is in this bill. And as we go through all of these, we find the bipartisan bill that passed the House of Representatives basically provides all these protections.

Look at the scant protections provided by the Senate Republican bill. You can see why many people across America think we have failed in our most important mission. The bill

passed by the Senate excluded more than 100 million Americans from basic protections of health insurance reform. Most of the provisions applied only to the 48 million Americans in big employer-sponsored plans. It failed to provide basic protection to millions of others.

In my State, Caterpillar Tractor Company's workers would have been covered by the Senate bill; Motorola's employees would have been covered. John Deere's would be covered. But America's small business employees would be left behind by the Senate Republican bill. A farmer in Macoupin County, IL, who pays for his own family's insurance, and pays a lot for it, wouldn't be safe from insurance abuses. Public school teachers, policemen, women, firemen, and so many others would be out of luck.

I will return to this in a moment. I will speak to another issue, which I believe the Senator from Massachusetts is going to address. That is the perilous situation we find ourselves in in the closing hours of the session when it comes to the critical question of fairness in organ allocation.

We have a situation across America where over 4,800 Americans die every year waiting for an organ transplant. There are people in your State and mine sitting by the telephone hoping for the call that tells them they have a chance to live. It is hard to believe this has become a political issue. In fact, it has. An effort by the Department of Health and Human Services to make organs available across America to those in need is being stopped by an organization and a special interest group that really has put profit ahead of human well-being. I hope we can address this and address it forcefully. Let it be known on a bipartisan basis that we want to take the politics and the special interests out of organ allocation, that our dedication is to the men and women and children sitting by those telephones waiting for word of the availability of an organ.

At this point, I yield the floor to my colleague from Massachusetts, Senator KENNEDY.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. How much time remains?

The PRESIDING OFFICER. Under the previous order, 9 minutes remain until the hour of 12.

## TICKET TO WORK AND WORK INCENTIVES IMPROVEMENT ACT

Mr. KENNEDY. Mr. President, today, the House of Representatives will take up one of the most important bills to come before this Congress, now labeled the Ticket To Work and Work Incentives Improvement Act, which is intended to move us closer to opening the workplace doors for the disabled in communities across the country.

It is a sad day when the U.S. Congress finds it necessary to attach a controversial provision to the legislation that could jeopardize the opportunity for large numbers of people with disabilities to fulfill their hopes and dreams of living independent and productive lives.

A decade ago, when Congress enacted the Americans With Disabilities Act, we promised our disabled fellow citizens a new and better life in which disability would no longer put an end to the American dream. Too often, for too many Americans, that promise has been unfulfilled. The Ticket To Work and Work Incentives Improvement Act is basically the legislation that Senator JEFFORDS of Vermont and I, Senator ROTH, and Senator MOYNIHAN urged the Senate to accept and had been accepted by the Senate by a 99–0 vote. Now the title is the Ticket To Work and Work Incentives Improvement Act, and it will dramatically strengthen the fulfillment of that promise.

We know that millions of disabled men and women in this country want to work and are able to work. But they are denied the opportunity, primarily because they lack the continued access to needed health care. As a result, the Nation is denied their talents and contributions to our community.

Eliminating the health care barriers to work will help large numbers of disabled Americans to achieve self-sufficiency and enable them to become equal partners in the American dream. The Ticket To Work and Work Incentives Improvement Act removes these unfair barriers to work that face so many Americans with disabilities. It makes health insurance available and affordable when a disabled person goes to work, or develops a significant disability while working; it gives people greater access to the services they need to become successfully employed; it phases out the loss of cash benefits as income rises, instead of the unfair sudden cutoff that workers with disabilities face today; it places work incentives in communities, rather than bureaucracies, to help workers with disabilities to learn how to obtain the employment services and support they need.

For far too long, disabled Americans have been left out and left behind. It is time for us to take the long overdue action needed to correct the injustices that have unfairly been placed upon those with disabilities. We should not have this legislation brought down by a controversial provision that does not belong in this bill—a provision that is effectively what they call around here a ''poison pill.'' A provision that endangers the legislation.

I want to say that for a time it looked as if we were going to see a successful achievement for this legislation, and I want to commend my colleague and friend, the Senator from Vermont, Mr. JEFFORDS, for his strong leadership, as chairman of our Human Resource Committee. He has worked long and hard for this legislation. If we are able to achieve it, his role in support of it and also in its development is enormously important.

On the unacceptable amendment that I had mentioned, it is the amendment which would effectively undermine the proposal of the Secretary of HHS on Final Rule for organ transplantation. There is an excellent editorial in the Washington Post, dated 11–17–99. It puts this issue in perspective. It says:

> Congress has not quite given up the year-long attempt to block rules that would make the Nation's organ transplant network more equitable. House leaders are maneuvering to undo a deal reached by conferees allowing the rules to go into effect, even threatening to block an unrelated authorization for research and training at children's hospitals if the organ rules are not further delayed.

This was written at a time when they were threatening to hold up the help and assistance that pediatric hospitals need to train pediatricians, to make sure that pediatric hospitals were going to be treated fairly and equitably, as other teaching hospitals.

There is broad and wide bipartisan support for the proposal to support teaching in pediatric hospitals. But that was going to be the messenger, and the poison pill was going to be the language which, as I understand, would be a part of the legislation that we will see later on in the day.

Let me continue with the Post editorial:

> The rules issuance last year touched off furious counter-lobbying by the supporters of the small local transplant centers who feared that a new system based more on finding the patients with the most urgent need, and less on keeping organs near home, would force small centers to close. Never mind if it also would save lives. Currently, when an organ becomes available, it is offered locally first and then regionally. That leads to situations in which people languish on long waiting lists in some places, while the wait in other regions is much shorter. The wealthy can get on multiple waiting lists and fly to wherever a liver or kidney becomes available. Since some 4,000 people a year die while waiting for an organ, you would think a proposal to purge the distribution system of some of its inefficiencies would have been welcome. Instead, local transplant centers turn to Congress, which twice attached riders to appropriations bills delaying the regulations' effective date. They also turned to State governments, many of which passed laws that bar and prevent organs from being transferred out of State. Finally, conferees reached a compromise that would delay the rules 6 more weeks, then let them go into effect.

Mr. President, that agreement was broken with the language that has been included on the disability legislation. By breaking that agreement, the lives of tens of thousands of desperately ill people are put at risk. Every year, thousands of people die while waiting for transplantation—and at least one person every day dies because the transplantation system is not equitable. The language included on the disability legislation violates fundamental fairness—the fairness of the bargaining process in which an agreement was reached between the

Secretary and the appropriators, and the fairness of the organ allocation system.

Mr. President, I will take only a moment or two more—because the time is moving on—to refer to the Institute of Medicine report, which really is the authoritative report on this whole issue. I will mention relevant parts of the institute report, and focus on the conclusion that the Institute of Medicine had on the whole question of developing rules on fairness for organ transplantation—the question of how to best address the moral issues and the ability of people to be able to be treated fairly under a system of organ distribution.

The Institute of Medicine's analysis shows that patients who have a less urgent need for a transplant sometimes receive transplants before more severely ill patients who are served by different OPOs. There is no credible evidence that implementing the HHS's recommendation would result in closure of smaller transplant centers.

Mr. President, that fear about the fate of small centers is the heart of the argument of those that have put on this rider. A rider that has no business being put on this legislation.

The Institute of Medicine analysis further found that there is no reason to conclude that minority and low-income patients would be less likely to obtain organ transplants as a result. Likewise, data does not support the assertion that potential donors and their families would decline to make donations because an organ might be used outside the donor's immediate geographical area.

The Institute of Medicine recommended that HHS—and this is on page 12 of the report—should exercise the legitimate oversight responsibilities assigned to it by the National Organ Transplant Act, and articulated in the Final Rule, to manage the system of organ procurement and transplantation in the public interest.

Federal oversight is needed to ensure that high standards of equity and quality are met. Those high standards of equity and quality were included in the Secretary's excellent recommendation. By tampering with those, we are undermining enormously powerful and important health policy issues. And this extremely controversial rider is added onto underlying legislation which is so important to millions of disabled individuals in our country. Individuals who thought—when this legislation moved through with very strong bipartisan support in the Senate, and then through the final months, has moved through the House of Representatives, and has the strong support of President Clinton, and has had the bipartisan support here in the Congress—thought that there was going to be a new day for those who have physical or mental challenges and disabilities to have the ability to participate in the workforce and become more productive, useful, active, and independent citizens in this country, and also to be able to contribute to the Nation in a more significant way.

I certainly hope we can work through this process because the legislation, which as I mentioned, has been completed and supported in a bipartisan way, is a lifeline to millions of Americans and deserves passage.

I see my friend and colleague, Senator JEFFORDS, who has been instrumental in having this legislation advanced. I am glad to see him on the floor at this time. I hope he will address the Senate on this issue.

## MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

The Senator from Vermont.

## EXTENSION OF MORNING BUSINESS

Mr. JEFFORDS. Mr. President, I ask unanimous consent that morning business be extended until 1 p.m. with the time equally divided in the usual form.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JEFFORDS. Mr. President, I thank the Senator from Massachusetts. I would be happy if he desires to more fully discuss what we have done. I was not here to hear his full speech. I thank him. We have worked together. He was here years before I came to the Senate. In 1975, we had the initial big step forward for the disabled and were able to set up the 94142, as it was called then, to make sure all children got a good education, and specially those with disabilities.

As we have walked through this over a period of many years, we have fought year by year to remove block by block what the disabled community has had to face. Finally, we are at that point where we are opening the final door to allow them to do what all disabled want to do, and that is to have a meaningful life, to be able to seek employment, and get employment without having the doors slammed because they lost their benefits.

I can't thank the Senator enough for what he has done. Also, there are others, some who have left this body, such as Bob Dole, who was another leader for the disabled. I praise him also for the work he did, and especially in this area where he helped us introduce the bill that we were so happy to be able to cosponsor and to see it put into the final steps.

I thank the Senator from Massachusetts profusely for all he has done. I would be happy to yield for any further comment.

Mr. KENNEDY. As I mentioned earlier, this has been a continuing process beginning with the passage of the Americans With Disabilities Act, when we put into law protections for the disabled so they wouldn't be discriminated against in the workplace based upon their disability.

As the Senator knows very well, that has been enormously important and has been effective. But as the Senator has pointed out, with this legislation complimenting what has been achieved with the Americans With Disabilities Act, we can open an entirely new dawn for millions who have some disability.

As we are getting closer to achieving that, I am sure the Senator agrees with me that when we finally have the President's signature on this, there will be people saying: What has taken them so long? This is such a commonsense approach. But as the Senator knows, this has been a battle every step of the way. There have been those who have felt that if we do this for this particular group, we might be establishing some form of precedent that may be used somewhere down the road, and worry if we know where it might lead.

There are a number of strong negative voices out there. Nonetheless, I think with the leadership of the Senator from Vermont and others—he mentioned certainly Senator Dole, Senator Weicker, and our good friend on our human resources committee, TOM HARKIN, who is generally recognized in this body as one of the real authorities on disability issues—this has been a common effort of this institution. It is an area of public policy where this institution has done what it is challenged to do; and that is to find common ground in a bipartisan way to address a common concern that affects millions of Americans and make progress on it.

I again thank the Senator from Vermont for the opportunity to work with him. We still have a ways to go to make sure the legislation actually reaches the people and addresses the regulations in the way it is intended. But I think this is going to be enormously important—and I hope soon to finally have the President's signature on this legislation. We are much closer today than we have ever been in the past.

I join with the Senator to thank him for his good work. We hope to see that this is actually put into place and implemented so it will benefit those that it should benefit.

I thank the Senator.

Mr. JEFFORDS. Mr. President, again, I thank the Senator from Massachusetts for those comments and for all the work he has done.

I am delighted to stand before you today, to speak about an extremely important piece of legislation. The bill we are sending to the President today, a bill I know he is eager to sign into law, will have a tremendous impact on people with disabilities. In fact, this legislation is the most important piece of legislation for the disability community since the Americans with Disabilities Act.

My reason for sponsoring this particular piece of legislation is quite simple. The Work Incentives Improvement Act of 1999 addresses a fundamental flaw in current law. Today, individuals with disabilities are forced to make a

choice . . . an absurd choice. They must choose between working and receiving health care. Under current federal law, if people with disabilities work and earn over $700 per month, they will lose cash payments and health care coverage under Medicaid or Medicare. This is health care coverage that they need. This is health care coverage that they cannot get in the private sector. This is not right.

Once enacted, the Work Incentives Improvement Act of 1999 will allow individuals with disabilities, in states that elect to participate, continuing access to health care when they return to work or remain working. In addition, those individuals who seek it, will have access to job training and job placement assistance from a wider range of providers than is available at this time. Currently, there are 9.5 million individuals with disabilities across the country who receive cash payments and health care coverage from the federal government. Approximately 24,000 of these individuals live in my home state, Vermont. Once enacted, the Work Incentives Improvement Act will actually save the federal government money. For example, let's assume that 200 Social Security disability beneficiaries in each state return to work and forgo cash payments. That would be 10,000 individuals out of the 9.5 million individuals with disabilities across the country. The annual savings to the Federal Treasury in cash payments for just these 10,000 people would be $133,550,000! Imagine the savings to the Federal Treasury if this number were higher. Clearly, the Work Incentives Improvement Act of 1999 is fiscally responsible legislation.

I began work on this bill in 1996. Though it was a long and sometimes difficult task, many hands made light work. Senator KENNEDY, Ranking Member on the HELP Committee, joined me in March of 1997. Senators ROTH and MOYNIHAN, Chairman and Ranking Member on the Finance Committee signed on as committed partners in December of 1998. Last January, 35 of our colleagues, from both sides of the aisle, joined us in introducing S. 331, the Senate version of this legislation. One week later, in a Finance Committee hearing, we heard compelling testimony from our friend, former Senator Dole, a strong supporter of this legislation. A month later, we marked this legislation out of the Finance Committee with an overwhelming majority in favor of the bill. Finally, on June 15th, with a total of 80 cosponsors, we passed this legislation on the floor of the United States Senate, with a unanimous vote of 99–0.

Four months later, over 35 of our colleagues in the House of Representatives, took to the floor of their chamber, and spoke eloquently for their version of this legislation. Later that day, the bill passed the floor of the House with a vote of 412–9. Since then, the Senate and House Conferees have been working diligently in effort to reach common ground. I am very pleased today, that the differences in policy in the two different bills have been resolved and consensus has been reached on a conference agreement. This agreement does not compromise the original intent of the legislation, retaining key provisions from S. 331.

From my perspective, the Work Incentives Improvement Act of 1999 represents a natural and important progression in federal policy for individuals with disabilities. That is, federal policy increasingly reflects the premise that individuals with disabilities are cherished by their families, valued and respected in their communities, and are an asset and resource to our national economy. Today, most federal policy promotes opportunities for these individuals, regardless of the severity of their disabilities, to contribute to their maximum potential—at home, in school, at work, and in the community.

I have been committed to improving the lives of individuals with disabilities throughout my Congressional career. Providing a solid elementary and secondary education for children with disabilities, so that they will be equipped, along with their peers, to benefit from post-secondary and employment opportunities is crucial. When I came to Congress in 1975, Public Law 94–142, the Education for all Handicapped Children Act, now the Individuals with Disabilities Education Act (IDEA), was enacted into law. IDEA assures each child with a disability, a free and appropriate public education. I am proud to be one of the original drafters of this legislation which has reshaped what we offer to and expect of children with disabilities in our nation's schools.

In addition, I have been committed to providing job training opportunities for individuals with disabilities. In 1978, I played a central role in ensuring access to programs and services offered by the federal government for individuals with disabilities through an amendment to the Rehabilitation Act. I believe that this amendment alone laid the foundation for significant legislation that followed, including the Technology-Related Assistance for Individuals with Disabilities Act of 1988, now the Assistive Technology Act of 1998, both of which I drafted. Most importantly, this legislation opened the doors for the most comprehensive piece of legislation of all, the Americans with Disabilities Act of 1990. This legislation prohibits discrimination on the basis of disability in employment, public services, public accommodations, transportation, and telephone service.

These laws have forever changed the social landscape of America. They serve as models for other countries who recognize that their citizens with disabilities are an untapped resource. In our country, individuals with disabilities are seen everywhere, doing everything. Just this past weekend, thousands of physically disabled individuals participated in the New York City Marathon, as they have been doing for years. The expectations that these people set for themselves and the standards we apply to them have increasingly been raised, and now in many circumstances equal those set and applied to other individuals.

Unfortunately, one major inequity remains. That is, the loss of health care coverage if an individual on the Social Security disability rolls chooses to work. Individuals with disabilities want to work. They have told me this. In fact, a Harris survey found that 72 percent of Americans with disabilities want to work, but only one-third of them do work. With today's enactment of the Work Incentives Improvement Act of 1999, individuals with disabilities will no longer need to worry about losing their health care if they choose to work a forty-hour week, to put in overtime, or to pursue career advancement. Individuals with disabilities are sitting at home right now, waiting for this legislation to become law. Having a job will provide them with a sense of self-worth. Having a job will allow them to contribute to our economy. Having a job will provide them with a living wage, which is not what one has through Social Security.

In addition to continuing health care coverage and providing job training opportunities for individuals with disabilities, this legislation offers many other substantial long-term benefits. The Work Incentives Improvement Act of 1999 will give us access to data regarding the numbers, the health care needs, and the characteristics of individuals with disabilities who work. Furthermore, this legislation will provide the federal government as well as private employers and insurers, the facts upon which to craft appropriate future health care options for working individuals with disabilities. It will allow employers and insurers to factor in the effects of changing health care needs over time for this population. Hopefully, it will even improve the way in which employers operate return-to-work programs. Through increased tracking of data, we will learn the benefits of intervening with appropriate health care, when an individual initially acquires a disability. We will also learn the value of continuing health care to a working individual with a disability. If an individual, even with a severe disability, knows that he or she has access to uninterrupted, appropriate health care, the individual will be a healthier, happier and thus more productive worker.

I would like to take the time now to briefly outline the major provisions which have remained as part of this legislation. The conference agreement retains the two state options of establishing Medicaid buy-ins for individuals on Social Security disability rolls, who choose to work and exceed income limits in current law, as well as for those who show medical improvement, but still have an underlying disability.

For working individuals with disabilities, the conference agreement extends access, beyond what is allowed in current law, to Medicare. In addition, the legislation before us today retains several key provisions from S. 331, including, the authority to fund Medicaid demonstration projects to provide access to health care to working individuals with a potentially severe disability; the State Infrastructure Grant Program, to assist states in reaching and helping individuals with disabilities who work; work incentive planners and protection and advocacy provisions; and finally, most of the provisions in the Ticket to Work Program.

In order to control the cost of this legislation, compromises were made. Although the purpose of the State Infrastructure Grant Program and the Medicaid Demonstration Grant Program remain the same, the terms and conditions of these grants were altered in conference. As a result, states are not required to offer a Medicaid buy-in option to individuals with disabilities on Social Security, who work and exceed income limits in current law, prior to receiving an Infrastructure or a Medicaid Demonstration Grant.

Also in Conference, the extended period of eligibility for Medicare for working individuals with disabilities has been changed from 24 to 78 months. During this extended period, the federal government is to cover the cost of the Part A premium of Medicare for a working individual with a disability, who is eligible for Medicare. S. 331 would have extended such coverage for an individual's working life, if he or she became eligible during a 6-year time period.

I would like to note two changes to the Ticket to Work program made during Conference. The new legislation shifts the appointment authority for the members of the Work Incentives Advisory Panel from the Commissioner of Social Security to the President and Congress. In addition, language regarding the reimbursements between employment networks and state vocational rehabilitation agencies was deleted in Conference. The new legislation gives the Commissioner of Social Security the authority to address these matters through regulation.

Although several changes have been made from the original Work Incentives bill, I am still very pleased with what we are adopting today. This is legislation that makes sense, and it will contribute to the well-being of millions of Americans, including those with disabilities and their friends, their families, and their co-workers. Today's vote provides us the opportunity to bring responsible change to federal policy and to eliminate a misguided result of the current system—if you don't work, you get health care; if you do work, you don't get health care. The Work Incentives Improvement Act of 1999 makes living the American dream a reality for millions of individuals with disabilities, who will no longer be forced to choose between the health care coverage they so strongly need and the economic independence they so dearly desire.

In closing, I would like to thank the many people who contributed to reaching this day. I especially thank the conferees, Majority Leader LOTT, Senators ROTH and MOYNIHAN, and in the House, Majority Leader ARMEY, and Congressmen ARCHER, BLILEY, RANGEL, and DINGELL. I also thank their staff who worked so closely in effort to reach this day. From my staff, I thank Pat Morrissey, Lu Zeph, Leah Menzies, Chris Crowley, and Kim Monk. I want to recognize and extend my appreciation to the staff members of my three fellow sponsors of this bill; Connie Garner in Senator KENNEDY's office, Jennifer Baxendell and Alexander Vachon with Senator ROTH, and Kristen Testa, John Resnick, and Edwin Park from Senator MOYNIHAN's staff. Finally, I wish to thank Ruth Ernst with the Senate Legislative Counsel for her drafting skill and substantive expertise, her willingness to meet time tables, and most of all, her patience.

In addition to staff, we received countless hours of assistance and advice from the Work Incentives Task Force of the Consortium for Citizens with Disabilities. These individuals worked tirelessly to educate Members of Congress about the need for and the effects of this legislation.

Finally, I would like to urge my colleagues in both chambers to set aside any concerns about peripheral matters and to focus on the central provisions of this legislation. Let's focus on what today's vote will mean to the 9.5 million individuals with disabilities across the nation. At last, these individuals will be able to work, to preserve their health, to support their families, to become independent, and most importantly, to contribute to their communities, the economy, and the nation. We are making a statement, a noble statement and we must do the right thing. Let's send this bill to the President.

Thank you, Mr. President.

Mr. DURBIN. Mr. President, under the unanimous consent agreement, how much time remains in morning business?

The PRESIDING OFFICER (Mr. BENNETT). We are in morning business until 1 o'clock, with the time equally divided between the two sides.

Mr. DURBIN. The remaining time on the Democratic side?

The PRESIDING OFFICER. Twenty-six minutes.

## LEGISLATIVE LANDFILL

Mr. DURBIN. Mr. President, as we reflect at the end of this legislative session on our accomplishments, it is my belief that there are very few things we can go back home to tell the American people we achieved.

100 Senators and 435 Members of the House of Representatives came to Washington, DC, at the beginning of the year and listened closely to President Clinton's State of the Union Address where he outlined a program and some objectives, many stood and cheered. The applause lines were frequent during the course of that speech. People of both political parties left the State of the Union Address saying they were now energized and invigorated to go forward and address the issues facing America, and we began the legislative process.

For me, it is the 17th time I have been through this. It is hard for me to remember another session of the Congress as unproductive as this session of the Congress. When it came to issues that the people and families across America care about, this Congress refused to do anything. This wasn't a titanic struggle between the Republican conservative agenda and the progressive agenda of the Democrats where we brought issues to the floor and fought over amendments from one side to the other. That is what we are supposed to see on Capitol Hill. That didn't happen because there was no agenda on the other side. The Republican leadership had no agenda.

Recently, a Republican Congressman said we considered this year a ''legislative timeout.'' When timeouts occur during the course of an NFL football game, most people leave the room and go to the refrigerator; if America's families had left the room and gone to the refrigerator, they would have spent a lot of time there this year if they were waiting for Congress to do something. We didn't do it. We didn't respond. Now we have to go home, as we should, and explain it.

Let me state some of the issues we failed to act on this year, issues that make a difference to families across America. The Patients' Bill of Rights: The relationship of a person, a family, a business, to their health insurance company. That is pretty basic. When we asked America's families, they said that is the No. 1 concern. We want to make certain, when we go in a doctor's office, that the doctor makes the decision, not some clerk at an insurance company off in Topeka, KS.

I know from my experience in Illinois, as most others know from their own personal experiences, many times doctors are being overruled. I can recall a doctor who said to me a mother came in the office with an infant and the baby had been complaining of a headache on the right side of his head for several months. The doctor asked if it was always complaining about one side of the head, and the mother said yes. The doctor thought: I had better take an MRI to see if there might be a brain tumor. Before he said that to the mother, he looked at her file for the name of her insurance company. He said, excuse me, left the room, got on the phone and called the insurance company. He said: The mother presents herself with an infant complaining of headaches for several weeks and

months on one side of the head. It is my medical decision and opinion we should have an MRI to determine whether there is a possibility of a brain tumor.

The voice on the other end of the phone said: No; no. The insurance company that pays for the bills declines that procedure.

That doctor had to walk back to that room and not even tell the mother what had happened. He was bound by his contract not even to disclose that his medical judgment had been overruled by an insurance company clerk.

That is the state of health care in America. Families who go into those doctors' offices, confident the patient-doctor relationship is a sacred one that can be trusted, are beginning to think twice. They appeal to Members of Congress, Democrats and Republicans: Do something; restore our faith in our medical system. Restore quality health care. Pass a Patients' Bill of Rights.

No, not in this Congress. This Congress and the Senate on July 15 passed a bill friendly to the insurance companies—as if they needed another friend on Capitol Hill—a bill which, frankly, didn't address the most basic issues families worry over every single day.

I won't even get into the question of expanding medical insurance coverage. We wouldn't even utter those words on Capitol Hill for fear it might bring down charges of radicalism, the idea that the 44 million uninsured Americans who grow in number every year might have their Government care enough to do something. We are not in that business with the Republican-controlled Congress. We don't talk about those things—like the aunt who is somewhere off in the distance, never referred to by a family.

We don't talk about medical coverage for all Americans. Families talk about it. Families talk about their kids turning 23 years of age, coming off the health insurance policies of their moms and dads, and whether they have a chance to be covered. Families talk about whether or not someone with a preexisting condition can find insurance in this country. We don't talk about it in Congress, no. The insurance companies don't want Members to talk about it. The special interests ruled this session of Congress.

We see in the Republican legislative landfill of the 106th Congress the Patients' Bill of Rights, an issue we failed to address.

The nuclear test ban treaty: Just a few weeks ago, possible one of the worst decisions made by Congress in a decade, a decision to turn down a treaty where the United States not only would have the moral leadership in the world but enact a treaty that backs it up and says to countries around the world: If you are not a nuclear power, don't become one. If you have nuclear weapons, don't test them. Let's stop this nuclear arms race in place.

This nuclear test ban treaty failed in the Senate on a largely partisan vote. It was a sad day for America. It was a sad day for a country which has tried to lead the world and say to countries such as India and Pakistan, stop what you are doing, don't keep this arms race going and develop nuclear weapons that could mushroom into a war that would destroy not only people in those two countries but in many other nations. This Congress, this Senate, failed to enact a nuclear test ban treaty.

We failed to enact any legislation to deal with school construction. Take a look at the numbers: There will be more kids showing up for classes in the next 10 years than we have been serving in the last 10 or 20 years. Those kids need teachers, they need classrooms, they need modern schools, schools where they have the electricity to make certain they can sustain the computer technology, schools that are safe, schools where kids have a positive learning environment. When the President made this proposal for school construction, it was greeted with disbelief and disapproval on the other side of the aisle. We have done nothing in this session of Congress to deal with school construction.

Campaign finance reform: Is there a more basic issue for the future of Congress? Will we ever change the current system which has become a bidding war among special interests where Members of the Senate such as myself literally have to be on the phone day and night, begging for money for a campaign that costs millions of dollars? If you are not independently wealthy and cannot write a big check to sustain your own campaign in the Senate, you spend most of your time begging for money. Is that what Americans want in the Senate or the House of Representatives? I don't think so.

A bipartisan bill—Senator JOHN MCCAIN, a Republican, of Arizona, and Senator RUSS FEINGOLD, a Democrat from Wisconsin—said we can clean up this system, but this Congress failed to enact meaningful campaign finance reform. Only 55 Senators—45 Democrats and 10 Republicans—came forward in support of this most basic change in reform.

As part of the legislative landfill of the 106th Congress, Republicans were successful in not passing campaign finance reform.

Minimum wage increase? The minimum wage in this country is $5.15 an hour. When you calculate that out, it means a little over $10,000 a year in income. Can any of us consider a life on $10,000 a year and what it would mean? Keep in mind, these are men and women who get up and go to work every single day and make $5.15 an hour. Inflation eats away at it, at a wage that was already too low to be livable. We tried this year to increase the minimum wage by 50 cents an hour each year over the next 2 years, saying it is only fair that working men and women have that help from their Government. We were resisted on the Republican side of the aisle. Ultimately, they came up with their own package. They do not do it over 2 years; they do it over 3 years, which costs those wage earners $1,200 a year in income to take that approach. Mr. President, $1,200? You might say that is not that big a deal. It is if you are making $10,000 a year; it is a very big deal.

The Republican approach representing special interests in stopping the minimum wage increase prevailed. They also added in there some tax breaks that, frankly, cannot be taken seriously because they did not pay for them. There we have it—the minimum wage issue into the landfill.

This is one you will remember, the juvenile crime control bill. You will remember it because it came up right after Columbine High School. It was an effort by the Senate to pass a sensible gun control law. When the final vote was cast, it was 50–50. Vice President Al Gore came to the floor, broke the tie, and we enacted the bill which said as follows: When people buy guns at gun shows, we want to know if they have a history of violent mental illness or a criminal record.

In an effort to keep guns out of the hands of criminals and kids, we passed a sensible gun control measure, sent it across the Rotunda to the House of Representatives, where it literally died because the National Rifle Association and the gun lobby decided they did not want to pass any gun control bills this session. This Nation, which was shocked by the occurrences at Columbine and so many other schools, had a chance to pass sensible gun control legislation and failed. We will go home now to face our constituents, many of whom live in cities where gun violence is a commonplace occurrence, and have to tell them this Congress failed to pass any sensible gun control legislation.

Smaller class size—thank goodness the President prevailed in his negotiations. The President's goal, and one I share, is to reduce class size in the early grades so quality teachers can meet with kids right when they are starting their education and help them along. You take the kids who are the best and the brightest and you give them the biggest challenges. You take those who may be suffering from some learning disability, you diagnose their problem and try to deal with it at an early age. You take the kids who do not learn as quickly and give them special attention. For teachers to achieve that, they need smaller class sizes. If you put 30 kids in a classroom, the teacher is lucky to maintain discipline, let alone meet the special needs of individual students.

So the President said, and I agree: We need to focus 100,000 teachers into reducing class size across America. Until a few days ago, the Republicans had opposed this. Finally, the President prevailed. Finally, we are moving forward on this initiative which we started last year that serves school districts all across America, not just in

the cities but in the towns and suburbs alike.

Look at the efforts to help family farmers. We finally came through with that on a bipartisan basis. It is one of the things we achieved this year. But it begs the question, to leave it at that, because next year if we do not change the basic Federal farm policy, the so-called Freedom to Farm Act, we are going to see a rerun, unfortunately, of what we saw this year—farmers literally struggling to survive. As prices across the world have plummeted, they cannot make a decent income.

In my home State of Illinois, a State that has a very strong farm sector, just a few years ago the average net farm income for a farmer was about $48,000 a year. This year it will be about $25,000. That is about half. But $13,000 of the $25,000 will come from Federal payments. The other about $12,000 will come in farm operations. We cannot sustain a farm economy where half the income of farmers in Illinois and Minnesota or Nebraska comes from the Federal Treasury. The law has to be changed, and this year we did not take up a change in the law as we should have.

The last point I would like to make before I yield to my colleague from Minnesota is this. The Patients' Bill of Rights is an issue we have to return to as the highest priority in the next Congress. When you consider the lives of people who are dependent on this action, you understand the severity of it. I will tell one quick story.

Take a look at this little girl here. She is Theresa. She lives in Yorkville, IL. Her dad is a police officer and her mom stays at home to look after her. She suffers from a rare disease known as spinal muscular atrophy. It is a very debilitating disease. As you can see, she is on a ventilator, and I met a couple of kids just like this. This is what her mother says:

> She was hospitalized from September 2nd last year until February 15 of this year due to fighting the insurance company for certain provisions we could not do without in our home.
>
> We had to fight and fight with the insurance company for things the doctors had said were needed [for Theresa.] So we fought for 2½ months. We eventually did get everything that we needed, except it was a very long battle.

Can you imagine having your family separated that long because the insurance company did not want to help?

> Theresa caught RSV in the hospital while we were waiting for the appeal to go through. That is why she now has [a ventilator and tracheotomy.]

That is a real life family. Theresa's dad is a policeman. Theresa and her family would not be protected by the Republican version of the Patients' Bill of Rights. They would not have the benefit of an appeals process in a timely fashion so they could get a good answer, a sensible medical answer for this little girl. Instead, they are embroiled in month after month of weary debate with the insurance company. That is health care in America for too many American families. This Congress has failed, utterly failed to address this critical issue.

I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky is recognized. We are going from side to side.

Mr. WELLSTONE. I thank the Chair. I wonder if I can ask unanimous consent to follow the Senator from Kentucky?

Mr. INHOFE. Reserving the right to object, I inquire of the Chair, it is my understanding we had until the hour of 1 o'clock equally divided. I ask how much time is remaining on each side?

The PRESIDING OFFICER. On the Republican side, there are 22 minutes 37 seconds. On the Democratic side, there are 9 minutes 33 seconds.

Mr. INHOFE. I thank the Chair.

The PRESIDING OFFICER. Without objection, the Senator from Minnesota will be recognized following the Senator from Kentucky.

## THE TICKET TO WORK AND WORK INCENTIVES IMPROVEMENT ACT

Mr. BUNNING. Mr. President, I rise in strong support of the work incentives and ticket to work legislation. This is a day I have looked forward to for a long time.

It is a great day for the disabled in America. By passing this legislation, we are going to make it easier for them to return to work and become self-sufficient. We are going to give those who want to try to return to work the tools they need to support themselves and to escape from the dependency on a monthly Government check.

For years, the Social Security disability program has provided a vital safety net to assist those who fall on hard times and need help when they become sick or injured and cannot support themselves. It has done this job well. But for the many disabled people who have wanted to return to work and could be able to work, the disability program has not worked as well. It has not properly equipped them to return to the workforce. It has not given them the tools they need to move off the disability rolls. In fact, fewer than 1 percent of those who go on the disability rolls—that is currently 4.5 million people—never return to work because the program does not provide an adequate support network or resources for these Americans to move back into the workforce.

For these disabled people, the disability program has become a black hole. Once they fall in, they cannot escape. The bill we hope to pass today or tomorrow finally gives these Americans new hope, the ladder they need to climb out of that hole. The Ticket To Work and Work Incentives Improvement Act modernizes the disability program and moves it into the modern age and provides more options for the disabled who want to work. It provides them with a ticket that can be used to help acquire skills to reenter the workforce.

Under the old system, these workers had only one option if they wanted to return to work; they had to work through their State vocational rehabilitation programs. This option will still be open to them, but now they will also be able to use their ''ticket'' to go to other provider networks and employers to obtain skills and jobs. In short, the ''ticket'' expands opportunity for training and choices for rehabilitation for the disabled, and gives them the ability to tap into the power of the free market.

This legislation also addresses the most pressing need for most of those who want to leave the disability rolls and return to work—the availability of adequate health care. Many of these potential workers continue to require a high degree of medical care even after they return to work. Obtaining this care—and paying for it—is often a high hurdle to cross, especially for those who move back to the workplace in entry and lower-level positions. Under the bill we are dealing with today, we expand continued Medicare coverage for the disabled and also increase Medicaid funding to the States to help them address the problems.

All in all, this bill is win-win. It is a winner for the disabled community and a winner for the American taxpayers and all of us who pay Social Security taxes. The Congressional Budget Office tells us that for every 1 percent of disability recipients who return to work, the Social Security disability trust fund saves $3 billion. That is serious money. If this legislation only works partly as well as we expect, it will make a tremendous difference for the future of the trust fund and our ability to look after the neediest Americans.

It's been almost 5 years since Congress began looking into problems with the disability program. In 1995, when I was the chairman of the House Social Security Subcommittee, we began holding hearings on possible changes we could make to Social Security to help the disabled. After those hearings, former Congresswoman Barbara Kenelley and myself wrote reform legislation that passed in the House in 1998 by a vote of 410–1. While my bill died in the Senate last year because Senator KENNEDY put a hold on my bill and some shenanigans by the White House, it is at the core of the legislation we are passing today and I am very proud of that. We have worked very hard to make sure the ticket-to-work portion of this reflects the bill that passed the House last year 410–1.

This is a good bill, and I urge my colleagues to support it. It will truly make a difference for many Americans who need it the most, and I think it will stand as one of the most significant pieces of legislation to pass during this Congress.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Minnesota is recognized.

## NORTHEAST DAIRY COMPACT

Mr. WELLSTONE. Mr. President, in a while—though it is not clear when—it is my understanding that Congressman OBEY from Wisconsin—and I see Senator FEINGOLD from Wisconsin on the floor right now—is in the House with any number of different motions to adjourn before this conference report is acted upon.

We will eventually get this huge omnibus conference report. Those of us from the midwest dairy States are indignant about what has been done. It goes beyond dairy. Later on, believe me, we are going to have plenty of time to talk about dairy farmers. We are going to talk about what it means to dairy farmers, what it means to our States, and what it means to the country when, in a conference committee, provisions that extend the Northeast Dairy Compact and also block what Secretary Glickman was trying to do with the milk marketing order reform are put into the overall bill.

What I want to focus on is the process. To focus on the process, one might say, is a little bit too inside Washington politics, but I do not think so because actually, I say to my colleagues, Democrats and Republicans alike, this is, in a way, what makes people most distrustful of what we do.

By the way, I am not going to argue that everything we do should be looked upon with suspicion by citizens. I am not going to engage in an across-the-board indiscriminate bashing of the whole political process. But I will say, if people do not believe in the process, they do not believe in the product.

Again, what has happened, in all due respect to the negotiators, is by not getting the work done on these appropriations bills and by putting all of this into an omnibus bill, we have had a few people negotiating. If the majority party in a conference committee wants to roll the minority party, they can do so. That is what they have done in the House by basically putting in this provision that extends the Northeast Dairy Compact and blocks the milk marketing order reform.

We had a vote on this in the Senate. We voted against extending the dairy compact. It was a square and fair debate and vote. Then, in a conference committee, completely unrelated to the appropriations bills, completely unrelated to what the scope of the conference committee was supposed to be, these provisions were put back in the bill in the dark of night. House Majority Leader ARMEY announced they had done it, and Senate Majority Leader LOTT announced the provision was in. There was never debate and discussion. They tucked into the conference report this huge monstrosity of a bill that hardly any of us have had a chance to read yet, which will be coming over here sometime.

I come to the floor to say to Congressman OBEY in the House: I applaud your efforts. What we have is raw politics—just get this through. That is what they have done with this Northeast Dairy Compact. They could not do it on the floor of the Senate. They stuck it in a conference report. They did it in the dead of night. They did it outside any public scrutiny. And now they present it to us in a conference report as a fait accompli. They set up a continuing resolution that goes into next week.

They figure out ways of jamming people, and it is unclear as to what leverage we have left. But, as Congressman OBEY is doing in the House, I am sure those of us who are from Wisconsin and Minnesota in the Senate intend to speak out. We intend to be very clear about what has happened, and we will do all we can as Senators. We will go from there.

I say to my colleagues that almost as much as the final product, I came to the floor of the Senate to strongly dissent from the way it was done.

I understand the rules. I understand what it is all about when people have figured out a way to roll Senators. I think that is what the majority leader, the Senate majority leader, and House Majority Leader ARMEY have done. I think that is what the Republicans have done in this conference committee. There is no question about it.

But I want people in Minnesota to know that we will continue to speak out about this, even as we see less and less opportunities for our leverage. We will fight in whatever way we can. We will certainly not be silent about this.

When this bill comes over, I would think, I say to my colleague from Wisconsin, Senator FEINGOLD, we can probably expect a considerable amount of discussion about not only the impact on dairy farmers and what it is going to mean for a lot of people who are going to go under who are already struggling enough, but I think also, I say to Senator FEINGOLD, who has been such a reformer, the way it has been done, the whole process, which I think is profoundly antidemocratic, with a small ''d''—not up-or-down votes, late at night, tucked into a report; by whom, when, how, not at all clear, and then design rules in such a way you can just roll it through—we will certainly be speaking out loudly and clearly about it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

## A PRODUCTIVE SESSION AND ISSUES FACING AMERICA

Mr. INHOFE. Mr. President, while presiding and listening to some of my distinguished colleagues talking about the lack of productivity of this session of the legislature, there are a few things that were very productive and that we can be very proud of when we go home and say we were able to get certain things done.

Before doing that, though, and to ensure I get one point out before using up the time that is allotted, the distinguished Senator from Illinois named a number of issues that he thought were somewhat disgraceful—for example, the fact that we do not have more gun control legislation.

Maybe because of my roots back in Oklahoma, I find it very difficult to understand this mentality, that somehow guns are the culprit as opposed to the people, and somehow that honest, law-abiding Americans should have to be disarmed, should have to give up their guns, while the criminal element would not be giving up their guns.

Time and time again, every survey that has been done, every study that has taken place, has come to the conclusion that the problems that we have are of a criminal element. There are people out there who are not getting adequately punished, and they will continue to have firearms.

I will just make one statement. It seems incredibly naive to me anyone could believe that if we pass a law that makes it illegal for all citizens to own guns, somehow the criminal element, who by their very definition and nature, are criminals, will comply with the law.

Also, it seems very frustrating to me that we have a President of the United States who wants to have all kinds of legislation to take away guns from law-abiding citizens and at the same time turns 16 terrorists loose on the streets of America; that we have a President of the United States who will make speeches—as this President made some 133 times, including in two State of the Union Messages—that now, for the first time in contemporary history, the first time since the dawn of the nuclear age, there is not one—I repeat, not one—missile aimed at American children tonight. When he made that statement, he knew full well that in at least one country, China, there were a minimum of at least 13 American cities that were targeted at that very moment. So we are living in a very dangerous world.

I listened to the concerns that we have on the nuclear test ban treaty. As chairman of the Readiness Subcommittee of the Senate Armed Services Committee, I would like to kind of lead into that to at least explain to thinking people that we did the right thing by not unilaterally disarming with the Comprehensive Test Ban Treaty, which is not verifiable.

First of all, I can say—and I do not think anyone can challenge this statement—we are now in the most threatened position that we have been in, in the history of America. By that, I mean for things that have happened in the last 7 years in three broad categories.

First of all, we have a President of the United States who, through his veto messages, starting in 1993 in vetoing the defense authorization bills, and then succeeding bills since that

time, has done so, so that we would have to cut down the size of our military, so that we now have ended up having a force strength of one-half of what we had in 1991 and 1992 during the Persian Gulf war.

It is not a matter of the President vetoing defense authorization bills and taking money out of our defense system to put into his favorite domestic social programs, but at the same time he has deployed our troops to places all over the Earth where we have no national security interests. So now we have troops in Bosnia.

I remember in December of 1995, when we were on the floor trying to pass a resolution of disapproval, to stop the President from sending our rare military assets to places such as Bosnia. We lost it by three votes. The President said: Let me do this. If we defeat this resolution, and if we get to send troops into Bosnia, I promise they will be home for Christmas 1996. Here we are. We are getting close to Christmas 1999 and the troops are still not home. There is no end in sight.

We have the same thing in Kosovo. We have had serious problems. I have gone over to Kosovo, I am sure, more than any other Member has, only to find out this is a war that has been going on for 600 years, a war where the two sides alternate in who is the good guy and who is the bad guy. Ethnic cleansing has taken place historically for 600 years on both sides; both on the Serbian side and the Albanian side.

So it was a horrible awakening I had when I was over there, right after we went in there with cruise missiles, where we had refugees in different places such as Tirana, Albania. I can remember walking through the refugee camp. The people were well cared for. They were doing quite well. But then they looked at me and said: When are you and America going to do something about our problem?

I said: What is your problem?

They said: Well, we're refugees.

I said: Why should we in the United States be as concerned about that as other countries?

They said: Because it is because of you that we are refugees. It is because the ethnic cleansing was not accelerated until the time that the bombs started being dropped on that town.

So we now have a weakened defense system because we have starved it into a degree of weakness. Yet we are living in a time when virtually every country has weapons of mass destruction.

And now we find out that in conventional warfare we are not superior anymore. Wake up America. We are not superior anymore. We found out the other day that two of our Army divisions are ranked as C–4, which means they are not capable of combat. And what are these divisions? These divisions are the 10th Army Mountain Division in Bosnia and the 1st Infantry Division in Kosovo.

It is not the fault of our troops. They are put in places and they no longer have combat training, so they are not capable of combat without coming out of there and training for at least 6 months.

So if we are down to 10 Army divisions because of this President, and 2 of them are rendered incapable of combat, that is 8 Army divisions. We had 19 during the Persian Gulf war. So that is what has happened to our military.

Just the other day I was very proud of Gen. John Jumper, who had the courage to stand up and say publicly that we are no longer superior in air-to-air and air-to-ground combat. Our strategic fighters are not superior to those others on the market. He stated the SU–35, as made by the Russians, is on the market right now, the open market. It is for sale. Anyone can buy it—Iraq, Iran, Syria, Libya, anybody else—and it is better than anything we have, including the F–15 and the F–16.

We have to face up to this. It is a threat from the conventional side as well as from missiles.

I will make one comment about the missiles. Again, we hang this on President Clinton. In that same veto message in 1993, President Clinton said: I'm vetoing this bill. And I'm vetoing it because it has money in it for a national missile defense system, which we do not need because there is no threat out there. Yet we knew from our intelligence that the threat would be there and imminent by fiscal year 1998. And sure enough, it was.

So here we are with the combination of all these countries out there that have every kind of weapon of mass destruction: Biological, chemical, or nuclear. Yet we have countries such as China and Russia and now North Korea that have the capability of delivering those warheads to anywhere in America right now, when we are in Washington, DC. They could fire one from North Korea that would take 35 minutes to get here. There is not one thing in our arsenal to knock it down because this President vetoed our national missile defense effort.

Now the American people have awakened to this, and we have enough Democrats who are supporting Republicans to rebuild our system and to try to get a national missile defense system deployed. Unfortunately, it couldn't happen for another 2 years, maybe 2½ to 3 years.

That gets around to the Comprehensive Test Ban Treaty about which my distinguished colleague from Illinois was talking. I think probably the best thing that could have happened to us for our national security was to defeat that. If we don't have a national missile defense system, then what do we have to deter other countries from launching missiles at the United States?

What we have is a nuclear stockpile. We have nine weapons in the nuclear stockpile. Because of the President's moratorium, they haven't been tested for 7 years. We don't know whether or not they work. I suggest it might be better not even to have nuclear weapons than to have weapons but not know whether they work. That is exactly what we have right now. If we had passed the Comprehensive Test Ban Treaty, there would be no verification, there would be no way in the world we would have known whether or not our stockpile was working because they hadn't been tested.

I can remember quote after quote after quote by the people who were so much involved in this from our energy labs. They all said—I had the quotes; I don't have them in front of me right now—that if we can't test these nuclear weapons, there is no way we can determine whether or not they work. It is a very unsafe thing for America. These were the directors of the labs responsible for this nuclear arsenal.

So of the nine weapons we have, which I have listed here, we only have one we have adequately tested enough to know whether or not it would work. That is the W–84 warhead that we know would work.

This would have been a real disaster for America. People kept saying President Eisenhower was for a comprehensive test ban treaty, that President Bush was, that President Reagan was. That isn't true at all. This flawed treaty was a zero-yield treaty. We would only have had the word of our adversaries that they would not test their nuclear arsenals.

We keep our word in America; we don't test our arsenal. But we don't have any idea whether or not they are going to test theirs. In fact, during the course of the debate, both China and Russia said they would not comply with the zero yield. There is no way in the world we can detect that, that we would know what our adversaries were doing. That would, for all practical purposes, be unilateral disarmament.

I am asked back in Oklahoma by people who have good street sense, why is it the liberals in Congress are so committed to disarming our country, to taking our money that we are supposed to have to defend America and putting it into these various discretionary social programs? I have to explain to them that the people in Washington, and some of the Senators in this Chamber, are not like the people of Oklahoma. I think President Clinton honestly believes that if we all stand in a circle and hold hands and we unilaterally disarm, everyone will love each other and it won't be necessary to have a defense system.

That is what we are up against. In a very respectful way, I have to disagree with many of the things my distinguished colleague from Illinois stated.

I think we have had a very successful session. We have ensured a sound Social Security retirement system. We have improved educational opportunities for our children. Along this line, the major disagreement we had was that the Democrats thought the decisions should be made here in Washington; Republicans want to use the

same amount of money but not make the decisions in Washington but send that money to the school districts. The school board in Tulsa, OK, is much better equipped to know what their education needs are in Oklahoma than we are in this August body of the Senate. The Democrats say the answer is not school buses, not computers, not the physical facilities that are available; it is 100,000 teachers. I think the more we can send these decisions back to the local level, the better the people of America will be served.

I believe we have had a good session. I am not pleased with the way it is turning out right now. The old saying we have heard so many times in the past that there are two things you never want to watch while they are being made—one is sausage and the other is laws—becomes very true during the last few days of legislative sessions.

I think we have done a very good job. I think we did the right thing in defeating the unverifiable test ban treaty. I think we have passed legislation of which America will be very proud. I am anxious to end all this fun we are having and go home and tell the people in Oklahoma about it.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BUNNING). The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## EXTENSION OF MORNING BUSINESS

Mr. INHOFE. Mr. President, I ask unanimous consent that the period for morning business be extended to the hour of 2 p.m. and that the time be equally divided in the usual form.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. 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. HATCH. 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. HATCH. Mr. President, I ask unanimous consent that for the next quorum call the time be divided for each side equally.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. 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. WYDEN. 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. WYDEN. Mr. President, I ask unanimous consent to speak for up to 15 minutes in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. Thank you, Mr. President.

## PRESCRIPTION DRUGS FOR THE ELDERLY

Mr. WYDEN. Mr. President, I have come to the floor of the Senate on a number of occasions recently to talk about the issue of prescription drugs for the elderly.

I think there is a particularly relevant point to make this afternoon given the very extensive press coverage we have seen on this issue in recent days.

Over the weekend, David Rosenbaum in the New York Times had an excellent article on the issue. In the last couple of days, Time magazine had another very lengthy piece on the question of prescription drugs for seniors. And both of these articles ultimately make the point that Congress probably is not going to be able to agree on legislation during this session. The authors offer considerable skepticism about the ability of Congress to come together on a very difficult issue. Both of them, to some extent, go off into what I think are secondary questions—the questions of the role of the Internet, and the question of patents on drugs. Those are important matters.

But what is central and what the Congress needs to do on a bipartisan basis is pass legislation that would make it possible for frail and vulnerable older people to get insurance coverage that would provide for their medicine.

For example, if you are an elderly widow who is 78, maybe having early signs of Alzheimer's, and you spend more than half of your combined monthly income of Social Security and pension on prescription medicine—those are the kinds of letters that seniors are sending to me—it is not going to help you a whole lot to get a 10- or 15-percent discount because you shop over the Internet. Certainly, the role of the Internet in prescription drugs is going to be important. There will be a lot of issues. But to provide relief for the Nation's older people, what Congress needs to do on a bipartisan basis is pass legislation that provides insurance coverage making it possible for older people to pay these big bills. Patent issues and the question of the Internet are matters that are important, but what is needed is legislation that provides real relief.

Part of the effort to win bipartisan support for prescription drug legislation is coming to this floor and, as the poster says, urging seniors to send in copies of their prescription drug bills. Send them to each of us here in the Senate in Washington, DC.

I intend to keep coming to the floor of the Senate and actually reading from these letters. I have three today that I think tell an important story.

One is from a senior citizen in Medford, OR, in my home State. Another is from a senior citizen from Grants Pass, OR, and a third is from a senior citizen in O'Brien, OR, all of which reflect the kind of concerns I know are out there. Hopefully, as seniors learn about our campaign and see that we are urging them to send us copies of their prescription drug bills, it can help bring about bipartisan support for legislation in the Senate.

I am very proud that I have been able to team up in recent months with Senator OLYMPIA SNOWE on bipartisan legislation. I have been of the view that nothing more can happen in Washington, DC, unless it is bipartisan. The Snowe-Wyden legislation is a bill that uses marketplace forces and unleashes the forces of the private sector in an effort to make medicine more affordable for the Nation's older people.

What is sad is that our elderly are in effect hit by a double whammy. Millions of them can't afford their prescriptions. Medicare doesn't cover medicine. It hasn't since the program began in 1965.

On top of the fact that seniors don't have Medicare coverage, when they walk into a pharmacy—I see our friend from New Hampshire, our colleague who has a great interest in health care. As he knows, when a senior walks into a drugstore in New Hampshire, Oregon, or Kentucky, and can't pay for their prescription medicine, in addition they are subsidizing the big buyers of prescription drugs. The HMOs and the health care plans are in a position to negotiate a discount. They get a break on their prices. The seniors, people who are spending half their monthly income on prescriptions, are, in effect, subsidizing those big buyers.

The bipartisan Snowe-Wyden legislation, fortunately, has been able to generate a lot of interest in the Senate. Senator SNOWE and I are proud to have the support.

For example, more than 54 Members of the Senate—more than half the Senate—are now on record saying they would support a tobacco tax to pay for prescription drug benefits for older people. That strikes me as appropriate.

Medicare spent more than $12 billion last year picking up the costs of tobacco-related illnesses, and more than 50 Members of the Senate are now on record as saying they would be willing to support additional funding to help the vulnerable seniors from whom we are hearing.

Let me read a little bit from some of these letters because I think they sum it up. One I received in the last couple of days from Grants Pass says:

> No way can I afford to pay for my medicine. I did get a refill on Pepcid.

That is an important medication this elderly woman is taking now in Grants Pass, OR.

I do hope you can do something to help us seniors.

When she writes, ''No way can I afford to pay for my medicine,'' that essentially sums it up.

We can talk about people buying prescription drugs over the Internet; we can talk about the patent issue, both involving substantial sums of money. Whatever that person needs in Grants Pass—and the letter goes on to say she has no insurance coverage for her medicine—seniors need legislation that actually provides coverage through the insurance system to help pay for prescription drugs.

Another letter comes from Medford, OR. We can see the stack of bills going to a pharmacy in Medford, Southern Oregon Health Trust Pharmacy. This individual has spent $1,664 recently on prescription drugs in Medicare. She is sending bills to our office. Unfortunately, she doesn't get any help through the various insurance coverages she has. This is representative of what we have been hearing. She also goes on to point out that this large stack of bills she sent me does not even include some of the over-the-counter drugs she is taking such as ibuprofen.

These cases illustrate very well why our country cannot afford not to cover prescription medicine. All of these articles, including Time magazine, are always questioning whether the Nation can afford to cover prescription medicine. I have contended for some time now we cannot afford not to cover prescription medicine. These bills I have been reading from on the floor of the Senate show seniors can't afford drugs that help to lower cholesterol, help to lower their blood pressure. These are drugs that help older people to stay well.

Prescription drug coverage for seniors has been a priority ever since my days with the Gray Panthers before I was elected to Congress. Frankly, it is much more important today than ever because these drugs that so many seniors write that they cannot afford today help seniors to stay well. The variety of anticoagulant drugs that help to prevent strokes, as I have commented on the floor of the Senate in the past, might cost $1,000 a year for an older person to buy them to stay healthy. Compare that to the costs incurred if a senior suffers a stroke. If a senior cannot get an anticoagulant drug to help stay healthy and avoid a stroke, that senior might incur expenses of more than $100,000.

The question for the Senate is, Are we going to help frail and vulnerable seniors with prescription drug coverage that will cost just a fraction of the expenses that will be incurred through Medicare Part A, the hospital portion, and Medicare Part B, the outpatient portion, if the senior cannot get help and ends up getting sick and, very often, incurring extraordinary expenses?

The third letter I read comes from a woman in O'Brien, OR. She has spent more than $2,000 through November of 1999 on her prescription drugs, and just in recent days she has taken on a job in hopes she will be able to pay for her prescriptions. She is 78 years old. At present, she has her Social Security and Medicare. She now has taken on a small job in hopes she will have the funds to pay for her prescription medicine. She writes that she hopes the Snowe-Wyden legislation becomes law.

Other colleagues have different approaches. We appreciate that. What is important is we move forward together. Let's show the authors of all these recent articles in Time magazine, in the New York Times, and various other publications that are skeptical about whether the Congress can tackle a big issue such as this; let's prove them wrong. Let's show, in spite of a fairly polarized political climate in America today, when there is an important program, this Congress can come together.

I will keep coming to the floor and urging seniors to send in copies of their prescription drug bills. The poster lays it out: Send their bills to their Senator in Washington, DC. The Snowe-Wyden legislation, SPICE, for the Senior Prescription Insurance Coverage Equity Act, is a bill that, on a bipartisan basis, can be supported in the Senate. If other colleagues have different ideas, let's get them out on the table. Let's come up with a marketplace approach to holding down the costs of medicine.

These bills show access to coverage is very key, but holding down the costs of medicine is very key as well. There is a right way and a wrong way to hold down those costs. The right way is to use a model such as the health care system for Members of Congress. That is what is behind the Snowe-Wyden legislation that provides choice, competition, and marketplace forces for holding down medicine.

There is a wrong way—the various approaches that call for price controls. The real danger behind price controls is that the costs for anybody who is not in the price control group will be shifted on to other Americans who are having difficulty paying for medicines as well. It would not be a particularly useful thing for the Senate to come up with a price control regime for folks on Medicare and then have the costs shifted over to a divorced woman who is 27 years old with two children who is working her head off to try to help her family and help them pay for expenses and then her bills would go up because costs would be shifted to her.

I intend to keep coming back to the floor of the Senate and reading from these bills. Today I have read accounts from Medford, from Grants Pass, and from O'Brien. Seniors cannot afford today to cover prescription drugs.

When public opinion polls are taken, coverage of prescription drugs for older people is now one of the top two or three concerns in America—not just for seniors but for all Americans; certainly for the sandwich generation. Perhaps a young couple in their forties who have to try to provide some assistance to a parent who could not afford prescription medicine is following this issue. It is not just a seniors' issue; it is an issue for families; it is an issue for the quality of life of our country.

The Snowe-Wyden legislation is a bipartisan bill where more than 50 Senators have already indicated they will support the funding mechanism in prescription drug coverage as one way to proceed.

I am sure our colleagues have other ways to go. But what is important is to show the skeptics across this country who are writing in magazines and saying in news reports that nothing can be done that we can come together on a bipartisan basis and provide real relief for the Nation's older people.

I hope seniors will, as this poster indicates, continue to send copies of their prescription drug bills to us in the Senate, each of us in Washington, DC, because I intend to keep coming back to this floor again and again until we can secure passage of this legislation.

I do not want to see the attention of the Senate diverted to questions of the role of the Internet and patents and the variety of matters because, while they are important, they do not go to the heart of what is needed in this country. What is needed in America for the millions of seniors who are spending half of their income on prescription drugs—and that is what I have been describing on the floor of the Senate—is insurance coverage. They need coverage which will pick up that part of their insurance bill that goes for prescription drugs. That is what the Snowe-Wyden legislation does on a bipartisan basis.

We are going to keep coming back to the floor of this body to talk about the need for prescription drug coverage for the elderly. There are bipartisan proposals to do it.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. The Senate is conducting morning business until 2 o'clock.

Mr. LEAHY. I thank the distinguished Presiding Officer.

The PRESIDING OFFICER. The minority controls 5 more minutes.

Mr. LEAHY. Mr. President, I ask unanimous consent I be allowed to continue for not over 10 minutes in defense of the distinguished majority leader following an editorial in one of our papers today.

The PRESIDING OFFICER. Without objection, it is so ordered.

## RESPONDING TO CRITICS OF THE NORTHEAST DAIRY COMPACT

Mr. LEAHY. Mr. President, I read an editorial this morning in the Wall Street Journal that made incorrect

statements about both the distinguished majority leader, Senator LOTT, and the Northeast Dairy Compact. In fact, the editorial was totally, factually wrong. If the editorial writers would have checked their facts, they would have known that.

Basically, the writers used arguments of opponents of the Northeast Dairy Compact, and they used those arguments without any determination of whether they are accurate or not. This time they used the arguments to go after the distinguished majority leader and others who supported the compact. They have used the so-called facts other times, but, again, they have always used them in the same wrong arguments.

I have referred many times to the major GAO study that was issued on milk prices. I have referred to the detailed OMB study on the compact. Opponents never offer any proof for their arguments. I am fed up with the Compact being criticized as a back room deal because I remind everybody that we actually had a vote on it, albeit in the form of a cloture motion, but we had a vote on it on the floor of the Senate and a majority of Senators, Republicans and Democrats alike, voted for it. The majority voted for it this year. Now those who oppose it are using filibusters and parliamentary dodges because they know that they lost the vote.

I am fed up with opponents attacking the compact as a special interest cartel, a compact which is made up of family farms, considering the largest opponent of the compact is Philip Morris, the tobacco giant which owns Kraft. The supporters are family farmers; the opponent, Philip Morris. It does not sound as if the supporters are really a cartel.

I am fed up when opponents of the compact say milk prices are higher in New England when typically milk prices are higher in Wisconsin and Minnesota than they are in New England. The places that do not have the compact and who are attacking it the most charge their consumers more for milk on average than the area that does have the compact.

GAO did a study of this and they looked at milk prices during the first six months after the Compact was implemented. GAO found that consumers in New England were able to buy milk considerably cheaper than in Wisconsin or Minnesota. The editorial writers and opponents of the compact do not point this out. Why do they not point this out? Because it points to the success of the compact and does not support the arguments made by the cartels that are opposed to it.

Let me read some examples from the GAO report. For example: In February, 1998 the average price of a gallon of whole milk in Augusta, ME, was $2.47. The price in Milwaukee, WI, was $2.63, and in Minneapolis, MN., it was $2.94 per gallon.

Take another New England city, Boston. In February 1998, the price of a gallon of milk was $2.54 as compared to Minneapolis, where the price, on average, was $2.94 a gallon.

Or let's look at the cost of 1 percent milk for November 1997. In Augusta, ME, it was $2.37 per gallon, the same average price for Boston and New Hampshire and Rhode Island. But in Minnesota, the price was $2.82 a gallon, in other words, 45 cents more per gallon in the area that opposes the compact as compared to the much lower price in the area that has the compact.

I could go on and on and compare low New England retail prices with higher prices in cities outside of New England. I invite anybody to review this GAO report.

There is another report on the compact that was done by OMB. They issued a report which found the retail milk prices in New England, after the Compact was in place, were, on average, lower than for the rest of the Nation.

The Wall Street Journal editorial page writers have ignored both the GAO report and the OMB report. Why? These are factual and objective reports that the Journal should have reviewed.

It is clear that our compact is working perfectly by benefiting consumers, local economies, and farmers, something that is not stated in the editorial that attacked Senator LOTT.

I am especially fed up when opponents say the compact blocks interstate trade in milk when OMB reports the compact has increased the sales of milk into New England as neighboring farmers in New York, who did not have the Compact, take advantage of it. OMB reported that while the Compact was in force for the first six months, there was an 8 percent increase in milk sales into the region. Instead of blocking interstate commerce, I would say an 8-percent increase in interstate commerce is an 8-percent increase in interstate commerce.

I am fed up when opponents say the compact does not help dairy farmers stay in business, when it greatly increases their income. My best guess is dairy farmers, just as wheat, corn, or soybean farmers, when their income increases, they are more likely to stay in business. I recognize the Nation's major opponent of the compact, Kraft, owned by Philip Morris, does not want farmers to have the additional income the compact provides. But opponents of the compact should not argue it does not give farmers more income when, in fact, it does.

Opponents of the compact say farmers in Wisconsin and Minnesota are going out of business, even though this is comparing apples with oranges. Even though the compact doesn't have an effect on them, they say we should not have a compact in the Northeast. Let farmers in the Midwest set up their own compact. I would vote for a compact for them or any other reasonable proposal that helps their farmers. Do not condemn one section of the country that is doing fine and protecting their farmers when, if they wanted to, they could do exactly the same thing in their own part of the country.

I wish to mention for a minute what the compact replaces. Opponents of the compact prefer prices to be set by Federal bureaucrats. Supporters of the compact prefer pricing to be determined by consumers and local representatives, not by the Federal Government. The Governors and legislators in the six New England States had five goals in mind when they enacted the compact into law in each of their States. They wanted to assure fresh local supplies of milk to consumers at lower prices than found in most of the Nation. They wanted to keep dairy farmers in business. They wanted to protect New England's rural environment from sprawl and destructive development, and they wanted to do this without burdening Federal taxpayers.

The Northeast Interstate Dairy Compact has delivered beyond the expectations of those Governors and State legislatures. The compact provided an added benefit. It has increased interstate trade into the region as neighboring farmers have taken advantage of the compact.

This great idea, coming from those six New England States, has created a successful and enduring partnership between dairy farmers and consumers throughout New England.

Thanks to the Northeast Compact, the number of farmers going out of business has declined throughout New England for the first time in many years.

It is unfortunate that some still favor Federal bureaucrats running this farm program. We ought to instead be blessing this compact. Here is something not run by the Federal Government, not costing the taxpayers anything, but being done by the people who are affected by it. Indeed, half the Governors of the Nation, half the State legislatures in the Nation, asked that the Congress allow their States to set their own dairy policy through interstate compacts that cost taxpayers nothing. It costs taxpayers nothing. Let me say it again: It costs taxpayers nothing. Why do people oppose a program that is not costing taxpayers anything and affects just the people in the region who want it?

This dairy compact passed with overwhelming support in almost all these States—Republicans and Democrats in the legislatures; Republican and Democratic Governors. Major environmental groups have endorsed the Northeast Dairy Compact. A New York Times and National Geographic article discussed the importance of keeping dairy farmers in business from an environmental standpoint.

Consumer prices are lower, farm income is higher, and no increased costs to taxpayers. One wonders, why does anybody oppose it?

One asks, why is it opposed? The answer is simple: Huge milk manufacturers, such as Suiza, headquartered in

Texas, Kraft, which is owned by the tobacco giant Philip Morris, and other processors represented by the International Dairy Foods Association oppose the compact because they want to keep the money themselves. They do not want the farmers to have any of these profits.

Even the most junior investigative reporter could figure out the answer. All anyone has to do is look up the donations made by these and other giant processors. All the negative news stories about the compact have their genesis in the efforts of these giant processors and their front organizations.

I say this again on the floor, just so people understand, because it was an unfair editorial in singling out the distinguished majority leader of the Senate using facts which bear scrutiny. Indeed, one of the corporation front organizations, Public Voice for Food and Health Policy, apparently could not continue to exist when it was obvious that their policies were determined by corporate dollars rather than good policy. They had to close up shop when they lost their conscience.

I have detailed the close alliances between their lead executive who handled compact issues for them and the job he negotiated to represent the huge processors a couple of times on the Senate floor.

I will give the press another lead on the next public interest group whose funding should be investigated—the Consumer Federation of America. Indeed, one of their officers—formerly from Public Voice—is being taken around Capitol Hill offices by lobbyists representing processors. A glance at who funds their functions and efforts will be as instruction as investigations of Public Voice.

Why should Philip Morris or Kraft want to use these organizations instead of directly going to the editorial boards of the New York Times or the Washington Post to badmouth the compact? The question does not need me to provide the answer.

What would be the best attack—whether true or not—on the Compact that might swing public opinion?

It might be to simply allege that milk prices are higher for children in the school lunch program. Who would the editorial boards more likely listen to regarding school children: a public interest group or a tobacco company?

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, are we in morning business?

The PRESIDING OFFICER. We are.

## INTERNET TAX MORATORIUM

Mr. GREGG. Mr. President, today marks the 1-year anniversary of the Internet tax moratorium and the setting up of a commission to look into the manner in which we tax the Internet. This moratorium was to last for 3 years, and the commission was to meet and begin the process of trying to determine how best to deal with the variety of proposals to place taxes on the use of the Internet, products which are sold over the Internet, and services which are supplied over the Internet.

Obviously, the Internet represents a watershed mark possibly in history as to economic activity. It is a period in which we have seen the Internet become an economic engine of immense proportions for our Nation and for the world. The Wall Street Journal reported on October 18 that electronic commerce not only positively affects economic activity but has had a very positive impact on reducing the rate of inflation.

Products sold over the Internet are actually forcing down prices as competition occurs and products, such as prescription drugs, have been found on the Internet to be 28-percent cheaper and apparel 38-percent cheaper. The overall index found that products generally were about 13-percent cheaper on the Internet. The Internet has not only been a wonderful economic engine; it also has been a force for maintaining and controlling inflation during this period of dramatic prosperity.

Of course, the Internet is growing at an incredible rate. Over the last 12 months, Internet economic growth has been about 68 percent, which is a huge rate of growth compared to a national economic rate of growth which is somewhere in the 3- to 4-percent range, if we are lucky. The role of the Internet in our society is immense today and is getting even more significant.

The question is, How do we deal with it in the context of taxes? There is a large number of communities and a number of States in this country that wish to assess on Internet transactions their local sales tax activity, much the same as they attempt to assess catalog sales. There are something like 30,000 jurisdictions which could assess taxes on the Internet.

The effect, of course, of having this diffuse and extraordinarily large group of taxing authorities—50 States and 30,000 subjurisdictions of those States—with a potential of taxing the Internet at various rates could, quite simply, grind to a halt this wonderful engine of economic activity and prosperity into which our Nation has gone.

Literally, if we allow the Internet to be subject to this variety of taxes and this variety of tax authorities, and the imagination and creativity we always see from various Government entities when it comes to taxing, literally we could end up stopping the Internet as an effective force for economic expansion and prosperity.

Furthermore, the concept of taxing the Internet, which is clearly a national and really a global instrument of commerce, appears, to me at least, to fly in the face of our Constitution. The commerce clause of our Constitution is pretty specific. Section 8, clause 3, of the Constitution reads:

> The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

There can be nothing that is a form of commerce more among the several States than the Internet as it presently is expanding, growing, and becoming a force for economic activity.

Thus, the taxing of the Internet by all these different entities would clearly, in my opinion, raise serious constitutional problems. In fact, the Supreme Court addressed this issue when it came to catalog sales in the Quill case, where the Supreme Court essentially ruled that States, unless they have a nexus relationship with the seller of the assets, do not have traditionally the ability to tax that transaction.

Secondly, Congress needs to look at the issue of taxation because of the extraordinary, as I have mentioned, chilling effect it would have on commerce generally. We, as a nation, as the creators and inventors of the Internet and, therefore, controllers not only of the initial and expanding technology, but also of the language which dominates the Internet, have put ourselves essentially as a nation on a rocket sled of economic activity. We have expanded and accelerated at an extraordinary speed past the rest of the world towards economic prosperity.

I recall, rather vividly, in the late 1980s when the ''woe is me'' crowd was saying that Japan was going to overtake the United States in all functions of economic activity, and that our economic model for prosperity simply could not compete with the Japanese economic model of prosperity, which was intimidating and which remains significant.

But the fact is that it did not work out that way. It did not work out that way because America's strength is our entrepreneurship and our inventiveness. We took that entrepreneurship and inventiveness and we created this massive new vehicle for economic activity called the Internet. Thus, instead of being overwhelmed by our friends and neighbors and allies in the industrial world, we have, instead, exploded past them in the ability to produce prosperity and economic activity, in large part because of the Internet and the offspring of technology which it has created.

So we do not want to do anything which jeopardizes the unique and special international lead that we have in this area. Yet allowing thousands of different jurisdictions to tax the Internet would do exactly that. It would jeopardize that lead and undermine and, as I said, possibly bring to a complete halt the use of the Internet as an element of commerce.

The third thing we must be sensitive to in this area of the Internet is the international implications beyond the questions of trade. It has been suggested by people at the U.N. that the U.N. should start to fund itself by putting in place a tax on e-commerce and e-mail. At first it was an outrageous suggestion, but it is the type of suggestion you get at the U.N. from people

who represent nations which maybe do not have as much of a financial interest in it as we do and know that we would end up paying the tax, our Nation would end up paying the burden. But the fact that has been suggested is just a sort of crack of the door behind which, if it were fully opened, you would see an international initiative of significant proportions to place taxes on the Internet.

As a result, if we have essentially come to the table, having already soiled our hands with taxing the Internet, it will be very extraordinarily difficult for us to resist, whether it is the U.N. or whether it is some other nation that also tries to pursue this course of action. It is essential, for the purposes of seeing an expansion of this technology and this form of economic activity, that we dampen down and restrict and as aggressively as we can resist having other nations pursue the path of taxation of Internet transactions.

Obviously, the U.N. has no right to step into this ground. In fact, as chairman of the appropriating committee that has jurisdiction over the U.N., I put specific language into an appropriations bill, which hopefully will pass today, that says the United States will not spend any money at the U.N. should the U.N. pursue this course of action, which I am sure they will not. This was some idea put forward by somebody there, but I do not think it speaks to the majority at the United Nations.

But those are three core reasons why we have to be extraordinarily sensitive to what the tax policy is relative to the Internet.

The reason I raise this is because it took 8 months for the Internet commission to get started. That was not their fault. Really, it was the fault of those bodies which had the obligation of appointing membership to the commission. Actually, under Governor Gilmore, this commission has done an excellent job of meeting. Governor Gilmore's position relative to taxation over the Internet is exactly the position that should be pursued. However, I am not sure he has a majority position within the commission. I hope he does.

But in order for us to assure this threat to our commerce does not occur, I believe we should extend this moratorium. Since we had at least 8 months of delay before we got this commission up and running, I think we should have an extension which recognizes that the commission should have the full 3-year period; therefore, we should extend the moratorium for another year, at a minimum, on the Internet.

I happen to think it should be extended beyond that, well beyond that, because I believe certainty in the area of taxation is one of the key issues for maintaining economic activity. If people participating in an economic activity can predict what their tax obligations are and what the tax implications will be to an economic initiative, then they are much more likely to be willing to invest capital and take the risks necessary to pursue that initiative. But if they cannot predict their tax liability, then that limits and dampens down the desire to put capital and take risks in a certain economic activity. We have seen that historically.

So I do believe very strongly that we should not only be extending this moratorium for a year but that we should be extending it for a series of years beyond the 3-year moratorium that presently exists.

Let's face it. The economic benefit which this Nation has seen as a result of this truly revolutionary event—in the history of economics, I suspect this is going to go down with the industrial revolution as one of the most significant turning points in the history of prosperity and the way nations generate wealth.

The benefits which we, as a nation, have obtained as a result of this, as a result of being the incubator, the developer, and now the provider in expertise in the area of the Internet, and the use of the Internet for commerce, the benefits which we have received, as a nation, are basically incalculable: the amount of new jobs which have been created; the number of people whose standard of living has been increased; the number of people who have been able to purchase goods at less of a price; and the number of people who have simply had a better chance to participate in prosperity.

The Nation as a whole has seen economic activity and economic prosperity that has been a blessing to everyone, in large part because of this huge expansion in e-commerce and in the Internet as a force. Those benefits dramatically exceed any benefit which we would obtain by allowing a large number of different States or municipalities to start taxing the Internet for the purposes of expanding their local governments.

It is the classic situation of the goose that lays the golden egg, to say the least. We have confronted a goose that is laying a lot of golden eggs for America, and for the prosperity of America, and for the opportunity of America to create jobs. For America to maintain its place as a world leader, we should not make the mistake of maybe not cutting off the goose's head but nicking that goose with thousands of different taxes which may cause it to, unfortunately, stumble or even be stopped as a result of allowing the creativity and the imagination of our various government units across this Nation to begin to tax the Internet.

So I hope as we wrap up this session we will consider this. Obviously, we probably are not going to get it in this major omnibus bill, although I tried to do that and it was rejected in committee—an extension of the Internet moratorium.

I do hope when we come back next year this will be a priority item—to make it clear, to make an unalterable statement to the community which is developing and promoting this incredible engine of prosperity that we are not going to stop them by turning loose the forces of government and taxation on them.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

## EXTENSION OF MORNING BUSINESS

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the period for morning business be extended to the hour of 2:30 p.m. and that the time be equally divided in the usual form.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JEFFORDS. Mr. President, I yield myself such time as I may consume, or whatever.

## THE NORTHEAST DAIRY COMPACT

Mr. JEFFORDS. Mr. President, I will take a moment to react to an editorial which I read this morning in the Wall Street Journal which had so many errors and erroneous comments that it shocked me to find out that such a fine newspaper as the Wall Street Journal would carry this.

I have been in Congress now 24 years, and as a result of unusual circumstances, for many years I had been sort of the leader of dairy for the Republicans in the House. That occurred because I was elected during the Watergate year. During the Watergate year, there were 92 freshmen Representatives who were elected and only 16 were Republicans. So all of us who came in that year immediately got seniority because there were not any other Members around.

I got to be the ranking member on the dairy subcommittee my first year. During that time, some 24 years, one thing I could be assured of was that any time something was going to come to the benefit of the dairy farmers, the Wall Street Journal, the New York Times, and the Washington Post would all write adverse editorials. Why is that? Well, do the dairy farmers buy any advertising in these newspapers? Of course, they don't. Who does buy the advertising? It is those who purchase milk. What is their motivation? To keep the dairy farmers getting the least money possible so they can maximize their profits. And they have done a masterful job.

But they also have a propensity, either because they, without any checking, believe everything told to them by the processors who pay for their ads or they just ignore the truth. The Wall Street Journal article of this morning was a very typical example. I will run through some of the facts that were utilized in this great paper to point out the errors.

First of all, they make statements which are just not true. They say we have to have a compact because our

farmers are less efficient than the Midwestern farmers. Well, that is absolutely not true. Both are very efficient. The differences in the two areas are dramatic, but they are not relative to efficiency. Obviously, the Midwest farmers have an advantage because they are closer to the grain markets. They have more people producing cheese, and they have soils that are preferable to many of the other areas of the country, especially New England. So they have an advantage, not a disadvantage, by being not only efficient—and I don't think our farmers are any more efficient than theirs—but having lower costs to start with. So to make the statement that it is all based upon inefficiency is absolutely ridiculous.

Then this statement: Never mind that this milk costs consumers to the tune of about 20 extra cents a gallon. This is absolutely false. In fact, one of the ironic aspects of this whole argument occurred back when the compact first went into effect and the Midwestern farm representatives said: We will show them. We will show that this is all due to efficiency and all those kinds of things. So they asked OMB, not GAO or whoever else. Why? Because OMB was sympathetic to the administration at that time and they wanted help from the White House to try to back up their arguments.

Well, what happened? OMB did an analysis of the impact of the compact and found out just the opposite. Do we hear them quote that anymore? No. I have to bring it up every time. They still—either their friends in the newspapers that make the money off advertising or sometimes they do it themselves—ignore the fact that the study they asked for came back saying that, contrary to what they were telling people, actually the consumers in New England, where the compact was in effect, paid 5 cents less a gallon—not 20 cents more a gallon, 5 cents less a gallon—than the average in the rest of the country. But they still print something which they know is absolutely incorrect.

Also, for a conservative newspaper such as the Wall Street Journal—I wouldn't give that same label to the New York Times and the Washington Post—the Wall Street Journal should recognize that all of these States, all six States, are taking advantage of the Constitution which says that States can, if they want to, ask Congress for permission to create a commission to allow them to join together to sort of control or impact interstate commerce.

Well, the States have the right to do that and the States did do it. The New England States got together and said: Well, let us take a look and see what we can do to have a more organized pricing system. One has to understand a little bit about how the farming goes. If you are a dairy farmer, you have milk and you have to get rid of it. It is going to last about 3 days before you will have to throw it out. So you are at the mercy of the market. You can form cooperatives and things such as that, but no matter what you do, the milk has to go somewhere or it is going to spoil.

The thought was, instead of leaving ourselves at the mercy —and this is the basic part of the situation—of the processors, the people who buy the milk, who can sit there 2½ days and say: Well, it is going to be worthless tomorrow; I will give you 5 cents a gallon—well, it never gets quite that bad, but that is the kind of power they have. They don't want to lose that power. They want to be able to dictate to the dairy farmers the price they are going to get. The New England farmers got together and worked with their various legislators and decided, why don't we set up a commission that would have consumers represented, processors represented, farmers represented, and the general interest of the public represented. We will set what the price will be, keeping in mind that we don't want to end up with a huge surplus. We want to make it fair but make sure the consumers don't lose on this—in fact, maybe even gain—and the dairy farmers will gain because they will have a stable market situation.

It worked so well that, as I said, the price to consumers actually went down. I could speak at length on that, but it went down. The farmers got a significantly better price overall. They were happy. The processors got a fair price, and they haven't screamed, those that are participating in it. It is a good system. That is the problem with it. It is a good system.

Why does that scare the processors? They would rather get the lowest price possible to pay to the farmers and so they have lost that control. But to the Midwest, it shakes them up because what was their dream? Their dream was that all of the dairy farmers in the United States would go out of business except in the Midwest. And they are so sure they could provide all the milk the country needs, so why do we not put them out?

Well, the commission worked. The price to consumers has gone down, the farmers are getting a fair price, and the processors are not being injured in any way. That is why 25 States, now a total of 25, including New England, have said that is a great idea. Everybody is happy. What a wonderful situation.

The processor is happy, consumers are paying less in price, and everybody is happy. So why don't we join? Well, that, of course, has now made it a big threat to the Midwest. Because if the whole country goes to compacts, the farmers will stay in business, and the market expansion that the Midwest was hoping for won't occur.

That is why we are here today. The States have recognized that it is essential to make sure their farmers survive. Why is that? The basic concept of the law right now, from the 1930s and rewritten in the Farm Act of 1947, said it is critical that we ensure that every area of this Nation has an adequate supply of fresh milk. That is basic law; that is, to make sure that when you go to your store, there is always some fresh milk for you there. That is the basic law. All these States that are going into compacts are saying: We want to make sure that our area of the country has an adequate supply of fresh milk, and we ought to be able to do that. So that is what the real fight is about.

We have already had the editorial I anticipated in the Post. The Wall Street Journal came through right on time with one I anticipated. Theirs is so incredibly inaccurate in what they cite, it was a little embarrassing, on behalf of the paper, to read that. I expect the New York Times will follow suit probably in the next couple of days.

I want to make sure these facts are out there. What this Nation needs is stable farming. We all love our farmers. I can't think of Vermont or New England without the cows on the hillside. I can't think of what the Southeast would be without the ability of their farmers to produce milk. And they have, because of the weather situation and all, special problems in the Southeast, being able to produce milk at reasonable prices. But they are doing very well. They want to form a compact. The same is true in other parts of the country. What is wrong with people in the region getting together and deciding how to do it?

Another argument raised, which will be one for other editorials, is that it causes higher prices for WIC—Women, Infants and Children—and food. That is all taken care of by the commission. Farmers in the Midwest, right now, on an average, receive significantly more in the checks they get on a weekly or monthly basis—what they call the ''mailbox price.'' They do better than the rest of the country. So they are not the ones suffering. They have advantages, as I pointed out, in cost of production and those things. They are doing well. They just want to be sure they can perhaps have a better future by shipping more milk.

Incidentally—and I will leave you with this because the statements are that this is somehow infringing on commerce and the ability of people to sell—they can bring their milk down now and sell it in the New England area. Why don't they? It costs too much to ship it down there. But the market is open; it is not closed out. There are no barriers built up to where the farmers can ship milk. In fact, the New England compact is in place right now, but a great deal of the milk comes from New York, Pennsylvania, New Jersey, and wherever else anyone wants to ship it.

The New England area itself is a negative producer. So we depend upon milk coming from other areas. When you come in, you know you are going

to be bound by the price that is established by the commission. That, again, represents consumers, producers, the dairy farmers, the processors, the people who buy it, and it protects programs such as WIC. It is working so well. That is the problem.

Just remember, the reason for all the controversy right now is that this program is working so well for consumers, processors, and the producers, and it is a danger to those who want to do away with our local farming businesses.

Mr. President, I see no other Member present, so I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. VOINOVICH). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. COLLINS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. COLLINS. Mr. President, I ask unanimous consent that I be permitted to proceed as in morning business for not to exceed 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. COLLINS. Thank you Mr. President.

Mr. President, I rise today in strong support of the reauthorization of the Northeast Dairy Compact. I am pleased that it appears Congress will accomplish this vital task before we adjourn for the year.

The reauthorization of the Compact is more critical now than ever before. The U.S. Department of Agriculture recently predicted that milk prices for dairy farmers will be reduced 40 cents per gallon in December as a result of the announced drop in the basic formula price this past week. This translates into a 30 percent reduction in blend prices in December and will continue on into next year with additional declines in prices expected throughout the winter. The Dairy Compact will blunt the 40 cent per gallon drop in farm milk prices by one-half and will, by itself, make the difference between continuing in business and closing down for many small dairy farmers.

The Northeast Dairy Compact is a proven success and is critical to the survival of dairy farmers in Maine and throughout New England. The Compact has a proven track record of quantifiable benefits to both consumers and farmers. The Compact works by simply evening out the peaks and valleys in fluid milk prices, providing stability to the cost of milk and ensuring a supply of fresh, wholesome, local milk. The Compact works with market forces to help both the farmer and the consumer. As prices climb and farmers receive a sustainable price for milk, the Compact turns off. When prices drop to unsustainable levels, the Compact is triggered. The Compact simply softens the blow to farmers of an abrupt and dramatic drop in the volatile fluid milk market.

It is important to reiterate that consumers also benefit from the Compact. Not only does the Compact stabilize prices, thus avoiding dramatic fluctuation in retail cost of milk, it also guarantees that the consumer is assured of the availability of a supply of fresh, local milk. Let's remember that under the Compact, New England has lower retail fluid milk prices than many regions operating without a Compact.

Moreover, the Compact, while providing clear benefits to dairy producers and consumers in the Northeast, has proven it does not harm farmers or taxpayers from outside the region. A 1998 report by the Office of Management and Budget showed that, during its first 6 months of operation, the Compact did not adversely affect farmers from outside the Compact region and added no federal costs to nutrition programs. In fact, the Compact specifically excepts the Women, Infants, and Children (WIC) program from any costs related to the Compact.

The reauthorization of the Northeast Dairy Compact is also important as a matter of states rights. We often hear of criticism of the inside-the-beltway mentality that tells states, we here in Washington know better than you, even on issues traditionally under state and local control. Mr. President, that is wrong. In the Northeast Dairy Compact, we have a solution that was approved by all the legislatures and governors of the New England States. It is supported by every state commissioner in the region and overwhelmingly—if not unanimously—by Northeastern dairy farmers. We in Congress should not be an obstacle to this practical, workable, local solution.

I urge my colleagues to refrain from holding up this critical measure for Maine and for our Nation's dairy farmers. To small farms in my State and in states throughout New England, this is not just a matter of profit margins; it is a matter of their survival.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that I be able to speak in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

## JUVENILE JUSTICE BILL

Mrs. FEINSTEIN. Mr. President, today is November 18. It has been almost 6 months since the Senate passed the juvenile justice bill and more than 5 months since the House followed suit with its own legislation.

Since that time, the students at Columbine High School went home. They spent a summer trying to heal the wounds of one of our Nation's greatest tragedies, and they returned to school more than 2 months ago.

Many of those students touched by the tragedy even came to Washington to plead for our help. Yet this body has done nothing to stop future incidents of gun violence and nothing to fix our broken juvenile justice system.

The Columbine incident shocked this Nation and, I believe, this Congress. Watching events unfold on television made even the most skeptical observers realize that something should be done about gun violence. We have witnessed a number of other instances of gun violence in the media since then. In Atlanta, we saw a depressed day trader gun down his family and colleagues. In California, a bigot killed a postal worker just because he was Filipino, and then wounded five others in the North Valley Jewish Community Center in Granada Hills. Again, the pictures of those young children being led away from the scene of the tragedy were heart wrenching.

But since Columbine, more than 2,000 more children have died from gunshot wounds, about 12 to 13 a day, in incidents of gun violence that go relatively unreported and with outcomes not so public. These incidents will never stop until we do something to stop them. The death rate will never be diminished unless we stand up and take action.

When will the Congress realize that the time has come to move forward? The conference committee, which was appointed at the last minute before the August recess, has met but once, over 3 months ago. No issues have been resolved. The entire juvenile justice bill remains in doubt, in limbo.

Democrats in both Houses have been ready and willing to meet for months. Democrats are ready to discuss the merits of our differences and to reconcile them. The time has come to stop running away from the issue of gun violence. The time has come to enact some meaningful provisions to stem this tide of violence sweeping our schools and to institute some much-needed change to the system of juvenile justice in this Nation.

The Senate spent more than a week in May debating and voting on dozens of provisions to stem the tide of youth violence in this country and to try to curb the flood of guns reaching children and criminals. But still we have faced delay after delay, and the delays come in many forms—political maneuvering, parliamentary tactics; for example, my clip ban was blue slipped, and other tactics.

Enough is enough. It is time to come together to make some tough decisions and move forward with the Nation's business. No longer can we stand by, and I hope the Nation will not let us stand by, to allow the National Rifle Association to dictate the legislative needs of this Congress. The future of this bill rests squarely with the Republican leadership in both the House and

the Senate. They have said they want to make progress with our gun laws, and they have it within their power to do so.

The Senate-passed juvenile justice bill is not an overreaching statement of where we want to go with gun control. I, for example, believe we should have universal registration and licensing of firearms, and in the next session I will introduce my legislation. I believe we should allow the Federal Government to set safety and consumer standards for guns, and I believe we should ban outright possession of military-style assault weapons. But none of these measures were even discussed in the Senate debate.

The provisions, rather, are very small in our bill. They are reasonable, and they can make a difference in the lives of our children. None of them are controversial, and every one of them, by virtually every poll, has a dominant majority of the American people supporting them. Let me describe what I am talking about.

That bill contains just four commonsense provisions to address gun violence. Does anyone in this Nation truly believe juveniles should be able to buy assault weapons? The answer is going to be no. That is one provision in Senator ASHCROFT's bill which would prohibit juveniles from possessing assault weapons.

Does anyone in this country truly believe the children from Columbine who went to a gun show and bought two assault weapons as juveniles with no information, no data check, no nothing—does anyone believe that loophole should not be closed? I do not believe so.

In Memphis, TN, not too long ago, a 5-year-old took a pistol off his grandfather's bureau and brought it to kindergarten to kill the teacher because the teacher had given that child a timeout the day before. Stories are legion about children mistaking real guns for play guns and shooting their friends.

The third provision is simple. It would require a safety lock with every gun sold. Does anyone believe guns should not be sold without safety locks? I do not believe so.

Finally, there is my provision which would plug a major loophole in the 1994 assault weapons legislation. That legislation, in fact, says you cannot today manufacture, transfer, sell, or possess a clip, drum, or strip of more than 10 bullets manufactured in the United States. That is the law today. The loophole is to permit the foreign importation of these clips, and they are coming into this country by the tens of millions with literally tens of thousands of them in drums of 250 rounds. They come in, as a matter of fact, from the United Kingdom, and they come in from 20 different countries throughout the world.

My provision would simply close that loophole and prohibit the importation. It actually passed the House by unanimous consent, and both the Speaker and the chairman of the House Judiciary Committee have assured me personally that they see no problem with it and would support it.

These are the four provisions relating to guns. Other than that, this bill contains countless provisions to stem the tide of youth violence. I sit on the Judiciary Committee. I have worked on this bill. I have worked on it with Senator HATCH. Part of this bill is a gang abatement act. It provides a Federal helping hand to local law enforcement agencies to fight criminal street gangs that are now crossing State lines and moving into so many of the cities of our Nation. You, Mr. President, were mayor of a great city. You know this to be the fact. This is an important part of this legislation.

It also contains the James Guelff Body Armor Act which contains reforms to take body armor out of the hands of criminals and put it in the hands of police. It is named after a San Francisco police officer by the name of James Guelff who went to a call at the corner of Pine and California Streets and came across a Kevlar-clad sniper with thousands of rounds of ammunition and a number of guns. He had a .38 revolver. As he speed loaded his revolver, this officer was shot in the head and killed. It took 150 police officers to equal the firepower of one sniper clad in Kevlar with high-powered weapons.

The Senate bill also establishes a new $700 million juvenile justice block grant program for States and localities, representing a significant increase in Federal aid to the States for juvenile crime control programs. These programs include additional law enforcement and juvenile court personnel, juvenile detention facilities, and prevention programs to keep juveniles out of trouble before they turn to crime, something both of us know, as past mayors, is vital if we are going to reverse juvenile crime in this country.

The bill encourages increased accountability for juveniles, and it implements a series of graduated penalties that ensure that subsequent offenses are treated with increasing severity, so that if you are going to be a continuing offender, the sentences are going to reflect that.

The bill also reforms juvenile record systems through improved record keeping and increased access to juvenile records by police, courts, and schools, so that a court or school dealing with a juvenile in my State, California, can know if they have committed violent offenses in Arizona, or a juvenile in your State, Ohio, had committed violent offenses in another surrounding State.

It extends Federal sentences for juveniles who commit serious violent crimes.

All of these commonsense provisions now remain in legislative purgatory. I am here to urge, once again, the majority to proceed with the conference, come to a compromise, and move this bill. That compromise should preserve intact the Senate-passed gun control legislation—four targeted measures—commonsense, reasonable; I call them no-brainers. Every poll shows a dominant majority of Americans supporting each of these. And they represent together a bare minimum of what we should do this year to stem the gun violence that is increasingly common on our streets and in our schools.

School has now been back in session for several months, and this Congress is about to adjourn for the year. So far, it looks as if we are going to be receiving a failing grade from the American people. There is still time to buckle down, to do the work, to pass the test that this Nation gave us so many months ago. What a wonderful Christmas gift it would be for the people of America.

I thank the Chair and yield the floor.

The PRESIDING OFFICER (Ms. COLLINS). The Senator from Montana.

Mr. BAUCUS. Madam President, I ask unanimous consent to speak as in morning business.

Mr. BYRD. Reserving the right to object, and I will not object, would the Senator mind stating how long he wishes to speak?

Mr. BAUCUS. I would be very happy to tell the Senator. Less than 10 minutes.

Mr. BYRD. I have no objection. I thank the Chair and thank the Senator.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAUCUS. I thank the Senator.

## SATELLITE TV ACCESS TO NETWORK PROGRAMMING

Mr. BAUCUS. Madam President, I would like to make a few remarks about a serious problem for people in our country who do not live in our Nation's cities; that is, the loss of satellite TV access to network programming.

We all know that modern technology has made it possible to broadcast TV programming directly from satellites. Nationwide, over 11 million households subscribe to satellite TV. That number increases by over 2 million households every year.

Rural areas have come to depend on network coverage that satellites provide.

In my State, Montana, where over 35 percent of homes depend solely on satellite broadcasting for their TV reception, obviously this development has been a real boon.

While satellite broadcasting has improved the quality of life for folks in rural America, it has not been perfect. Satellite systems have not been able to carry local broadcast stations. So local viewers have not always been able to get local broadcasting.

This is not just a problem for satellite subscribers; it is a problem for local television broadcasters and for the fabric of local communities. Local

broadcasters play a key role in our communities. They provide local news, local weather, and public service programming.

Viewers depend on these local broadcasts to find out what is going on in their community: When the school board, the PTA, and the city council are meeting, or when there is a parade or a fundraiser for their church or a civic group.

Local broadcasters are vital to our communities. They provide jobs, and they allow local businesses to grow through advertising. In short, the importance of local broadcasting is evident in all parts of community life.

Local broadcasters also provide network programming: NBC, ABC, CBS, and FOX. Nineteen of the 20 TV stations in Montana are affiliated with some of these networks or with PBS. These stations air national news, sports, and entertainment at times of the day when people with jobs and kids can watch them.

Without local broadcasts, you might miss the evening network news because it comes on before you get home from work or because it airs late at night. People want local network coverage because it works in their own lives and in their local community.

Until now, technology has not provided for rebroadcast of local signals by satellites. Many rural residents have not been able to get decent reception over the air.

Of course, we in the Senate cannot change technology or geography, but what we can do is change the law. We can make local-into-local broadcasting a reality, and we should.

Last spring, we passed H.R. 1554. At the time, we neglected an important responsibility. The language we passed would have required the turnoff of network programing to many rural satellite viewers. It would have done nothing to help the many local broadcasters in smaller cities and towns. It was an oversight.

Following the vote, I wrote a letter to the conference asking they pay attention to the needs of the many viewers, communities, and stations that had been ignored. Twenty-three of my colleagues, from both sides of the aisle, signed the letter.

As you know, Madam President, the conference on the satellite bill has paid little attention to our request. The language of the conference report, now titled the ''Intellectual Property and Communications Omnibus Reform Act of 1999,'' includes some important new provisions.

It does allow satellite viewers in poor reception areas, the so-called ''grade B contour'' viewers, to continue to get network programming from satellites. Without this, many satellite viewers will lose their network TV at the end of next month.

It also includes a loan guarantee that will make it possible for all local stations to broadcast on satellite, not just those in the very largest cities and towns.

Without this, the other local-into-local provisions of the act are an empty promise to rural and small town America that depends on satellites.

Last week, the House passed the conference language by a near unanimous vote. But in the Senate, a few Members—and I might say, on the other side of the aisle—are blocking a vote on this conference report. They say: We promise to have more hearings. We should have another committee look at this.

They might as well say: Let them watch the radio.

The Senate should act now to ensure that the conference report language becomes law. It is clear the majority of the Senate is ready to vote to approve the measure, just as the House did. Instead, we are offered a weakened version attached to the omnibus appropriations bill, which we will get sometime soon, and a weak promise to do something next year.

This is a no-brainer. There are many people in rural America who would like to add satellite TV, network programming from their local stations. It is that simple. We have it within our power today to very simply pass a provision and provide for the financing, a loan guarantee. We all know it is going to pass. We all know we are going to do it. But there is one Senator who wants it in his committee. And I say, that one Senator represents a State where there are a lot of people who I think want local-into-local broadcasting from the satellites.

There are millions of Americans who depend on their satellites and want local network coverage—not national network coverage—or at least the option to get both local and national.

This is a no-brainer. I get more mail on this subject than any other subject. I daresay, Madam President, you probably get a lot of mail on this subject, too. I know a lot of Senators probably get as much mail on this one subject as any other. And we can simply solve it today very easily. It makes no sense for us not to.

Madam President, I yield the floor.

## NOMINATION OF T. MICHAEL KERR

Mr. NICKLES. Mr. President, I want to make a few comments regarding the nomination of T. Michael Kerr to be Administrator of the Wage and Hour Division of the Department of Labor. I held up this nomination until I could secure an agreement regarding the issue of unauthorized break time from the Secretary of Labor, outlined in a letter I will submit for the RECORD.

The need for this agreement with the Secretary was precipitated by a case pending before the Wage and Hour Division regarding an employee exceeding the allotted time for a rest/period break, and an employer deducting from the employee's compensation the time taken in excess of the break time.

The Fair Labor Standards Act does not require employers to provide its employees with a rest period/breaks. Nevertheless, many employers offer short breaks to their employees. Although the duration of a voluntary break is up to the employer, the breaks generally run between 5 and 20 minutes.

The Department of Labor does recognize that employers have the flexibility to determine the number of breaks and the length of breaks that they offer to their employees. The Department of Labor has taken the position that when an employer allows its employees to take a short break and an employee abuses the break time policy by exceeding the time that the employer allotted for the break, the employer must still compensate the employee for the first 20 minutes of the break.

Further, the Department of Labor has taken the position that if an employer offers its employees a compensable break of less than 20 minutes in duration, and an employee's break time exceeds the time that the employer allotted for the break, then the employer's only recourse against the employee is disciplinary action (such as a reprimand or termination), or elimination of the rest period.

Under the agreement I reached with the Secretary, the Department of Labor will conduct a complete review of its policy regarding unauthorized breaks. That review will be completed by February 1, 2000. Upon completion of the review, the Department of Labor will submit its findings in writing to the Chairman and Ranking Members of the relevant committees in the House and the Senate. The review will include consideration of what outcome is in the best interest of the employee if the employee exceeds the allotted time of a rest period/break: disciplinary action against the employee (such as a reprimand or termination); elimination of the rest period/break option; or deductions of compensation for the time in excess of the allotted break time.

Also, the Secretary committed the Department of Labor will assure that the resolution of any cases in which unauthorized break times are at issue, will be consistent with the findings in their review.

This is an important review of what is clearly an outdated policy. I look forward to the outcome of their review, and I thank the staff at the Department of Labor for working in good faith with my office, and the Secretary for working to a quick resolution of this issue so this nomination can move forward.

I ask unanimous consent that a letter from the Secretary of Labor be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SECRETARY OF LABOR,
*Washington, DC, November 18, 1999.*

Hon. DON NICKLES,
*U.S. Senate,*
*Washington, DC.*

DEAR SENATOR NICKLES: This is a follow-up to the meeting of our respective staffs yesterday. While the Department of Labor recognizes that employers have the flexibility to determine the number and length of breaks they offer to their employees, the Wage and Hour Division has taken the position that if an employer offers a break of less than 20 minutes in duration, the time the employee spends on that break typically is compensable hours worked under the Fair Labor Standards Act.

Most of the Wage and Hour Opinion Letters that address this issue involve authorized breaks. However, on several occasions, the Wage and Hour Administrator has stated that short unauthorized breaks may also count as hours worked. Wage and Hour has taken the position that if an employee exceeds the time allotted for an authorized break, an employer may take a disciplinary action against the employee, or the employer may eliminate the option for rest periods/breaks.

I am committing the Wage and Hour Division and the Solicitor's Office to carefully review our policy with respect to the compensability of unauthorized break time under the FLSA. Our review will specifically include those instances in which employees exceed the time allowed for a rest break. We will also consider what outcome is in the best interests of the employee if the employee exceeds the allotted time for a rest period/break, including the option of deductions of compensation for the time taken in excess of the allotted break time.

As part of our review, we will consider the statutory text, relevant legislative history and regulatory material, case law, previous Wage and Hour Opinion Letters, changing technology and any information that your office or a member of the public may provide. We will complete our review of this matter by February 1, 2000, and transmit our conclusions and supporting rationale in writing to the Chairman and Ranking Members of the relevant committees in the House and the Senate.

It is important that all officials of the Wage and Hour Division interpret and apply the law in a uniform manner, and so advise the public. I will instruct the Wage and Hour Division to assure that the resolution of any cases in which unauthorized break time are at issue is consistent with the outcome we reach in our overall review.

I very much appreciate your interest in these important questions.

Sincerely,

ALEXIS M. HERMAN.

## COMPENSATING CERTAIN DEPARTMENT OF ENERGY WORKERS

Mr. THOMPSON. Mr. President, yesterday, my colleague from New Mexico, Senator BINGAMAN, and I introduced legislation that is, frankly, long overdue.

For more than 2 years, I have been concerned that the Department of Energy was not taking seriously the complaints of a number of workers in Oak Ridge, Tennessee who are ill and who believe that their illnesses are linked to their employment at the DOE site in Oak Ridge. In November of 1997, two years ago, I wrote to the then-Surgeon General, Dr. David Satcher, to request that the Centers for Disease Control, CDC, come to Oak Ridge to try to determine whether a pattern of unexplained illnesses was present and, if so, if its cause could be determined. The CDC study, like others before it, looked at a narrow sample of individuals and did not produce conclusive results.

Since then, I have been working to get the Department of Energy to acknowledge that there is a problem, that certain of its current and former workers are ill, and that they should work with us to address the situation. This legislation—which we developed in conjunction with the Department—is an important step in that direction.

It says, for the first time, that if mistakes were made, and if harm was done to workers who helped this country win the Cold War, we need to act now to remedy those mistakes. It represents a recognition on the part of the government that if people have illnesses that are linked to their employment at a Department of Energy facility, they deserve compensation. That is progress, and I am proud to be a part of it.

Our bill has three parts. The first section, the Energy Employees' Beryllium Compensation Act, would provide compensation to current and former workers who have contracted chronic beryllium disease or beryllium sensitivity while performing duties uniquely related to the Department of Energy's nuclear weapons production program. There are approximately 90 Oak Ridge workers who have been diagnosed with either chronic beryllium disease or beryllium sensitivity to date, and a total of 2,200 Oak Ridge workers who were potentially exposed.

The second section, the Energy Employees' Pilot Project Act, would establish a special pilot program for a specific group of 55 Oak Ridge workers who are currently the subject of an investigation by a panel of physicians specializing in health conditions related to occupational exposure to radiation and hazardous materials. This section authorizes the Secretary of Energy to award $100,000 each to those Oak Ridge workers whose illnesses are determined to likely be linked to their employment at the Oak Ridge site.

Finally, our bill creates the Paducah Employees' Exposure Compensation Fund, which would compensate those current and former workers at the Paducah, KY gaseous diffusion plant who were exposed to plutonium and other radioactive materials without their knowledge, and who develop one of a specified list of conditions linked to radiation exposure. I want to note that there are workers at the K–25 gaseous diffusion plant in Oak Ridge who were exposed to the same contaminants as those in Paducah, and workers in Portsmouth, Ohio who were similarly affected as well. It is my hope that these two groups of workers would be added to this section of the legislation, upon the conclusion of the Department of Energy's investigation into what happened at these two sites, if the facts so warrant. Their absence at this time should in no way indicate that either the sponsors of this bill or the Department of Energy believe that they were not similarly affected. I strongly believe that workers at all of the DOE sites must be treated equally in this process, and I am committed to doing all I can to ensure that that is the case.

Let me just remind my colleagues who it is we are talking about. We are talking about workers who participated in the Manhattan Project, men and women who helped to ensure the superiority of America's nuclear arsenal, and who directly contributed to our nation's victory in the Cold War. We owe them a debt of gratitude. And if we put them in harm's way without their knowledge, it's time for us to make that right. This bill is a step in that direction. I look forward to its consideration by the Senate.

## PAIN RELIEF PROMOTION ACT

Mr. NICKLES. Mr. President, on June 23, 1999, Senator LIEBERMAN and I introduced S. 1272, the Pain Relief Promotion Act, which addresses two specific concerns. First, it provides federal support for training and research in palliative care. Second, it clarifies federal law on the legitimate use of controlled substances. On October 27, 1999 the House passed its companion measure H.R. 2260 by the resounding bipartisan vote of 271 to 156. It is my hope that the Senate will soon have the opportunity to debate and vote on this important legislation.

In anticipation of that debate, and in light of inaccurate characterizations of the second aspect of our bipartisan legislation, I believe it is important for me to ensure that the Record reflects precisely how this bill will—and will not—affect current federal law with regard to Drug Enforcement Administration (DEA) oversight of the use of federally controlled substances.

To understand the effect the Pain Relief Promotion Act will have on pain control, we must begin with what the law is now. The Controlled Substances Act, CSA, of 1970 charged the DEA with the responsibility of overseeing narcotics and dangerous drugs—including powerful prescription drugs which have a legitimate medical use but can also be misused to harm or kill. In asserting its authority over these drugs, Congress declared in the preamble of the Controlled Substances Act of 1970 that ''Federal control of the intrastate incidents of the traffic in controlled substances is essential to the effective control of the interstate incidents of such traffic'' (21 U.S.C. 801 (6)).

In 1984, Congress amended the CSA due in part to a specific concern regarding the misuse of prescription drugs in lethal overdoses. The then Democratic-controlled House and a Republican Senate further strengthened the Act, empowering the DEA to revoke a physician's federal prescribing

license if he or she uses it to endanger ''health and safety'' regardless of whether state law has been violated (21 U.S.C. 824, referencing 21 U.S.C. 823). The chairman of the Health subcommittee in the House agreed: ''Drugs legally manufactured for use in medicine are responsible for a substantial majority of drug-related deaths and injuries'' (Rep. WAXMAN, Hearing of July 31, 1984, Hearing Record No. 98–168, p. 365). Congress' view was that while the states are the first line of defense against misuse of prescription drugs, the Federal Government must have its own objective standard as to what constitutes such misuse—and it must have the authority to enforce that standard when a state cannot or will not do so. Congress' 1970 and 1984 decisions have been upheld time and time again by federal courts.

It is clear that federal law is intended to prevent use of these drugs for lethal overdoses, and contains no exception for deliberate overdoses approved by a physician. Nowhere in the Controlled Substances Act has death or assisting death ever been considered a ''legitimate medical purpose'' for use of these drugs. In the past, physicians who were involved in the use of these drugs for suicide or other lethal overdoses have lost their federal authority to prescribe controlled substances on the grounds that they had endangered ''health and safety.''

In 1997, Congress passed the Assisted Suicide Funding Restriction Act of 1997 without a dissenting vote in the Senate and by an overwhelming margin of 398–16 in the House. President Clinton stated in signing the bill that ''it will allow the Federal Government to speak with a clear voice in opposing these practices.'' He further warned that ''to endorse assisted suicide would set us on a disturbing and perhaps dangerous path.'' I would add only that authorizing a federal agency to endorse the use of controlled substances for assisted suicide would similarly ''set us on a disturbing and perhaps dangerous path.''

In November 1994, the State of Oregon adopted by referendum the so-called ''Death with Dignity Act,'' allowing physicians to prescribe medication for the purpose of assisting patients' suicides. The week of that vote, Professor George Annas of Boston University pointed out the inconsistency between the Oregon referendum and the Controlled Substances Act in an article in the New England Journal of Medicine. He questioned whether such a state law was compatible with existing federal laws governing federally controlled drugs, ''since the drafters of the federal statute certainly did not have this purpose [assisting suicides] in mind.''

However, on June 5, 1998, overturning a previous determination by her own DEA Administrator, the Attorney General issued a letter carving out an exception for Oregon so it can use federally-controlled substances for assisted suicide. She claimed that Congress did not ''intend to override a state determination as to what constitutes legitimate medical practice in the absence of a federal law prohibiting that practice.'' The Pain Relief Promotion Act will respond to the Attorney General's challenge, by clarifying that the intentional misuse of these drugs to cause patients' deaths is not authorized by Congress in any state, nor has it ever been.

On October 27, 1997, Oregon's ''Death with Dignity Act'' became effective. In the first year at least 15 patients have committed suicide with doctor's assistance under the new Oregon law. We really do not know the total number, because all reporting of cases is left completely in the hands of the doctors themselves, and the Oregon Health Division admits it has no idea how many unreported cases there are. But regarding those 15 reported cases we know one thing: Every one of those patient's deaths was caused by a federally controlled substance, prescribed with a federal DEA registration number, using federal authority. Today, without any decision to this effect by Congress or the President, the federal government is actively involved in assisting suicides in Oregon.

To hear some of the critics of this bill you might think that the Pain Relief Promotion Act creates a new authority on the part of the DEA to revoke doctors' registrations if they use controlled substances to assist suicide. On the contrary that authority has existed for 29 years and it exists now. Attorney General Janet Reno was very clear on this matter in her letter of June 5, 1998: ''Adverse action under the CSA may well be warranted . . . where a physician assists in a suicide in a state that has not authorized the practice under any conditions, or where a physician fails to comply with state procedures in doing so.''

What does this mean for current law and practice? First, the DEA has full authority to revoke a DEA registration for assisting suicide in any of the 49 states where assisting suicide is not authorized by state law. While critics of the Pain Relief Promotion Act have said that empowering the DEA to investigate physicians in such cases will have a ''chilling effect'' on the treatment of pain, the fact is that such authority already exists in 49 states.

What about the one State, Oregon, where the Attorney General said the DEA will not take adverse actions against physicians for assisting suicide in compliance with the Oregon law? Even in Oregon many cases of assisting suicide remain illegal under state law. The state law authorizes assisting the suicide of those who are terminally ill, but not others. Under the Attorney General's determination, then, the DEA can continue to review cases of assisting suicide to make sure they do not involve those who are not terminally ill, and it can scrutinize whether a given use of pain medication was really intended to assist suicide. All aspects of the Oregon guidelines for legally valid assisted suicide are also subject to DEA investigation, since the Attorney General has only authorized physicians to use federally controlled drugs for assisted suicides when they fully comply with those state guidelines.

Thus, as interpreted by the Attorney General, a registration to prescribe federally controlled substances can be revoked under the current Controlled Substances Act if these substances are used to assist suicide in any state in the Nation, with the exception of certain cases of assisted suicide that Oregon has legalized for the terminally ill. If DEA scrutiny of doctors' prescribing practices were going to ''chill'' the practice of pain control, that would already be occurring under current law.

How does the Pain Relief Promotion Act impact this situation? It establishes that, for the first time in federal law, the use of controlled substances for the relief of pain and discomfort is a ''legitimate medical purpose,'' even if the large doses used in treating pain may unintentionally hasten death. Intentionally causing death or assisting in causing death remains forbidden. Thus this bill does not increase the DEA's regulatory authority at all. On the contrary, its only effect in 49 states (and even in Oregon, in cases involving those who are not terminally ill) is to provide new legal protection for physicians who prescribe controlled substances to control pain.

In Oregon, this bill eliminates the Attorney General's artificial exception designed to accommodate assisted suicides that are no longer penalized under Oregon law. The DEA can meet its responsibility here simply by looking at the reports required by Oregon law, in which doctors must identify the drugs used to assist suicide. Those records will make it clear whether federally controlled drugs were used; and since the physician is clearly reporting that his or her own intent was to help cause death, there will be no question of murky intentions or ambiguity. Thus this bill will not lead to any increase in the DEA trying to ''second guess'' or infer physicians' intentions, even in Oregon.*****-*****- -Name: -Payroll No. -Folios: J1S/13-J1S/14 -Date: -Subformat:

What of any unreported cases in which physicians assist the suicides of terminally ill patients? Those assisted suicides are already a crime under Oregon law, and thus already subject to adverse action by the DEA as well under the Attorney General's interpretation. Only if a physician officially reports the case to the Oregon Health Division is he or she exempted from state criminal penalties. So those cases are already covered by the same DEA authority that currently applies to assisted suicides in the other 49 states.

Let me take this situation step by step.

First, removing the Oregon exception to the existing nationwide policy cannot increase any ''chilling effect'' on

pain relief outside of Oregon, because the bill does not increase one iota the authority of the DEA to investigate the misuse of controlled substances to assist suicide outside of Oregon. In fact, in those states its only effect is to provide a more explicit ''safe harbor'' for the practice of pain control, which is a significant advance and improvement for doctors and terminally ill patients. This is also true of assisted suicide cases within Oregon that do not comply with the state's reporting requirements or other guidelines. In all these cases, the Pain Relief Promotion Act gives the DEA no new mandate to investigate cases of assisted suicide more directly. Rather, it is expected to follow its longstanding practice of generally deferring to state authorities and allowing them to take the lead in investigating possible wrongdoing.

Second, no new questioning of physicians' intentions is warranted to address the cases of assisted suicide that are now permitted under Oregon law. To be free of criminal penalties under state law in Oregon, a doctor who assists a suicide must submit a report to Oregon authorities that includes information on the drugs prescribed to assist the suicide. The Drug Enforcement Administration, DEA, can obtain those reports from the Oregon authorities. It already has the authority to subpoena them, if necessary; again, our legislation has no impact on this.

Thus, even in Oregon, this bill will not result in any increase in DEA oversight or investigations of doctors based on their prescribing patterns or the dosages they use for particular patients. This is clearly stated in the House Judiciary Committee report on this bill, H. Rep. 106–378 Pt. 1, pp. 12–13.

It follows that if this bill is enacted, any doctors in Oregon who prescribe controlled substances for pain relief need not fear any increase in DEA scrutiny of their practices, and therefore should not in any way be deterred from prescribing adequate pain relief.

This bill cannot have a ''chilling effect'' on pain control, but will have the opposite effect. For the first time, it will place in the Controlled Substances Act, as the American Society of Anesthesiologists notes, ''recognition that alleviating pain in the usual course of professional practice is a legitimate medical purpose for dispensing a controlled substance that is consistent with public health and safety, even if the use of such a substance may increase the risk of death.'' The American Medical Association says this bill, ''provides a new and important statutory protection for physicians prescribing controlled substances for pain, particularly for patients at the end of life.'' As the American Academy of Pain Management observes, this will protect the ability of ''prescribers to relieve pain without fear of regulatory discipline.''

Those who are concerned about the possibility of a negative impact on pain relief if we pass this bill need to answer this question: do they believe that now the Drug Enforcement Administration is having a chilling effect on pain relief because federally controlled substances cannot be used to assist suicide in 49 states and even, in many cases, in Oregon?

If the answer is ''no,'' then there is no basis to be concerned about this bill—for this bill will not increase investigations or oversight into the dosages of drugs used for pain relief, and in fact instructs the DEA to be even more sensitive to physicians' need to prescribe large doses of these drugs for pain control.

If the answer is ''yes,'' then there is a great need for this bill—because for the first time it adds specific protections for doctors who prescribe controlled substances for pain control—resulting in a decrease in any ''chilling effect'' that may exist under current law.

Let me quote from the American Medical Association:

> The bill would not expand existing criminal penalties in the CSA for persons whose unauthorized use of a controlled substance leads to someone's death. . . . The bill would not expand the DEA's authority concerning jurisdiction, investigations or enforcement regarding the CSA. In fact, the inclusion of a recognition of the ''double effect'' in the CSA provides physicians in all jurisdictions an additional statutory protection in cases of alleged [physician-assisted suicide]. The bill has the potential, through its educational provisions, of sensitizing law enforcement personnel to the multiple issues of end-of-life care and prescribing.

It is noteworthy that although the Justice Department expressed concern about the portion of the bill that would prevent the use of federally controlled substances to assist suicide in Oregon, it agrees that the bill would aid, and not hinder, pain relief. In a letter dated October 19,1999, the Justice Department wrote that the bill ''would eliminate any ambiguity about the legality of using controlled substances to alleviate the pain and suffering of the terminally ill by reducing any perceived threat of administrative and criminal sanctions in this context. The Department accordingly supports those portions of [the bill] addressing palliative care.''

This bill makes it easier, not harder, to use controlled substances to relieve pain. That is why so many major medical organizations, including the National Hospice Organization, the American Academy of Pain Management and the American Society of Anesthesiologists, as well as the AMA, strongly support its enactment.

Some may wish to abolish the Controlled Substances Act altogether. They may think that the federal government's longstanding insistence on monitoring the distribution of these powerful drugs is an unwarranted intrusion into medical practice. I disagree with that stand, but at least it can be understood as a consistent position. What is untenable is the claim that this particular bill, which clearly improves the law's sensitivity to medical judgments on pain control, somehow mysteriously worsens that situation. Once we understand what the current law is and what this bill does, that claim simply does not make sense.

In short, the Pain Relief Promotion Act will foster pain control. It will improve existing law by adding significant new legal protections for physicians and pharmacists who prescribe and dispense controlled substances for pain control. It will reduce, and in no way increase, any possible ''chilling effect'' that could deter adequate pain control. And by clarifying federal law so the federal government will not facilitate the medical institutionalization of assisted suicide in any state, this legislation may help discourage doctors from simply suggesting assisted suicide instead of working to address their patients' real problems of uncontrolled pain. As protectors of public health and safety we should be encouraging doctors to kill the pain, not the patient.

Mr. President, I ask unanimous consent that the following two editorials be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Nov. 4, 1999]

DON'T KILL THE PAIN-RELIEF BILL

(By Wesley J. Smith)

Last week, by a vote of 271–156, the House approved the Pain Relief Promotion Act, designed to promote effective medical treatment of pain while deterring the misuse of narcotics and other controlled substances for assisted suicide. The bill's passage prompted an outpouring of hyperbole and misinformation from opponents. Here are the facts about the act:

It would not outlaw assisted suicide, Critics accuse Congress of ''overturning'' Oregon's assisted-suicide referendum. Would that it did. In fact, the act would outlaw only the intentional use of controlled substances to cause death. Lethal substances not controlled by federal drug regulations could still be prescribed legally on Oregon for use in assisted suicide.

It would not interfere with states' rights. Under the Controlled Substances Act the federal government, not the states, has the authority to determine what is and is not a proper medical use of the drugs specified in the act. Thus, as an editorial in the (Portland) Oregonian noted, it is the Oregon law that ''barges into an area of long-standing federal jurisdiction.'' Thus passage of the act would return national uniformity to the enforcement of federal drug laws.

It merely reaffirms existing federal law. Because the act declares that assisted suicide is not a ''legitimate medical purpose'' under the Controlled Substances Act, critics have wrongly accused supporters of granting new authority to the Drug Enforcement Agency to punish doctors. In fact, DEA has had that authority for nearly 30 years. Since 1980 it has brought more than 250 enforcement actions for violating the federal legal standard of ''legitimate medical purpose.''

The medical community overwhelmingly favors it. Proponents of the bill include the American Medical Association, the National Hospice Organization, the Hospice Association of America, the American Academy of

Pain Management, the American Society of Anesthesiologists and the American College of Osteopathic Family Physicians. (True, support isn't unanimous. Dissent within the medical community has been led by the Rhode Island Medical Association.)

It has broad bipartisan support. Seventy-one House Democrats voted for the bill, and its Senate sponsors include Joe Lieberman (D., Conn.), Chris Dodd (D., Conn.) and Evan Bayh (D., Ind.).

It would enhance pain control. If the act becomes law, pain control will for the first time be specifically identified in federal law as a proper use of controlled substances—even if the use of pain-controlling drugs has the unintended side effect of causing death. That is a much-needed legal reform, because many doctors fail to treat pain aggressively because they fear the government's second-guessing. Several states have recently passed similar laws, leading to dramatic increases in the use of morphine and other palliative medications.

The Pain Relief Promotion Act looks likely to pass the Senate. If President Clinton truly feels our pain, he will sign it the moment it hits his desk.

---

[From the Oregonian, July 1, 1999]

KILL THE PAIN, NOT THE PATIENTS

CONGRESS SHOULD ALLOW DOCTORS TO USE CONTROLLED DRUGS FOR AGGRESSIVE PAIN TREATMENT INSTEAD OF SUICIDE

It's no secret to any reader of this space that we oppose Oregon's venture into physician-assisted suicide.

But last year, when the American Medical Association and the National Hospice Organization came out against a bill in Congress giving medical review boards the power to deny or yank the federal drug-prescribing license to physicians who prescribed these drugs to assist in suicides, we took their concerns seriously.

The groups argued that the proposed law could reverse recent advances in end-of-life care. Doctors might become afraid to prescribe drugs to manage pain and depression—things that, when uncontrolled, can lead the terminally ill to consider killing themselves in the first place. We thought then that the problem could be worked out and that it was possible to keep doctors from using federally controlled substances to kill their patients without also preventing them from relieving their terminally-ill patients' agonies.

This Congress's Pain Relief Promotion Act proves it, and the proposed legislation comes not a moment too soon. A new report by the Center for Ethics in Health Care at Oregon Health Sciences University shows that end-of-life care in Oregon—which fancies itself a leader in this area—is far from all it should be. Too many Oregonians spend the last days of their life in pain.

There's no real need for that—and the Pain Relief Promotion Act of 1999 would go a long way toward addressing these systemic and professional failures here and elsewhere. The proposal would authorize federal health-care agencies to promote an increased understanding of palliative care and to support training programs for health professionals in the best pain management practices. It would also require the Agency for Health Care Policy and Research to develop and share scientific information on proper palliative care.

Further, the Pain Relief Promotion Act would clarify the Controlled Substances Act in two essential ways.

One, it makes clear that alleviating pain and discomfort is an authorized and legitimate medical purpose for the use of controlled substances.

Two, the bill states that nothing in the Controlled Substances Act authorizes the use of these drugs for assisted suicide or euthanasia and that state laws allowing assisted suicide or euthanasia are irrelevant in determining whether a practitioner has violated the Controlled Substances Act.

Technically, of course, the bill does not overturn Oregon's so-called Death with Dignity Act. But it would thwart it, for all practical purposes, because it makes it illegal for Oregon doctors to engage in assisted suicide using their federal drug-prescribing license. Suicide's advocates may think of some other method, but none seems obvious.

Is this a federal intrusion on a state's right to allow physician-assisted suicide or euthanasia?

To hear some recent converts to states' right talk, you might think so. But you could just as easily argue that Oregon's assisted suicide law intrudes on the federal domain. The feds have long had jurisdiction over controlled substances, even as states kept the power to regulate the way physicians prescribe them. At best, it's a gray area.

You'll recall that the Department of Justice declined to assert a federal interest in all of this when it plausibly could have, shortly after Oregon voters approved assisted suicide. It's probably better—and high time—that Congress asserts that interest explicitly.

This act would establish a uniform national standard preventing the use of federally controlled drugs for assisted suicide. That, in itself, should advance the national debate on this subject in a more seemly way than, say, the recent efforts of Dr. Jack Kervorkian.

Beyond that, it's high time that Congress made clear that improved pain relief is a key objective of our nation's health-care institutions and our Controlled Substances Act. The Pain Relief Promotion Act will do all this. No wonder the American Medical Association and the National Hospice Organization are now on board.

## PRISON CARD PROGRAM

Mr. ASHCROFT. Mr. President I rise today to talk about an important and highly successful program operated for more than 25 years by the Salvation Army in conjunction with the Bureau of Prisons. This program is called the Prison Card Program. Under the program, greeting cards are donated to the Salvation Army that are then given to inmates at correctional facilities across the country. This program allows inmates to keep in touch with family and friends—not only during the holiday season—but throughout the year. The benefits of this program to the inmates and their loved ones are clear. However, there are also benefits to the community as well. Inmates who maintain strong ties with their families and friends are less likely to return to prison once their sentence is completed.

I want to commend the Salvation Army, the Department of Justice, and the Bureau of Prisons for supporting this program. In particular, I want the Department to know that this program has the support of Congress. I have spoken to Chairman GREGG, who has indicated that he is prepared to work with me and other supporters of the program in the coming months to ensure that this important charitable program is sustained well into the future.

## THE CARIBBEAN BASIN INITIATIVE AND THE IMPACT ON TRADE WITH ISRAEL

Mr. JOHNSON. Mr. President. I would like to alert my colleagues to an issue raised by H.R. 434, the African Growth and Opportunity Act and the Caribbean Basin Initiative, regarding trade with Israel under the U.S.-Israel Free Trade Area Agreement. Notwithstanding our free-trade agreement with Israel, the CBI provisions of this legislation would unfairly discriminate against U.S. imports from Israel.

Under that legislation, most U.S. textile products made with Israeli inputs, such as yarn, fabric or thread, would not be eligible for duty free treatment when assembled into apparel in the Caribbean. To illustrate the contrast with current law, today, if a U.S. company uses Israeli yarn in manufacturing fabric, the products made from such fabric would be eligible for CBI benefits. The trade bill creates a unilateral change from the status quo in our trade with Israel and a major barrier to U.S. companies using Israeli-origin inputs.

I would like to submit for the RECORD a letter from the Economic Minister of the Israeli Embassy that was sent to each of the Members of the Senate Finance Committee urging Congress to treat Israeli inputs on par with U.S. inputs in this trade legislation. I ask unanimous consent that letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

EMBASSY OF ISRAEL,
*Washington, DC, June 15, 1999.*

DEAR SENATOR: I am writing to you, as well other members of the Committee on Finance, to ask for your support during the Committee's mark-up of the U.S.-Caribbean Basin Trade Enhancement Act (also known as the "CBI" trade parity bill) to ensure that it does not impose an economic barrier against U.S. imports of Israeli-origin inputs, such as yarn, fabric or thread, under the U.S.-Israel Free Trade Area Agreement ("FTAA").

My Government urges the inclusion of a provision in the CBI legislation that will enable U.S. companies to continue utilizing Israeli-origin inputs in producing American-made products without making such products ineligible for CBI duty-free trade prefrences.

The current CBI trade program provides preferential tariff treatment to apparel made from U.S.-formed components that are finished in a CBI-eligible country. Currently such components may be cut from fabric, or formed from yarn, originating either in the United States or Israel. The legislation before the Committee incorporates a U.S.-only fabric and thread forward rule of origin. The CBI bill recently approved by the House Ways and Means Committee also incorporates a U.S.-only "yarn forward" requirement for knit-to-shape products. Either bill in its current form would adversely affect Israeli exports to the United States. Market conditions would all but require U.S. companies to halt imports of Israeli inputs so as not to disqualify their products from the duty-free trade preference to be extended unilaterally to CBI-eligible countries. The loss of sales to the U.S. market would harm

both Israeli companies and U.S. companies that supply raw materials used in the manufacture of Israeli inputs, such as nylon yarn.

I am bringing this matter to your attention because the legislation to be considered by the Finance Committee should not damage U.S.-Israeli trade. Protecting against such harm can be accomplished by providing in the legislation that Israeli-origin inputs will, for purposes of CBI preferences, be treated no less favorably than U.S. inputs. Such a provision would ensure that restrictive consequences of the proposed legislation would not adversely affect U.S.-Israeli trade.

The legislative measure that we are asking you to support is consistent with previous trade measures approved by your Committee and enacted into U.S. law to preserve U.S.-Israeli trade under the FTAA. Such a provision would preserve the status quo in U.S.-Israeli trade, a goal that has been endorsed previously on a number of occasions by the Committee. It is not intended to create any new benefit for Israeli products.

In sum, our objective is to ensure that the CBI trade bill does not withdraw the practical benefits of the U.S.-Israel Free Trade Area Agreement and our mutual goal of expanding bilateral trade. I would very much welcome the opportunity to review this issue with you.

Sincerely,

OHAD MARANI,
*Economic Minister.*

Mr. JOHNSON. I do not think that it is the intent of the CBI legislation to undermine our trade with Israel. Preserving our existing trade with Israel will not in any way lessen the trade benefits we extend to the CBI countries. And it is critically important that we consider our existing trade agreement with Israel as we develop further trade measures. I urge my colleagues to address this issue as this bill moves forward, so that we do not prejudice our trade with Israel under the U.S.-Israel Free Trade Area Agreement.

## CONGRESSIONAL BUDGET OFFICE REPORT

Mr. MURKOWSKI. Mr. President, at the time Senate Report No. 623 was filed, the Congressional Budget Office report was not available. I ask unanimous consent that the report which is now available be printed in the CONGRESSIONAL RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
*Washington, DC, November 10, 1999.*

Hon. FRANK H. MURKOWSKI,
*Chairman, Committee on Energy and Natural Resources,*
*U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 623, the Dakota Water Resources Act of 1999.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Megan Carroll (for federal costs), and Marjorie Miller (for the impact on state, local, and tribal governments).

Sincerely,

BARRY B. ANDERSON,
(For Dan L. Crippen, *Director*).

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

*S. 623—Dakota Water Resources Act of 1999*

SUMMARY

CVO estimates the implementing S. 623 would cost $131 million over the 2000–2004 period, assuming appropriation of the necessary amounts. Starting in fiscal year 2002, S. 623 would affect direct spending; therefore, pay-as-you-go procedures would apply. CBO estimates, however, that changes in direct spending would not become significant until 2007. S. 623 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA). The state of North Dakota and local governments in that state would probably incur some costs as a result of the bill's enactment, but these costs would be voluntary.

S. 623 would amend the existing authority for construction of the Garrison Diversion Unit (GDU) of the Pick-Sloan Missouri Basin Program, administered by the Bureau of Reclamation (the Bureau). S. 623 would authorize the appropriation of about $688 million (in 1999 dollars) for the Bureau to complete the GDU. Adjusting for anticipated cost growth, CBO estimates that implementing this legislation would require the appropriation of $793 million over the 2000–2017 period. Most of the outlays from such funding would occur after 2004. We estimate that enacting the bill would reduce offsetting receipts (a credit against direct spending) by less than $200,000 a year between 2002 and 2006, but would result in increased offsetting receipts of about $7 million a year starting in 2007.

ESTIMATED COST TO THE FEDERAL GOVERNMENT

The estimated budgetary impact on S. 623 over the next five years is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and environment).

| | By Fiscal Year, in Millions of Dollars | | | | |
|---|---|---|---|---|---|
| | 2000 | 2001 | 2002 | 2003 | 2004 |
| **CHANGES IN SPENDING SUBJECT TO APPROPRIATION** [1] | | | | | |
| Estimated Authorization Level ... | 0 | 24 | 33 | 47 | 31 |
| Estimated Outlays | 0 | 16 | 27 | 41 | 47 |

[1] Most of the costs of implementing S. 623 would occur after 2004. In addition, to the bill's discretionary costs, it would increase direct spending by less than $200,000 a year over the 2000–2004 period. (That estimated annual effect would continue through 2006, but S. 623 would reduce direct spending by about $7 million a year after 2006).

Assuming appropriation of the necessary funds, CBO estimates that implementing S. 623 would cost $131 million over the 2000–2004 period, $450 million over the 2000–2009 period, and $793 million over the 2000–2018 period. Initially, the bill would have no significant impact on direct spending, but after 2006, S. 623 would increase offsetting receipts by about $7 million a year.

BASIS OF ESTIMATE

Estimates of funds needed to meet design and construction schedules were provided by the Bureau. CBO adjusted those estimates to reflect anticipated cost growth during the construction period, as authorized by the bill. For purposes of this estimate, CBO assumes that S. 623 will be enacted during fiscal year 2000 and that the authorized amounts will be appropriated. Estimates of outlays are based on historical spending patterns for similar projects.

SPENDING SUBJECT TO APPROPRIATION

Red River Valley Water Supply Project.—S. 623 would authorize the appropriation of $200 million (in 1999 dollars) for the Bureau to construct facilities to meet the water quality and quantity needs of the Red River Valley. Based on information from the Bureau, CBO expects that construction would begin during fiscal year 2004 and would be substantially completed in 2007. Assuming appropriation of the necessary amounts, CBO estimates that design and initial construction would about $75 million over the 2000–2004 period.

Municipal, Rural, and Industrial Water Systems.—The bill also would authorize the appropriation of $200 million (in 1999 dollars) for the Bureau to make grants to North Dakota to construct municipal, rural, and industrial water systems. The bill would authorize the appropriation of an additional $200 million (in 1999 dollars) for the Bureau to construct, operate, and maintain, on a nonreimbursable basis, municipal, rural, and industrial water systems on certain Indian reservations. CBO estimates that implementing both of these provisions would cost about $45 million between 2000 and 2004.

Operation and Maintenance.—During construction of the Red River Valley Water Supply Project, operation and maintenance costs of the GDU would be covered by using funds appropriated for construction. Once the facility is completed in 2007, S. 623 would authorize the appropriation of amounts necessary for the Bureau to operate and maintain a certain portion of the facility. Based on information from the Bureau, CBO expects the facility to be put into use in 2007. At that time, we estimate that an additional appropriation of about $3 million would be required each year for operation and maintenance.

S. 623 also would authorize the appropriation of additional amounts necessary for the operation and maintenance of wildlife mitigation and enhancement facilities, including wildlife refuges. Based on information from the Bureau, CBO estimates this work would cost about $1 million annually starting in 2001.

Natural Resources Trust.—S. 623 would authorize the appropriation of $25 million for the Secretary of the Interior to make annual contributions to the Natural Resources Trust, a nonfederal corporation (currently known as the Wetlands Trust). The amount to be contributed in any fiscal year would equal 5 percent of the amount appropriated in that year for the Red River Valley Water Supply Project and for non-Indian municipal, rural, and industrial water supply systems. CBO estimates this provision would cost $6 million between 2000 and 2004.

Recreational Projects.—The bill would authorize the appropriation of $6.5 million for the Bureau to construct, operate, and maintain new recreational facilities, provided that the Secretary of the Interior has entered into agreements with nonfederal entities to provide half of the cost of operating and maintaining any such facilities. CBO estimates that implementing this provision would cost about $1 million between 2000 and 2004.

Oakes Test Area Title Transfer.—S. 623 would authorize the Secretary to convey the Oakes Test Area, an experimental irrigation facility in North Dakota, to the local irrigators. The Bureau currently spends less than $200,000 annually to operate and maintain the facility. These amounts are subject to appropriation and are reimbursed by users of the facility. Reimbursements are deposited in the Treasury as offsetting receipts and are unavailable for spending without appropriation action. Based on information from the Bureau. CBO expects that the title transfer would occur during fiscal year 2002. Starting in that year, this provision would yield annual discretionary savings of less than $200,000.

DIRECT SPENDING

Offsetting Receipts from Repayment Contracts.—Under current law, the GDU water

supply features are not expected to be put into service, and thus will not generate offsetting receipts from repayment contracts. According to the Bureau, under S. 623 the unit would be placed into service during 2007 and the agency would start to collect repayments from project beneficiaries in that year. Repayments would be deposited in the Treasury as offsetting receipts and would be unavailable for spending without appropriation. CBO estimates that these receipts would total about $7 million a year starting in 2007.

Oakes Test Area Title Transfer.—CBO estimates that under the bill, the Secretary would transfer ownership of the Oakes Test Area to local users in 2002. This transfer would reduce offsetting receipts that are collected from irrigators under current law to reimburse the Bureau for operating costs. Thus, CBO estimates that this provision would reduce offsetting receipts by less than $200,000 a year starting in 2002.

Pay-as-you-go considerations: The Balanced Budget and Emergency Deficit Control Act sets up pay-as-you-go procedures for legislation affecting direct spending or receipts. The net changes in outlays that are subject to pay-as-you-go procedures are shown in the following table. For the purposes of enforcing pay-as-you-go procedures, only the effects in the budget year and the succeeding four years are counted.

| | By Fiscal Year, in Millions of Dollars | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 |
| Changes in outlays | 0 | 0 | 0 | 0 | 0 | 0 | 0 | −7 | −7 | −7 |
| Changes in receipts | Not applicable | | | | | | | | | |

Estimated impact on state, local, and tribal governments: S. 623 contains no intergovernmental mandates as defined in UMRA. Under current law, and under the amendments made by this bill, the state of North Dakota and local governments in that state would provide some of the funds necessary to construct and to operate and maintain the authorized facilities. All such spending would be a condition of federal assistance and would be voluntary.

Estimated impact on the private sector: This bill would impose no new private-sector mandates as defined in UMRA.

Estimate prepared by: Federal Costs: Megan Carroll; Impact on State, Local, and Tribal Governments: Marjorie Miller.

Estimate approved by: Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

## THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Wednesday, November 17, 1999, the Federal debt stood at $5,690,918,151,426.47 (Five trillion, six hundred ninety billion, nine hundred eighteen million, one hundred fifty-one thousand, four hundred twenty-six dollars and forty-seven cents).

One year ago, November 17, 1998, the Federal debt stood at $5,586,021,000,000 (Five trillion, five hundred eighty-six billion, twenty-one million).

Five years ago, November 17, 1994, the Federal debt stood at $4,752,752,000,000 (Four trillion, seven hundred fifty-two billion, seven hundred fifty-two million).

Ten years ago, November 17, 1989, the Federal debt stood at $2,918,126,000,000 (Two trillion, nine hundred eighteen billion, one hundred twenty-six million) which reflects a doubling of the debt—an increase of almost $3 trillion—$2,772,792,151,426.47 (Two trillion, seven hundred seventy-two billion, seven hundred ninety-two million, one hundred fifty-one thousand, four hundred twenty-six dollars and forty-seven cents) during the past 10 years.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. BYRD. Madam President, I thank the Chair.

Madam President, what is the matter before the Senate?

## CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. The period for morning business has expired. The normal business before the Senate would be the bankruptcy bill.

Mr. BYRD. I thank the Chair.

Madam President, I ask unanimous consent to speak out of order.

The PRESIDING OFFICER. Without objection, it is so ordered.

## HAPPY BIRTHDAY WISHES FOR THE HON. TED STEVENS

Mr. BYRD. Madam President, I want to call attention to the fact that today, November 18, 1999, is the birthday of the very distinguished chairman of the Senate Appropriations Committee, my friend. I would like to say lifelong friend; I just haven't had the pleasure of knowing him all of my life. The day after tomorrow, I will be 82 years old, if the Lord lets me live. So I can't say he is my lifelong friend, but he has been my friend over all the years he has served in the Senate.

I wish him a happy, happy birthday. He is a Senator who doesn't look up to the rich. He doesn't look down on the poor. He is a good man on the inside and on the outside. And he is a man who sticks by his principles.

He is a Republican. I am a Democrat. But neither he nor I puts political party above everything else. We know that political party is important, but there are other things in this life that are even more important. He recognizes that. His handclasp is like the handclasp of our ancestors. His word is his bond, as was the word of our ancestors.

I could say much more. I will simply say he is a Christian gentleman, a gentleman first, last, and always. My wife Erma and I extend to him our very best wishes on his birthday and our prayers and hopes that he will enjoy many, many more happy birthdays.

He is rendering a tremendous service to his country and to his State. I hope the people of Alaska realize what a treasure this man is. He works for Alaska every day in the Senate. We know that. He is effective. He is forceful. He is genuine.

Erma and I join in wishing him a happy birthday and expressing our good wishes also to his lovely wife, Catherine, and to his children.

I yield to the distinguished majority leader.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. LOTT. Madam President, I thank Senator BYRD for yielding me the time. I join in wishing a very happy birthday to our friend from Alaska. He makes the Senate a better place. He keeps us lively. He works hard. He makes sure we get our job done, and he does it with a lot of alacrity sometimes. He will get right up in your face and make sure you understand. That helps to clear the subject up in many instances.

He is a great guy. I am honored to be able to serve in this institution with the great Senator from Alaska who does so much for our country and certainly for his State of Alaska. I will not tell his wife, the lovely, charming wife to whom he is married, what his age is today because I assume she doesn't know what his actual age is. We will keep that a secret. But happy birthday to our great friend.

Mr. DASCHLE. Will the majority leader yield because I think this is the most appropriate time to add my wishes as well.

Mr. LOTT. I am happy to yield.

Mr. DASCHLE. I wish to identify with the warm and generous remarks made by the distinguished senior Senator from West Virginia. I agree entirely with his comments and with the views he has expressed. I think he and I speak for our caucuses in our admiration collectively for the Senator from Alaska. We may not always agree, but there isn't anyone who cares more deeply about this institution, about his State, and represents himself more effectively on the Senate floor and with his colleagues than the Senator from Alaska.

It is an honor for me to be one of those who have had the good fortune of working with him. I respect him immensely, and I, too, join in wishing him the happiest of birthdays. I wouldn't be surprised at all if Catherine knows exactly how old he is today.

MAKING FURTHER CONTINUING APPROPRIATIONS

MOTION TO PROCEED

Mr. LOTT. Madam President, I ask unanimous consent the Senate now proceed to the short-term continuing resolution.

The PRESIDING OFFICER. Is there objection?

Mr. BAUCUS addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Madam President, reserving the right to object, I speak on behalf of 11 million Americans, at least, many of them residents of the State of Alaska. We haven't solved the satellite home viewer matter. I don't see why we can't. It is very simple. All we have to do is put that loan guarantee in, which is very simple. If there are any wrinkles, they can easily be worked out. It makes no sense for us to go home without passing the loan guarantee provision so that the satellite viewers can rest assured and so that those who are going to put up satellites and develop satellites for local-to-local coverage are able to do so. I cannot understand, on behalf of those 11 million Americans who can't understand, why in the world we don't do something that is pretty simple.

Mr. LOTT. Will the Senator yield to me to respond?

Mr. BAUCUS. Madam President, I reserve the right to object.

Mr. LOTT. I have not propounded a unanimous consent request other than to proceed to the short-term continuing resolution so that Senator BYRD may begin to discuss an issue of concern to a number of Senators. I intended to talk to the Senator from Montana and others about trying to enter into an agreement with regard to time.

On the issue to which he referred, I think it is very important that we do take action in this final bill we will be taking up in the next day or so, or today, that will make sure the satellite bill is passed so that people across this country will continue to receive service from the networks on their television sets in the future in order to have this so-called local-to-local service where you get your local station on your local satellite. We are going to have to have some process, some way to get that service into rural areas and smaller areas such as those in Montana, Alaska, and in Mississippi. I am committed to getting that done. So is the Senator from Alaska, Mr. STEVENS. We are going to get that done.

We are going to have to have a very carefully thought out loan guarantee system that will get the satellites up, to get the towers that are necessary to make sure that that is done. The problem we have, as with so many other issues we have been dealing with in the last week, is getting all of that done in the last few hours to make sure we get it done right without the whole process being held up as we go forward.

I will talk to the Senator privately, but he has my assurances—Senator DASCHLE and I will put a colloquy in the RECORD—that we are going to get this done. We are going to get it done early next year. If there are dilatory tactics, we will have a bill that has been carefully massaged by all of the relevant committees, not just one. We will either get it done straight up or we will look for another vehicle. This is something to which we are committed, to which I am committed, and I know the Senator from Alaska is committed.

Mr. STEVENS. Will the Senator yield?

Mr. LOTT. I believe the Senator from Montana—

Mr. BAUCUS. Madam President, I yield to the Senator from Alaska without losing my rights to the floor.

Mr. STEVENS. I certainly won't make a long statement. I still am very committed to the loan guarantee provisions that were in the Satellite Home Viewer Act. But I am also convinced that we would have a period of time to get the regulations ready to proceed with that guarantee program. It would take roughly 6, 7 months.

I am going to ask the FCC to start preparing those regulations now. We have the commitment that we will have a loan guarantee bill before us, and we will be voting on it sometime in April. We will not delay the loan guarantee program for rural America by what we have done. I was assured of that, and I am assured in my own mind that it will work. We will be right on time by the time we get this bill.

We have a commitment coming that we will either have an improved authorization for a loan guarantee or we will vote what was in the bill we took out last night. I urge my friend to understand that we have not abandoned the loan guarantee program. Coming from where I do, I would never abandon it.

When I came to the Senate, the Army ran the communications system of Alaska; the U.S. Government owned all of the telephones in Alaska. Now, when you look at the distance we have come in a relatively short time of my service in the Senate, we are going to do the same thing with satellite communications in a very short period of time, in a new way, consistent with private enterprise, on a guarantee program rather than a Government loan program.

We need to have certainty to what we are doing. I know it will take a long time to get the regulations ready. We did not agree to delaying the loan guarantee program last night; we delayed the authorization for it, and we will have that authorization by April of next year.

Mr. BAUCUS. Madam President, reserving the right to object, I hear my good friend from Alaska and the majority leader. They have States that have the same concerns as do we. Not for a moment do I doubt the intentions of both of the Senators. They are two of the most honorable men I have had the pleasure to know. They are wonderful people.

But I also know how the Senate operates. I also know that the best intentions often don't materialize and something happens. I also know that some of the regulations I suspect the Senator talked about—it is a lot easier for the FCC to write regulations than not knowing in the abstract what the regulations are. I don't know what they can really do that is substantive or effective in the next several months, or whatever it takes.

I also know that the only objection to us proceeding really is one Senator who, for some reason, thinks he should have jurisdiction over this. It is an ''inside baseball'' objection. It is not a substantive objection in any great way.

I also know there is a lot in this omnibus bill that was written pretty quickly, where many minds got together to get something done. I also know that necessity is the motherhood of invention. If we want to do this, we will find a way to get it in.

I am suggesting that a vast majority of Members of this body want to do it. I suggest that 90 percent want to do it. There is an objection not based on substance but based on another reason.

I very much appreciate the desire of the Senator from West Virginia to speak. But I might say that my objecting to proceeding here does not deprive the Senator from speaking. He will find ample opportunity, and I support his right to be able to speak. This is so black and white, so much of a no-brainer, and there are millions of Americans in rural America who want this thing, and there is so little reason not to do it.

So I will object.

The PRESIDING OFFICER. Objection is heard.

The majority leader has the floor.

Mr. LOTT. Madam President, I yield the floor. I believe the Senator from West Virginia was prepared to proceed to discuss his issue. I think he probably will do that. We will see what might be done to address concerns Senators may have, and we will be back later.

Mr. STEVENS. Mr. President, I checked with my office. TEA 21, the highway bill, had a loan guarantee program. It took 16 months for the regulations to be drawn before there was one guarantee made. We have the process to be started on the Satellite Home Viewer Act to create regulations for a new loan guarantee program, and I said it could be done in 6 months. My staff tells me I was very conservative; it will take much longer than that. We will have the law for authorizing the loan guarantee done by the end of April.

I do not believe that those who agree with me that there should be a loan guarantee program should be worried about the deletion of that authorization now. The problem on the loan guarantee program is to commence the drafting and, really, the presentation of the new program. It will be entirely new. It is not similar to any conduct of a loan guarantee program in history. So it will take a considerable amount of time.

I want the RECORD to note there is no reason to oppose this bill and particularly to oppose this continuing resolution on the basis of the deletion of the loan guarantee program from the Satellite Home Bureau Act.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

MOUNTAINTOP MINING

Mr. BYRD. Madam President, in the rush to complete work on an omnibus appropriations bill that will attract enough votes to pass both Chambers of Congress without incurring a veto from the White House, a number of important measures that should have been in the conference report have ended up on the cutting room floor. One of those issues is mountaintop mining.

I am extremely disappointed at the shortsightedness of the White House, as well as some Members of Congress, on this issue. We had a chance on the omnibus package to right a wrong, to remedy the crisis in West Virginia's coal fields that was triggered by a recent Federal court ruling. But the White House blocked that effort, leading the charge to exclude the proposed legislative remedy from the omnibus bill. As a result, thousands of coal miners in West Virginia, and throughout Appalachia, are facing a bleak and uncertain future.

Particularly troubling to me is that the ammunition used to defeat this proposal, the ammunition used to keep it out of the omnibus package, was, in large part, a campaign of misinformation, led by the White House.

My proposal is not antienvironment. The White House would have you believe otherwise. My proposal would not weaken or in any way alter the Clean Water Act. Let the White House hear! The White House would have the people believe otherwise. Let me say it again. This amendment which is cosponsored by Mr. MCCONNELL, the senior Senator from Kentucky; Mr. ROCKEFELLER, the junior Senator from West Virginia; and Mr. BUNNING, the junior Senator from Kentucky, would not weaken or in any way alter, modify, change, repeal, amend, or undermine the Clean Water Act.

I know the White House has tried to mislead people into believing that it would. It would not. Fie on the White House! fie for attempting to mislead the people. Now, one can honestly believe what he is saying and can mislead or one can mislead with the intention of misleading.

All the Byrd-McConnell amendment would do is preserve the status quo until an environmental impact assessment, which is already underway, is completed and regulations resulting from it are issued. That environmental impact assessment was not put in motion by the White House; it was put in motion by a court action last December.

No laws would be weakened by the Byrd-McConnell amendment. No regulations would be discarded. The legislative remedy that is proposed by this amendment is not an either/or proposition. This amendment would permit carefully controlled mountaintop mining while allowing work to continue on a broad environmental study that could spur better oversight and more environmentally friendly mining practices nationally in the years ahead. In my book, that is a win/win situation.

This mountaintop mining proposal is an effort to stand up for America's coal miners—and the railway workers, and the truckers, and the suppliers, and all who are involved directly or indirectly with mining. This proposal is an effort to stand up for the coal miners and the hundreds of thousands of jobs and the scores of other industries they support. Allowing this opportunity to slip through our fingers would be a grievous mistake.

We can't control what the people at the other end of Pennsylvania Avenue say. We can't control how they treat America's coal miners. But we can speak up for what we believe here in the Senate. We can send our message to the White House.

To get that message across, I hope to offer an amendment. I could speak at length on the omnibus appropriations bill when it comes before the Senate. We could be here another week. We could be here another 2 weeks.

They say time is running out for the continuing resolution. Madam President, time is running out for the coal miners and their families, and for the retired coal miners, and their wives, or their widows, and their families. Time is running out for them. The President wants this Appropriations Bill sent to him, in Greece. Indeed! What are we going to send to the coal miners who have been working for this country before he was born? What are we going to send them?

I have seriously considered this matter. This issue merits the time and the attention of Congress. I am prepared to give it some time.

I don't want to hold this measure up interminably. I want to see action on it. I want to vote. I want to vote on this amendment—the Byrd, McConnell, Rockefeller, Bunning, et al. amendment.

So, I take these few moments to speak the truth, to try to set the record straight on the impact of this amendment, of which I am the chief cosponsor, and to give this body, and hopefully the other body, one more chance this year to protect the jobs and the livelihoods of thousands of working men and women in West Virginia and throughout America, and to give the White House one more chance to reverse its current position and protect the jobs of the coal miners.

We are not just talking about coal miners; we are also talking about the coal industry; we are talking about other laborers—the truckers, the railway operators, the barge operators who go up and down the Ohio and other rivers. It isn't just the coal miners union that is concerned. The AFL–CIO is concerned. Take another look! Take another look at those who are opposed and who work against legislation that will benefit the working men and women of America.

On October 20, a Federal district court in West Virginia issued an opinion in a lawsuit involving Federal regulatory agencies that virtually set off an explosion in the coal fields. Mining companies immediately announced that there would be hundreds of coal miners who would be cut off, and new mines which were in the plans by companies to be built, would be scuttled.

In some instances, a new mine costs $50 million; it costs $75 million in some instances; and in some instances it costs $90 million, or more, to open a new mine. What mining company is going to invest $90 million in a new mine when the Federal judge issues a ruling such as this? There is no predictability at all in the future.

Before the court issued its opinion, as part of a settlement the mining industry in West Virginia was operating under two memoranda of understanding—two memoranda of understanding that had been agreed upon. Hear this: Two memoranda of understanding. I didn't have anything to do with those memoranda of understanding. Who agreed? Who entered into agreements concerning mountaintop mining? Who entered into agreements concerning mountaintop mining? Who entered into the memoranda of understanding? These were agreed upon by the Federal and State regulatory agencies. Hear me now! These were entered into and agreed upon by the regulatory agencies—both State and Federal—that oversee mining permits.

What are those agencies that entered into this agreement? The Federal Office of Surface Mining, the U.S. Army Corps of Engineers, and the State Division of Environmental Protection, the Environmental Protection Agency. These are this administration's regulatory agencies. This administration's regulatory agencies entered into those agreements.

Let me say that again. Hear me.

Who entered into those regulations? Who were the parties to those agreements? This administration's regulatory agencies, the EPA, the Army Corps of Engineers, the Department of the Interior through the Office of Surface Mining, and the West Virginia Division of Environmental Protection—Federal and State agencies—created these agreements, devised these memoranda of understanding. They weren't created by me. The administration's own Environmental Protection Agency, the great Federal protector of our land, water, and air, helped to write and signed onto these memoranda of understanding.

Do you, my friends, really believe that the EPA signed agreements that weakened environmental protections?

Let me say to the White House: Do you believe that your own Environmental Protection Agency signed onto agreements that weakened environmental protections? No. No. These memoranda of understanding—called MOUs—put into place stronger environmental protections in West Virginia.

Listen to this: These MOUs put into place stronger—get it, now—stronger environmental protections and regulations in West Virginia than exist in any other State in the Union. Hear me, environmentalists; you ought to be fighting for this amendment. You ought to be urging us on in our fight for this amendment. I am an environmentalist. Who was the majority leader of the Senate when SMCRA was passed in this body, the Surface Mining Control and Reclamation Act? Who was the majority leader of the Senate then? Who stood up for you environmentalists then?

West Virginia at one time was the only State in the United States that had no wildlife refuge. I put money in Appropriations bills, to bring the first wildlife refuge to West Virginia, the last State among the 50 that got a wildlife refuge. Hear me, environmentalists. Who put the money in for the Canaan Valley Wildlife Refuge—that West Virginia refuge was the 500th in the nation? I did.

I am an environmentalist. Who put the $138 million in for the fish and wildlife's national conservation and training facilities at Terrapin Neck, three miles out of Shepherdstown, WV? Who fought 5 years in the Senate Appropriations Committee for that $138 million? Who fought for it in the House-Senate conferences? This Senator; this environmentalist fought for it.

Nobody wants a cleaner environment than I do. But I hope I also have some common sense. We know that in West Virginia the great core industries have fueled the powerplants of the Nation, have fueled the war machine of the Nation. The coal industry, the steel industry, the glass industry, the chemical industry, these and other core industries have employed hundreds of people in West Virginia. The core industries are still there, but they are diminishing. There were 125,000 coal miners in West Virginia when I first ran for the House of Representatives in 1952. Today, there are only 20,000, give or take, in West Virginia.

These core industries cannot always be what they once were. But there are those who want coal mining stopped now. They want it stopped tonight. They want it stopped tomorrow. Shut it down! That is what they want. But we can't do that. It can't be done overnight. People have to work. Children have to eat. Widows have to live. We have to continue to operate the mines. We are trying to develop other industries in West Virginia—high-tech industries. I have tried to encourage Federal agencies to look to West Virginia for a better quality of life, for a safer life, where the people who work can at last buy a home, where people want to work and will turn in a good day's work.

We are trying to diversify our industries. It takes time. I have put appropriations into the corridor highways of West Virginia, so that other industries will be encouraged to come into West Virginia and to expand. They won't come where there are bad roads. They need an infrastructure that will support their industries and their people. It takes time. It can't be done overnight. Those environmentalists who want it done overnight, it can't be done overnight.

Those MOUs established stronger environmental protections and regulations in West Virginia than exist in any other State in the Nation, bar none. I say to the Administration, your own regulatory agencies agreed and worked out those regulations, and now you, the White House, want to turn your back on your own environmental agency, on your own Army Corps of Engineers, on your own Office of Surface Mining.

Peter heard the cock crow three times, and then he hung his head in shame. He denied his Lord thrice and then hung his own head in shame and walked away.

White House, hang your head in shame!

But the court's opinion, throw all these things out the window. The MOUs, the agreements that have been entered into by this administration's regulatory agencies, are all thrown out the window. The court ruled that the way in which the agencies were operating did not follow the letter and intent of the law.

Hear that. I helped to create those laws. I supported the Clean Water Act. I supported the Surface Mining and Control Reclamation Act. I supported it. But the court ruled that the way in which these agencies were operating did not follow the letter of the law and intent of the law.

Congress passed the law. The court disagreed with the way in which the Federal regulatory agencies and the State regulatory agency interpreted the law. But the court was wrong. There are 20,000 miners, 20,000 voices that come from the coal fields who say that the court was wrong. Its decision was completely contrary to the intent of Congress in passing those two laws, the Clean Water Act and the Surface Mining and Control and Reclamation Act.

While I disagree with the court, the ball is here. It is in our court now because the judge in his ruling said if application of Federal regulation prevents certain activities in the Appalachian coal fields ''it is up to Congress.'' That is this body and the other body. He said . . . ''it is up to Congress''—and the legislature—''to alter that result.''

So we have accepted the responsibility. The judge said it is up to Congress. We, who are supporting this amendment, have accepted that responsibility and we are trying to do something about it. We are being impeded and we are being undercut by the White House, by my own White House.

Almost immediately after the judge issued his ruling, confusion reigned. There was chaos in the coal fields. Layoff notices went out. Mining companies announced that they might not make significant investments in the State that had long ago been planned. That is real money that has to be spent. Those are real risks they take on. As a result of the court ruling, coal companies, truckers, barge operators, railroads—none of them had any certainty that the investments they might make today would be justifiable tomorrow.

Some say, it's just a West Virginia problem. You tell the people of Kentucky that. Tell the people of Pennsylvania that. Too bad for West Virginia. But I am here to say to my colleagues it is a national problem. Look out. Look out. That cloud that is over West Virginia is headed your way next, Kentucky. And MITCH MCCONNELL knows that. That is why he is a cosponsor of this amendment. That cloud just over the border, that cloud is just over the horizon in West Virginia. You will be next. And they know it. Look out, it is coming your way next. But if you want to head it off, the opportunity is here with this amendment. This is the time to head off this dragon. Beat it back. Take the sword that I offer, that MITCH MCCONNELL offers, that JAY ROCKEFELLER offers, that Senator BUNNING offers, and all the other Senators whose names are on this amendment offer—take this sword. Take this sword, and fight for the working men and women of this Nation, and do it now.

Some may say, ''I would like to. I would like to sign up. I am willing to put on the suit of armor—but what about the environment? We can't upset the environment.''

Let me assure my colleagues and the people who are watching out there—let me assure you, this amendment is not the toxic monster it is purported to be by some of the environmental organizations and by this White House. It is not the toxic monster they purport it to be. In fact, this amendment puts into place in West Virginia—get this—this amendment puts into place in West Virginia the tougher environmental standards prescribed by the very MOUs that this administration's own EPA helped to negotiate. But you certainly would not know that from all of the frothing at the mouth by people who either have no idea what they are talking about, or who, for some reason, are deliberately trying to mislead the people of this country. They either have no idea of what they are talking about or they are deliberately and dishonestly trying to mislead.

Those who have expressed opposition to this amendment, including the White House, claim it would harm

clean water protections under both the Clean Water Act and SMCRA. There is not a word—not a word—of that true, and they ought to know it, the people who are saying it. As a matter of fact, as far as I am concerned, they do know it. But they certainly ought to if they don't.

This amendment would not harm the Clean Water and the Surface Mining Reclamation Acts, would not harm those protections. This amendment would not lay a hand on those protections. It would not touch—not touch them. It would not even brush up against them. This amendment specifically states —now hear this, hear this Senators—this amendment specifically states:

> Nothing in this section modifies, supersedes, undermines, displaces or amends any requirement of or regulation issued under the Federal Water Pollution Act commonly known as the Clean Water Act, or the Surface Mining Control and Reclamation Act of 1977.

What could be plainer? What could be clearer? What could give greater assurance than these words that are in the amendment?

Mr. MCCONNELL. Will the Senator from West Virginia yield for a question?

Mr. BYRD. Yes, I yield to my friend, Senator MCCONNELL. Yes, I do.

Mr. MCCONNELL. So the Senator from West Virginia is referring to the sentence in a letter from John Podesta, the Chief of Staff of the President, which says:

> As you know, this is consistent with the President's opposition to appropriation riders that would weaken or undermine environmental protections under current law.

I say to my friend from West Virginia—I ask him, that is simply incorrect, isn't it?

Mr. BYRD. Absolutely.

Mr. MCCONNELL. They are not telling the truth, are they?

Mr. BYRD. They are not telling the truth.

Mr. MCCONNELL. They either know it, in which case they are not telling the truth, or they are woefully uninformed, aren't they?

Mr. BYRD. They either know they are not telling the truth or they are woefully uninformed; exactly, preeminently precise.

Mr. MCCONNELL. The President came to Hazard, KY, this year, and he bit his lip, and he felt our pain. And he said: What can we do for you? I am here in Appalachia to find out what I can do for you, to make life better.

This is it, isn't it? I say to my friend from Virginia. This is what they can do for us to make life better?

Mr. BYRD. That is it, that is it, and it has my fingerprints on it, and it has your fingerprints on it, may I say to my dear friend from Kentucky.

Mr. MCCONNELL. And we have 20,000, 15,000 coal miners jobs in Kentucky, and 65,000 additional jobs that would not be there but for coal. And the only impression we can get from this is, they don't care.

Mr. BYRD. Exactly.

Mr. MCCONNELL. I thank my friend.

Mr. BYRD. What other impression could one get?

Mr. MCCONNELL. Because we have made it clear to them, haven't we, what this is all about? It does not change current law at all?

Mr. BYRD. It does not change current law at all. It doesn't touch current law.

Mr. MCCONNELL. I thank my friend from West Virginia.

(Mr. ROBERTS assumed the chair.)

Mr. BYRD. Mr. President, the White House has pressed for changes in this amendment. The White House, according to Mr. Podesta's letter to the Speaker and Mr. Podesta's letter to me, wants a ''time limited solution.'' This amendment is limited to 2 years or to the completion of the ongoing Federal study which was ordered by a court in December of last year and the issuance of any regulations resulting from that study.

The White House argues that because the district court has stayed its ruling, the jobs of thousands of miners in West Virginia and hundreds of thousands of workers in mining and related jobs on the east coast are no longer threatened. The White House is wrong.

The court, when it ordered the stay, said this stay has no legal basis. In other words, he said: The only reason I am issuing this stay is to pour a little oil on troubled waters, let the waters calm down a little bit. All this chaos and confusion flows from my decision; I am going to put a stay on that. You can have a little time to get your breath.

But he said there is no legal basis for it, which means that the court could lift the stay. When Congress gets out of town, who knows, the court may lift that stay. The court itself, as I say, noted that there is no legal basis for the stay, but, in fact, that the stay was issued in response to the uproar created by the court's ruling. That is why we have a stay.

The administration, whose representatives had been working with me on the language of this amendment, said to me there is no need now for any legislation. Do not believe it.

The White House argues that because the district court has stayed its ruling, the jobs of thousands miners in West Virginia and hundreds of thousands of workers in mining and related jobs on the east coast are no longer threatened. The court could lift its stay. Let me say again, the court itself noted that there was no legal basis for the stay.

We have no assurances as to how long that stay will remain in place. It provides no comfort for coal miners. It provides no comfort for mining companies who want to invest in new mines to employ more miners than their sons. It provides no comfort to others whose jobs rely on coal, such as the trucking industry, the barge industry, the railroad industry, the suppliers. To them, the stay is a stay. It is more like a weekend pass. That stay has placed a cloud of uncertainty, a cloud that hangs over the mining industry in West Virginia, a cloud that is sprouting long, gray tentacles that will stretch across the skies of other States.

I ask my colleagues and those who are watching—and I hope the White House is watching—just how many companies do you think are going to sign up to any real commitment of financial resources and invest the millions of dollars that it takes to operate? How many of them are going to sign up with this stay hanging over their heads? Why would they want to?

The permitting process was going along swimmingly before the judge's decision. It was going along under the regulations that were agreed to and created by the White House's own regulatory agencies: the EPA, the U.S. Army Corps of Engineers, and the Interior Department through the Office of Surface Mining. Fifty-nine of 62 pending permits could not be approved under that stay. There are 62 pending permits; 59 of these could not be approved under that stay, according to the West Virginia Division of Environmental Protection as of Monday of this week.

If this amendment is not adopted, there are those who will point to this day and call it a victory for environmental protection, but those individuals have not lifted a finger—they have not lifted a finger, have not lifted the smallest finger—to help the many residents of Appalachia who do not have safe water piped into their modest homes for their little children to drink. They do not carry banners. They do not carry banners and placards and write letters and lobby Congress about the fact that those same streams they applaud themselves for protecting from rock and dirt are being polluted by the wastewater of communities that are too poor to build sewage plants.

These head-in-the-clouds individuals peddle dreams of an idyllic life among old growth trees, but they seem to be ignorant of the fact that without the mines, jobs will disappear, the tables will go bare, the cupboards will be empty, schools will not have the revenue to teach the children, and towns will not have the income to provide even basics. But what do they care? They will have already thrown down their placards and their banners and gone off somewhere else.

These dreamers—I know, I have been down there. They have been carrying their banners around some of the meetings that I have addressed. They might as well talk to the trees. I am speaking for the coal miners. I lived in a coal miner's home. I grew up in a coal miner's home. I ate from a coal miner's table. I slept on a coal miner's bed. I lived under a coal miner's roof.

Loretta Lynn sings the song ''I'm a Coal Miner's Daughter.'' I married a coal miner's daughter more than 62 years ago. My wife's brother died of

pneumoconiosis. He died of black lung, contracted in the coal mines. And his father died under a slate fall—under a slate fall. He died in the darkness. He died in the darkness.

Many times I have gone to the miners' bath house and pulled back the canvas cover and peered into the face of a coal miner whom I knew and who had been killed under a slate fall or killed by being run over by an electric motor.

Many times I have walked those steep hillsides and helped to carry the heavy—and I mean heavy—coffins of miners who died following the edict of the Creator, when he drove Adam and Eve from the Garden of Eden, saying: In the sweat of thy brow shall thou eat bread. And those coal miners know what that means.

But this court ruling will take away the right of thousands of coal miners and truckers and railroad workers and barge operators to earn their bread in the sweat of their brow.

Hear me, coal miners! If you do not know now who your friends are, you soon will know. These dreamers would have us believe that if only our mountains—if only our mountains—remain pristine, new jobs will come. ''Or,'' they suggest, ''perhaps coalfields residents should simply commute to other areas for employment.'' To these individuals I say, ''Get real!''

Those of you in the White House, who have been working behind my back on this amendment, go down there and talk to those coal miners. Tell them what you have done.

You do not have to drive the dangerous, winding, narrow roads over which these workers would have to commute each morning and evening.

When the picket signs are gone, when the editorials in the big city papers are lining bird cages, the people of the small mining communities will be left. You will be gone. You have thrown down your banners. You have thrown down your placards. You have thrown down your candles. But those people of the small mining communities will still be there. They will be left to repair the economic damage.

Mining will be part of the economic base of my State for the foreseeable future, and new ways must be explored to make mining practices more environmentally friendly. And I am for that. At the same time, we have to recognize that the amount of coal reserves in West Virginia is finite. We must continue to broaden our State's economic base. But such change cannot happen over night.

A new economic base cannot spring from the ocean foam. It cannot emanate from the brain of Jove, like Minerva, fully clothed and in armor. That effort requires time. And it requires money. And if you want to know the worth of money, try to borrow some. It requires the development of improved infrastructure, better highways, more modern highways, up-to-date highways, safer highways, like those Appalachian corridors that I have been trying for years to build, and for which I have been horse whipped orally and with the pen. I do not mind. I know for whom I am working. I am working for the people of West Virginia, and always will as long as the Lord lets me stand.

Water and sewer systems, accessible health care, safe schools—these are the kinds of basic facilities and programs that I have been promoting for many years. I do not carry my banner today and throw it down when the speech is over and go on somewhere else. Those coal miners are still there. And they are going to still have my attention, my respect, my reverence.

In a letter threatening a veto of legislation containing this amendment, the White House claimed to be prepared to discuss a solution that would ensure that ''any adverse impacts on mining communities in West Virginia are minimized.'' Well, talk is cheap. But any real solution to minimize economic impact on these West Virginian communities won't be cheap.

Back in July, the President of the United States appeared in Hazard, KY, where he delivered an address to the people of Appalachia. Appalachia is my home. I was married there. Our first daughter was born there. Our second daughter was born there. I went to school there. I graduated from high school there in Appalachia.

The President of the United States expressed great sympathy for the economic distress in these mountainous States. It was an uplifting speech. He is very capable of giving uplifting speeches. It was a speech that reached out to the human spirit and built great expectations. Calling on corporate America to invest in rural America, President Clinton said: ''This is a time to bring more jobs and investment and hope to the areas of our country that have not fully participated in this economic recovery.'' And I say: Amen, brother! Amen.

I agree with that message. It is the right thing to do. We should be bringing jobs to Appalachia. We should be bringing new businesses, too. But how can one peddle hope while undercutting the real jobs and businesses that do exist in Appalachia? If we don't act now, if the court lifts its stay, we will be back here a few months from now battling this issue all over again. It may not just be West Virginia then. It may be your own States, Senators. It may be your people, Senators. It may be your families.

There may be an appeal of the judges ruling, and that appeal may lead to a more equitable outcome. However, that appeal may simply maintain the judge's decision and put us squarely back where we have been in recent weeks, trying to address the matter Congressionally—trying to reaffirm well-established Congressional intent that has been followed for the past 20 years while striving for improvements in the way mining is conducted.

In the meantime, with the scales tipped against them, mining families must hold on to a crumbling ledge. The heel is poised above their fingertips, ready to mash down.

We have a pretty good idea who the opponents of this effort are. But what of the supporters? Let me tell you who is standing by us: The United Mine Workers of America; the National Mining Association; the U.S. Chamber of Commerce; the Bituminous Coal Operators Association; the AFL–CIO—hear that, White House, the AFL–CIO—the National Association of Manufacturers; the Association of American Railroads; the United Transportation Union; the Norfolk Southern Railroad; CSX Railroad; the Brotherhood of Railroad Signalmen; the International Union of Operating Engineers; the Brotherhood of Maintenance of Way Employees; the Brotherhood of Locomotive Engineers; the Transport Workers of America; the Brotherhood of Locomotive Engineers; the International Brotherhood of Electrical Workers; the Utility Workers Union of America; American Electric Power.

You see, the environmentalists sent a letter to the White House, and they listed a few organizations that were supporting their opposition to this amendment. But listen to this list, too. This amendment has its friends.

I continue with the reading of the list: the Southern States Energy Board; the Southern Company; the United Steelworkers of America; the Independent Steelworkers Union—it isn't just coal miners, you see; these are brothers—the Laborers International Union of North America; the American Truckers Association; the International Brotherhood of Teamsters; the American Waterways Operators; the International Union of Transportation Communications; the American Federation of Teachers; the American Federation of State, County, and Municipal Employees; the American Federation of Government Employees—White House, it isn't just ROBERT BYRD and MITCH MCCONNELL and JAY ROCKEFELLER and Senator BUNNING, PETE DOMENICI, LARRY CRAIG, and PHIL GRAMM, and the fine Senator who sits in the Chair, PAT ROBERTS. It isn't just these. It isn't just the House delegation, the three Members of the House from West Virginia. These are not alone.

It is also the National Council of Senior Citizens.

These groups—representing millions of citizens—agree with us that a legislative remedy is needed, and is needed now. They agree that there must be a balanced approach. What this amendment does is simple. It establishes a fair, moderate balance between jobs and the environment, while also providing for additional review and regulation once the environmental impact study is complete.

It is time to put aside whatever animosity exists between the coal mining industry and the environmental movement.

I am not much for making predictions, but I can make this one: the

coming years will bring us more challenges like this, when the environment and the economy must be harmonized. Today is a test of our ability to deal those challenges ahead.

This nation can put a man on the moon. Surely, we can adopt a solution to this problem that protects the environment and protects jobs of the coalfields.

This amendment seeks to go back to the regulations and the agreements that made up the status quo ante before the judge's order—that is all we ask—the status quo ante agreed upon by the administration's EPA, by the administration's Army Corps of Engineers, by the administration's Department of the Interior, the Office of Surface Mining. That is what we ask. And we ask not only for justice, but we ask also for mercy for the coal miners and the other working people of America.

I ask unanimous consent that the names of the cosponsors and sponsors of this amendment be printed in the RECORD, and they are as follows:

Senators BYRD, MCCONNELL, ROCKEFELLER, BUNNING, REID, CRAIG, BRYAN, HATCH, BENNETT, MURKOWSKI, CRAPO, ENZI, BURNS, and KYL. I have not put forth any big effort to shop this around. I also add Senators BREAUX, SHELBY, GRAMM, and GRAMS, as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The distinguished Senator from Kentucky is recognized.

## MORNING BUSINESS

Mr. MCCONNELL. I ask unanimous consent that there now be a period of morning business until the hour of 5 p.m. and that the time be divided in the usual form.

The PRESIDING OFFICER. Without objection, it is so ordered.

## BYRD-MCCONNELL MINING AMENDMENT

Mr. MCCONNELL. Mr. President, I first thank my friend from West Virginia for his leadership on this extraordinarily important issue to my State and to his and, for that matter, to all the people of Appalachia where coal is mined.

Thanks to my friend from West Virginia, I had a unique experience last week. As the proud possessor of a zero rating from the AFL–CIO, I had never been invited to a rally by the United Mine Workers of America. Thanks to the distinguished Senator from West Virginia, who I assume warned the crowd to say nice things or at least to refrain from throwing anything, I joined him on the west front of the Capitol last Tuesday and had an opportunity to watch Senator BYRD in action in a different environment. I have seen him many times on the floor, always persuasive and always effective, but never before a rally largely of his people and my people who make their livelihood mining coal.

I must say, it was a memorable experience. If I ever do my memoirs, I say to my friend from West Virginia, that experience will be in it. We have joined together today. And there are many others on this side of the aisle, and I hope we will have some on that side of the aisle, who have had enough of this administration declaring war on legal industries engaged in an honest effort to keep the engines of this country moving forward. We have a number of Republican Senators from the West, and they all informed us over the years about the war on the West. Senator DOMENICI and Senator CRAIG have educated some of us southerners about the problems they have had. And I am pleased to say I have supported them over the years, without exception, in their efforts to preserve those jobs in the mining industry out west.

Well, I would say the war on the West is moving east, and we are beginning to feel the sting. Even though this amendment was generated by a very poorly reasoned district court decision in the Federal court in West Virginia, let me say that is just the beginning, as the Senator from West Virginia has pointed out; it is just the beginning.

All the Byrd-McConnell amendment seeks to do—not just for coal mining but for hard rock mining as well—is to restore us to the existing law, at least with regard to coal mining, as the distinguished Senator from West Virginia has pointed out. The letter from the White House, from Chief of Staff John Podesta to the President, either lies or is woefully ill informed.

It is clear to this Senator that the people downtown don't care what the facts are. They don't care about the 20,000 coal miners in West Virginia and the 15,000 coal miners in Kentucky. They really don't care. I don't think they have bothered to read the amendment of the Senator from West Virginia because, as he pointed out a few moments ago with regard to coal mining, we are seeking to reestablish the status quo, agreed to and entered into by the most radical EPA in the history of the country. There is no question in my mind that whenever any environmental group in America hiccups, it is felt downtown. Anytime they object to anything, the administration falls in line.

It has been fascinating to watch this issue develop because it pits the environmentalists against the unions—truly a Hobson's choice for the administration. When they had to pick a side between the environmentalists and the coal miners in West Virginia and in Kentucky, it is pretty clear whose side they chose. They don't care about these jobs. They are not interested in reading this amendment. They really don't care what is in the amendment. They are willing to sacrifice the 20,000 coal-mining jobs in West Virginia and the 15,000 coal-mining jobs in Kentucky in order to score points with a lot of environmentalists—who, I assume, enjoy having electricity all the time so they can read their reports—decrying the people who work in the industry so important to our States. Clinton and GORE are determined to put the agenda of the fringe environmental groups and Presidential political concerns ahead of the needs of coal miners in Appalachia.

As I said earlier in a colloquy with the Senator from West Virginia, and as he referred to in his speech, the President came to Appalachia last summer. He happened to have picked my State. He came to Hazard, KY. It was a large crowd. They were honored to have him there. The mayor of Hazard is still talking about it. It was one of the high points of his life. The President looked out at the people in Hazard, many of whom make a living in the coal mines, and he said, ''I am here to help you.''

Well, Mr. President, we need your help. I assume the whole idea behind coming to Kentucky was not to increase unemployment. My recollection of what that visit was about was how the Federal Government could actually produce new jobs for the mountains—something a lot of people have talked about and few have been able to deliver. Well, we would like to have new jobs, Mr. President, but I can tell you this: We would rather not lose any more of the few jobs we have remaining. That is not a step in the right direction.

We don't have as many coal jobs as we used to. The production is about the same. The employment is much smaller. Every time there has been an improvement in the coal-mining industry—whether on top of the mountain or underneath the mountain—safety has gone up, and that is important. But employment has gone down. We are not yet ready to walk away from coal in this country. We have not built a new nuclear plant in 20 years and are not likely to build any more. These people are engaged in an indispensable activity. They would like to have a little support from down on Pennsylvania Avenue. Where is the compassion? Where is the concern about these existing jobs in a critically important industry for our country?

Senator BYRD has really covered the subject, and there is not much I could add, other than just to read once again what this amendment is about. Nothing in our amendment modifies, supersedes, undermines, displaces, or amends any requirement of or regulation issued under the Federal Water Pollution Control Act, commonly referred to as the Clean Water Act, or the Surface Mining Act of 1977. So in response to this outrageous and ridiculous court decision, we have not proposed changing the law. The judge, in his decision, has made it clear that he expects us to clear this up. He is inviting us to legislate. That is what we are hoping to do.

The EPA, the Office of Surface Mining, the Corps of Engineers, and other

relevant agencies are in the process of conducting a thorough environmental impact study. At the conclusion of this process, if any of these agencies believe it is necessary, they may create new environmental regulations addressing the practice of mountaintop mining. Some might say that Senator BYRD and I and others are trying to delay the inevitable. I argue just the opposite. I argue that, by maintaining the status quo and allowing the EIS to move forward, you allow coal operators the ability to make the long-term plans essential to the viability of this industry.

So there are only two things you need to remember about our amendment: No. 1, it doesn't alter the Clean Water Act. No. 2, it doesn't alter the Surface Mining Act. It seeks to preserve the status quo.

I say to all of you who you are going to be down here asking us someday to help you save jobs in your State because of some outrageous action on the part of this administration—and some of you have done that already—we need your help. We need your help. This is an extraordinarily important vote to our States. The honest, hard-working people who make their living in the mines are under assault by this administration, and we would like to call a halt to it. We hope we will have your help in doing that.

Let me conclude by thanking again the Senator from West Virginia for his extraordinary leadership on this important issue to his State and to my State and, frankly, we believe, to a whole lot of other States because the principle is very sound. We call on our colleagues from the West—even those of us who have been voting with you over the years weren't quite sure what it was all about, but we have figured it out. This whole thing is moving its way east. We need your help.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The distinguished Senator from Idaho is recognized.

## ORDER OF PROCEDURE

Mr. CRAIG. Mr. President, I ask unanimous consent that following my statement, Senator ROCKEFELLER from West Virginia be allowed to speak.

The PRESIDING OFFICER. Without objection, it is so ordered.

## EXTENSION OF MORNING BUSINESS

Mr. CRAIG. Mr. President, I ask unanimous consent that morning business be extended until 5:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

## BYRD-McCONNELL MINING AMENDMENT

Mr. BYRD. Will the Senator yield?

Mr. CRAIG. Yes.

Mr. BYRD. Mr. President, I forgot to mention the specific names of two Senators cosponsoring this amendment. The two are Nevada Senators, Mr. REID and Mr. BRYAN. I wanted to mention their names for the RECORD.

Mr. CRAIG. Mr. President, I am glad the Senator from West Virginia has included our two colleagues from the State of Nevada. Today, Nevada is probably the lead mining State in our Nation as it relates to the production of gold.

For the last hour you have heard probably some of the most eloquent statements spoken on this floor on the issue of coal mining. The Byrd amendment does not deal only with coal, although it is extremely important, and the public attention of the last week has been focused on a judge's opinion about coal, coal mining in West Virginia, Kentucky, Pennsylvania, and up and down the Appalachia chain of this country.

But the amendment also has something else in it that my colleague from West Virginia and I agreed to some time ago: When we talk on this floor about mining, when we talk about the economy of mining, the environment of mining, and the jobs of mining, we would stand together; that we would not allow our political differences to divide us. Because if you support the economy of this country, you have to stand together.

I am absolutely amazed that the Speaker of the House or the senior Senator from West Virginia would get a letter from the White House of the kind to which both he and the Senator from Kentucky have referred. Lying? I hope not. Uninformed? I doubt it. Here is the reason I doubt their lack of information.

For the last 7 years, this administration has been intent on changing current mining law. I am referring primarily to the law of 1872. I am referring primarily to hard-rock mining on public lands, because the laws that the Senator from West Virginia referred to that were passed in 1977, the Surface Mining Control and Reclamation Act, have become law, and established the principles and the policies under which we would mine the coal of America.

Then, on top of that, came the Clean Air Act, the Clean Water Act, and the National Environmental Policy Act—all of them setting a framework and a standard under which we could mine the minerals and the resources of this country and assure our citizens it would be done in a sound environmental way.

As the laws of West Virginia, which are the laws of America, which are the laws this Senate passed, apply to coal mining, at least in the instances of the Clean Air Act and the Clean Water Act, they, too, apply to the mining of the west—to hard-rock mining, to gold mining, to silver mining, to lead and zinc mining, and to open-pit gravel operations of America.

Yet there is an attorney—not a judge, not an elected U.S. Senator, but an attorney—who sits at a desk at the Department of Interior and upon his own volition 2 years ago decided he would rewrite the mining law of this country—a law that had been in place since 1872, tested in the courts hundreds of times, and that in every instance one principle stood out and was upheld. That was the principle of mill sites and how the operating agency, primarily the BLM, could, upon the request of a mining operation under a mining plan uniform with its processes, ask for additional properties under which to operate its mine. Consistently, for over 100 years, the Federal agencies of this country have granted those additional mill sites.

The attorney I am referring to, prior to his job with the Secretary of Interior, was an environmental activist. In the late 1980s, he wrote a book. His book decried the tremendous environmental degradation that the mining industries of America were putting upon this planet. In that book, he said there is a simple way to bring the mining industry to its knees. ''If you can't pass laws to do it, you can do it through rule and regulation.'' Those are his words. He wrote it in the book, which was well read across America.

When I asked that solicitor to come before the subcommittee I chair, which is the Mining Subcommittee, I quoted back to him his own words and said: If that is not what you said, then what are you doing now? He didn't say yes, but he didn't say no. Here is what he did say. He said: I have reached out to every State director of every BLM operation in this Nation, and I have asked them if the process I have overruled by my decision is a process that has been well used by the agency. He said they responded to him: Not so—very lightly used and only used in recent years.

The tragedy of that statement is that it was a lie because the Freedom of Information Act shows that every State director wrote a letter to the solicitor a year before I asked him the question and every State director of every State office of the Bureau of Land Management said this is a practice in our manuals and has been used consistently since the 1872 law was implemented.

What did solicitor John Leshy do before the Mining Subcommittee of the Senate? He perjured himself. That is what he did. And the Freedom of Information Act shows that.

I would say to the Senator from West Virginia and the Senator from Kentucky, my guess is that the informational mind that wrote the letter that John Podesta sent to you came from an agency that had already perjured itself before the U.S. Senate. I know that as fact. I give that to you on my word and with my honor.

Therefore, in the Byrd-McConnell amendment is a provision that said: Mr. Leshy, you cannot arbitrarily or capriciously overturn over 100 years of mining law. That is not your job. You are a hired attorney. You are not an

elected Senator or a President. That is our job—to change public policy and to do it in a fair and sound environmental way.

We are all environmentalists. The senior Senator from West Virginia said it so clearly. I say what I mean. And we all know as politicians and public people that none of our colleagues have ever run on the dirty air or the dirty water platform. We are all proud of our environmental records. We want the air and the water to be clean.

But have you ever driven to the mountains of the west or the mountains of West Virginia? They are rugged and steep. We must craft unique policies and procedures to mine the wealth from underneath those mountains. It is a tough struggle. We know it. We have learned in the last decades to do it in a much better way than our forebears. That is called good environmental policy and good stewardship.

Every one of us is an environmentalist. But we are not radical preservationists who would deny the thousands of working men and women in West Virginia and Kentucky no food for their table, no money in their pocket, or no education for their children. If you don't like the environment here, get in a car and drive down the road. To heck with your job and to heck with you.

I understand the young person in urban America today sitting at his or her keyboard, working the high-tech economy of our country, saying to the Senator from Idaho, West Virginia, and Kentucky: What are you talking about? Does it make much sense? We want a clean environment. Save the mountains of West Virginia, Idaho, Nevada, and Kentucky, and the plains of Texas.

Let me say to that marvelous young American sitting at his or her keyboard: As you touch that keyboard tonight, and it lights up for you and it energizes, it is the electricity generated by the coal of West Virginia that gave you the power to reach the Internet and to reach the stars beyond. That power surge through connections created of gold and silver came from the mines of Idaho, from the mines of Nevada, and from the Western States.

Please, America, broaden your vision of what it takes to make the leading economy of the world work so well.

It is our clean air, it is our clean water, and that we are proud of. But 60 percent of America's electricity is generated out of the coal mines of America, and the connections that create the fluidity of the flow of that electricity so there is less restriction is the gold and the silver of the West. That is what makes our country work so well. That is what makes our country the cleanest country in the world.

Our leadership, our policy, our clean coal technology, our ability not to tear up the Earth anymore—but when we do, we replace it, we reshape it, we change it—that is our law that causes it to happen. That is the law that this Senate crafted. So, no, we cannot be extreme nor can we be radical. We have to offer balance and we will offer that in the context of the best environment we can create.

I will not forget, when I asked Alan Greenspan to come before the Republican Policy Committee this spring to talk about surplus and how we handle them, afterwards I said: Mr. Greenspan, you watch our economy everyday; why is it so good? Why is it literally pulling the rest of the economy of the world with it? Last month, unemployment in this country was 4.1 percent; average wage, $13.39 an hour, the highest average wage ever and the lowest unemployment rate in 29 years. And we do it with the cleanest of the environments of the developed nations of the world. Why do we do it? Mr. Greenspan said it well: We just know how to do it better than anybody else. We know how to mine better than anybody else. We know how to create economies better than anybody else and, in almost every instance, we do it with the minimal form of government regulation.

The Senator from West Virginia makes a very clear case. It isn't that West Virginia was trying to do it better. They were. It is that this White House won't support this effort. They have not chosen to follow the route of the environmental community. They have chosen to follow the word of a few radical preservationists who would ask young Americans to turn on their computers tonight to the light of a candle. If it is the light of a candle that will lead this world, computers will not turn on, the economy will not energize, and the men and women of West Virginia will go hungry.

I support the Senator from West Virginia because he supports mining, as I do. It is time our Senate and the House bring balance to this issue. I hope they support attaching this critical amendment to the continuing resolution.

I yield the floor.

The PRESIDING OFFICER (Mr. SESSIONS). The distinguished Senator from West Virginia is recognized.

Mr. ROCKEFELLER. I note the presence of the Senator from Louisiana on the floor. I inquire if the Senator wishes to speak at some point on this subject.

Ms. LANDRIEU. I thank the Senator. I do wish to speak. I am happy to wait until the Senator has completed his remarks, if he could let me know how long he will be.

Mr. ROCKEFELLER. I will speak, then the Senator from Texas will speak, and then I ask unanimous consent that the Senator from Louisiana be permitted to speak.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROCKEFELLER. I thank my distinguished senior colleague who has been daunting and relentless in his pursuit of his amendment, which is a very good amendment, an amendment which deserves to be passed.

What is fascinating to me has been said before by others. I will go back to the letter from John Podesta at the White House, the Chief of Staff to the President. He said that any solution that would undercut water quality protection under the Clean Water Act, or under SMCRA, the Surface Mining Control and Recreation Act, simply is unacceptable, and that the President's opposition to appropriations riders that would weaken or undermine environmental protections under current law would be unacceptable.

I emphasize as strongly as I possibly can he is wrong in that statement. The fact that he is wrong in that statement is of the utmost importance to our colleagues if they or their staffs are listening as they come to a decision about this amendment. If he were right, that would be an entirely different matter. However, he is not right. To make it perfectly clear, we have included that in the legislation that Senator BYRD and Senator MCCONNELL put forward. I will read it again for those who may not have been listening before: Nothing in this section modifies, supersedes, undermines, displaces or amends any requirement of or regulation issued under the Federal Water Pollution Control Act or the Surface Mining Control Reclamation Act of 1977.

It would be law. It is the case, in any event. We added this not because we thought it would be fortuitous to add it, not because we needed to add it, but because it was true at the outset. We did it to make the point even clearer for those who would raise this point.

Senator BYRD made the points most clearly and most powerfully. This amendment, on which we are asking for support, simply puts into law the memorandum of understanding which I hold in my hand, which has been signed off by the Environmental Protection Agency, by the Office of Surface Mining in the Department of Interior, and by the Corps of Engineers. The signatures are here—the signature from the Environmental Protection Agency, a very high senior official, the signature from the Regional Director at the Office of Surface Mining, the signature from the brigadier general of the U.S. Army Corps of Engineers, and the signature from an official in West Virginia.

The point is the Environmental Protection Agency has approved, and the OSM and the Corps of Engineers have approved and given their official written stamp of approval in writing, right here. This equals this amendment. There is no difference therein. I am not one who either baits or ridicules the environmental movement nor do most of my colleagues.

This country is constructed under the republican nature of its form of government as a system of checks and balances. I have a tremendous interest in health care public policy. I spend a lot of time being upset with the Health Care Finance Administration called HCFA. There are people, obviously, who are upset by EPA. By and large, I

think EPA tries to do within its own understanding the best job it can. By and large, I think one of the reasons the environmental condition of our country is gradually improving, although slowly, is because some of those people take positions which are not popular with members of this body or the other body or with Governors or with the public. I do not ridicule what they do.

However, I do think they know in their hearts that what Senator BYRD and Senator MCCONNELL and some of the other Members are trying to do is completely consistent with the intent of Congress, in fact, in the case of SMCRA, for over the last 20 years.

Let me say this before I talk about the importance of mining in West Virginia and the problems of simply potentially eradicating coal mining—not just across West Virginia and Kentucky but, if this were to be extended and this were to catch fire, eradicating the potential for the 57 to 60 percent of electricity which is fueled by the use of coal across this country—that there is a balance. I recognize, sometimes when people say that, people say that is a word they use to get out of this situation or that situation. But this country has to run on a balance. One cannot simply say to southern West Virginia, to central West Virginia, to northern West Virginia, to other parts of our country: We are going to make these enormous changes, very radical in their content today because tomorrow will be a new day, because transition in America somehow just simply happens, and we move from one sort of a core industry type of economy in West Virginia to a modern, totally smokeless type of economy, and there does not need to be any interruption. So we will come in and we will stop this business called mountaintop mining.

In the process of that, we are probably, unless this amendment is agreed to, going to stop much of the underground mining of West Virginia and Kentucky and the 13 to 16 States in this country that produce coal because the effect under the law, under the judge's rule, says this can happen.

I want my colleagues to understand something about my State of West Virginia. We are not on the coasts. We do not have the advantage of the trade that flows to the Atlantic coast or the Pacific coast. We do not have the advantage yet, entirely, of the access that comes from the interstates that cut through our mountains and would allow us to become part of the flowing economy that so much of the rest of the Nation simply takes for granted. But most importantly, let me say to my colleagues, and let them hear this, please, with understanding: Only 4 percent of the land of West Virginia is flat. Only 4 percent of the landmass of West Virginia is flat. All of the rest of it is going uphill or going downhill, either at great steepness, very great steepness, or somewhat lesser steepness; it is not flat. Only 4 percent is flat.

Imagine, then, trying to construct an economy, an economy developing, much less the life of schools, the life of families, the life of recreation, the life of a State, on 4 percent of the land and then moving up the side of hills, where one can do that, and hoping the winter will pass quickly because it is very hard to plow those roads. It becomes a very difficult situation in the southern part of our State.

You cannot simply say we mine coal today and we do biotechnology and information technology tomorrow. You cannot walk across the Grand Canyon in one step.

Senator BYRD and the junior Senator from West Virginia, together, in different ways, have been trying very aggressively, over the last number of years, to modernize the economy of West Virginia. We have been doing so with a respect for our basic industries—steel, chemicals, coal, wood, natural gas, et cetera—but also understanding that the world is changing, that we are globalized. This Senator has spent the last 15 years making trips back and forth to various Asian countries, trying to globalize the economy of West Virginia through reverse investment and through the increase of exports. Indeed, the increase of exports in the last 5 years has gone up by 50 percent in West Virginia. So we are making progress.

But we do not start from the base that so many other States have. So what happens in southern West Virginia if the Senate or the Congress turns its back on this amendment is something I would like people to think about. We would lose approximately $2 billion in wages. Senator MCCONNELL, in his very good remarks, mentioned 4.1 percent of people are unemployed in this Nation. That is not true in the part of the State that we are talking about, in West Virginia. The counties I would mention would be six. In McDowell County there is over 14 percent unemployment today. The reason it is not higher is because so many of the people who were there have left. If they had stayed there, the figure would be much higher.

In Mingo County, which has a lot of coal reserves of very high quality—that is high Btu, low-sulfur-content coal—it is over 14 percent, over 14 percent. The national average is 4.1 percent—that is terrific, in Connecticut, Colorado, other places. I am proud of that, happy for that. But in Mingo County it is 14 percent. In Boone County it is less than that; it is 13.9 percent. A lot of our low-sulfur, high Btu, highly desirable for the making of steel coal is produced in that county; Logan County, 13.5 percent; Lincoln County, almost 11 percent; Wyoming County, almost 11 percent.

Can one understand what that means to me as a human being, much less as a U.S. Senator, when one struggles in land which is so steep, so desperately steep, land which used to be, many millions of years ago, higher than Mt. Everest? Because that is what the Appalachians were; they were the tallest mountains in the world. Over these millions of years, they have been ground down, but they have not been ground down to a level where economic activity is readily accessible. We cannot put the great big highways so easily into that kind of terrain.

Senator BYRD has done a remarkable job in trying to do that. But not all those roads have been built, and only a couple of those have been built in southern West Virginia because the cost per mile is so prohibitively high. Even if the Federal Government provides the money, the State can't match it. So progress is slow.

I also want to say something that is very important to me personally. This Surface Mining Act goes back to when I was Governor. The Senator from Idaho made those comments. I did not agree with everything the Senator from Idaho said, incidentally, about either the Environmental Protection Agency or other things, but I agree with the thrust on what he wants to do with this amendment. But I was Governor of West Virginia at that time. We were faced with this question of what we were going to do about surface mining and the Federal act.

I will say two things. One is that I have known for a long time, and I have been told by many people in and out of government, that a good deal of the Federal act was based upon what it was that we were doing, what it was I was causing to happen as Governor in West Virginia, in the way that surface mining was carried out. In other words, West Virginia, I will then say from that statement, has a higher level of requirements of surface mining than do other States and higher, in general terms, I might say, than the Federal Government.

But I also want to say Cecil Andrus, who is from the West and was tough—he was a tough Department of Interior Administrator, Secretary of the Interior—gave West Virginia something called primacy on surface mining.

All of this we are talking about—surface mining being the opposite of underground mining; anything that is not underground is surface; whether it is mountain mining or surface mining, it is all up above the ground—he gave us primacy. We were the first State in the Nation and the only State for quite a period of time to receive primacy.

What he was saying by that is that you in West Virginia do your surface mining reclamation so well that we are going to give you the authority to go ahead, and we will back out of it completely; we have no jurisdiction anymore; you have jurisdiction unless you start to do things which are wrong. Then we will take it back.

I was very proud of that. That caused me to have some of the views I have today.

When we talk about not gutting the Clean Water Act or not gutting SMCRA, we in West Virginia cannot afford to gut, so to speak, those Federal

acts in a far more intense way than most other States because if we do, we are hurt by them much more than other States because of the enormously mountainous, hilly nature of our State, with only 4 percent of it being flat. All the rest of it goes up or it goes down at one level or another. We have to respect the laws.

Mountain mining has changed a bit over the years in the sense that it has gotten rather larger in the area it covers. Most of us in Congress understand that mountaintop mining in West Virginia is never going to be the same. In fact, the congressional delegation in the House and the Senate wrote an article in the West Virginia papers in which we said it is true, it never is going to be the same.

It may be possible we cannot afford to have, as far as the mountains are concerned, these enormous areas that are mined all at once. But when somebody comes along and says, oh, you should do that, you should restrict the size because you can't fill valleys, they are wrong. Under the Federal law, they are wrong. The Federal law specifically provides for that. I will not read it. I will simply hold it up. Here it is in SMCRA. It specifically provides for being able to do valley fill.

If the Federal judge who made this decision in West Virginia wants to eliminate that—but then again, in his opinion recently, he said: Nothing I am saying here is anything on the basis of merit; it is all on the basis of saying we want a little peace and calm so that the Federal Government, the Congress, can litigate on this matter and decide what needs to be done, which is why Senator BYRD, Senator MCCONNELL, and a number of us went ahead with this amendment.

We did have a system whereby the two sides—I do not even like to use the words ''two sides''—the environmental community and the industrial community, could come together and work together. We had a system in which one of the people who works with me spent 5 weeks in the coal fields working with the environmental people, working with the State people, working with the mining people, working with the union people. They came very close to almost a total agreement on what should be done. There was only one area on which they could not reach final agreement. It was something called a buffer zone. They could have reached a final agreement. Then the Corps of Engineers came along and blew the whole thing out.

I appeal to my colleagues to understand there is a role and a place for reason, compromise, balance, and sensible action in all of this. This world is not divided between people who are strictly environmental in their purposes and people who are strictly for jobs in their purposes. There has to be that balance.

Global warming is a fact. I do not dispute the science. I look around me; I feel the temperature; I understand what is going on. On the other hand, at the same time I have those feelings in my bosom, having to speak grown up as an adult, as a VISTA volunteer in the southern coal fields of West Virginia, that these people who are mining coal—the coal miners Senator BYRD talks about so eloquently—are doing what they know how to do and doing it the best way they possibly can.

If we are not able to get our amendment accepted, if the judge lifts the stay, if his decree goes into effect, mining will more or less cease to exist in West Virginia because nobody will invest; nobody will say: All right, let's just wait for a couple of years and then we will come back and look at West Virginia. That will not happen. It will be more or less the end of mining in West Virginia, not just in southern West Virginia, but it will probably be all over West Virginia because everywhere there are effects of the judge's opinion.

We have to have both. We have to have a way for people to provide the electricity the Senator from Idaho talked about to turn on those computers. We have to have a way to light up this Senate and to light up the homes of people all over America. As I indicated, 57 to 60 percent of all the electricity in this country is made by coal. It is not made by nuclear power. It is not made, at this point, by natural gas. It is made by coal. It is a fact of life. Reasonable people understand that.

You cannot just obliterate that and pretend there are not going to be consequences. Nobody wants economic devastation. I do not think any of our colleagues want economic devastation on the State of West Virginia. I do not think that is in their hearts; I do not think that is what is in their minds; but that is what is in the process of happening unless this Byrd-McConnell amendment is, in fact, agreed to and becomes part of the national law. All it will do is put into law precisely what the Environmental Protection Agency, the Office of Surface Mining, and the Corps of Engineers have officially signed off on as policy.

The stakes are tremendously high in West Virginia, and the stakes are tremendously high not only in Kentucky but all across this country. This is kind of a watershed decision we are about to make. Are we going to find some kind of a compromise, a way of working things through, or are we going to deem each other to be enemies, one to another, one on one side, one on the other—one environmentalist, who either feels or is deemed to feel they have no interest in jobs—which I doubt because environmentalists are people, too—or on the other side coal miners who then turn on environmentalists as being totally hostile people. All that does is degrade the content of public discussion and degrade the possibility of a reasonable resolution.

I hope very much this amendment will be adopted. I regret very much the White House has been so difficult on this whole matter, having given their word to the senior Senator from West Virginia and then reversed it the next day, having given their word on matters of steel during the course of a campaign in the northern part of our State and then reversed their view on that. One almost wonders whether or not there is an assault that is taking place on West Virginia.

But we are struggling. We know that along with two or three other States, we have more economic problems than any other State in the country. We live with that. We live with that every day. We try our very best. Senator BYRD, and this Senator, and our congressional delegation, try our very best every single day to try to improve the economic situation of our State, bringing in new industry that does not create any kind of pollution or industries that are entirely smokeless and entirely of a new order. But it cannot be done, as Senator BYRD said, overnight.

So you cannot have a crashing decision which descends on the good people of southern West Virginia and northern West Virginia that deprives them not only of their self-respect but of their ability to eat, to get medical care, or to exist as human beings.

We have not distinguished ourselves in this country in taking men or women in their 40s or 50s or 60s, and saying: All right. You are finished as a coal miner. Now we are going to train you to do something else. We talk about it all the time, but we do not do it. We do not know how to do it. The Canadians do; we do not.

So to banish people into oblivion is not something which is common with the practices of the soul of America, any part of the soul of America, or any part of the soul of this body. That is what would happen, however, were this amendment to fail.

I commend to my colleagues the integrity of the Byrd-McConnell amendment; I commend to my colleagues the honesty and the environmental soundness of the Byrd-McConnell amendment; and I commend to my colleagues the enormous crisis which potentially will take place if it fails because, as has been said, what starts in West Virginia—because this has now been picked up by the national movement—will move from State, to State, to State, to State.

Mr. BYRD. Mr. President, would my distinguished colleague briefly yield for a comment in connection with something he said?

Mr. ROCKEFELLER. I certainly will.

Mr. BYRD. Mr. President, when I went up to Rhode Island on Saturday, a few weeks ago, to attend the funeral services of the late Rhode Island Senator John Chafee, the national press people—the Washington Post, the New York Times—who were right on that plane indicated that the administration was supportive of that amendment. That was on Saturday.

I had run the language by the administration's representatives, who come

to this hill often. I hoped the administration would support the language. So I was quietly running the language to the administration and certainly getting the support of the administration—if not openly, at least they were not opposed to it. We were working with them tacitly.

The very next day the tune changed, and the newspapers announced the administration was against the Byrd amendment. So they flip-flopped over night; they made a 180-degree turn over night. One day I had the confidence of them. They were looking at the language, making any responses they wished to make to express their viewpoint. The next day they were 100 percent on the other side.

So I say this amendment is a test. I say to the working men and women of America, do not believe the pretty words you may hear. Pretty words are easy. And I have heard pretty words myself. Watch what happens with this amendment, I say to the working men and women of America. Watch what happens to this amendment. See if the actions of those who say they are your friend do match those pretty promises.

I thank my distinguished friend and colleague. I am pleased to associate myself with his remarks. Well done, my friend.

Mr. ROCKEFELLER. I thank my senior colleague and I yield the floor, Mr. President.

The PRESIDING OFFICER. Under the previous order, the Senator from Texas is recognized.

## SOMETHING IS OUT OF BALANCE IN AMERICA

Mr. GRAMM. Mr. President, it is easy when you come to work every day in the most historic and important building in the world to forget you are part of history—to forget you are in a sacred place where history has been made in the past. But it is even easier to forget you are making history now.

But I am reminded that we are making history now when I listen to Senator BYRD speak with righteousness on behalf of the working people of West Virginia. And might I also say, I have never heard a more eloquent speech in the Senate than Senator CRAIG's speech that he gave earlier.

Having heard those speeches—including Senator MCCONNELL's and Senator ROCKEFELLER's—I do not want to rise to talk about the substance. I do not think you can improve on what they had to say. But there is an important point, at least in my mind, that I want to make; and that is, something is wrong in America. Something is out of balance in America.

If tomorrow in West Virginia a sub-species of crickets develop that have legs 6 millimeters longer than crickets as we know them, or that have brown or white specks on them, they would be protected before the law. They would be protected by the Endangered Species Act. There would literally be thousands of people who would be willing to troop to West Virginia and hold signs and demand that this new sub-species of crickets be protected.

But yet when the livelihood of people who hear that alarm ring at 4:30 a.m. in the morning—and if you grew up in one of those houses—I know Senator BYRD did—the next sound you would hear is those two feet hitting the floor. It is predictable. You know what is going to happen, whether it is raining or whether it is not raining. These are people who get up every day, who work hard, who struggle to make ends meet, who sit down around the kitchen table on the first day of the month and get out that stub they got with their paycheck. Then they take the back of an envelope, or a piece of paper, and they try to figure out how they are going to be able to pay their bills, and who they can get by without paying this month. They contribute to America by producing things America needs.

I think something is out of kilter in America when our laws are more focused on protecting sub-species of crickets than they are focused on protecting people who earn a living with the sweat of their brow and with their hands.

I think something is very wrong in America when there does not seem to be much focus on working men and women. And what was moving to me about Senator BYRD's speech is he was speaking on behalf of the people who work with their hands, and who work for a living, and who often do not have much of a voice in American Government.

I am not here to criticize people who have focused, in some cases, their lives, their civic activity, and their leisure time activity on the environment. But I think something is wrong when, in focusing on the environment, we forget about people who work for a living and are affected.

I think, in some cases, environmentalism has gone too far. I think, in some cases, that it has become anti-growth. Maybe that makes sense if you live in a fancy air-conditioned house and if your children have gone to college. If you have boundless opportunities, it makes sense to say we need to protect the environment at all costs and that there is no burden that is too great to bear. After all, the person saying that already has a piece of the American pie and has already generally lived the American dream.

But I think what Senator BYRD has reminded us of is that not every American has lived the American dream. Not every American has gotten a piece of the pie.

I think when we have focused so much on a sub-species of crickets, it is about time that people in the Senate stand up and say: What about people who make a living in the mining industries of this country—people who have had placed on their livelihood less weight by American law than we place on the assumed well-being of sub-species of crickets? I think something is out of balance in America. I think we need to bring it back into balance. I think we need to remind people who are so concerned about one particular element of the environment that there is no more basic part of the environment than the ability of the people in West Virginia, or Kentucky, or Texas, or any other State in the Union to make their house payment, or their ability to earn a livelihood, or their ability to have self-respect in their own worth of what they do.

We are not talking about tearing down America's environmental laws. No country in history has a better environment than we have. No country has spent more resources and legitimate effort on their environment than we have.

## EXTENSION OF MORNING BUSINESS

Mr. GRAMM. Mr. President, I ask unanimous consent that morning business extend until 6 p.m.

The PRESIDING OFFICER. Is there objection?

Mr. WELLSTONE. Mr. President, reserving the right to object—and I shall not—there are some of us who would like to speak on this debate concerning this particular issue and who have been waiting for a while. Could we get some sequence of order perhaps?

The PRESIDING OFFICER. Under the previous order, Senator LANDRIEU is to follow, and Senator KOHL is to follow Senator LANDRIEU. There is no UC. Senator LANDRIEU was the last covered.

Mr. GRAMM. As far as I am aware, we have gone back and forth from the Democrat side to the Republican side. I have listened to five other people speak. I have been well served by hearing their speeches. I will be as brief as I can.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that I be in order of sequence on the Democratic side as we move back and forth.

Mr. GRAMM. Mr. President, reserving the right to object, if we could simply accommodate every speaker, while realizing that we are waiting for the omnibus bill to come over from the House, may I suggest we amend that unanimous consent request so that the Senator be recognized in the order of the sequence we have, but that when the omnibus bill comes over from the House, it continue to take precedence?

Mr. KERRY. Reserving the right to object, Mr. President.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. It is my understanding the Senator appropriately asked for an extension until 6. It is my understanding the Senator from Louisiana wants to speak for only 10 minutes, or less. The Senator from Minnesota wants 5 minutes. I think if we could get an order, we could contain it within the time and everybody would be satisfied. I ask the Senator from Alaska how long he wants to speak.

Mr. MURKOWSKI. In responding to my friend from Massachusetts, about 6 minutes. I am satisfied if we go back and forth, as suggested, it would concur with the unanimous consent agreement pending.

Mr. KERRY. I ask unanimous consent that following the Senator from Texas, the Senator from Louisiana be recognized for 10 minutes; following that, the Senator from Alaska be recognized for 5 minutes; the Senator from Minnesota for 5 minutes; and I would like to follow the Senator from Minnesota for 5 minutes.

Mr. LOTT. Reserving the right to object.

The PRESIDING OFFICER. The majority leader.

Mr. LOTT. To clarify that, when the District of Columbia appropriations conference report and its parts arrive, that will be taken up at that point regardless of the order. But then, of course, when that is completed, we can go back to this order.

Mr. KERRY. Mr. President, again, may I ask the distinguished majority leader: I think we have such a tight containment here, there are some who have some problems off the floor. So it may be that he would be held up by about 5 minutes, I think, in total.

Mr. LOTT. If it is something like that, it should not be a problem. But they are voting in the House at this time, so the papers will be headed this way. Rather than holding up the debate getting started, I think with the order we have lined up, we should be all right. I think we could extend the colloquy to the point where we couldn't do the business of the Senate.

Mr. KERRY. Would the majority leader then permit us to put in place the request we have made?

Mr. LOTT. I withdraw my reservation.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Texas.

Mr. GRAMM. Mr. President, it is obvious that there are a lot of people who want to speak. Let me sum up by saying that in an era where I think we have gotten Government out of balance, where extremist elements are determined to impose their will and their values—often at the expense of the jobs of people who work with their hands and who, in the process, contribute to America—when we become callous to the needs of working people by catering to people who are often quite well off and quite successful and quite comfortable, who, in some cases, would put their interests and their hobbies ahead of working people, it is very important that we have someone such as Senator BYRD who pulls us back to reality.

I think Senator BYRD mentioned my name as a cosponsor. But just in case he did not, I ask unanimous consent that my name be added.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAMM. I am proud to support this amendment. I think the administration has become dominated by people who are more concerned about specific elements of the environment, as they define it, than they are concerned about the environment based on good science. I think they are more concerned about their values than the well-being of the people who do the work and pay the taxes and pull the wagon in America.

It is easy for a planner or an idealist to set out a policy and act as if destroying the livelihood of a coal miner is as irrelevant as simply overturning a regulation. But we know the difference between a regulation and the livelihood of a coal miner. It is because we know the difference that we are here.

I hope this amendment passes. I hope it sends a clear signal that the Clinton administration has become an extremist administration in terms of the environment. This is a bipartisan effort. I think it is important. I think it pulls us back to the center in recognizing we want a better environment. But we want to look at costs and benefits. We want to look at science. When we are putting thousands of people out of work, we ought to stop and reflect on what we are doing. Senator BYRD is asking us to do that today. I am proud to join him in this effort.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

## NATIONAL ADOPTION MONTH

Ms. LANDRIEU. Mr. President, I am appreciative of the 10 minutes granted to speak on a different subject. I understand that mining is an important issue and deserves our attention. Until it is resolved, we will probably be working for many days. I know that the Senior Senator from West Virginia feels very passionately about this issue, and other Members may want to add their remarks as the evening goes on, so I will try to be brief.

A week from tomorrow, many of us will head home to be with our families and celebrate Thanksgiving. In my mind, it is extremely appropriate that Thanksgiving falls in this month, which many of you know is National Adoption Month. For like Thanksgiving, National Adoption Month is a time not only for celebration but also for reflection.

So let me begin with some facts about adoption that people may find interesting in hopes that this would be something the American people will embrace. In 1992, the last year for which adoption statistics were available, there were 127,000 children adopted in the United States. Forty-two percent of these children were adopted by step parents or relatives; 15 percent of these adoptions were from foster care; 5 percent adopted children from other countries; and 37 percent of these children were adopted by private agencies.

The poster behind me is a collage of just a few of the 130,000 legally freed children awaiting permanent families. Some of them are only children and some are sibling groups, some are younger children some are older. Although they are all different, all of these beautiful children are looking for someone to love and care for them and to make them a part of their home.

The fact remains that there are half a million children in foster care. By way of comparison, allow me to refer to a hometown landmark, the Superdome. The Superdome has hosted several superbowls—the Saints have never been to one there, but other teams have. We can seat about 80,000 people in the Superdome. To get an accurate vision of the number of children, picture 5 superdomes filled with children, one in every seat. That is a lot of children—if you think about one in each seat in five Superdomes—in need of homes in America.

The average age of children in foster care is 9.5 years. The problem is many children spend the average of 3 years in foster care. Three years is too long to live without the love and security of a permanent family. We need to shorten that time. If a child has to be removed from their biological parents because of terrible, unfortunate circumstances, they should spend a short time in foster care and then be placed permanently with a loving family. Seventy percent of the children available for adoption and foster care are under the age of 10. They should not spend their tender years without a home.

True, we are making progress and we should be proud. In 1996, 28,000 children in foster care were placed in permanent homes. It is projected that, in 1999, the number will be 36,000, an increase of about 30 percent.

In celebration of those who made this progress possible, the Congressional Coalition on Adoption instituted a wonderful idea that we hope will go on year after year, The Congressional Angels In Adoption. We asked all of our colleagues to send in recommendations for individuals in their respective States and districts who had done something extraordinary in the area of adoption. I would like to submit for the RECORD a list of the 55 families who have been nominated and selected for the first 1999 Angels In Adoption Awards.

I ask unanimous consent that this list be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

### 1999 ANGELS IN ADOPTION

Freddie Mac Foundation, Virginia, Nancy Kleingartner, Bismarck, North Dakota, Jeff and Earletta Morris, Marshalltown, Iowa, Earl and Judy Priest, Caldwell, Idaho, Dave Thomas, Dublin, Ohio, Peter and Mary Myers, Sikeston, Missouri, James and Denise Jones, Grand Rapids, Michigan, Fletcher Thompson & Jim Thompson, Spartanburg, South Carolina, Carol McMahon, Pittsburgh, Pennsylvania, Lori and Willie Johnson, Russellville, Arkansas, Candice Mueller, Ewing, New Jersey, Joan McLaughlin, Morristown, New Jersey, Carol Stoudt, Fargo, North Dakota, Bill and Laura Trickey, Kansas City,

Missouri, Tom and Debbie Ritter, Warrentown, Missouri, Debbie Breden, O'Fallon, Missouri, Senator Gordon and Sharon Smith, Hope Marindin, Chevy Chase, Maryland, Doreen Moreira, Cabin John, Maryland, Sky Westerlund, of Lawrence, Kansas.

Doug and Mary Spangler, Kansas City, Vivian Robinson, Harrisburg, Illinois, Reverend George Coates, Eldorado, Illinois, Ms. Gloria King of Oakland, California, Becky and Mike Dornoff, Williamsburg, Michigan, Steve and Cherie Karban, Rapid River, Michigan, James L. Gritter, Traverse City, Michigan, Ms. Sidney Duncan, Detroit, Michigan, Anne Pierson, Lancaster, Philadelphia, Jane Sarnes, Lexington, Nebraska, Peggy Soule, Rochester, New York, Laurence and Jane Leach, Raleigh County, West Virginia, Judge Gary Johnson, West Virginia, Hays and Gay Town of Baton Rouge, Louisiana, David and Jane Zatz Redmond, Washington, Dennis and Shirley Smithson, Nashville, Tennessee, Anne Desiderio, Albuquerque, New Mexico, Francis Ann Mobley, Daytona Beach, Florida, Kurt and Stacy Stahl, Lake Oswego, Oregon, Sallie Olson, Lake Oswego, Oregon.

Ruth Ann Gaines, Des Moines, Iowa, Larry and Jackie Bebo, Berthoud, Colorado, Gary Cerkvenik and Kim Stokes, Britt, Minnesota, Aimee Oullette, Milwaukee, Wisconsin, Bill and Brenda Baker, Redfield, South Dakota, Richard and Karen Butler, Faith, South Dakota, Reverend Ed and Diane Nesseslhuf, Vermillion, South Dakota, Debbie Hoffman, Sioux Falls, South Dakota, Melvina and Louie Winters, Pine Ridge, South Dakota, Geraldine Bluebird, Pine Ridge, South Dakota, Scott and Val Parsley, Madison, South Dakota, Mrs. Brenda Edusei, Bedford, New Hampshire, Debra Klopert, St. Louis, Missouri, Jessica Dennis of Rosedale, New York.

Ms. LANDRIEU. Here are some examples from around the country. I will read into the RECORD just a few. First of all, the Congressional Coalition on Adoption has recognized the Freddie Mac Foundation of Virginia, nominated because of countless contributions to the promotion of adoption. In this year alone, Freddie Mac has donated millions of dollars to help fund programs for adoption and foster care. Their commitment and dedication demonstrates their unique understanding that there is more to a home than four walls. We thank the Freddie Mac Foundation for their effort.

I will read a few more brief entries to give an example of some of the people that were honored. My friend, the Senior Senator from Arkansas, submitted a family from Russellville, Arkansas, Lori and Willie Johnson. In an increasingly self-absorbed world, Lori and Willie Johnson remind those around them of the meaning of the word ''selfless.'' They are the proud parents of 17 children, 13 of whom are adopted and have special needs. Because of their love and dedication, these children have a family to call their own.

From Spartanburg, South Carolina, we have selected Fletcher Thompson and Jim Thompson, nominated by our colleague in the House, JAMES DEMINT. Having practiced adoption for over 25 years, they are rightly considered adoption experts. They place over 100 children a year. They practice law in a way that helps build families and brings hope to children and joy to parents. We thank them for their great work.

I would also like to mention, the Angel from Idaho—since the Senior Senator from that State was on the floor earlier speaking about the important mining issue,—as Co-chair of the Congressional Coalition he nominated Earl and Judy Priest from Caldwell, Idaho. For over 25 years, the Priests have opened their hearts and home to children of all ages and abilities. They are parents of five children, three of whom are adopted. In addition, they have fostered 160 other children.

Hays and Gay Town, from my own home State of Louisiana, founded and personally funded an agency that has placed over 200 children. They have also reached out to help young mothers in crisis.

There are many examples, from California to New York to Louisiana to Michigan. There have been examples of judges, attorneys, parents who have adopted children, advocates in the community, agencies, who are really contributing to making our goal of finding a home for every child in America and the world a reality.

In closing, I would like to remind my colleagues, of several pieces of pending legislation concerning adoption. First, we look forward to passing, with Senator HELMS' and Senator BIDEN's leadership, the Hague Convention on Intercountry Adoption. This treaty will, for the first time, lay out a framework for international adoption. Mr. Chairman, as a lawyer and a former prosecutor, you most certainly know the importance of laying out a legal framework to prevent fraud and abuse, reduce costs and make the process easier for families adopting abroad. Together with Senator ABRAHAM, I have introduced the Adoption Awareness Act to fund a nationwide campaign promoting adoption. Through this campaign, we hope to encourage potential adoptive parents to open their homes to a waiting child.

Finally, we hope to be able to increase the present adoption tax credit from $5,000 to $10,000.

As you can see, there is a lot of work we have to do when we come back. I want to take this opportunity, once again, to recognize all of our ''Angels in Adoption,'' and to thank my colleagues for all the good work they have done on this issue. I look forward to working with them when we return to make the reality of a permanent and loving home real for so many children who need it.

Thank you.

I yield the remainder of my time.

The PRESIDING OFFICER. The Senator from Alaska.

## BYRD-McCONNELL MINING AMENDMENT

Mr. MURKOWSKI. Mr. President, I think we all owe a tremendous debt of gratitude to the senior Senator from West Virginia.

What we have now is a situation concerning mining in the U.S. where a crucial decision is either going to be made to maintain an atmosphere where mining can continue or through the prevailing attitude within the Clinton administration to simply drive this industry offshore.

The Clinton administration, by its actions, evidently opposes the working people of America who are involved in mining.

Those opposing Senator BYRD's proposal basically are destroying the entire coal industry which exists west of the Mississippi—the mine workers whose jobs depend on that industry, the railroad workers, the barge men, and the truck drivers.

I think it is important to note that Senator BYRD's amendment directs the application of the Clean Water Act to be returned to the way it was at the beginning of October of this year.

Senator BYRD's amendment does not change the law. It does not change any practice that has been followed over the years. It is our job to change the law—not the White House and not the courts.

Senator BYRD's amendment gives the Congress and the Federal agencies time to apply existing law without destroying the coal mining industry of this country—time to apply the law, or make such adjustments that are necessary in a way that protects the environment, the coal mining industry, and all those who depend upon that industry for their well-being.

We are looking for a balance. The administration's proposal throws this out of balance.

The amendment goes further. There are two additional issues involved.

One deals with the recent Solicitor's opinion that would throw out 127 years of precedent on the size of mill sites—only 5 acres per claim, if followed through with, this would make mining on public lands absolutely impossible.

I do not know how many Members have an idea about what it takes to make up a mine. The mine needs a mill site, grinding and crushing facilities, shops, processing plants, tailings disposal, headquarters, a water plant, parking lots, and roads. This simply cannot fit on the space provided within the 5-acre mill site per claim. It simply can't be done. This is how they propose to eliminate mining. In my State of Alaska, we would not have a new mine developed, nor could we.

You are depriving us and this country the right to produce minerals from the rich resources we have.

Make no mistake; the Solicitor wrote the opinion to end mining in the West, to drive mining offshore, to drive the jobs offshore, and to drive the dollars offshore.

The provision in this amendment would allow mining operations that have been submitting plans prior to a recent Solicitor's opinion to continue under the law and the precedent that was relied on the developed plan.

The second issue is also a simple provision that would require the administration to follow sound science for a change—not emotion.

The provision would limit the ability of the Secretary of the Interior to propose new hard rock mining regulations for those areas where the National Academy of Science found that there were deficiencies. Why not give science a chance instead of emotion?

Finally, the National Academy of Science found that State and current Federal regulations on hard rock mining sufficiently protected the environment and needed only a few changes to bring it up to current standards.

What is wrong with the objective of the National Academy of Science?

There are two simple provisions: One that provides fundamental fairness by allowing companies that have relied on 127 years of interpretation to continue while the courts sort out whether this new interpretation is legal; and one that requires the administration to follow and comply with sound science.

We are calling for fundamental fairness and sound science. But the White House, in its single-minded determination to end the domestic mining industry, seems to have denied us both.

I certainly appreciate the support of the senior Senator from West Virginia. He has a sympathy and an understanding for the needs of the mining industry.

Unfortunately, we have seen these differences of opinion between the West and the East. But we certainly now have a common interest.

There is going to be little for the domestic mining industry to celebrate this Thanksgiving.

The White House, to serve its environmental constituency and the aspirations of, I guess, the Vice President, has abandoned the call for sound science. They are appealing to emotion.

We need fairness. We need to meet the needs of the men and women who labor in our mines.

This Nation will pay the price as coal mines in West Virginia, mining sites throughout the West, and in my State of Alaska close. Good, honest jobs that built this Nation will be lost. Union and nonunion workers will join the bread line that this administration will leave as its legacy for the mining industry.

I yield the floor.

I thank the President for his patience and perseverance.

The PRESIDING OFFICER. Under the previous order, the Senator from Minnesota is recognized.

Mr. WELLSTONE. Mr. President, my understanding is that Senator KOHL was seeking recognition. I ask unanimous consent that Senator KOHL be allowed to speak for 5 minutes after Senator KERRY.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WELLSTONE. I thank the Chair.

Mr. President, I come to the floor to speak with some mixed feelings because I have heard several of my colleagues, and I specifically want to talk about the remarks of Senator BYRD and Senator ROCKEFELLER for whom I have a tremendous amount of respect. I know when they speak about miners, they speak from their hearts, and they speak from their souls.

I haven't looked at the specific wording of the amendment. But I want to raise some questions, if this amendment comes to a vote. I will look at the amendment and then decide.

But I think I heard some of my colleagues trivialize this question. Just looking at it from another very important point of view, I can say that I have spent a considerable amount of time in eastern Kentucky. That is where my wife's family is from. I spent some time years ago with an organization called ''Save Our Cumberland Mountains'' in east Tennessee.

When my colleagues come to the floor and talk about this as saving some exotic species, they are not talking about what I have seen with strip mining. What I have seen with strip mining in east Tennessee and east Kentucky is a situation where, first of all, the coal mining companies came to the region and took an awful lot of the wealth, and then they left an awful lot of the people poor.

But one of the things people had was their streams, rivers, and their creeks. They had the outdoors, and the land that they loved.

I want to say to my colleagues that when you take the tops off these mountains with the strip mining as opposed to deep mining, and you let the leftover rock and earth get dumped into the adjacent valleys and bury or pollute streams, it raises a big question.

Again, I say, in deference to my colleagues, that I know what they are saying. We will have a chance to analyze this and then decide how to vote.

But I do not believe this is a trivial question at all. I have seen communities ravaged by this strip mining. I have seen courageous people who have lived in the mountains their whole lives speak up. So I want to speak up by raising this question on the floor of the Senate.

I also want to say to my colleague, Senator BYRD—and others—who, as I said, from his heart cares about the miners, that when I hear some of my colleagues talk about the miners, I hope there will be equal concern for the miners in east Kentucky when they don't have the unions. Right now, they can't see 6 inches in front of them because of the coal dust level. I hope we will have the concern for the health and safety of the miners. When I hear speakers on the floor, I hope we will have the concern on raising wages; I hope we will have concern for civilized working conditions; and I hope we will have a concern for the right of miners and other people to be able to organize and bargain collectively.

When I hear about the President's trip to Hazard, KY, where is the concern for poverty? I hope we will also see the same kind of commitment to health care, to education, to affordable child care, to economic development, and all of the rest.

It is a little bit too much to hear some colleagues frame this debate in these terms given this broader context.

It is a difficult question. I said to Senator BYRD earlier I have not looked at the specific amendment yet. I will do that. But I don't want any Senator to come to the floor and act as if there isn't some question—again, the Senator can clear this up for me—as to whether or not, given section 404 of the Clean Water Act, we are or are not creating a loophole. That is a terribly important question for me to resolve before a final vote on the issue.

Mr. BYRD. Will the Senator yield?

Mr. WELLSTONE. I am happy to yield to the Senator.

Mr. BYRD. The distinguished Senator has mentioned my name. The word ''waste'' has been used. The newspapers have repeatedly used the word ''waste,'' saying this amendment that I am sponsoring is to let coal companies continue to dump their waste into the streams.

As to the use of the term ''waste,'' the Clean Water Act, section 404, governs the disposal of ''dredged and fill'' materials into waters of the United States. Excess material from coal mines has always been regulated in this fashion as ''dredged and fill'' material under section 404 of the Clean Water Act.

Judge Hayden in West Virginia, however, determined that excess material from coal mines is ''waste'' and, as such, could not be disposed of in valley fills.

For 20 years, the stream buffer zone regulation has not been interpreted as preventing the disposal of excess material from coal mines into streams. Rather, Congress relied on the Clean Water Act to govern this activity.

I thank the distinguished Senator for yielding.

I ask unanimous consent Mr. SHELBY be added as a cosponsor to the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired. The Senator from Massachusetts is recognized.

## GRATITUDE TO JEANETTE BOONE SMITH

Mr. KERRY. Mr. President, I want to share with all of my colleagues, particularly with the citizens of Massachusetts, the deepest sense of appreciation I have for the longest serving member of my staff, someone I have been privileged to have work with me since I entered elective office in 1982. Jeanette Boone Smith is leaving my staff after serving all of that time, since 1982, both in the Lieutenant Governor's Office of Massachusetts and in

the Senate. Throughout those years, Jeanette has symbolized the values and the priorities I have tried to represent in the Senate. I am, indeed, extraordinarily fortunate to have had her friendship and her counsel throughout my public life.

Jeanette embodies the fight for equality and for social justice that defines the entire second half of this century. Her life is filled with stories of personal struggle, public struggle, and of triumph, of sacrifice, and of victory. She was born in Englewood, NJ, and she remained in that State throughout young adulthood. For Jeanette, public service and political action came very early. She became president of Englewood's Fourth Ward Democratic Club, where she worked for local and national Democratic candidates. Her commitment to ensuring equality of opportunity and access to resources led her to fight tirelessly for the integration of the Englewood schools and for public housing. The success of the campaign in which she was involved opened up education and affordable housing to the whole community, and it serves as just one example of the countless times Jeanette sacrificed her time and her energy to help provide a better life to people who had traditionally been denied the full measure of the American dream.

Jeanette interviewed with me in January 1983 when I was putting my staff together for the Lieutenant Governor's Office. From that time on, through those early years, she served as my executive assistant, performing the endless and thankless tasks that all here understand are so vital to our ability to be able to manage our schedules and our State operations. As the years passed, she took on greater responsibilities as the director of constituent services where her warm, generous, open personality, and remarkable compassion for people in need allowed my office to advocate successfully to open and to successfully complete the work on more than 100,000 individual cases throughout Massachusetts.

As my colleagues well know, constituent services are critical in serving the people of our States and they are sometimes the most thankless and the most difficult tasks we confront. Jeanette assembled and managed a team that continues to help people in search of housing, education opportunities, and nutritional assistance. She has also overseen many complex housing partnerships with the U.S. Department of Housing and Urban Development and State agencies, helping to bring quality, affordable housing to thousands of people throughout the State.

Jeanette is leaving to enjoy more time with her husband Perry, her son Tracey, and his sons, and the South End community she loves so dearly. Within the South End, she formed the Four Corners Neighborhood Association, which led to the construction of the Langham Court Apartments. This complex is a wonderful example of Jeanette's abilities and her commitment to improving her community. It has been recognized with awards for its architecture and innovative program of mixed-income housing. She is also deeply involved in the Roxbury Presbyterian Church where she serves as an elder, a trustee, a member of the choir, and a member of the renovation committee.

These words today—and I know my colleagues will share this sense for any long-term staff person who departs—cannot fully recognize Jeanette's contributions to the people of Massachusetts or the full extent of my personal appreciation for her time with me. Although she departs my staff tomorrow, the principles she has represented in her work will never leave; rather, they will do as Jeanette has done, which is to serve as a moral compass pointed toward a better world where a bright future is open and available to everyone in this country.

I am deeply grateful for her time with me, and I extend to her and Perry my very best wishes as they begin a wonderful new chapter in their lives.

I yield the floor.

Mr. DASCHLE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KOHL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Wisconsin.

## THE NORTHEAST DAIRY COMPACT

Mr. KOHL. Mr. President, in the omnibus package that will be brought to the floor sometime this evening, there are two pieces of legislation on dairy that I want to spend a couple of minutes discussing because I think they are unfair and very much not in the spirit of the American economic system.

One is the Northeast Dairy Compact. The Northeast Dairy Compact is an arrangement in which the New England States literally fix the price of milk in those seven States and no one can tamper with that price. It is the only price at which milk can be distributed from the farmer to the processor. In effect, it takes all the competition out of that product in that State, in all the New England States. We have never done that before in this country. It is contrary to everything that is represented by the economic system in the United States.

The reason why we have such a great country in part is because our economic system provides that anybody with a good idea to develop a product or a service has an unfettered opportunity in all 50 States to market that product. That is what has made America great: competition. That is why we have full employment, the best economy in the world, and an economy that can compete anywhere in the world and succeed. That is because in this country we say: In order to get your share of market, you have to be able to provide the best product at the best price and market it in the best way. There are no restrictions in the 50 States to do that. That has been true since the United States of America was originated.

The northeast dairy cartel is in contrast to that. There is nothing about the cartel that is American in terms of how we do business. There is something else about that. They say, and I have heard this from some of the leaders in the northeast: Can't we just have our cartel? After all, it represents only a fraction of the milk market in the country. Why can't we just have our cartel? But, obviously, if they can have their cartel, then everybody can have a cartel. What stops us from having a Southeast cartel or a Southwest cartel? What stops us from having a Southern cotton cartel? What stops us from having a Midwest corn cartel or a Plains States wheat cartel? If a cartel makes sense in any form, then it makes sense not only in the New England States and not only for milk; it makes sense anywhere, conceivably, and for any product.

Now I ask the question: Does the Senate want to go on record as favoring this type of economic policy? I think we all know the answer is not yes. Nobody has defended this to me, even though it is coming tonight. Nobody has defended it to me. I talked with the leaders in the Senate. I asked them to explain why we should have this kind of legislation in the omnibus bill. I tell you, not a leader, not a single Senator, has explained to me and defended in any way that makes sense the idea of price-fixing cartels. Yet here it comes.

I am told it is coming because promises have been made and arrangements have already occurred, and so on and so forth. On something as important as this, which is price-fixing cartels, it seems to me that saying ''promises have been made,'' and ''it has been passed in the House,'' or ''it is too late,'' or whatever, does not make any sense. May I also say I have been in dialog with the leaders in the Senate for months on this, so this is not a surprise. So here we are with this piece of legislation.

Then we also have this milk pricing policy which, as you all know, arbitrates that the farther you are from Wisconsin in this country, the more you get for your milk if you are a dairy farmer. We all know, again, this was set up 50 or 60 years ago when there was no refrigeration to transport milk and they wanted to encourage the development of the dairy industry. So we provided incentives for dairy farmers at points distant from Wisconsin to develop the dairy industry and to circumvent the need for refrigerated transportation. That is no longer true.

So what we are trying to do is not to eliminate that price differential because that would be too big a step to take at once. We are trying to reduce the price differential—not eliminate it, reduce it. USDA has come up with a program and 97 percent of the farmers in this country have voted for the change in the present milk pricing program. I am not suggesting we need to eliminate the price differential at this time. But let's accept the reduction of the price differential in view of the fact that the present system is archaic and makes no sense.

Again, coming over from the House is legislation that continues to mandate that the old Depression-era pricing system be continued. May I also say the present system, both with respect to the Northeast Dairy Compact and the pricing system, was mandated to conclude on October 1, and we would put in a new system. But before October 1, there was a Federal judge in Vermont who challenged that kind of outcome. So right now it is tied up in the courts and nothing is going to happen. The present system will stay until at least the courts rule on the validity of a new system.

So I suggested, and many have suggested, there be no dairy language in the omnibus; just don't say anything and let's let this thing roll because it is tied up in the courts now anyhow, and we can discuss it next year.

No, promises have been made. People have been won over in one way or another. Other agendas are on the table. So today it comes in an omnibus bill, with the Northeast Dairy Compact renewed. Price fixing cartels, does any Senator want to vote for that? Price fixing cartels, not just for the Northeast, because if you accept it in the Northeast you accept it elsewhere; not just on milk, because a cartel is not uniquely suited to milk. It can be on any other commodity anywhere.

Does the Senate want to go on record as supporting price fixing cartels in this country? Do we want to tear up the American economy in that way? That comes in the omnibus tonight. We are going to vote on that.

We are also going to vote on going back to the old milk marketing price system which, again, is totally outmoded. The USDA has come up with a new system. I am very upset, obviously, and I am obviously going to fight that omnibus bill to its conclusion in any way I can, to filibuster it and to require everything be done to demonstrate to us and to the American people that there is a giant bill coming down the pike which has at least an element in it which is not acceptable, in my judgment, to how America is supposed to function.

We are also considering a continuing resolution that will be brought to the floor momentarily, I understand. Of course, one of the options we have is to vote against a continuing resolution, which would, in effect, shut down the Government at midnight tonight. I could object to the CR and the Government would shut down. That is something I had considered. But if we do that or if I do that, obviously, it is a huge step, and there are many tens of thousands of people who would be out of a job, with enormous dislocations all across our country. It is a huge step one does not take easily. It is not a step I want to take. It is not a step I am going to take because I do not think it represents responsible action on my part. If some of the other people in this body want to act in a way I consider to be irresponsible and challenge me to be irresponsible—I am not an irresponsible person. Shutting down the Government is a huge, huge decision. One does not take it lightly. I am not going to make that decision over this issue.

But I do want to point out to my colleagues that some strong-arm tactics are at work here. Allowing price fixing cartels is a bad thing for this country. I very much hope we can and will find a way to undo the damage of price fixing cartels in an outmoded milk marketing system in the very near future.

Having said that, I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

## UNANIMOUS CONSENT AGREEMENT

Mr. LOTT. Mr. President, there are a number of issues we are working on, but we have one unanimous consent request with regard to the loan guarantee for the satellite local situation we have worked out.

I ask unanimous consent that no later than March 30, 2000, if no Senate committee has reported a bill limited to providing loan guarantees to establish local television service to rural areas by satellite and other means, the Republican leader, or his designee, or the Democratic leader, or his designee, be recognized to introduce a bill limited to sections 2002, 2003, 2004, and 2006 of the conference report accompanying H.R. 1554 providing such loan guarantees, and that the Senate immediately begin consideration of the bill with relevant first-degree amendments in order and second-degree amendments that are relevant to the first-degree amendment proposed to be amended. Further, that if legislation is reported that is limited to such loan guarantees, it be considered on or before March 30 and be open to relevant amendments as provided above. Further, that upon disposition of all amendments, the bill be read a third time and passed, with no intervening action.

The PRESIDING OFFICER. Is there objection?

Mr. DASCHLE. Reserving the right to object.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. DASCHLE. Mr. President, I compliment the majority leader. This is the result of ongoing discussions we have had for some time. I appreciate very much the involvement and the work done by the distinguished Senator from Montana. This accomplishes much of what we hoped we could do. It is not everything. I am very hopeful we can get this done before April 1, but the majority leader has made as strong a commitment to me personally, and I am sure he is prepared to do it on the record, that he will work with us to accomplish the objectives laid out in this unanimous consent agreement.

I appreciate, as well, the cooperation of the distinguished Banking Committee chairman, and I believe as a result of the effort we have been able to demonstrate in getting to this point, we will achieve our goal. We cannot leave rural America out. We will have an opportunity to provide service to them. This will give us the vehicle to make that happen. So I do not object.

Mr. BAUCUS. Reserving the right to object.

Mr. LOTT. Mr. President, before the Senator reserves the right to object, I want to add my own personal comments rather than just the dry UC that I gave.

I, too, commend and thank the other Senator from Montana, Mr. BURNS, for his efforts in this area and for his tenacity. In fact, this very day, he ruined my lunch talking to me about this issue. I know Senator BAUCUS believes very strongly in it.

It is not just a Montana issue. This is important in South Dakota and this is important in Mississippi. This is important nationwide. If we are going to get this satellite local-to-local service in these smaller markets, we have to have this opportunity, but we want to make sure it is a loan guarantee that will work, that is actually going to do the job, that is not in some way going to improperly benefit any one individual or group of individuals, for that matter, and that it has been carefully thought through.

Again, I am absolutely determined to get this done. I will not only live up to this UC, which I have to, but I will do it with a great deal of vigor and activity.

I thank the Senator from Texas for his willingness to focus on this and get it done by a date certain and make sure he and other committees have added to it to make sure we do it right.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. BAUCUS. Mr. President, I earlier objected to bringing up the continuing resolution because I felt it made much more sense to include the loan guarantee along with the other provisions in the omnibus bill that will be taken up later providing for local-to-local satellite network service.

I thank the Senator from Mississippi, as well as my colleague from Montana. I have been working with my colleague today to figure out some way to lock in even more having loan guarantees passed by this body and by the other body.

The other body has made a similar commitment in a colloquy about 2

hours ago to make sure this is passed so rural viewers of America have the opportunity to have local satellite service.

I compliment my friend from Montana for working so hard on this. He has worked very hard, as well as others. I am not going to hold up the continuing resolution to shut down the Government. In the whole scheme of things, we have our own priorities and know what the priorities should be. But it is important to get this provision in here because it does make it even more certain we are going to get this loan guarantee provision passed in the next year.

I thank the majority leader. He has been very gracious in working this out, as well as the chairman of the Appropriations Committee, who I know wants to work this out as well, and my good friend from Montana. I also thank the Banking Committee chairman. He has been very helpful.

The PRESIDING OFFICER. There is a unanimous consent request before the Senate. Is there objection?

Mr. BURNS. Reserving the right to object, and I will not object, this is a compromise to facilitate the passage of this omnibus bill. We have worked a long time on this. We are working up to a deadline where we could see some blue screens after December 31. But one cannot ignore the fact that even our satellite viewers should be able to receive local broadcasts or network stations in their local areas. The only way we will ever provide any competition for the cables under the rules they live by, under must carry, and still have a viable satellite service that will compete with cables is through this method.

I appreciate the commitment of the Senator from Texas, the chairman of the Banking Committee. I thank my friend from Montana. He has worked hard on this. I thank the majority leader. Without their commitments, we would be talking a different tune now. I also commend the leadership in the House of Representatives for making the same commitment that this legislation be passed early next year.

I yield the floor.

The PRESIDING OFFICER. A unanimous consent request is before the Senate. Is there objection? Without objection, it is so ordered.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. Will the Senator from Texas yield to the Senator from West Virginia?

Mr. GRAMM. Mr. President, I was going to speak on this subject of the satellite bill, but I yield to the Senator from West Virginia.

Mr. BYRD. Mr. President, I ask unanimous consent that I be recognized as one of the managers of the continuing resolution. I am entitled to that recognition. I ask I be recognized immediately after the distinguished Senator from Texas.

The PRESIDING OFFICER. The Senator from West Virginia has propounded a unanimous consent request. Is there objection? Without objection, it is so ordered.

The Senator from Texas is recognized.

Mr. GRAMM. Mr. President, I thank my colleagues. This has obviously been a very difficult issue. We passed the satellite bill in the Senate unanimously. I think every Member of the Senate realizes the ability to receive television signals in America is critically important. On Saturday, you want to watch Texas A&M. On Sunday, you want to watch the Dallas Cowboys. And one's life is diminished if you cannot do either one of those things.

The problem we had was we passed a bill in the Senate to set up the legal structure to get that job done. They passed a bill in the House to do the same. Neither bill had any loan guarantee language in it. The conferees realized there was a problem, but in their haste to get it done, it is my opinion that we ended up with language that was as good as anybody could have written during that short period of time.

Under the agreement we have reached, we have an opportunity to have representatives of the television stations, the satellite companies, and potential Internet suppliers come in. We have the ability to look at the technology.

We have the ability to look at loan guarantees we have given in the past. We have the ability to get the input of the Treasury. Hopefully, we will have the ability to put together a bill that will maximize the chances that every American will have access to their local television station.

I want my colleagues to know, as I have said many times as this debate has evolved, I intend, by the 30th of March, to report a bill from the Banking Committee. It is my goal not only to write a bill that will deal with this problem, but I hope we can develop a prototype for the future, where we recognize that there are some social goals that are not necessarily met by market forces, and that the market by itself might not provide this service which we have deemed to be important.

The question then is: What can you do to provide this service at the lowest possible cost and in the most efficient manner? It is my goal to put together a bill that will achieve that goal and perhaps be a prototype for similar problems in the future.

So I thank my colleagues. Probably as much effort has gone into this one little issue as anything throughout this whole process. It is an important issue. It involved an important principle. I think we have reached a good conclusion. I am happy about it. I believe, when we complete it, that every Member of the Senate and every Member of Congress and, hopefully, everybody who has a satellite dish or wants one will be happy about it as well.

I thank my colleagues.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, I send to the desk an amendment.

The PRESIDING OFFICER. The clerk will report.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. I yield to the majority leader first.

The PRESIDING OFFICER. The Senator from West Virginia is yielding to the majority leader.

Mr. REID. Mr. President, would the majority leader yield?

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. WELLSTONE. Mr. President, I object.

The PRESIDING OFFICER (Mr. BURNS). Objection is heard.

The clerk will continue to call the roll.

The bill clerk continued with the call of the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection?

Mr. FEINGOLD. I object.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded so that the Senator from Minnesota can——

Mr. WELLSTONE. Mr. President, I object until I can read this.

The PRESIDING OFFICER. Objection is heard.

The clerk will continue the call of the roll.

The bill clerk continued with the call of the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. FEINGOLD. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The bill clerk continued with the call of the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

## UNANIMOUS CONSENT AGREEMENT—H.J. RES. 82, H.J. RES. 83, AND H.R. 3194

Mr. LOTT. I thank my colleagues for not objecting.

Mr. President, I have a unanimous consent request that has been very

carefully worked out, and after it is agreed to, we have three colloquies that Senator DASCHLE, Senator STEVENS, Senator BYRD, and I would like to enter into.

I ask unanimous consent that the Senate now turn to H.J. Res. 82, the continuing resolution, and following the reporting by the clerk, there be two first-degree amendments in order, and no second-degree amendments or motions to commit or recommit be in order. Those amendments are the following:

The Byrd-McConnell amendment regarding mining;

The Helms-Edwards amendment regarding disaster funds.

I further ask consent that following the disposition of the amendments, the joint resolution be read a third time and passed and the motion to reconsider be laid upon the table.

I further ask consent that when the Senate receives H.J. Res. 83, the joint resolution be deemed agreed to and the motion to reconsider be laid upon the table, all without any intervening action or debate.

Finally, I ask consent that when the Senate receives the conference report to accompany H.R. 3194, the reading of the conference report commence immediately following the motion to proceed made by the majority leader, to be followed by a vote on the motion to proceed.

The PRESIDING OFFICER. Is there an objection?

Mr. WELLSTONE. Reserving the right to object, could I ask the majority leader, following the motion to proceed by the majority leader, it says ''to be followed by a vote on a motion to proceed.'' Is this going to be read?

Mr. LOTT. This is after the reading has been completed.

Mr. WELLSTONE. That is our understanding.

Mr. LOTT. That is correct.

Mr. FEINGOLD. Reserving the right to object, I ask the majority leader a question, if I could. We had an understanding prior to removing the quorum call that there is no time limitation.

Mr. LOTT. Correct, there is no time limitation in this agreement.

Mr. FEINGOLD. I thank the majority leader.

The PRESIDING OFFICER. Hearing no objection, it is so ordered.

Mr. LOTT. Mr. President, we do have a colloquy we will enter into. I don't know how much debate time will be required since there was no time limitation. It is safe to say there will be a period of time for debate, so if Members want to take this time to get something to eat they will probably have the time to do so. However, I do expect after some reasonable period of time there will be a vote or votes, and, of course, we will proceed to the conference report that has been delivered to the Senate at an appropriate time so it can be read, and for a motion or votes on that.

One important thing I want to emphasize, the Senate can only do what the Senate can do, and then our action has to go to the House. The House must act. With regard to these continuing resolutions, they have a number of options. I personally am going to vote for the Byrd amendment. I think the Senator is entitled to make his case. I hope the House will accept that. If they don't, it will be back in another venue in another way.

The same thing with regard to the Helms-Edwards disaster funds. An oversight occurred, as I understand it, in the final hours last night with regard to disaster funds for North Carolina. There were about three tranches of money that had been requested for disaster assistance. Two of those were included, which come to a total of around $800 million. However, $81 million, an important tranche, was not included. Hopefully, the House will accept this and hopefully the House will see fit to accept them both. I will talk to the Speaker and encourage him to do that.

I want to also emphasize, as has been the case in the past when my State has been involved, when South Dakota or North Dakota has been involved, when any place is involved in a disaster, they should get the assistance they need from a caring American people. That is the way we have been doing it for all the years I have been in the Congress. That is the way it is now and the way it should be.

If for whatever reason in this waning hour of the session this money is not made available, I am committed publicly, along with Senator DASCHLE and the chairman of the committee, that this money will be provided. It will be provided in the first available vehicle after the first of the year, and I presume that will be in a supplemental because there will be a supplemental available, and with the commitment of the chairman and the commitment of the leaders and also the commitment of the American people, those funds will be available. I want to make that part of the RECORD at this point.

I yield the floor for others to respond.

Mr. DASCHLE. Mr. President, let me say I agree wholeheartedly with the comments made by the majority leader. I don't know if there is a State right now that is hurting as badly as North Carolina. Senator EDWARDS has made that point over and over and over again to me, and I know that Senator HELMS has worked with Senator EDWARDS to try to provide the most comprehensive response to the situation as we can.

We have come a long way and made a great deal of progress in the legislation pending, the omnibus bill. As things happen when we work late into the night with a lot of different people working, there is always the possibility something will fall through the cracks. I truly believe that is what happened. I believe it was an honest mistake.

As the majority leader has indicated, whether it is fixed tonight, whether it is fixed before the end of the session, or whether it is fixed immediately when we come back, I don't know how one can get a stronger commitment than the one given by the majority leader or the one I am prepared to give and the one I know the chairman will be prepared to give to accommodate North Carolina.

I appreciate their willingness to work to do this. This should resolve this matter successfully once and for all, either tonight or at some point in the not too distant future.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, as chairman of the Appropriations Committee, I regret this error. It was an error. We have put together several bills in one bill and it has been a rather difficult week in many ways. This error occurred because some of the Members of the House who are involved and should have been involved were not notified of the final decision that was made with regard to a request that came from the Senators of North Carolina.

Senator HELMS called me several times on the matter. I talked on the floor and on the phone with Senator EDWARDS before the final arrangement was reached. Frankly, they sought more money than is even in the amendment that was left out of the bill. However, we said we would have to take up the further money in the supplemental that comes before the Congress in the early part of the next year.

Last evening when this bill was being read out, I did receive a call concerning the fact that some of the Members of the House were disturbed by the changes that were proposed. It was determined then that had not been properly conveyed to the Members, although some of the staff, I believe, were notified and were part of it. It is just one of those things that a staff member's interaction did not take place, and I personally did not go over and tell the House Members—I probably should have—but it was one of the final items on the discussions we had, including those that involved the White House representatives who were before our committee yesterday.

As a consequence, I want to assure the Senators from North Carolina, I do believe that once we have reached a decision such as that, and we felt it had been cleared out, it is our responsibility now to make certain this commitment is made good, and we will do that. This bill will do it if the House will accept it and send it to the President. If that does not happen, we will, without any question, take the matter up in the first supplemental that comes before the Congress next year. We will have the supplemental bill for Kosovo coming. That was another request we received which was not fulfilled in this series of bills that are before the Senate now.

I want to assure Senator EDWARDS and Senator HELMS on this side—and

both have been very diligent in seeking these moneys—that we will put this money in the next bill if this is not accepted by the House. I have every reason to believe it will be accepted by the House. I intend to get on the phone and talk to my friends and make sure they understand. If there was an error, it was one that was caused by the intensity of the work that was going on by the staffs of five different subcommittees trying to put a bill together, along with all the other bills that were being considered, many of which were rejected and are not in this bill that we all considered over this last week.

I do hope the Senators from North Carolina will accept that assurance. I can assure them this is an $81 million item and it is, in my judgment, small compared to the amount of money that will be in the next supplemental for the people who were affected by Hurricane Floyd anyway, so we will make up for this problem. We will make up the money, and we certainly will see to it that it is there.

I plead with the Members of the House to pass the bill tonight. In any event, we will take care of that error as quickly as we can.

Second, with regard to my good friend from West Virginia and his amendment and that of Senator MCCONNELL and the Western Senators, I think there is a clear, growing understanding of the provisions of this amendment. I have been saying, as Senator BYRD has been saying for some time, this does not change existing law. It is an amendment to try to preserve the status quo until Congress has a chance to review the changes that would take place if decisions of the Solicitor's Office and decisions of one Federal judge were followed, which would affect the mining industry of the whole Nation. I hope the House will certainly see fit to send that measure to the President, so we can see what the White House is going to do with that.

But for now, I hope the Senators involved will let us get on with the major bill, which is going to take some time. I again express my regret to the Senators involved that this incident has taken place, and we will do our best to see it does not happen. But the distinguished minority leader reminded me, on an amendment that we had on a bill earlier this year, a similar thing happened when there were just too many things going into one bill. Our provision was left out, but it got back in the next bill, I assure you.

Mr. President, I do hope the Senators involved will give us the courtesy now of permitting the Appropriations Committee to present, at last, the omnibus appropriations bill that will fulfill our commitment to pass 13 appropriations bills this year.

Mr. LOTT. Mr. President, I know the Senator from North Carolina might want to make a comment or ask a question at this point. I will be glad to yield the floor to him, or yield for him to do that while retaining the floor.

Mr. EDWARDS. I thank the majority leader.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. EDWARDS. Mr. President, the human suffering and devastation we incurred in North Carolina is absolutely unparalleled. Our people have never suffered and struggled the way they are suffering right now. This storm has completely devastated us. Our farmers are in the worst shape they have ever been in.

I appreciate very much the majority leader's commitment, Senator STEVENS' commitment, and the minority leader's commitment. We have talked throughout this process on a daily basis. We had an agreement, a commitment to two things, basically. One was a loan forgiveness program, which has been talked about, and, second, some language that would help the payment for structural damage on farms in North Carolina.

I appreciate very much the commitment we have received today. I do have to say I am counting on my colleagues' commitments—the majority leader's commitment, Senator STEVENS' commitment, Senator DASCHLE's commitment—to do everything in their power to get this thing passed in this Congress; that it will be included in the CR we are discussing right now and that, when it goes to the House side, the majority leader will speak to the Speaker. We will do everything in our power, Senator HELMS and myself, to make sure that happens. But it is critical to Senator HELMS and me that we not need to rely on the commitment to do something after the first of the year, that we get this done tonight or tomorrow.

With that, I thank the majority leader.

The PRESIDING OFFICER. The majority leader.

Mr. LOTT. I will say on behalf of Senator HELMS, he has been following this very closely. I have spoken to him, and Senator EDWARDS has been in constant conversation with him, as has Senator STEVENS. He understands what we are doing here, and we have made a commitment to him, which we certainly are going to honor, and to Senator EDWARDS, that we will pursue this aggressively with the other Chamber. This money is going to be available, hopefully in this CR; if not, the first available vehicle next year.

## DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2000—CONFERENCE REPORT

Mr. LOTT. Mr. President, I ask that the Chair lay before the Senate the conference report to accompany the DC appropriations bill, H.R. 3194, and the conference report be considered as having been read.

The PRESIDING OFFICER. Is there objection?

Mr. FEINGOLD. I ask for the reading.

Mr. LOTT. Is there objection?

Mr. FEINGOLD. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. LOTT. I ask that the Senate now proceed to the conference report, and before the clerk begins reading, I announce to my colleagues, Senator KOHL has indicated to me, following the conclusion of the reading, he will insist on the conduct of a rollcall vote on the motion to proceed to the conference report.

Therefore, a procedural rollcall vote will occur at approximately 9:30 this evening.

Mr. FEINGOLD addressed the Chair.

The PRESIDING OFFICER. The clerk will read the conference report.

The legislative clerk read the conference report.

(The conference report is printed in the House proceedings of the RECORD of November 17, 1999.)

Mr. MACK. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER (Mr. ENZI). Is there a sufficient second? There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. MACK. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. Mr. President, I believe the regular order is for the vote to begin.

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Missouri (Mr. ASHCROFT), the Senator from Missouri (Mr. BOND), the Senator from Kentucky (Mr. BUNNING), the Senator from Tennessee (Mr. FRIST), the Senator from Washington (Mr. GORTON), the Senator from Texas (Mrs. HUTCHISON), the Senator from Arizona (Mr. MCCAIN), and the Senator from Oregon (Mr. SMITH) are necessarily absent.

Mr. REID. I announce that the Senator from California (Mrs. BOXER), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from New York (Mr. MOYNIHAN), and the Senator from New York (Mr. SCHUMER) are necessarily absent.

The result was announced—yeas 80, nays 8, as follows:

[Rollcall Vote No. 369 Leg.]

YEAS—80

| | | |
|---|---|---|
| Abraham | Biden | Campbell |
| Akaka | Bingaman | Chafee, L. |
| Allard | Breaux | Cleland |
| Baucus | Brownback | Cochran |
| Bayh | Bryan | Collins |
| Bennett | Burns | Coverdell |

| | | |
|---|---|---|
| Craig | Inouye | Reid |
| Crapo | Jeffords | Robb |
| Daschle | Johnson | Roberts |
| DeWine | Kennedy | Rockefeller |
| Dodd | Kerrey | Roth |
| Domenici | Kerry | Santorum |
| Durbin | Kyl | Sarbanes |
| Edwards | Landrieu | Sessions |
| Enzi | Leahy | Shelby |
| Feinstein | Levin | Smith (NH) |
| Graham | Lieberman | Snowe |
| Gramm | Lincoln | Specter |
| Grassley | Lott | Stevens |
| Gregg | Lugar | Thomas |
| Hagel | Mack | Thompson |
| Harkin | McConnell | Thurmond |
| Hatch | Mikulski | Torricelli |
| Helms | Murkowski | Voinovich |
| Hollings | Murray | Warner |
| Hutchinson | Nickles | Wyden |
| Inhofe | Reed | |

NAYS—8

| | | |
|---|---|---|
| Byrd | Feingold | Kohl |
| Conrad | Fitzgerald | Wellstone |
| Dorgan | Grams | |

NOT VOTING—12

| | | |
|---|---|---|
| Ashcroft | Frist | McCain |
| Bond | Gorton | Moynihan |
| Boxer | Hutchison | Schumer |
| Bunning | Lautenberg | Smith (OR) |

The motion was agreed to.

The PRESIDING OFFICER. The Chair recognizes the majority leader.

CLOTURE MOTION

Mr. LOTT. Mr. President, I send a cloture motion to the desk to the pending conference report.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the conference report to accompany the District of Columbia appropriations bill:

TRENT LOTT, TED STEVENS, LARRY E. CRAIG, JUDD GREGG, TIM HUTCHINSON, DON NICKLES, MIKE CRAPO, CONNIE MACK, SLADE GORTON, BEN NIGHTHORSE CAMPBELL, ARLEN SPECTER, PAT ROBERTS, CHUCK HAGEL, RICHARD SHELBY, THAD COCHRAN, and JOHN WARNER.

The PRESIDING OFFICER. The majority leader.

Mr. LOTT. Mr. President, I ask unanimous consent this cloture vote occur at 3 p.m. on Friday, November 19, and the mandatory quorum call be waived.

Mr. FEINGOLD. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. LOTT. Unfortunately, our colleague from Wisconsin has chosen to object to what I think is a reasonable request, which would give us an opportunity to have a full debate and then get to a final vote on this issue. It would be a few hours to do that. However, that is his right.

Therefore, Senators should expect this cloture vote to occur at 1:01 a.m. Saturday, November 20; 1:01 a.m., Saturday, November 20. I just want to make sure everybody understands. That is early morning.

At that time, when we invoke cloture, then we can, in a relatively short period of time, go to a final vote.

## HOUSE CONCURRENT RESOLUTION 235—ADJOURNMENT OF THE TWO HOUSES OF CONGRESS

Mr. LOTT. I now ask the Senate turn to the adjournment resolution, H. Con. Res. 235, the resolution be agreed to, the motion to reconsider be laid upon the table, all without intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 235), was agreed to, as follows:

H. CON. RES. 235

*Resolved by the House of Representatives (the Senate concurring)*, That when the House adjourns on any legislative day from Thursday, November 18, 1999, through Monday, November 22, 1999, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it shall stand adjourned until noon on Thursday, December 2, 1999 (unless it sooner has received a message from the Senate transmitting its concurrence in the conference report to accompany H.R. 3194, in which case the House shall stand adjourned sine die), or until noon on the second day after Members are notified to reassemble pursuant to section 3 of this concurrent resolution; and that when the Senate adjourns on any day from Thursday, November 18, 1999, through Thursday, December 2, 1999, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it shall stand adjourned sine die, or until noon on the second day after Members are notified to reassemble pursuant to section 3 of this concurrent resolution.

SEC. 2. When the House convenes for the second session of the One Hundred Sixth Congress, it shall conduct no organizational or legislative business on that day and, when the House adjourns on that day, it shall stand adjourned until noon on January 27, 2000, or until noon on the second day after Members are notified to reassemble pursuant to section 3 of this concurrent resolution.

SEC. 3. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

SEC. 4. The Congress declares that clause 2(h) of rule II of the Rules of the House of Representatives and the order of the Senate of January 6, 1999, authorize for the duration of the One Hundred Sixth Congress the Clerk of the House of Representatives and the Secretary of the Senate, respectively, to receive messages from the President during periods when the House and Senate are not in session, and thereby preserve until adjournment sine die of the final regular session of the One Hundred Sixth Congress the constitutional prerogative of the House and Senate to reconsider vetoed measures in light of the objections of the President, since the availability of the Clerk and the Secretary during any earlier adjournment of either House during the current Congress does not prevent the return by the President of any bill presented to him for approval.

SEC. 5. The Clerk of the House of Representatives shall inform the President of the United States of the adoption of this concurrent resolution.

Passed the House of Representatives November 18, 1999.

## FURTHER CONTINUING APPROPRIATIONS, 2000

Mr. LOTT. Mr. President, I now ask unanimous consent the Senate resume the consideration of H.J. Res. 82 and there be 5 minutes of debate on each of the two amendments in order to the resolution.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. LOTT. Therefore, at least one further vote will occur yet tonight. In addition, the Senate will convene tomorrow at 10 a.m., and hopefully process some legislative items that have been cleared and that would be considered by the House.

The Senate could also consider the Work Incentives conference report. Therefore votes can be expected to occur during the session of the Senate on Friday. We will stay in close touch with both sides of the aisle to see when the best time might be for that. We will try to accommodate as many Senators as possible and stack them if we need to.

The PRESIDING OFFICER. The clerk will report the joint resolution.

The assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 82) making further continuing appropriations for the fiscal year 2000 and for other purposes.

The Senate proceeded to consider the resolution.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senate will please come to order.

AMENDMENT NO. 2780

Mr. BYRD. Mr. President, I send to the desk an amendment.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from West Virginia [Mr. BYRD], for himself, Mr. MCCONNELL, Mr. ROCKEFELLER, Mr. BUNNING, Mr. REID, Mr. CRAIG, Mr. BRYAN, Mr. HATCH, Mr. BENNETT, Mr. MURKOWSKI, Mr. CRAPO, Mr. ENZI, Mr. BURNS, Mr. KYL, Mr. BREAUX, Mr. SHELBY, Mr. GRAMM, and Mr. GRAMS, proposes an amendment numbered 2780.

Mr. BYRD. I ask unanimous consent the reading of the amendment be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place, insert the following:

**SEC. . DISPOSAL OF EXCESS SPOIL AND COAL MINE WASTE.**

(a) IN GENERAL.—Notwithstanding any other provision of law (including any regulation or court ruling), hereafter—

(1) in rendering permit decisions for discharges of excess spoil and coal mine waste into waters of the United States from surface coal mining and reclamation operations, the permitting authority shall apply section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) and the section 404(b)(1) guidelines pursuant to section 404(b)(1) of the Federal Water Pollution Control Act (33 U.S.C. 1344(b)(1)) and implementing regulations set forth in part 230 of title 40, Code of Federal Regulations (as in effect on October 19, 1999);

(2) the permitted disposal of such spoil or waste meeting the requirements of the section 404(b)(1) guidelines referred to in paragraph (1) shall be deemed to satisfy the criteria for granting a variance under regulations set forth in sections 816.57 and 817.57 of

title 30, Code of Federal Regulations, and applicable State regulations; and

(3) Federal and State water quality standards shall not apply to the portions of waters filled by discharges permitted pursuant to the procedures set forth in paragraphs (1) and (2); all applicable Federal and State water quality standards shall apply to all portions of waters other than those filled pursuant to the permitting procedures set forth in paragraphs (1) and (2).

(b) DURATION OF EFFECTIVENESS.—The permitting procedures specified in subsection (a) shall remain in effect until the later of—

(1) the date that is 2 years after the date of enactment of this Act; or

(2) the effective date of regulations promulgated to implement recommendations made as a result of the environmental impact statement relating to the permitting process, the preparation of which was announced at 64 Fed. Reg. 5800 (February 5, 1999).

(c) EFFECT OF SECTION.—Nothing in this section modifies, supersedes, undermines, displaces, or amends any requirement of, or regulation issued under, the Federal Water Pollution Control Act (commonly known as the ''Clean Water Act'') (33 U.S.C. 1251 et seq.) or the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 et seq.), as applied by the responsible Federal agencies on October 19, 1999.

(d) PERIOD OF EFFECTIVENESS.—Notwithstanding any other provision of law repealing or terminating the effectiveness of this Act, this section shall remain in effect until the date of termination of the effectiveness of the permitting procedures in accordance with subsection (b).

**SEC. . HARDROCK MINING.**

(a) IN GENERAL.—For the purposes of section 1000(a)(3) of division B of the Act enacting H.R. 3194 of the 106th Congress, in lieu of section 357 of title III of H.R. 3423 of the 106th Congress, as introduced on November 17, 1999, regarding the issuance of regulations on hardrock mining, the following shall apply:

(1) HARDROCK MINING.—None of the funds made available under this Act or any other Act shall be used by the Secretary of the Interior to promulgate final regulations to revise subpart 3809 of 43, Code of Federal Regulations, except that the Secretary, after the end of the public comment period required by section 3002 of the 1999 Emergency Supplemental Appropriations Act (Public Law 106–31; 113 Stat. 89), may issue final regulations to amend that subpart if the regulations are consistent with—

(A) the regulatory gap findings identified in the report of the National Research Council entitled ''Hardrock Mining on Federal Lands''; and

(B) statutory authorities in effect as of the date of enactment of this Act.

(2) LIMITATION.—Nothing in this section expands the statutory authority of the Secretary of the Interior in effect as of the date of enactment of this Act.

(b) PERIOD OF EFFECTIVENESS.—This section—

(1) takes effect 1 day after the date of enactment of the Act enacting H.R. 3194 referred to in subsection (a); and

(2) notwithstanding any other provision of law repealing or terminating the effectiveness of this Act, shall remain in effect unless repealed by Act of Congress that makes specific reference to this section.

**SEC. . MILLSITES.**

(a) IN GENERAL.—For the purposes of section 1000(a)(3) of division B of the Act enacting H.R. 3194 of the 106th Congress, in lieu of section 337 of title III of H.R. 3423 of the 106th Congress, as introduced on November 17, 1999, regarding the millsites opinion, the following shall apply:

(1) MILLSITES OPINION.—No funds shall be expended by the Secretary of the Interior or the Secretary of Agriculture, for fiscal years 2000 and 2001, to limit the number or acreage of millsites based on the ratio between the number or acreage of millsites and the number or acreage of associated lode or placer claims with respect to—

(A) any patent application excluded from the operation of section 112 of the Department of the Interior and Related Agencies Appropriations Act, 1995, by section 113 of that Act (108 Stat. 2519);

(B) any operation or property for which a plan of operations has been approved before the date of enactment of this Act; or

(C) any operation or property for which a plan of operations, or amendment or modification to an existing plan, was submitted to the Bureau of Land Management or the Forest Service before May 21, 1999.

(2) NO RATIFICATION.—Nothing in this Act or the 1999 Emergency Supplemental Appropriations Act (Public Law 106–31) shall be construed as an explicit or tacit adoption, ratification, endorsement, approval, rejection, or disapproval of the opinion dated November 7, 1997, by the Solicitor of the Department of the Interior concerning millsites.

(b) PERIOD OF EFFECTIVENESS.—This section—

(1) takes effect 1 day after the date of enactment of the Act enacting H.R. 3194 referred to in subsection (a); and

(2) notwithstanding any other provision of law repealing or terminating the effectiveness of this Act, shall remain in effect unless repealed by Act of Congress that makes specific reference to this section.

The PRESIDING OFFICER. Under the previous agreement, there is 5 minutes equally divided for debate at this time.

Mr. WELLSTONE. Mr. President, can we have order in the Chamber, please?

The PRESIDING OFFICER. The Senator is correct. Will the Senate please come to order?

The Senator from West Virginia.

Mr. BYRD. I thank the Chair.

Mr. President, I had earlier planned to speak at least 2 weeks on this amendment. We are getting a bargain. I am only going to speak 3 minutes, not 2 weeks. Let me just say this: I made my speech earlier today. I will not make it again now. I urge my friends to vote for this amendment. When God drove Adam and Eve from the Garden of Eden, he pronounced an edict: ''In the sweat of thy brow shalt thou eat bread.''

The coal miners of West Virginia and Kentucky and other States of this country earn their bread in the sweat of their brow. But not only the coal miners have been affected by this court's jurisdiction, by its ruling; the truckers, the railway workers, the men and women who operate the barges that go up and down the rivers, the suppliers—these people, their families are affected by this judge's order.

This amendment does not seek to undercut, undermine, alter, modify, amend, or repeal the Clean Water Act or the Surface Mining Control and Reclamation Act. I say that on my honor. The other cosponsors and I do not seek to do that. We only seek to put the situation back to where it was prior to the U.S. District judge's order, the status quo ante, which at that time made West Virginia the most strictly controlled State in the Union environmentally as far as mountaintop mining was concerned, mountaintop mining—the strictest in the Union.

We want to go back to that, and the regulations that controlled then were agreed upon and devised by the administration's own regulatory agencies—the Army Corps of Engineers, the EPA, the Interior Department through its Office of Surface Mining.

This amendment states, so there can be no doubt about it:

> Nothing in this section modifies, supersedes, undermines, displaces, or amends any requirement of, or regulation issued under, the Federal Water Pollution Control Act (commonly known as the ''Clean Water Act'') . . . or the Surface Mining Control and Reclamation Act of 1977 . . . as applied by the responsible Federal agencies—

Which are the agencies of this administration—

on October 19, 1999.

So there it is. The amendment has been misrepresented. There has been much misinformation about this amendment.

Mr. President, I close by thanking those who have cosponsored this amendment with me. Their names are on the amendment.

How much time have I used?

The PRESIDING OFFICER. The 2½ minutes.

Mr. BYRD. I yield myself another minute and a half.

The PRESIDING OFFICER. The time was 5 minutes equally divided, which is 2½ minutes.

Mr. BYRD. I ask unanimous consent that I may speak another minute and a half.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. I thank the Chair.

The amendment is proposed by Mr. BYRD, for himself, Mr. MCCONNELL, Mr. ROCKEFELLER, Mr. BUNNING, Mr. REID, Mr. CRAIG, Mr. BRYAN, Mr. HATCH, Mr. BENNETT, Mr. MURKOWSKI, Mr. CRAPO, Mr. ENZI, Mr. BURNS, and Mr. KYL—I thank all those Senators who supported this amendment and others who will vote for it. Particularly I want to recognize the efforts of my chief cosponsor, the distinguished senior Senator from Kentucky, whose early and strong support was given to this amendment, for which I am extremely grateful. I thank both leaders for making this vote possible. I could speak longer, but I have said enough already.

I urge all Senators to vote for this amendment.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, I thank my colleague from West Virginia. I appreciate his leadership not only on behalf of the coal miners of Kentucky but miners all across America.

The President of the United States came to Hazard, KY, this summer. He bit his lip; he felt our pain. He said he wanted to help us. We said: We need jobs. And when the opportunity came to support the Byrd amendment which would at least keep the jobs we have now, the President would not support him.

This administration is trying to destroy the mining industry in America, make no mistake about it. That is what this amendment is about.

I thank the Senator from West Virginia for his leadership, and we hope very much our colleagues will be able to support us.

The PRESIDING OFFICER. The Chair recognizes the Senator from Minnesota.

Mr. WELLSTONE. I thank the Chair.

Mr. President, I hope other Senators will want to speak in opposition. I think there should be opposition to this amendment. I have tremendous respect for my colleagues who have offered this amendment. I will say a couple things especially in response to the Senator from Kentucky.

I am a Senator who cares a great deal about workers and about mine workers. I am a Senator who appreciates the sentiment behind this amendment. But the question is, What happens when the strip mining takes place, and what are the consequences for the people who live in these communities?

I can speak certainly from what I have seen in eastern Kentucky, and it is pretty awful when that leftover rock and earth gets dumped into the streams. Many of the people have the wealth taken away from them, but they still have the land, they still have the streams, they still have the water, and now we see that kind of devastation.

My concern is this amendment will create a loophole to the Clean Water Act. I know my colleague from West Virginia believes otherwise, but it is a very real concern. I point out to colleagues that it is my understanding the Federal district judge put a stay on his own decision while it was being appealed to the court of appeals. So it is not operative right now.

I do not know why we are taking this action tonight. It is a big mistake from an environmental point of view, and I do not accept, I say to my colleague from Kentucky, the tradeoff that he presents as to workers versus some protection for the environment and some concern about the strip mining.

I did not want to be the person to speak in opposition, but I do believe there is another perspective. I will vote no.

I yield the floor.

Mr. BYRD. Mr. President, I ask unanimous consent to speak for 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I know what is in this amendment. I prepared this amendment. I have been explaining it now for weeks. And, upon my honor, there is nothing in it that undermines or undercuts the Clean Water Act or the Surface Mining Control and Reclamation Act, both of which I supported, one of which I called up as majority leader in this Senate in 1977.

I know what I am talking about. I have lived under a coal miner's roof, ate from a coal miner's table, slept in a coal miner's bed. I have known the joys and the sorrows of coal miners. I married a coal miner's daughter. I know what I am talking about. I haven't just made a trip into West Virginia and come back to Washington to issue a news report on the State and its people. I have lived there for many years.

I will be 82 years old the day after tomorrow. I know what those miners need. I am not misleading anybody. Let me say this to the Senator: That stay he refers to that the judge put on has no legal basis. The judge stated that it has no legal basis. He put it on, and he can lift it the day this Congress winds up its work.

I hope Senators will vote for this amendment. There were 125,000 coal miners when I went to the House of Representatives; 125,000 in West Virginia. Today there are 20,000 or less. My dad was a coal miner. My wife's sister's husband died with black lung. My wife's sister's husband's father died under a slate fall. I know the joys and the sorrows of the mining people. I have helped to carry those miners, the heavy coffins, on the steep hillsides of West Virginia. I have not just gone into those hills poking around, and then coming back, and issuing news reports about their poverty. I know what they need, because I am one of them.

Those 20,000 coal miners earn their bread in the sweat of their brow. Let's give them a vote. If the Senator from Minnesota had people who were faced with the loss of their jobs, this Senator would vote with the Senator from Minnesota and not say a word about it. I resent anything such as has been said by the Senator about my State and its people.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that I have 1 minute to respond.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I appreciate the words of my colleague. It is an honest difference of interpretation of the amendment.

The only thing I want to respond to, I do not want to be personal, but I would like to say to my colleague, I do not pretend to know West Virginia like you know West Virginia and Senator ROCKEFELLER does; that is not the position I am taking, but as to the bopping in and bopping out, I will say that I want my colleague to know I have spent quite a bit of time in eastern Kentucky. That is where my wife's family is from. Her grandparents were all coal miners. I have spent time in east Tennessee as well. I spent a lot of time with people. I have seen what the strip mining has done to those communities. I am just expressing my honest viewpoint. That is all I am trying to do, I say to the Senator.

I yield the floor.

Mr. ROBB. Mr. President, I join many others in this body in expressing my support for miners and for mining communities. In Virginia's Southwest region, mining creates the jobs that provide enough income to lift the next generation, that put the sons and daughters of miners through college, and that gives the region options other than coal.

Virginia miners have expressed deep concerns that the broad application of Judge Haden's ruling would result in the devastation of the mining industry in the Southern Appalachian coal fields. The Judge's decision is not limited to the mountain top mining that was the subject of the original suit. It would apply to the use of valley fills from other forms of mining, including underground mining. The practical effect of this ruling is a virtual moratorium on mining in mountainous regions. We need to protect the environment and we also need to protect the livilihood of those hardworking families. I had hoped we could reach a compromise on this issue that would effectively allow us to do both.

I have reviewed the Memorandum of Understanding between the federal and state agencies that could be used to mitigate the consequences of valley fills if they were allowed to continue. It was signed by the EPA, Department of the Interior, Army Corps of Engineers, and the State of West Virginia. All the signatories are sworn to protect the nation's water. I am convinced that if the MOU stood, the agencies involved would work diligently to mitigate any negative consequences from mining in the West Virginia coal fields. Nevertheless, it is imperative that we continue to be vigilant on the effects of mining on the environment, and work to minimize its effects.

I have also reviewed Judge Haden's ruling and see in that ruling the underlying conflict between what the regulations intend to do, and the actual costs of applying those regulations. It demonstrates once again how essential acting on regulatory reform is going to be in this Congress. It is imperative that we set in place a method of analyzing the true cost of the regulations, before they are put into place. I am certain the agencies involved want to do the right thing, by both miners and the environment. The rules as I read them make that virtually impossible. I am hopeful that this conflict can be resolved as quickly as possible. In the meantime, I intend to support the miners of Southwest Virginia.

I must however, voice my strong opposition to the language on hard rock mining that has been added at the last minute to this amendment. My vote on this amendment stems only from my concern for the immediate effect Judge

Haden's ruling would have on the economy of Southwest Virginia. I have opposed and will continue to oppose efforts to delay the review and revision of the nation's hard rock mining standards. My vote in no way supports the inclusion of hard rock provisions in this package.

I ask unanimous consent that this statement be placed in the RECORD before the vote on Amendment No. 2780.

Mr. BUNNING. Mr. President, I urge my colleagues to support the Byrd amendment.

We are scrambling around right here in the U.S. Senate to pass a stopgap spending bill to keep from shutting down a major portion of the Federal Government.

So, it is very fitting that we add an amendment to that stopgap spending bill that would help us keep a Federal judge from shutting down the coal mining industry in West Virginia and possibly other States like Kentucky as well.

This is a matter of survival for many of our coal mines. It is essential that we act now to prevent unnecessary damage to the industry—to prevent unnecessary unemployment—and to prevent unnecessary economic devastation in areas which have already been bypassed by the economic boom times that have blessed much of the Nation.

A Federal district court judge in West Virginia ruled on October 21 that a well-balanced working agreement between the U.S. Environmental Protection Agency, the U.S. Department of the Interior, the U.S. Army Corps of Engineers and the West Virginia Division of Environmental Protection violated the Clean Water Act.

That arbitrary ruling which basically overrules three Federal agencies' interpretation of the law is going to jeopardize the coal industry immediately in West Virginia and potentially in other States like my own State of Kentucky as well.

We need to pass the Byrd Amendment to stay this ruling until we have had time to get the results of a pending environmental impact statement.

It is a matter of simple fairness. The jobs and lives of many of our constituents are at stake.

I urge my colleagues to support the Byrd amendment.

Mr. LEVIN. Mr. President, I voted in support of the Byrd amendment to provide for a 2-year moratorium during which mountain top mining activities may continue under a memorandum of agreement with the Environmental Protection Agency, the Department of Interior and the Army Corps of Engineers. The EPA which is in charge of implementation of the Clean Water Act was a party to the agreement which would continue to force during the 2-year moratorium. An environmental impact study will go forward during the moratorium and regulations pursuant to the environmental impact statement can be promulgated. My vote on this amendment does not commit me to support the continuation of any such moratorium beyond this 2-year period during which the courts and the regulatory agencies will more fully evaluate the impacts on both the environment and the affected coal miners and their communities. The fact that the court has stayed the effect of its own opinion is further evidence that this legislative moratorium is both warranted and will do no damage to the underlying act.

The PRESIDING OFFICER. The majority leader.

Mr. LOTT. Mr. President, has all time expired?

The PRESIDING OFFICER. All time has expired.

Mr. LOTT. Mr. President, I ask unanimous consent that I be allowed to offer an amendment at this time on behalf of Senators HELMS and EDWARDS of North Carolina with regard to funds for their disaster. And I ask unanimous consent that that vote occur in a stacked sequence, after it is debated, after the vote on the amendment by Senator BYRD and Senator MCCONNELL, and that the first vote be just 10 minutes, and then the second vote would be 10 minutes also.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2781

Mr. LOTT. Mr. President, I send to the desk then the amendment on behalf of Senators HELMS and EDWARDS.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. LOTT], for Mr. HELMS and Mr. EDWARDS, proposes an amendment numbered 2781.

The amendment is as follows:

At the appropriate place insert:

COMMODITY CREDIT CORPORATION PRODUCER-OWNED MARKETING ASSOCIATIONS FORGIVENESS

SEC. 1. The Secretary of Agriculture shall reduce the amount of any principal due on a loan made to marketing association incorporated in the State of North Carolina for the 1999 crop of an agricultural commodity by at least 75 percent if the marketing association suffered losses of the agricultural commodity in a county with respect to which—(1) a natural disaster was declared by the Secretary for losses due to Hurricane Dennis, Floyd, or Irene; or (2) a major disaster or emergency was declared by the President for losses due to Hurricane Dennis, Floyd, or Irene under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

If the Secretary assigns a grade quality for the 1999 crop of an agricultural commodity marketed by an association described in subsection (a) that is below the base quality of the agricultural commodity, the Secretary shall compensate the association for losses incurred by the association as a result of the reduction in grade quality.

Up to $81,000,000 of the resources of the Commodity Credit Corporation may be used for the cost of this provision: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) and Section 252(e) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

SEC. 2. In administering $50,000,000 in emergency supplemental funding for the Emergency Conservation Program, the Secretary shall give priority to the repair of structures essential to the operation of the farm.

Mr. LOTT. Mr. President, I am honored they would allow me to do this on their behalf because I believe they were not treated properly in the wee hours of the morning with regard to an amount of money for disaster assistance for North Carolina. We are determined to assist them in getting that. We hope this will be accepted by the House in this form. But if not in this form, we will be back to carry out our commitment to the people in North Carolina and as a symbol to people all across America that, when it comes to disasters, there are no party lines and there is no division between the Capitol; we will do what is necessary to help people when they are desperate and need help.

So I urge my colleagues to vote for this amendment.

Mr. BYRD. Mr. President, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. LOTT. Mr. President, I ask for the yeas and nays on the second amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

VOTE ON AMENDMENT NO. 2780

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2780. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Missouri (Mr. ASHCROFT), the Senator from Missouri (Mr. BOND), the Senator from Kentucky (Mr. BUNNING), the Senator from Tennessee (Mr. FRIST), the Senator from Washington (Mr. GORTON), the Senator from Texas (Mrs. HUTCHISON), the Senator from Arizona (Mr. MCCAIN), and the Senator from Oregon (Mr. SMITH), are necessarily absent.

Mr. REID. I announce that the Senator from California (Mrs. BOXER), the Senator from New Jersey (Mr. LAUTENBERG), and the Senator from New York (Mr. MOYNIHAN), are necessarily absent.

The result was announced—yeas 56, nays 33, as follows:

[Rollcall Vote No. 370 Leg.]

YEAS—56

| | | |
|---|---|---|
| Abraham | DeWine | Inhofe |
| Allard | Dodd | Inouye |
| Bayh | Domenici | Kohl |
| Bennett | Dorgan | Kyl |
| Breaux | Edwards | Levin |
| Bryan | Enzi | Lott |
| Burns | Gramm | Mack |
| Byrd | Grams | McConnell |
| Campbell | Grassley | Mikulski |
| Cleland | Gregg | Murkowski |
| Cochran | Hagel | Nickles |
| Conrad | Hatch | Reid |
| Coverdell | Helms | Robb |
| Craig | Hollings | Roberts |
| Crapo | Hutchinson | Rockefeller |

| | | |
|---|---|---|
| Santorum | Specter | Thurmond |
| Sessions | Stevens | Voinovich |
| Shelby | Thomas | Warner |
| Smith (NH) | Thompson | |

NAYS—33

| | | |
|---|---|---|
| Akaka | Fitzgerald | Lincoln |
| Baucus | Graham | Lugar |
| Biden | Harkin | Murray |
| Bingaman | Jeffords | Reed |
| Brownback | Johnson | Roth |
| Chafee, L. | Kennedy | Sarbanes |
| Collins | Kerrey | Schumer |
| Daschle | Kerry | Snowe |
| Durbin | Landrieu | Torricelli |
| Feingold | Leahy | Wellstone |
| Feinstein | Lieberman | Wyden |

NOT VOTING—11

| | | |
|---|---|---|
| Ashcroft | Frist | McCain |
| Bond | Gorton | Moynihan |
| Boxer | Hutchison | Smith (OR) |
| Bunning | Lautenberg | |

The amendment (No. 2780) was agreed to.

Mr. COVERDELL. Mr. President, I move to reconsider the vote.

Mr. CRAIG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2781. The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Missouri: (Mr. ASHCROFT), the Senator from Missouri (Mr. BOND), the Senator from Kentucky (Mr. BUNNING), the Senator from Tennessee (Mr. FRIST), the Senator from Washington (Mr. GORTON), the Senator from Texas (Mrs. HUTCHISON), the Senator from Arizona (Mr. MCCAIN), and the Senator from Oregon (Mr. SMITH) are necessarily absent.

I further announce that, if present and voting, the Senator from Kentucky (Mr. BUNNING) would vote ''yea.''

Mr. REID. I announce that the Senator from California (Mrs. BOXER), the Senator from New Jersey (Mr. LAUTENBERG), and the Senator from New York (Mr. MOYNIHAN) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 88, nays 1, as follows:

[Rollcall Vote No. 371 Leg.]

YEAS—88

| | | |
|---|---|---|
| Abraham | DeWine | Jeffords |
| Akaka | Dodd | Johnson |
| Allard | Domenici | Kennedy |
| Baucus | Dorgan | Kerrey |
| Bayh | Durbin | Kerry |
| Bennett | Edwards | Kohl |
| Biden | Enzi | Kyl |
| Bingaman | Feingold | Landrieu |
| Breaux | Feinstein | Leahy |
| Brownback | Fitzgerald | Levin |
| Bryan | Graham | Lieberman |
| Burns | Gramm | Lincoln |
| Byrd | Grams | Lott |
| Campbell | Grassley | Lugar |
| Chafee, L. | Gregg | Mack |
| Cleland | Hagel | McConnell |
| Cochran | Harkin | Mikulski |
| Collins | Hatch | Murkowski |
| Conrad | Helms | Murray |
| Coverdell | Hollings | Nickles |
| Craig | Hutchinson | Reed |
| Crapo | Inhofe | Reid |
| Daschle | Inouye | Robb |
| Roberts | Shelby | Thurmond |
| Rockefeller | Smith (NH) | Torricelli |
| Roth | Snowe | Warner |
| Santorum | Specter | Wellstone |
| Sarbanes | Stevens | Wyden |
| Schumer | Thomas | |
| Sessions | Thompson | |

NAYS—1

Voinovich

NOT VOTING—11

| | | |
|---|---|---|
| Ashcroft | Frist | McCain |
| Bond | Gorton | Moynihan |
| Boxer | Hutchison | Smith (OR) |
| Bunning | Lautenberg | |

The amendment (No. 2781) was agreed to.

Mr. MURKOWSKI. I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Under the previous order, the joint resolution having been read the third time and passed, the motion to reconsider is laid upon the table.

The joint resolution (H.J. Res. 82), as amended, was passed.

## REPORT OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION FOR FISCAL YEAR 1998—MESSAGE FROM THE PRESIDENT—PM 77

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 Commerce, Science, and Transportation.

*To the Congress of the United States:*

I am pleased to transmit this report on the Nation's achievements in aeronautics and space during Fiscal Year (FY) 1998, as required under section 206 of the National Aeronautics and Space Act of 1958, as amended (42 U.S.C. 2476). Aeronautics and space activities involved 14 contributing departments and agencies of the Federal Government, and the results of their ongoing research and development affect the Nation in many ways.

A wide variety of aeronautics and space developments took place during FY 1998. The National Aeronautics and Space Administration (NASA) successfully completed five Space Shuttle flights. There were 29 successful Expendable Launch Vehicle (ELV) launches in FY 1998. Of those, 3 were NASA-managed missions, 2 were NASA-funded/Federal Aviation Administration (FAA)-licensed missions, 8 were Department of Defense (DOD)-managed missions, and 16 were FAA-licensed commercial launches. Scientists also made some dramatic new discoveries in various space-related fields such as space science, Earth science, and remote sensing, and life and microgravity science. In aeronautics, activities included work on high-speed research, advance subsonic technology, and technologies designed to improve the safety and efficiency of our commercial airlines and air traffic control system.

Close international cooperation with Russia occurred on the Shuttle-*Mir* docking missions and on the ISS program. The United States also entered into new forms of cooperation with its partners in Europe, South America, and Asia.

Thus, FY 1998 was a very successful one for U.S. aeronautics and space programs. Efforts in these areas have contributed significantly to the Nation's scientific and technical knowledge, international cooperation, a healthier environment, and a more competitive economy.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *November 18, 1999.*

## MESSAGE FROM THE HOUSE

At 2:47 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following joint resolution, in which it requests the concurrence of the Senate:

H.J. Res. 82. Joint resolution making further continuing appropriations for the fiscal year 2000, and for other purposes.

At 3:40 p.m., a message from the House of Representatives, delivered by Mr. Berry, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1167. An act to amend the Indian Self-Determination and Education Assistance Act to provide for further self-governance by Indian tribes, and for other purposes.

H.R. 1953. An act to authorize leases for terms not to exceed 99 years on land held in trust for the Torres Martinez Desert Cahuilla Indians and the Guidiville Band of Pomo Indians of the Guidiville Indian Rancheria.

H.R. 3051. An act to direct the Secretary of the Interior, the Bureau of Reclamation, to conduct a feasibility study on the Jicarilla Apache Reservation in the State of New Mexico, and for other purposes.

The message also announced that the House has passed the following bill, with an amendment, in which it requests the concurrence of the Senate:

S. 1418. An act to provide for the holding of court at Natchez, Mississippi, in the same manner as court is held at Vicksburg, Mississippi, and for other purposes.

At 6:48 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill, H.R. 3194, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2000, and for other purposes.

The message also announced that the House has passed the following joint resolution, in which it requests the concurrence of the Senate:

H.J. Res. 83. Joint resolution making further continuing appropriations for the fiscal year 2000, and for other purposes.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H.Con. Res. 234. Concurrent resolution tabling the bill (H.R. 2466) entitled ''An Act making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes.''

ENROLLED BILLS SIGNED

At 7:40 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 278. An act to direct the Secretary of the Interior to convey certain lands to the county of Rio Arriba, New Mexico.

S. 382. An act to establish the Minuteman Missile National Historic Site in the State of South Dakota, and for other purposes.

S. 1235. An act to amend part G of title I of the Omnibus Crime Control and Safe Streets Act of 1968 to allow railroad police officers to attend the Federal Bureau of Investigation National Academy for law enforcement training.

S. 1398. An act to clarify certain boundaries on maps relating to the Coastal Barrier Resources System.

The enrolled bills were signed subsequently by the President pro tempore (Mr. THURMOND).

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1180) to amend the Social Security Act to expand the availability of health care coverage for working individuals with disabilities, to establish a Ticket to Work and Self-Sufficiency Program in the Social Security Administration to provide individuals with meaningful opportunities to work, and for other purposes.

At 9:23 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following joint resolution, in which it requests the concurrence of the Senate:

H.J. Res. 85. Joint resolution appointing the day for the convening of the second session of the One Hundred Sixth Congress.

The message also announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 235. Concurrent resolution providing for an additional sine die adjournment of the first session of the One Hundred Sixth Congress.

H. Con. Res. 236. Concurrent resolution correcting the enrollment H.R. 1180.

The message further announced that the House has passed the following bills, without amendment:

S. 28. An act to authorize an interpretive center and related visitor facilities within the Four Corners Monument Tribal Park, and for other purposes.

S. 67. An act to designate the headquarters building of the Department of Housing and Urban Development in Washington, District of Columbia, as the ''Robert C. Weaver Federal Building.''

S. 438. An act to provide for the settlement of the water rights claims of the Chippewa Cree Tribe of the Rocky Boy's Reservation, and for other purposes.

S. 548. An act to establish the Fallen Timbers Battlefield and Fort Miamis National Historical Site in the State of Ohio.

S. 580. An act to amend title IX of the Public Health Service Act to revise and extend the Agency for Healthcare Policy and Research.

S. 574. An act to direct the Secretary of the Interior to make corrections to a map relating to the Coastal Barrier Resources System.

S. 580. An act to amend title IX of the Public Health Service Act to revise and extend the Agency for Healthcare Policy and Research.

S. 791. An act to amend the Small Business Act with respect to the women's business center program.

S. 1595. An act to designate the United States courthouse at 401 West Washington Street in Phoenix, Arizona, as the ''Sandra Day O'Connor United States Courthouse.''

S. 1866. an act to redesignate the Coastal Barrier Resources System as the ''John H. Chafee Coastal Barrier Resources System.''

The message also announced that the House agrees to the resolution (H. Res. 393) returning to the Senate the bill (S. 4) entitled the ''Soldiers', Sailors', Airmen's, and Marines' Bill of Rights Act of 1999'', in the opinion of the House, contravenes the first clause of the seventh section of the first article of the Constitution of the United States and is an infringement of the privileges of this House and that such bill be respectfully returned to the Senate with a message communicating this resolution.

The message further announced that the House agrees to the resolution (H. Res. 394) returning to the Senate the bill (S. 1232) entitled the ''Federal Erroneous Retirement Coverage Corrections Act'', in the opinion of this House, contravenes the first clause of the seventh section of the first article of the Constitution of the United States and is an infringement of the privileges of this House and that such bill be respectfully returned to the Senate with a message communicating this resolution.

## EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–6227. A communication from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Papayas Grown in Hawaii: Increase in Assessment Rate'' (FV–99–928–1 FR), received November 9, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6228. A communication from the Acting Administrator, Farm Service Agency, Farm and Foreign Agricultural Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Providing Notice to Delinquent Farm Loan Program Borrowers of the Potential for Cross-Servicing'' (RIN0560–AF89), received November 16, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6229. A communication from the Congressional Review Coordinator, Regulatory Analysis and Development, Policy and Program Development, Animal and Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Mediterranean Fruit Fly; Removal of Quarantined Area'' (Docket # 98–083–7), received November 16, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6230. A communication from the Congressional Review Coordinator, Regulatory Analysis and Development, Policy and Program Development, Animal and Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''User Fees; Agricultural Quarantine and Inspection Service'' (Docket # 98–073–2), received November 16, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6231. A communication from the Under Secretary, Food, Nutrition and Consumer Services, transmitting, pursuant to law, the report of a rule entitled ''National School Lunch Program, School Breakfast Program, Child and Adult Care Food Program: Amendments to the Infant Meal Program'' (RIN0584–AB81), received November 16, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6232. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Paraquat; Pesticide Tolerances for Emergency Exemptions'' (FRL #6392–9), received November 16, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6233. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, three reports relative to EPA regulatory programs; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6234. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the report of the texts and background statements of international agreements, other than treaties; to the Committee on Foreign Relations.

EC–6235. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, a report relative to use of the U.S. Emergency Refugee and Migration Assistance Fund for the Timor crisis and the North Caucasus crisis; to the Committee on Foreign Relations.

EC–6236. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, a report relative to the long-term strategy to carry out the counternarcotics responsibilities of the Department of State; to the Committee on Foreign Relations.

EC–6237. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Annuity Contracts'' (Revenue Procedure 99–44), received November 16, 1999; to the Committee on Finance.

EC–6238. A communication from the Acting Trade Representative, Executive Office of the President, transmitting, a draft of proposed legislation entitled ''Southeast Europe Trade Preference Act''; to the Committee on Finance.

EC–6239. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled ''Changes in Flood Elevation Determinations; 64 FR 60706; 11/08/99'', received November 16, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–6240. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled ''Changes in Flood Elevation Determinations; 64 FR 60709; 11/08/99'', received November 16, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–6241. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled ''Changes in Flood Elevation Determinations; 64 FR 60711; 11/08/99'', received November 16, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–6242. A communication from the Federal Register Liaison Officer, Regulations and Legislation Division, Office of Thrift Supervision, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Safety and Soundness Standards'' (RIN1550–AB27), received November 16, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–6243. A communication from the Federal Register Liaison Officer, Regulations and Legislation Division, Office of Thrift Supervision, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Interagency Guidelines Establishing Year 2000 Standards for Safety and Soundness'' (RIN1550–AB27), received November 16, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–6244. A communication from the Managing Director, Office of the General Counsel, Federal Housing Finance Board, transmitting, pursuant to law, the report of a rule entitled ''Allocation of Joint and Several Liability on Consolidated Obligations Among the Federal Home Loan Banks'' (RIN3069–AA78), received November 17, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–6245. A communication from the Assistant Attorney General, transmitting, a draft of proposed legislation entitled ''Money Laundering Act of 1999''; to the Committee on Banking, Housing, and Urban Affairs.

EC–6246. A communication from the Secretary of Defense, transmitting, pursuant to law, a report relative to the Cooperative Threat Reduction program; to the Committee on Armed Services.

EC–6247. A communication from the Under Secretary of Defense for Acquisition and Technology, transmitting, pursuant to law, a report relative to DoD purchases from foreign entities; to the Committee on Armed Services.

EC–6248. A communication from the Acting Director, Defense Procurement, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Subcontracting Goals for Purchases Benefitting People who are Blind or Severely Disabled'' (DFARS Case 99–D304), received November 16, 1999; to the Committee on Armed Services.

EC–6249. A communication from the Acting Director, Defense Procurement, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Debarment Investigation and Reports'' (DFARS Case 99–D013), received November 16, 1999; to the Committee on Armed Services.

EC–6250. A communication from the Acting Director, Defense Procurement, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Comprehensive Small Business Subcontracting Plans'' (DFARS Case 99–D306), received November 16, 1999; to the Committee on Armed Services.

EC–6251. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval of Municipal Waste Combustor State Plan for Designated Facilities and Pollutants: Indiana'' (FRL #6476–2), received November 27, 1999; to the Committee on Environment and Public Works.

EC–6252. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, two reports relative to EPA regulatory programs; to the Committee on Environment and Public Works.

EC–6253. A communication from the Director, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for the Plant 'Lesquerella thamnophila' (Zapapa bladderpod)'' (RIN1018–AE54), received November 17, 1999; to the Committee on Environment and Public Works.

EC–6254. A communication from the Comptroller General of the United States, transmitting, pursuant to law, the report of the list of General Accounting Office reports for September 1999; to the Committee on Governmental Affairs.

EC–6255. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report on direct spending or receipts legislation dated November 10, 1999; to the Committee on the Budget.

EC–6256. A communication from the Executive Director, Committee for Purchase from People who are Blind or Severely Disabled, transmitting, pursuant to law, the report of a rule relative to an addition to and a deletion from the Procurement List, received September 13, 1999; to the Committee on Governmental Affairs.

EC–6257. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Prevailing Rate Systems; Definition of Napa County, California, to a Nonappropriated Fund Wage Area'' (RIN3206–AI86), received November 16, 1999; to the Committee on Governmental Affairs.

EC–6258. A communication from the Board Members, Railroad Retirement Board, transmitting, pursuant to law, a report relative to its commercial activities inventory; to the Committee on Governmental Affairs.

EC–6259. A communication from the Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, a report relative to its commercial activities inventory; to the Committee on Governmental Affairs.

EC–6260. A communication from the Executive Director, Securities and Exchange Commission, transmitting, pursuant to law, a report relative to its commercial activities inventory; to the Committee on Governmental Affairs.

EC–6261. A communication from the Secretary of Transportation, transmitting, pursuant to law, the report of the Office of Inspector General for the period April 1, 1999, through September 30, 1999; to the Committee on Governmental Affairs.

EC–6262. A communication from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing Benefits'', received November 16, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC–6263. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Ohio Regulatory Program'', received November 17, 1999; to the Committee on Energy and Natural Resources.

EC–6264. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Indiana Regulatory Program'' (SPATS No. IN–143–FOR), received November 17, 1999; to the Committee on Energy and Natural Resources.

EC–6265. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Indiana Regulatory Program'' (SPATS No. IN–044–FOR), received November 17, 1999; to the Committee on Energy and Natural Resources.

EC–6266. A communication from the Chairman, Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Landowner Notification, Expanded Categorical Exclusions, and Other Environmental Filing Requirements'' (Docket No. RM98–17–000), received November 17, 1999; to the Committee on Energy and Natural Resources.

EC–6267. A communication from the Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the NASA FAR Supplement on Property Reporting Requirements'', received November 16, 1999; to the Committee on Commerce, Science, and Transportation.

EC–6268. A communication from the Chief, Policy and Programming Division, Common Carrier Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Implementation of the Local Competition Provision of the Telecommunications Act of 1996'' (FCC 99–238) (CC Doc. 96–98), received November 17, 1999; to the Committee on Commerce, Science, and Transportation.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HATCH, from the Committee on the Judiciary, with amendments and an amendment to the title:

S. 1561. A bill to amend the Controlled Substances Act to add gamma hydroxybutyric acid and ketamine to the schedules of control substances, to provide for a national awareness campaign, and for other purposes.

## 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. DASCHLE (for himself, Mr. HARKIN, Mr. INOUYE, Mr. REID, and Mr. JOHNSON):

S. 1955. A bill to allow patients access to drugs and medical devices recommended and provided by health care practitioners that are not approved by the Food and Drug Administration, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. SNOWE:

S. 1956. A bill to amend title 38, United States Code, to enhance the assurance of efficiency, quality, and patient satisfaction in the furnishing of health care to veterans by the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans Affairs.

By Mr. SCHUMER (for himself, Mr. ROBB, and Ms. MIKULSKI):

S. 1957. A bill to provide for the payment of compensation to the families of the Federal employees who were killed in the crash of a United States Air Force CT-43A aircraft on April 3, 1996, near Dubrovnik, Croatia, carrying Secretary of Commerce Ronald H. Brown and 34 others; to the Committee on Armed Services.

By Mr. KOHL:

S. 1958. A bill to amend the Child Nutrition Act of 1966 to authorize the Secretary of Agriculture to make grants for startup costs of school breakfast programs; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. HARKIN:

S. 1959. A bill to provide for the fiscal responsibility of the Federal Government; to the Committee on Finance.

By Mr. KOHL (for himself and Mr. FEINGOLD):

S. 1960. A bill to provide for the appointment of 1 additional Federal district judge for the eastern district of Wisconsin, and for other purposes; to the Committee on the Judiciary.

By Mr. JOHNSON (for himself, Mr. KERREY, and Mr. WELLSTONE):

S. 1961. A bill to amend the Food Security Act of 1985 to expand the number of acres authorized for inclusion in the conservation reserve; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. ASHCROFT:

S. 1962. A bill to amend the Congressional Budget Act of 1974 to protect Social Security and Medicare surpluses through strengthened budgetary enforcement mechanisms; to the Committee on the Budget and the Committee on Governmental Affairs, jointly, pursuant to the order of August 4, 1977, with instructions that if one Committee reports, the other Committee have thirty days to report or be discharged.

By Mr. MCCAIN:

S. 1963. A bill to authorize a study of alternatives to the current management of certain Federal lands in Arizona; to the Committee on Energy and Natural Resources.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 1964. A bill to designate the United States Post Office located at 14071 Peyton Drive in Chino Hills, California, as the Joseph Ileto Post Office; to the Committee on Governmental Affairs.

By Mr. DOMENICI (for himself and Mr. BINGAMAN):

S. 1965. A bill to direct the Secretary of the Interior, the Bureau of Reclamation, to conduct a feasibility study on the Jicarilla Apache Reservation in the State of New Mexico, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HAGEL (for himself and Mr. ROBERTS):

S. 1966. A bill to provide for the immediate review by the Immigration and Naturalization Service of new employees hired by employers subject to Operation Vanguard or similar programs, and for other purposes; to the Committee on the Judiciary.

By Mr. COCHRAN (for himself and Mr. LOTT):

S. 1967. A bill to make technical corrections to the status of certain land held in trust for the Mississippi Band of Choctaw Indians, to take certain land into trust for that Band, and for other purposes; to the Committee on Indian Affairs.

By Mr. DORGAN:

S. 1968. A bill to amend the Federal securities laws to enhance oversight over certain derivatives dealers and hedge funds, reduce the potential for such entities to increase systemic risk in the financial markets, enhance investor protections, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CRAIG (for himself, Mr. MURKOWSKI, and Mr. THOMAS):

S. 1969. A bill to provide for improved management of, and increases accountability for, outfitted activities by which the public gains access to and occupancy and use of Federal land, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SPECTER:

S. 1970. A bill to amend chapter 171 of title 28, United States Code, with respect to the liability of the United States for claims of military personnel for damages for certain injuries; to the Committee on the Judiciary.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BAUCUS (for himself and Mr. BURNS):

S. Res. 233. A resolution expressing the sense of the Senate regarding the urgent need for the department of Agriculture to resolve certain Montana civil rights discrimination cases; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. LEAHY (for himself, Mr. KENNEDY, Mrs. FEINSTEIN, Mr. JEFFORDS, Mr. TORRICELLI, Mrs. MURRAY, Mr. DURBIN, Mr. WELLSTONE, Mr. FEINGOLD, Mr. HARKIN, Mr. KERRY, Ms. MIKULSKI, and Mrs. BOXER):

S. Con. Res. 76. A concurrent resolution expressing the sense of Congress regarding a peaceful resolution of the conflict in the state of Chiapas, Mexico and for other purposes; to the Committee on Foreign Relations.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DASCHLE (for himself, Mr. HARKIN, Mr. INOUYE, Mr. REID, and Mr. JOHNSON):

S. 1955. A bill to allow patients access to drugs and medical devices recommended and provided by health care practitioners that are not approved by the Food and Drug Administration, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

### ACCESS TO MEDICAL TREATMENT ACT

Mr. DASCHLE. Mr. President, today I am introducing the Access to Medical Treatment Act. I am pleased to be joined by Senators HARKIN, REID, INOUYE and JOHNSON in this effort to increase individuals' freedom of choice in health care.

At the outset, I want to extend my thanks to my friend Berkley Bedell, who formerly represented the 6th District of Iowa, for first bringing this issue to my attention and for his assistance in developing this bill. Berkley Bedell has experienced first-hand the life-saving potential of alternative treatments. His story underscores the need for the legislation I am introducing today and the importance of a national debate on ways to promote consumer choice and expand access to promising new medical treatments.

American consumers have already voted for expanded access to alternative treatments with their feet and their pocket-books. The Journal of the American Medical Association recently published a study by David Eisenberg and others that found that Americans spent nearly $27 billion on alternative therapies in 1997. Americans made more visits to alternative practitioners—a total of 629 million—than to primary care doctors. Expenditures for alternative medicine professional services increased 45.2 percent between 1990 and 1997 to $21.2 billion. Some type of alternative therapy is used by 46.3 percent of the American population.

Alternative therapies are also being incorporated into mainstream medical programs and practice. The curriculum of at least 22 of the nation's 125 medical schools include courses on alternative medicine. The National Institutes of Health now has a Center for Complementary and Alternative Medicine where work is underway to expand our knowledge of alternative therapies and their safe and effective use.

Despite the growing reliance on many types of alternative medicine, other alternative therapies remain unavailable because they do not fit the categories already carved out by Congress for exemption from the requirement to gain FDA approval. My bill would increase access to treatments that would normally be regulated by the FDA, but have not yet undergone the expensive and lengthy process currently required to gain FDA approval.

Given the popularity of alternative medicine among the American public and its growing acceptance among traditional medical practitioners, it would seem logical to remove some of the access barriers that consumers face when seeking certain alternative therapies. The time and expense currently required to gain FDA approval both discourages the exploration of innovative, life-saving treatments by individual practitioners, scientists and smaller companies and limits patient access to low-cost treatments.

Mr. President, the Access to Medical Treatment Act proposes one way to expand freedom of choice for medical consumers under carefully controlled situations. It asserts that individuals—especially those who face life-threatening afflictions for which conventional treatments have proven ineffective—should have the option of trying an alternative treatment, so long as they have been fully informed of the nature of the treatment, potential side effects, and given any other information necessary to meet carefully-crafted informed consent requirements. This is a choice that is rightly made by the consumer, and not dictated by the

Federal government. All treatments sanctioned by this Act must be prescribed by an authorized health care practitioner who has personally examined the patient. The practitioner must fully disclose all available information about the safety and effectiveness of any medical treatment, including questions that remain unanswered because the necessary research has not been conducted. Patients must be informed of any possible side effects or interactions with other drugs.

The bill carefully restricts the ability of practitioners to advertise or market unapproved drugs or devices or to profit financially from prescribing alternative medicine. This provision was included to ensure that practitioners keep the best interests of patients in mind and to retain incentives for seeking FDA approval. If an individual or a company wants to earn a profit from a product, they would be wise to go through the standard FDA approval process.

The bill protects patients by requiring practitioners to report any adverse reaction that could potentially have been caused by an unapproved drug or medical device. If an adverse reaction is reported, manufacture and distribution of the drug must cease pending a thorough investigation. If it is determined that the adverse reaction was caused by the drug or medical device, as a part of a total recall, the Secretary of the Department of Health and Human Services, along with the manufacturer, has the duty to inform all health care practitioners to whom the drug or device has been provided.

This legislation will help build a knowledge base regarding alternative treatments by requiring practitioners to report on effectiveness. This is critical because current information available about the effectiveness of many promising treatments is inadequate. The information generated through this Act will begin to reverse this reality, particularly because information will be collected and analyzed by the Center for Alternative Medicine at the National Institutes of Health.

In essence, this legislation addresses the fundamental balance between two seemingly irreconcilable interests: the protection of patients from dangerous and ineffective treatments and the preservation of the consumers' freedom to choose alternative therapies. The complexity of this policy challenge should not discourage us from seeking to solve it. I am convinced that the public good will be served by a serious attempt to reconcile these contradictory interests, and I am hopeful the discussion generated by introduction of this legislation will help point the way to its resolution.

Mr. President, this legislation represents an honest attempt to focus serious attention on the value of alternative treatments and overcome current obstacles to their safe development and utilization.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

*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 ''Access to Medical Treatment Act''.

**SEC. 2. DEFINITIONS.**

In this Act:

(1) ADULTERATED.—The term ''adulterated'' means any unapproved drug or medical device that in whole or part consists of any filthy, putrid, or decomposed substance that has been prepared, packed, or held under unsanitary conditions where such drug or device may have been contaminated with such filthy, putrid, or decomposed substance and be injurious to health.

(2) ADVERTISING CLAIM.—The term ''advertising claim'' means any representation made or suggested by statement, word, device, sound, or any combination thereof with respect to medical treatment.

(3) COSTS.—The term ''costs'' means a charge to patients equal to the amount necessary to recover expenses for making or obtaining the unapproved drug or medical device and providing for its transport to the health care practitioner.

(4) DANGER.—The term ''danger'' means an adverse reaction, to an unapproved drug or medical device, that used as directed—

(A) causes serious harm to the patient in a case in which such harm would not have otherwise occurred; or

(B) causes harm that is more serious than side effects for drugs or medical devices approved by the Federal Food and Drug Administration for the same disease or condition.

(5) DRUG.—The term ''drug'' has the same meaning given that term in section 201(g)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(g)(1)).

(6) HEALTH CARE PRACTITIONER.—The term ''health care practitioner'' means a physician or other individual who is a provider of health care, who is authorized under the law of a State to prescribe drugs or devices.

(7) INTERSTATE COMMERCE.—The term ''interstate commerce'' means commerce between any State or Territory and any place outside thereof, and commerce within the District of Columbia or within any other Territory not organized with a legislative body.

(8) LEGAL REPRESENTATIVE.—The term ''legal representative'' means a parent or other person who qualifies as a legal guardian under State law.

(9) MEDICAL DEVICE.—The term ''medical device'' has the same meaning given the term ''device'' in section 201(h) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(h)).

(10) PATIENT.—The term ''patient'' means any person who seeks medical treatment from a health care practitioner for a disease or health condition.

(11) SECRETARY.—The term ''Secretary'' means the Secretary of the Department of Health and Human Services.

(12) UNAPPROVED DRUG OR MEDICAL DEVICE.—The term ''unapproved'', with respect to a drug or medical device, means a drug or medical device that is not approved or authorized for manufacture, sale, and distribution in interstate commerce under section 505, 513, or 515 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355, 360c, and 360e) or under section 351 of the Public Health Service Act (42 U.S.C. 201).

**SEC. 3. ACCESS TO MEDICAL TREATMENT.**

(a) IN GENERAL.—Notwithstanding sections 501(a)(2)(B), 501(e) through 501(h), 502(f)(1), 505, 513, and 515 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351(a)(2)(B), 351(e) through 351(h), 352(f)(1), 355, 360c, and 360e) and section 351 of the Public Health Service Act (42 U.S.C. 201) or any other provision of Federal law, a patient may receive, and a health care practitioner may provide or administer, any unapproved drug or medical device that the patient desires or the legal representative of the patient authorizes if—

(1) the unapproved drug or medical device is recommended by a health care practitioner within that practitioner's scope of practice under State law;

(2) the provision or administration of the unapproved drug or medical device is not a violation of the laws of the State or States in which the activity is carried out; and

(3) the health care practitioner abides by all of the requirements in subsection (b).

(b) REQUIREMENTS.—A health care practitioner may recommend, provide or administer any unapproved drug or medical device for a patient, pursuant to subsection (a), if that practitioner—

(1) does not violate State law by providing or administering the unapproved drug or medical device;

(2) does not violate the Controlled Substances Act (21 U.S.C. 801 et seq.) by providing or administering the unapproved drugs;

(3) has concluded based on generally accepted principles and current information that the unapproved drug or medical device, when used as directed, will not cause a danger to the patient;

(4) provides the recommendation under circumstances that give the patient sufficient opportunity to consider whether or not to use such a drug or medical device and that minimize the possibility of coercion or undue influence by the health care practitioner;

(5) discloses to the patient any financial interest that such a practitioner may have in the drug or medical device;

(6) has informed the patient in writing, prior to recommending, providing, or administering the unapproved drug or medical device—

(A) that the unapproved drug or medical device is not approved by the Secretary as safe and effective for the condition of the patient and is considered experimental;

(B) of the foreseeable risks and benefits of the unapproved drug or medical device, including any risk to an embryo or fetus, and expected possible side effects or discomforts that the patient may experience and any medical treatment available if side affects occur;

(C) of any appropriate alternative procedures or courses of treatment (including procedures or courses of treatment that may involve the use of a drug or medical device that has been approved by the Food and Drug Administration), if any, that may be advantageous for the patient's condition;

(D) of any interactions the unapproved drug or medical device may have with other drugs, if any;

(E) of the active and inactive ingredients of the unapproved drug and the mechanism of action of the medical device, if known;

(F) of the health condition for which the unapproved drug or medical device is provided, the method of administration that will be used, and the unit dose;

(G) of the procedures that will be employed by the health care practitioner in using such a drug or medical device;

(H) of the extent, if any, to which confidentiality of records identifying the patient will be maintained;

(I) for use of such a drug or medical device involving more than minimal risk, of the treatments available if injury occurs, what such treatments involve, and where additional information regarding such treatments may be obtained;

(J) of any anticipated circumstances under which the patient's use of such a drug or medical device may be terminated by the health care practitioner without regard to the patient's consent;

(K) that the use of an such a drug or medical device is voluntary and that the patient may suspend or terminate treatment at any time;

(L) of the consequences of a patient's decision to withdraw from the use of such a drug or medical device;

(M) if any information described in subparagraphs (A) through (L) cannot be provided by the health care practitioner because such information is not known at the time the practitioner provides or administers such drug or medical device, that such information cannot be provided by the practitioner; and

(N) of any other information or disclosures required by applicable State law for the administration of experimental drugs or medical devices to human subjects;

(7) has not made, except as provided in subsection (d), any advertising claims for the unapproved drug or medical device;

(8) does not impose a charge for the unapproved drug or medical device in excess of costs;

(9) complies with requirements for reporting a danger in section 4; and

(10) has received a signed affidavit from the patient or the patient's legal representative confirming that the patient or the legal representative—

(A) has received the written information required by this subsection and understands it; and

(B) desires treatment with the unapproved drug or medical device as recommended by the health care practitioner.

(c) MANDATORY DISCLOSURE.—Any manufacturer of an unapproved drug or medical device shall disclose, to any health care practitioner that has received such drug or medical device from such manufacturer, all information available to such manufacturer regarding such drug or medical device to enable such practitioner to comply with the requirements of subsection (b)(3) and make a determination regarding the danger posed by such drug or medical device. Compliance with this subsection shall not constitute a violation of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.).

(d) ADVERTISING CLAIMS EXCEPTION.—Subsection (b)(7) shall not apply to a health care practitioner's dissemination of information on the results of the practitioner's administration of the unapproved drug or medical device in a peer-reviewed journal, through academic or professional forums, or through statements by a practitioner to a patient. Subsection (b)(7) shall not apply to any accurate and truthful statement made in person by a health care practitioner to an individual or a prospective patient.

**SEC. 4. CESSATION OF USE, AND REPORTING OF, DANGEROUS DRUGS AND MEDICAL DEVICES.**

(a) DUTY TO PROTECT PATIENT.—If a health care practitioner discovers that an unapproved drug or medical device causes a danger to a patient, the practitioner shall immediately cease use and recommendation of the unapproved drug or medical device and provide to the manufacturer of the unapproved drug or medical device and the Director of the Centers for Disease Control and Prevention—

(1) a written evaluation of the patient's medical condition before and after administration of the unapproved drug or medical device;

(2) a written evaluation of the adverse reaction, including its physiological manifestations, duration, and the effect of cessation of treatment upon the patient's condition;

(3) any other information the health care practitioner deems pertinent to an evaluation of the adverse reaction;

(4) the name, occupation, business address, and business telephone number of the physician;

(5) the name of the unapproved drug or medical device and a description of the method of administration and operation, dosage, and duration of treatment;

(6) the lot number, if any, of the unapproved drug or medical device; and

(7) an affidavit pursuant to section 1746 of title 28, United States Code, confirming that all statements made to the manufacturer are accurate.

(b) MANUFACTURER'S DUTY TO REPORT.—Any manufacturer of an unapproved drug or medical device that receives information provided under subsection (a) shall immediately—

(1) cease sale and distribution of the unapproved drug or medical device pending completion of an investigation to determine the actual cause of the danger;

(2) notify all health care practitioners to whom the manufacturer has provided the unapproved drug or medical device of the information provided to the manufacturer under subsection (a); and

(3) report to the Secretary in writing that an unapproved drug or medical device (identified by name, known method of operation, unit dose, and intended use) that the manufacturer provided to a health care practitioner for administration under this Act has been reported to be a danger to a patient and confirming that the manufacturer—

(A) has ceased sale and distribution of the unapproved drug or medical device pending completion of an investigation to determine the actual cause of the danger; and

(B) has notified health care practitioners to which the unapproved drug or medical device has been sent of the information it has received.

(c) INVESTIGATION.—

(1) IN GENERAL.—The Director of the Centers for Disease Control and Prevention, upon receipt of the information described in subsection (a), shall conduct an investigation of the unapproved drug or medical device that a health care practitioner has determined to cause a danger to a patient in order to make a determination of the actual cause of such danger.

(2) REPORT TO SECRETARY.—The Director of the Centers for Disease Control and Prevention shall prepare and submit a report to the Secretary regarding the determination made under paragraph (1), including a determination concerning whether the unapproved drug or medical device is or is not the actual cause of danger or whether the actual cause of danger cannot be determined.

(3) DUTY OF SECRETARY.—Upon receipt of the report described in paragraph (2), the Secretary shall—

(A) if the Director of the Centers for Disease Control and Prevention determines that the cause of such danger is the unapproved drug or medical device, direct the manufacturer of such drug or medical device to—

(i) cease manufacture, sale, and distribution of such drug or medical device; and

(ii) notify all health care practitioners to whom the manufacturer has provided such drug or medical device to cease using or recommending such drug or medical device, and to return such drug or medical device to the manufacturer as part of a complete recall;

(B) if the Director of the Centers for Disease Control and Prevention determines that the cause of such danger is not such drug or medical device, direct the manufacturer of such drug or medical device to inform all health care practitioners to whom the manufacturer has provided such drug or medical device of such a determination; and

(C) if the Director of the Centers of Disease Control and Prevention cannot determine the cause of the danger, direct the manufacturer of the drug or medical device to inform all health care practitioners to whom the manufacturer has provided such drug or medical device of such a determination.

(d) SECRETARY'S DUTY TO INFORM.—Upon receipt of the report described in subsection (b)(3), the Secretary shall promptly disseminate information concerning the danger to all health care practitioners in the United States, to the Director of the National Center for Complementary and Alternative Medicine, and to agencies of the States that have responsibility for regulating unsafe or adulterated drugs and medical devices.

**SEC. 5. REPORTING OF RESULTS OF UNAPPROVED DRUGS AND MEDICAL DEVICES.**

(a) REPORTING OF RESULTS.—If a health care practitioner provides or administers an unapproved drug or medical device, that in the opinion of the health care practitioner, produces results that are more beneficial than results produced from any drug or medical device approved by the Food and Drug Administration, or produces other results regarding the effectiveness of the treatment relative to treatments approved by the Food and Drug Administration for the same condition, the practitioner shall provide to the manufacturer—

(1) the results of the administration of the drug or device;

(2) a written evaluation of the patient's medical condition before and after administration of the unapproved drug or medical device;

(3) the name, occupation, business address, and business telephone number of the physician;

(4) the name of the unapproved drug or medical device and a description of the method of operation and administration, dosing, and duration of treatment; and

(5) an affidavit pursuant to section 1746 of title 28, United States Code, confirming that all statements made to the manufacturer are accurate.

(b) MANUFACTURER'S DUTY TO REPORT.—Any manufacturer of an unapproved drug or medical device that receives information under subsection (a) shall provide to the Director of the National Center for Complementary and Alternative Medicine—

(1) a complete copy of the information;

(2) the name, business address, and business telephone number of the manufacturer;

(3) the name, business address, and business telephone number of the health care practitioner who supplied information to the manufacturer;

(4) the name of the unapproved drug or medical device;

(5) the known method of operation and administration of the unapproved drug or medical device;

(6) the per unit dose; and

(7) the intended use of the unapproved drug or medical device.

(c) DIRECTOR'S DUTY TO MAKE PUBLIC.—The Director of the National Center for Complementary and Alternative Medicine shall review and analyze information received pursuant to subsection (b) about an unapproved

drug or medical device and make available, on an Internet website and in writing upon request by any individual, an annual review and analysis of such information, and include a statement that such drug or medical device is not approved by the Food and Drug Administration.

**SEC. 6. OTHER LAWS NOT AFFECTED BY THIS ACT.**

This Act shall not be construed to have any effect on section 503A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353a) nor does this Act supersede any law of a State or political subdivision of a State, including laws governing rights and duties among health care practitioners and patients. This Act shall also not apply to statements or claims permitted or authorized under sections 403 and 403B of such Act (21 U.S.C. 343, 343-2). This Act shall not in any way adversely affect the distribution and marketing of vitamins and supplements.

**SEC. 7. AUTHORIZED ACTIVITIES OF HEALTH CARE PRACTITIONERS.**

(a) INTRODUCTION IN INTERSTATE COMMERCE.—To the extent necessary to comply with this Act, a health care practitioner may—

(1) introduce an unapproved drug or medical device into interstate commerce;

(2) deliver an unapproved drug or medical device for introduction into such commerce;

(3) transport an unapproved drug or medical device in such commerce;

(4) receive an unapproved drug or medical device in such commerce and deliver the unapproved drug or medical device; and

(5) hold an unapproved drug or medical device for sale after shipment of the unapproved drug or medical device in such commerce.

(b) RULE OF CONSTRUCTION.—This Act shall not be construed to limit or interfere with the authority of a health care practitioner to prescribe, recommend, provide or administer to a patient for any condition or disease any unapproved drug or medical device lawful under the law of the State or States in which the health care practitioner practices.

**SEC. 8. PENALTY.**

A health care practitioner or manufacturer found to have knowingly violated this Act shall be denied coverage under this Act.

Mr. HARKIN. Mr. President, I am pleased to join Senator DASCHLE today for the introduction of the Access to Medical Treatment Act. This bill will allow greater freedom of choice and increased access in the realm of medical treatments, while preventing abuses of unscrupulous entrepreneurs. The Access to Medical Treatment Act allows individual patients and their properly licensed health care provider to use certain alternative and complementary therapies not approved by the Food and Drug Administration (FDA).

Mr. President, we have made several important changes to the legislation from last Congress.

We have improved the informed consent protections for patients by modeling them after the NIH's human subject protection regulations. The patient must be fully informed, orally and in writing of: the nature, content and methods of the medical treatment; that the treatment is not approved by the FDA; the anticipated benefits AND risks of the treatment; any reasonably foreseeable side effects that may result; the results of past applications of the treatment by the health care provider and others; the comparable benefits and risks of any available FDA-approved treatment conventionally used for the patient's condition; and any financial interest the provider has in the product.

Providers and manufacturers are required to report to the Centers for Disease Control and Prevention (CDC) any adverse effects, and must immediately cease use and manufacture of the product, pending a CDC investigation. The CDC is required to conduct an investigation of any adverse effects, and if the product is shown to cause any danger to patients, the physician and manufacturers are required to immediately inform all providers who have been using the product of the danger.

Our legislation ensures the public's access to reliable information about complementary and alternative therapies by requiring providers and manufacturers to report the results of the use of their product to the National Center for Complementary and Alternative Medicine at NIH, which is then required to compile and analyze the information for an annual report.

In addition, the provider and manufacturer may make no advertising claims regarding the safety and effectiveness of the treatment of therapy, and FDA has the authority to determine that the labeling of the treatment is not false or misleading.

Mr. President, this legislation preserves the consumer's freedom to choose alternative therapies while addressing the fundamental concern of protecting patients from dangerous treatments and those who would advocate unsafe and ineffective therapies.

It wasn't long ago that William Roentgen was afraid to publish his discovery of X-rays as a diagnostic tool. He knew they would be considered an ''alternative medical practice'' and widely rejected by the medical establishment. As everyone knows, X-rays are a common diagnostic tool today. Well into this century, many scientists resisted basic antiseptic techniques as quackery because they refused to accept the germ theory of disease. I think we can all be thankful the medical profession came around on that one.

In addition, the Office of Technology Assessment reported in a 1978 study that only about 25 percent of the practices of mainstream medicine were based on scientific evidence. And there is little evidence that has changed in the past two decades.

Today's consumers want alternatives. They want less invasive, less expensive preventive options. Americans want to stay healthy. And they are speaking with their feet and their pocketbooks. Mr. President, Americans spend $30 billion annually on unconventional therapies. According to a recent survey published in the Journal of the American Medical Association (JAMA), nearly one-half of Americans use some kind of complementary and alternative medicine. These practices, which range from acupuncture, to chiropractic care, to naturopathic, herbal and homeopathic remedies, are not simply complementary and alternative, but integral to how millions of Americans manage their health and treat their illnesses.

This legislation simply provides patients the freedom to use—with strong consumer protections—the complementary and alternative therapies and treatments that have the potential to relieve pain and cure disease. I thank Senator DASCHLE for his leadership on this issue, and urge my colleagues to cosponsor this bill.

---

By Ms. SNOWE:

S. 1956. A bill to amend title 38, United States Code, to enhance the assurance of efficiency, quality, and patient satisfaction in the furnishing of health care to veterans by the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

THE VETERANS HEALTH CARE QUALITY ASSURANCE ACT

Ms. SNOWE. Mr. President, I rise today to introduce the Veterans Health Care Quality Assurance Act of 1999.

This legislation contains a number of proposals designed to ensure that access to high quality medical services for our veterans is not compromised as the Department of Veterans Affairs—the VA—strives to increase efficiency in its nationwide network of veterans hospitals.

Mr. President, the VA administers the largest health care network in the U.S., including 172 hospitals, 73 home care programs, over 800 community-based outpatient clinics, and numerous other specialized care facilities.

Moreover, there are approximately 25 million veterans in the U.S., including approximately 19.3 million wartime veterans, and the number of veterans seeking medical care in VA hospitals is increasing. The FY99 VA medical care caseload was projected to increase by 160,000 veterans over the FY98 level, and is projected to increase by an additional 54,000 in FY00, reaching a total of 3.6 million veterans, an increase from 2.7 million in FY97. In FY00, outpatient visits at VA medical facilities are projected to increase by 2.5 million to 38.3 million. The average age of veterans is increasing as well, and this is expected to result in additional demands for health care services, including more frequent and long-term health needs.

The VA is attempting to meet this unprecedented demand for health care services without substantial increases in funding, largely through efforts to increase efficiency. Not surprisingly, these seemingly competing objectives are generating serious concerns about the possibility that quality of care and/or patient satisfaction are being sacrificed.

Mr. President, many VA regional networks and medical center directors report that timely access to high quality health care is being jeopardized,

and that is why I am introducing the Veterans Health Care Quality Assurance Act, legislation which seeks to ensure that no veteran's hospital is targeted unfairly for cuts, and that efforts to ''streamline'' and increase efficiency are not followed by the unintended consequence of undermining quality of care or patient satisfaction.

I believe that all veterans hospitals should be held to the same equitable VA-wide standards, and that quality and satisfaction must be guaranteed. Toward that end, the Veterans Health Care Quality Assurance Act calls for audits of every VA hospital every three years. This will ensure that each facility is subject to an outside, independent review of its operations on a regular basis, and each audit will include findings on how to improve services to our veterans.

The legislation will also establish an Office of Quality Assurance within the VA to ensure that steps taken to increase efficiency in VA medical programs do not undermine quality or patient satisfaction. This office will collect and disseminate information on efforts that have proven to successfully increase efficiency and resource utilization without undermining quality or patient satisfaction. The director of this new Office of Quality Assurance should be an advocate for veterans and would be placed in the appropriate position in the VA command structure to ensure that he or she is consulted by the VA Secretary and Under Secretary for Veterans Health on matters that impact quality or satisfaction.

The bill would require an initial report to Congress within six months of enactment, which would include a survey of each VA regional network and a report on each network's efforts to increase efficiency, as well as an assessment of the extent to which each network and VA hospital is or is not implementing the same uniform, VA-wide policies to increase efficiency.

Under the bill's reporting requirement, the VA would also be required to publish—annually—an overview of VA-wide efficiency goals and quality/satisfaction standards that each veterans facility should be held to. Further, the VA would be required to report to Congress on each hospital's standing in relation to efficiency, quality, and satisfaction criteria, and how each facility compares to the VA-wide average.

In an effort to encourage innovation in efforts to increase efficiency within the agency, the bill would encourage the dissemination and sharing of information throughout the VA in order to facilitate implementation of uniform, equitable efficiency standards.

Finally, Mr. President, the bill includes provisions calling for sharing of information on efforts to maximize resources and increase efficiency without compromising quality of care and patient satisfaction; exchange and mentoring initiatives among and between networks in order to facilitate sharing of such information; incentives for networks to increase efficiency and meet uniform quality/patient satisfaction targets; and formal oversight by the VA to ensure that all networks are meeting uniform efficiency criteria and that efforts to increase efficiency are equitable between networks and medical facilities.

Last week America celebrated Veterans Day 1999—81 years after the Armistice was signed in France that silenced the guns and ended the carnage of World War I. World War I was supposed to be ''the war to end all wars'' . . . the war that made the world safe for democracy. Sadly, that was not to be, and America has been repeatedly reminded that the defense of democracy is an on-going duty.

Mr. President, keeping our promise to our veterans is also an ongoing duty. The debt of gratitude we owe to our veterans can never be fully repaid. What we can and must do for our veterans is repay the financial debt we owe to them. Central to that solemn duty is ensuring that the benefits we promised our veterans when they enlisted are there for them when they need them.

I consider it a great honor to represent veterans, these brave Americans. So many of them continue to make contributions in our communities upon their transition from military to civilian life—through youth activities and scholarship programs, homeless assistance initiatives, efforts to reach out to fellow veterans in need, and national leadership on issues of importance to veterans and all Americans. The least we can do is make good on our promise, such as the promise of access to high quality health care.

I have nothing but the utmost respect for those who have served their country, and this legislation is but a small tribute to the men and women and their families who have served this country with courage, honor and distinction. They answered the call to duty when their country needed them, and this is a component of my on-going effort to ensure that we, as elected officials, answer their call when they need us.

I urge my colleagues to join me in supporting this legislation.

---

By Mr. KOHL:

S. 1958. A bill to amend the Child Nutrition Act of 1966 to authorize the Secretary of Agriculture to make grants for startup costs of school breakfast programs; to the Committee on Agriculture, Nutrition, and Forestry.

LEGISLATION TO IMPROVE PARTICIPATION IN THE SCHOOL BREAKFAST PROGRAM

Mr. KOHL. Mr. President, I rise to introduce legislation that will go far in helping children start their school day ready to learn.

The relationship between a healthy breakfast and both behavior and academic achievement has been documented by a number of studies. Fortunately, participation of schools in the School Breakfast program has increased steadily since the program was made permanent in 1975. According to the School Breakfast Scorecard, a report recently released by the Food Research and Action Center (FRAC), a record number of schools—70,000—provided breakfast to school children last year. And nearly half of our states have 80 percent or more of their schools serving both lunch and breakfast under the National School Lunch and School Breakfast programs.

That's good news. The bad news is that the gulf between states with the highest rates of school participation in breakfast and those with the lowest is wide. 20 percent of our states have fewer than 55 percent of their schools participating in both breakfast and lunch; that's a full 20 points below the national average. In my home state of Wisconsin, only 30 percent of the schools that serve lunch also serve breakfast.

By another measure—participation of low-income children in both school lunch and breakfast—the results from the Scorecard are equally concerning. Nationally, only 42 percent of the kids receiving a free or reduced price lunch are also receiving breakfast; some states have fewer than 25 percent of kids receiving a free or reduced price lunch also receiving school breakfast.

The bill I am introducing today would help states provide an additional financial incentive for schools to participate in the school breakfast program. While there are a number of reasons that schools do not offer their children a school breakfast, certainly the barrier most difficult to overcome is the cost of the meals throughout the year. In short, the cost of the school breakfast program may simply be too high for some schools and school districts.

My bill authorizes, subject to appropriations, grants from the U.S. Department of Agriculture (USDA) to allow states to provide schools with an additional five cent per meal reimbursement during the first year in which they provide the school breakfast program. This additional reimbursement may be used to supplement both the existing federal per meal reimbursement and any additional per meal reimbursement provided by the state. To ensure that the grants are as effective as possible they are targeted to those states with poor school breakfast participation rates and that also have a program in place to promote school breakfast participation. State educational agencies will have the discretion to determine, based on participation rates, which schools or school districts will receive the supplemental assistance.

Providing a nutritious breakfast is the first step in ensuring that kids are ready to learn when they sit down at their desks each morning. The legislation I am introducing will go far in helping states and schools reach that goal and I encourage my colleagues to support it.

Mr. President, I ask unanimous consent that the text of this legislation and letters of support for my bill from Wisconsin State Superintendent John Benson and Wisconsin School Food Service Association President Renee Slotten-Beauchamp be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1958

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

**SECTION 1. FINANCIAL INCENTIVE GRANTS FOR SCHOOL BREAKFAST PROGRAMS.**

Section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773) is amended by adding at the end the following:

''(f) STARTUP GRANTS FOR SCHOOL BREAKFAST PROGRAMS.—

''(1) DEFINITION OF ELIGIBLE SCHOOL.—In this subsection, the term 'eligible school' means a school that agrees to operate the school breakfast program established with the assistance provided under this subsection for a period of not less than 3 years.

''(2) GRANTS.—The Secretary may make grants to State educational agencies, from funds made available to the Secretary, for a fiscal year, to assist eligible schools in initiating school breakfast programs.

''(3) PAYMENT RATES.—A State educational agency shall use grants made available under this subsection during the first fiscal year an eligible school initiates a school breakfast program—

''(A) to increase by not more than 5 cents the annually adjusted payment for each breakfast served by the eligible school; or

''(B) to assist eligible schools with non-recurring expenses incurred in initiating school breakfast programs.

''(4) FUNDS SUPPLEMENTARY.—A grant under this subsection shall supplement any payment to which a State educational agency is entitled under subsection (b).

''(5) PLAN.—To be eligible to receive a grant under this subsection, a State educational agency shall submit to the Secretary a plan to initiate school breakfast programs conducted in the State, including a description of the manner in which the State educational agency shall provide technical assistance and funding to eligible schools in the State to initiate the programs.

''(6) STATE EDUCATIONAL AGENCY PREFERENCES.—In making a grant under this subsection for a fiscal year to initiate school breakfast programs, the Secretary shall provide a preference to a State educational agency that—

''(A) has in effect a State law that promotes the expansion of State participation in the school breakfast program during the year;

''(B) has significant public or private resources that will be used to carry out the expansion of the school breakfast program during the year;

''(C)(i) has not more than 55 percent of schools in the State that are participating in the school lunch program also participating in the school breakfast program; or

''(ii) has not more than 30 percent of the students in the State receiving free or reduced price lunch also receiving free or reduced price breakfasts; and

''(D) serves an unmet need among low-income children, as determined by the Secretary.

''(7) REALLOCATION.—The Secretary shall act in a timely manner to recover and reallocate to other State educational agencies or States any amount made available to a State educational agency or State under this subsection that is not used by the agency or State within a reasonable period (as determined by the Secretary).

''(8) APPLICATION.—The Secretary shall allow application by State educational agencies on an annual basis for grants under this subsection.

''(9) PREFERENCES BY STATE EDUCATIONAL AGENCIES AND STATES.—In allocating funds within the State, each State educational agency shall give preference for assistance under this subsection to an eligible school that demonstrates the greatest need for assistance for a school breakfast program, based on the percentage of children not participating in the school breakfast program, as determined by the State educational agency.

''(10) MAINTENANCE OF EFFORT.—The expenditure of funds from State and local sources for the maintenance of the school breakfast program shall not be diminished as a result of grants made available under this subsection.''.

---

STATE OF WISCONSIN,
DEPARTMENT OF PUBLIC INSTRUCTION,
*Madison, WI, November 5, 1999.*

Hon. HERB KOHL,
*US Senate, Washington, DC.*

DEAR SENATOR KOHL:

This letter is in support of your proposed amendment for Startup Grants for School Breakfast Programs. I believe this legislation will provide an essential incentive for schools to implement a School Breakfast Program (SBP). Understanding that breakfast is an important component for academic achievement as well as the health of our nation's children, I am very concerned with Wisconsin's low participation in the SBP.

The federal startup grants for SBP will enhance the many public and private efforts within our state to increase the number of schools offering breakfast. Our state legislature has supported my budget initiative for a ten cents per breakfast reimbursement, effective in fiscal year 2001. Statewide public and nonpublic collaborative initiatives to promote the importance of breakfast include the Good Breakfast for Good Learning Breakfast Awareness Campaign, now in its third year. Public and private hunger prevention coalitions are actively promoting school breakfast. Professional organizations, such the Wisconsin School Food Service Association and the Wisconsin Dietetic Association have taken a lead in school breakfast promotion efforts.

However, the bottom line is that schools cannot absorb financial loss in the Child Nutrition Programs. Fear that the SBP will have a negative impact on the school district's general fund has been detrimental to the promotional efforts identified above. The startup grants for SBP will help alleviate those fears and allow the children in this state to have access to a nourishing breakfast at the start of the school day.

I would like to commend your efforts to help the children in this state and the nation reach their full potential through promotion of School Breakfast Program.

Sincerely,

JOHN T. BENSON,
*State Superintendent.*

---

WISCONSIN SCHOOL
FOOD SERVICE ASSOCIATION,
*November 17, 1999.*

Hon. HERB KOHL,
*U.S. Senate, Washington DC.*

DEAR SENATOR KOHL:

This letter is in support of your proposed amendment for Startup Grants for School Breakfast Programs.

The Wisconsin School Food Service Association with its 1700 members, along with other allied associations have been working to increase the number of schools in Wisconsin offering breakfast. We understand the connection between good nutrition at breakfast and academic achievement. We see firsthand how difficult it is for a hungry child to concentrate on learning.

The federal startup grants for School Breakfast Programs will help our efforts to expand school breakfast participation. A real concern for many school districts is the cost of implementing and maintaining the program. During the 1997–98 school year Wisconsin schools lost an average of $0.23 per breakfast served. Our association believes school food and nutrition programs deserve adequate funding and reasonable regulations to help maintain financial integrity and nutritional quality of meals. As a commitment to the children of Wisconsin we made state funding for school Breakfast Programs a high legislative priority this year. Our state legislature recently supported a ten-cent per breakfast reimbursement, which will be in effect for the fiscal year 2001. Federal Startup Grants would help districts implement school Breakfast Programs.

The Wisconsin School Food Service Association feels the children of Wisconsin and the nation deserve every educational opportunity to reach their full potential. School breakfast is one of those opportunities.

Our association commends you for your efforts to expand School Breakfast.

Sincerely,

RENEE SLOTTEN-BEAUCHAMP R.D., D.C.
*President.*

---

By Mr. HARKIN:

S. 1959. A bill to provide for the fiscal responsibility of the Federal Government; to the Committee on Finance.

THE FISCAL RESPONSIBILITY ACT

Mr. HARKIN. Mr. President, today as we are debating how to protect Social Security and Medicare while making necessary investments in our nation's future, I am introducing legislation designed to provide some options for reducing spending. In an effort to promote greater fiscal responsibility within the federal government, ''The Fiscal Responsibility Act'' would eliminate special interest tax loopholes, reduce corporate welfare, eliminate unnecessary government programs, reduce wasteful spending, enhance government efficiency and require greater accountability.

The reforms contained in this bill would result in savings of up to $20 billion this year and up to $140 billion over the next five years. These savings could be used to pay down the federal debt, shore up Social Security and Medicare, provide middle-class tax relief, and/or pay for needed investment in education, health care and other priorities.

While I recognize that everyone won't agree on each of the provisions of this measure, I believe it is important for us to put forward options to be considered. I hope that we can work together on a bipartisan basis to produce a set of reforms such as these to lay a path of fiscal responsibility as we move into the next century.

The following is a summary of the bill's major provisions:

Elimination of Unnecessary Government Programs.

A number of outdated or unnecessary programs would be eliminated, including Radio Marti, TV Marti and certain nuclear energy research initiatives. These changes would save over $150 million this year.

Reduction of Wasteful Spending and Government Efficiency Improvements.

$13 billion a year is lost to Medicare waste and abuse. This would be substantially reduced through a series of comprehensive reforms. In addition, taxpayer support for the cost of certain nuclear energy lobbying activities would be eliminated.

A number of common sense steps would be implemented to improve the efficiency of government activities.

Spending by government agencies on travel, printing, supplies and other items would be frozen at 1998 levels. This change would save $2.8 billion this year and about $12 billion over 5 years.

Pentagon spending would be tied to the rate of inflation. This would force the Pentagon to reduce duplication and other inefficiencies identified by government auditors and outside experts. This change would save taxpayers $9.2 billion this year and approximately $69 billion over the next 5 years.

Enhancing the government's ability to collect student loan defaults would save taxpayers $892 million this year and $1 billion over five years.

Eliminating Special Interest Tax Loopholes and Give-Aways.

Tobacco use causes 400,000 deaths a year and costs taxpayers billions in preventable health care costs. And, yet, taxpayers are forced to cough up about $2 billion a year to subsidize the advertising and marketing of this deadly product. The tax deductibility of tobacco promotion would be ended and these funds would be saved.

A loophole that allows estates valued above $10 million to elude taxation would be closed.

The federal government allows mining companies to extract minerals from federally-owned lands at an actual cost of pennies on the dollar. This special interest giveaway would be ended, saving taxpayers $750 million over the next five years.

American citizens temporarily working in foreign countries can earn up to $70,000 without paying any U.S. taxes. This unfair provision would be eliminated, bringing in an estimated $15.7 billion over the next 5 years.

A foreign tax credit that allows big oil and gas companies to escape paying their fair share for royalties would be limited. This common sense change would generate $3.1 billion over 5 years to reduce the debt our kids and grandkids will inherit.

Increased Accountability.

Tobacco companies hook 3,000 children a day on their deadly products. One in three of these kids will be sentenced to an early death. Tobacco companies should be held accountable. Accordingly, a goal of reducing teen smoking by at least 15 percent each year would be set. If tobacco companies fail to meet this goal, they would have to pay a penalty. Such a system would generate approximately $6 billion this year and $20 billion over the next 5 years. It would also significantly reduce the number of young children who become addicted to tobacco.

Mr. President, I urge my colleagues to review the provisions in this bill and look forward to moving forward next year on a fiscally responsible budget plan.

---

By Mr. KOHL (for himself and Mr. FEINGOLD):

S. 1960. A bill to provide for the appointment of 1 additional Federal district judge for the eastern district of Wisconsin, and for other purposes; to the Committee on the Judiciary.

THE FEDERAL JUDGESHIP FOR NORTHEASTERN WISCONSIN ACT

Mr. KOHL. Mr. President, I rise today to introduce the Federal Judgeship for Northeastern Wisconsin Act of 1999. This bill would create one additional judgeship in the eastern district of Wisconsin and seat it in Green Bay, at the center of a region in desperate need of a district court. Let me explain how an additional judgeship could alleviate the stress that the current system places on business, law enforcement agents, witnesses, victims and individual litigants in northeastern Wisconsin.

First, while the four full-time district court judges for the eastern district of Wisconsin currently preside in Milwaukee, for most litigants and witnesses in northeastern Wisconsin, Milwaukee is well over 100 miles away. In fact, as the courts are currently arranged, the northern portion of the eastern district is more remote from a Federal court than any other major population center, commercial or industrial, in the United States. Thus, litigants and witnesses must incur substantial costs in traveling from northern Wisconsin to Milwaukee—costs in terms of time, money, resources, and effort. Indeed, driving from Green Bay to Milwaukee takes nearly two hours each way. Add inclement weather or a departure point north of Green Bay—such as Oconto or Marinette—and often the driving time alone actually exceeds the amount of time witnesses spend testifying.

Second, Mr. President, the few Wisconsin Federal judges serve a disproportionately large population. Last year, I commissioned a study by the General Accounting Office which revealed that Wisconsin Federal judges have to serve the highest population among all federal judges. Each sitting Federal judge in Wisconsin serves an average population of 859,966, while the remaining federal judges across the country—more than 650—serve less than half that number, with an average of 417,000 per judge. For example, while Louisiana has fewer residents than Wisconsin, it has 22 Federal judges, nearly four times as many as our state.

Third, Mr. President, Federal crimes remain unacceptably high in northeastern Wisconsin. These crimes range from bank robbery and kidnaping to Medicare and Medicaid fraud. However, without the appropriate judicial resources, a crackdown on Federal crimes in the upper part of the state will be made enormously more difficult. Additionally, under current law, the Federal Government is required to prosecute all felonies committed by Indians that occur on the Menominee Reservation. The reservation's distance from the Federal prosecutors and courts—more than 150 miles—makes these prosecutions problematic. And because the Justice Department compensates attorneys, investigators and sometimes witnesses for travel expenses, the existing system costs all of us. Without an additional judge in Green Bay, the administration of justice, as well as the public's pocketbook, will suffer enormously.

Fourth, many manufacturing and retail companies are located in northeastern Wisconsin. These companies often require a Federal court to litigate complex price-fixing, contract, and liability disputes with out-of-State businesses. But the sad truth is that many of these legitimate cases are never even filed —precisely because the northern part of the State lacks a Federal court. Mr. President, this hurts businesses not only in Wisconsin, but across the Nation.

Fifth, the creation of an additional judgeship in the Eastern District of Wisconsin is justified based on caseload. The Judicial Conference, the administrative and statistical arm of the Federal judiciary, makes biannual recommendations to Congress regarding the necessity of additional judgeships using a system of weighted filings—that is, the total number of cases modified by the average level of case complexity. In the Judicial Conference's most recent recommendations, new positions were justified where a district's workload exceeded 435 weighted filings per judge. Such high caseloads are common in the eastern district of Wisconsin, peaking in 1996 with an overwhelming 453 weighted filings. On this basis, an additional judgeship for the eastern district of Wisconsin is warranted.

Mr. President, our legislation is simple, effective and straightforward. It creates an additional judgeship for the eastern district, requires that one judge hold court in Green Bay, and gives the chief judge of the eastern district flexibility to designate which judge holds court there. And this legislation would increase the number of Federal district judges in Wisconsin for the first time since 1978. During that period, nearly 150 new Federal district judgeships have been created nationwide, but not a single one in Wisconsin.

And don't take my word for it, Mr. President, ask the people who would be most affected: since 1994, each and every sheriff and district attorney in northeastern Wisconsin has urged me to create a Federal district court in

Green Bay. I ask unanimous consent that a letter from these law enforcement officials be included in the RECORD at the conclusion of my remarks. I also ask unanimous consent that a letter from the U.S. Attorney for the eastern district of Wisconsin, Tom Schneider, also be included. This letter expressed the support of the entire Federal law enforcement community in Wisconsin—including the FBI, the DEA and the BATF—for the legislation we are introducing. They needed this additional judicial resource in 1994, and certainly, Mr. President, that need has only increased over the last five years.

Perhaps most important, the people of Green Bay also agree on the need for an additional Federal judge, as the endorsement of our proposal by the Green Bay Chamber of Commerce demonstrates.

In conclusion, Mr. President, having a Federal judge in Green Bay will reduce costs and inconvenience while increasing judicial efficiency. But most important, it will help ensure that justice is more available and more affordable to the people of northeastern Wisconsin. For these sensible reasons, I urge my colleagues to support this legislation, either separately or as part of an omnibus judgeship bill that I hope Congress will consider next session. The Judicial Conference has recommended the creation of over 60 new judgeships, yet not one has been created since 1990. Should such a bill be considered, I will be right there to ensure that Northeastern Wisconsin is included.

Mr. President, I ask unanimous consent that the text of the bill and additional material be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1960

*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 ''Federal Judgeship for Northeastern Wisconsin Act of 1999''.

**SEC. 2. ADDITIONAL FEDERAL DISTRICT JUDGE FOR THE EASTERN DISTRICT OF WISCONSIN.**

(a) IN GENERAL.—The President shall appoint, by and with the advice and consent of the Senate, 1 additional district judge for the eastern district of Wisconsin.

(b) TABLES.—In order that the table contained in section 133(a) of title 28, United States Code, reflects the change in the total number of permanent district judgeships authorized under subsection (a), such table is amended by amending the item relating to Wisconsin to read as follows:

''Wisconsin:
''Eastern ..... 5
''Western ..... 2''.

(c) HOLDING OF COURT.—The chief judge of the eastern district of Wisconsin shall designate 1 judge who shall hold court for such district in Green Bay, Wisconsin.

**SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated such sums as may be necessary to carry out this Act, including such sums as may be necessary to provide appropriate space and facilities for the judicial position created by this Act.

---

AUGUST 8, 1994.

U.S Senator HERB KOHL,
*Hart Senate Office Building, Washington, DC.*

DEAR SENATOR KOHL: We are writing to urge your support for the creation of a Federal District Court in Green Bay. The Eastern District of Wisconsin includes the 28 eastern-most counties from Forest and Florence Counties in the north to Kenosha and Walworth Counties in the south.

Green Bay is central to the northern part of the district which includes approximately one third of the district's population. Currently, all Federal District Judges hold court in Milwaukee.

A federal court in Green Bay would make federal proceedings much more accessible to the people of northern Wisconsin and would alleviate many problems for citizens and law enforcement. Travel time of 3 or 4 hours each way makes it difficult and expensive for witnesses and officers to go to court in Milwaukee. Citizen witnesses are often reluctant to travel back and forth to Milwaukee. It often takes a whole day to travel to come to court and testify for a few minutes. Any lengthy testimony requires an inconvenient and costly overnight stay in Milwaukee. Sending officers is costly and takes substantial amounts of travel time, thereby reducing the number of officers available on the street. Many cases are simply never referred to federal court because of this cost and inconvenience.

In some cases there is no alternative. For example, the Federal government has the obligation to prosecute all felony offenses committed by Indians on the Menominee Reservation. Yet the Reservation's distance from the Federal Courts and prosecutors in Milwaukee poses serious problems. Imagine the District Attorney of Milwaukee being located in Keshena or Green Bay or Marinette and trying to coordinate witness interviews, case preparation, and testimony.

As local law enforcement officials, we try to work closely with other local, state and federal agencies, and we believe establishing a Federal District Court in Green Bay will measurably enhance these efforts. Most important, a Federal Court in Green Bay will make these courts substantially more accessible to the citizens who live here.

We urge you to introduce and support legislation to create and fund an additional Federal District Court in Green Bay.

Gary Robert Bruno, Shawano and Menominee County District Attorney.
Jay Conley, Oconto County District Attorney.
John DesJardins, Outagamie County District Attorney.
Douglas Drexler, Florence County District Attorney.
Guy Dutcher, Waushara County District Attorney.
E. James FitzGerald, Manitowoc County District Attorney.
Kenneth Kratz, Calumet County District Attorney.
Jackson Main, Jr., Kewaunee County District Attorney.
David Miron, Marinette County District Attorney.
Joseph Paulas, Winnebago County District Attorney.
Gary Schuster, Door County District Attorney.
John Snider, Waupaca County District Attorney.
Ralph Uttke, Langlade County District Attorney.
Demetrio Verich, Forest County District Attorney.
John Zakowski, Brown County District Attorney.
William Aschenbrener, Shawano County Sheriff.
Charles Brann, Door County Sheriff.
Todd Chaney, Kewaunee County Sheriff.
Michael Donart, Brown County Sheriff.
Patrick Fox, Waushare County Sheriff.
Bradley Gehring, Outagamie County Sheriff.
Daniel Gillis, Calumet County Sheriff.
James Kanikula, Marinette County Sheriff.
Norman Knoll, Forest County Sheriff.
Thomas Kocourek, Manitowoc County Sheriff.
Robert Kraus, Winnebago County Sheriff.
William Mork, Waupaca County Sheriff.
Jeffrey Rickaby, Florence County Sheriff.
David Steger, Langlade County Sheriff.
Kenneth Woodworth, Oconto County Sheriff.
Richard Awonhopay, Chief, Menominee Tribal Police.
Richard Brey, Chief of Police, Manitowoc.
Patrick Campbell, Chief of Police, Kaukauna.
James Danforth, Chief of Police, Oneida Public Safety.
Donald Forcey, Chief of Police, Neenah.
David Gorski, Chief of Police, Appleton.
Robert Langan, Chief of Police, Green Bay.
Michael Lien, Chief of Police, Two Rivers.
Mike Nordin, Chief of Police, Sturgeon Bay.
Patrick Ravet, Chief of Police, Marinette.
Robert Stanke, Chief of Police, Menasha.
Don Thaves, Chief of Police, Shawano.
James Thorne, Chief of Police, Oshkosh.

---

U.S. DEPARTMENT OF JUSTICE,
*Milwaukee, WI, August 9, 1994.*

To: The District Attorney's, Sheriffs and Police Chiefs Urging the Creation of a Federal District Court in Green Bay.

From: Thomas P. Schneider, United States Attorney, Eastern District of Wisconsin.

Thank you for your letter of August 8, 1994, urging the creation of a Federal District Court in Green Bay. You point out a number of facts in your letter:

(1) Although 1/3 of the population of the Eastern District of Wisconsin is in the northern part of the district, all of the Federal District Courts are located in Milwaukee.

(2) A federal court in Green Bay would be more accessible to the people of northern Wisconsin. It would substantially reduce witness travel time and expenses, and it would make federal court more accessible and less costly for local law enforcement agencies.

(3) The federal government has exclusive jurisdiction over most felonies committed on the Menominee Reservation, located approximately 3 hours from Milwaukee. The distance to Milwaukee is a particular problem for victims, witnesses, and officers from the Reservation.

I have discussed this proposal with the chiefs of the federal law enforcement agencies in the Eastern District of Wisconsin, including the Federal Bureau of Investigation, Federal Drug Enforcement Administration, Bureau of Alcohol, Tobacco and Firearms, Secret Service, U.S. Marshal, U.S. Customs Service, and Internal Revenue Service-Criminal Investigation Division. All express support for such a court and give additional reasons why it is needed.

Over the past several years, the FBI, DEA, and IRS have initiated a substantial number of investigations in the northern half of the district. In preparation for indictments and trials, and when needed to testify before the Grand Jury or in court, officers regularly travel to Milwaukee. Each trip requires 4 to 6 hours of round trip travel per day, plus the actual time in court. In other words, the

agencies' already scarce resources are severely taxed. Several federal agencies report that many cases which are appropriate for prosecution are simply not charged federally because local law enforcement agencies do not have the resources to bring these cases and officers back and forth to Milwaukee.

Nevertheless, there have been a substantial number of successful federal investigations and prosecutions from the Fox Valley area and other parts of the Northern District of Wisconsin including major drug organizations, bank frauds, tax cases, and weapons cases.

It is interesting to note that the U.S. Bankruptcy Court in the Eastern District of Wisconsin holds hearings in Green Bay, Manitowoc, and Oshkosh, all in the northern half of the district. For the past four years approximately 29 percent of all bankruptcy filings in the district were in these three locations.

In addition, we continue to prosecute most felonies committed on the Menominee Reservation. Yet, the Reservation's distance from the federal courts in Milwaukee poses serious problems. A federal court in Green Bay is critically important if the federal government is to live up to its moral and legal obligation to enforce the law on the Reservation.

In summary, I appreciate and understand your concerns and I join you in urging the creation of a Federal District Court in Green Bay.

THOMAS P. SCHNEIDER,
*United States Attorney.*
*Eastern District of Wisconsin.*

---

By Mr. JOHNSON (for himself, Mr. KERREY, and Mr. WELLSTONE):

S. 1961. A bill to amend the Food Security Act of 1985 to expand the number of acres authorized for inclusion in the conservation reserve; to the Committee on Agriculture, Nutrition, and Forestry.

THE CONSERVATION RESERVE PROGRAM ACREAGE EXPANSION ACT

● Mr. JOHNSON. Mr. President, I rise today to introduce legislation which would increase the acreage cap currently in place for the Conservation Reserve Program (CRP) under the United States Department of Agriculture (USDA).

CRP continues to be a popular alternative for landowners who wish to take a portion of their land out of production for conservation purposes. While the program serves a multitude of beneficial purposes, there are items of the program that we must continue to work on in Congress. As a start, I am introducing companion legislation to Congressman COLLIN PETERSON's (D–MN) bill in the House to increase the acreage allotted in CRP up to 45 million acres.

CRP has undergone significant changes as a result of the 1996 Farm Bill. Wildlife benefits provided by certain grass species and conservation practices are now heavily emphasized in the Environmental Benefits Index (EBI) which sets forth eligibility into the program. While many of these changes have been welcomed because of the favorable effect they have on conservation and the environment, I have some concerns with certain requirements farmers face in relation to the EBI requirements.

First, producers with existing CRP contracts that have tracts of land accepted for re-enrollment into CRP have indicated that in certain cases, they were required to plow under at least half of the existing grass stand on those tracts in order to plant new grass seeds to meet the EBI criteria. Those participants are concerned this may lead to soil erosion instead of soil conservation on tracts that are already highly erodible because plowing up half of grass stand exposes that land to the unpredictable forces of weather. Moreover, it often requires more than one growing season for new grass species to take root and establish adequate cover in order to protect habitat. That said, both producers and conservationists have expressed concern to me that this requirement may place habitat protection in a precarious position in some instances. Finally, the costs of seed varieties called for in the EBI, especially for native grass species, have skyrocketed to a point here it is oftentimes cost-prohibitive for producers to meet the requirements of establishing a new grass stand. These and other matters I plan to address with the input of all interested parties as we proceed with the legislation.

However, on the whole CRP remains a very popular program in my home state of South Dakota and across the country. During the twelve signups held between 1986 and 1992, 36.4 million acres were enrolled in CRP. USDA estimates that the average erosion rate on enrolled acres was reduced from 21 to less than 2 tons per acre per year. Retiring these lands also expanded wildlife habitat, enhanced water quality, and restored soil. The annual value of these benefits has been estimated from less than $1 billion to more than $1.5 billion; some estimates of these benefits approach or exceed annual costs, especially in areas of heavy participation. While major changes cannot occur to CRP until we undertake a renewed effort to change the Farm Bill, I am hopeful that Congress reconsider the current Farm Bill in 2000.

In addition to supporting CRP, I have co-sponsored S. 1426, the Conservation Security Act of 1999. This bill creates a voluntary incentive program to encourage conservation activities by landowners. This bill includes a variety of solid conservation practices that landowners may choose from in order to qualify for certain incentives. Some of the conservation practices include conservation tillage, runoff control, buffer strips, wetland restoration, and wildlife management.

I believe the Conservation Security Act is a strong piece of legislation that would benefit agriculture producers, wildlife, and the environment. I will continue to support and work with Senator HARKIN in seeing this legislation move forward.●

---

By Mr. ASHCROFT:

S. 1962. A bill to amend the Congressional Budget Act of 1974 to protect Social Security and Medicare surpluses through strengthened budgetary enforcement mechanisms; to the Committee on the Budget and the Committee on Governmental Affairs, jointly, pursuant to the order of August 4, 1977, with instructions that if one Committee reports, the other Committee have 30 days to report or be discharged.

THE SOCIAL SECURITY AND MEDICARE SAFE DEPOSIT BOX ACT

Mr. ASHCROFT. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1962

*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 ''Social Security and Medicare Safe Deposit Box Act of 1999''.

**SEC. 2. PROTECTION OF SOCIAL SECURITY AND MEDICARE SURPLUSES.**

(a) MEDICARE SURPLUSES OFF-BUDGET.—Notwithstanding any other provision of law, the net surplus of any trust fund for part A of Medicare shall not be counted as a net surplus for purposes of—

(1) the budget of the United States Government as submitted by the President;

(2) the congressional budget; or

(3) the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) POINTS OF ORDER TO PROTECT SOCIAL SECURITY AND MEDICARE SURPLUSES.—Section 312 of the Congressional Budget Act of 1974 is amended by adding at the end the following new subsection:

''(g) POINTS OF ORDER TO PROTECT SOCIAL SECURITY AND MEDICARE SURPLUSES.—

''(1) CONCURRENT RESOLUTIONS ON THE BUDGET.—It shall not be in order in the House of Representatives or the Senate to consider any concurrent resolution on the budget, or conference report thereon or amendment thereto, that would set forth an on-budget deficit for any fiscal year.

''(2) SUBSEQUENT LEGISLATION.—It shall not be in order in the House of Representatives or the Senate to consider any bill, joint resolution, amendment, motion, or conference report if—

''(A) the enactment of that bill or resolution as reported;

''(B) the adoption and enactment of that amendment; or

''(C) the enactment of that bill or resolution in the form recommended in that conference report,

would cause or increase an on-budget deficit for any fiscal year.

''(3) DEFINITION.—For purposes of this section, the term 'on-budget deficit', when applied to a fiscal year, means the deficit in the budget as set forth in the most recently agreed to concurrent resolution on the budget pursuant to section 301(a)(3) for that fiscal year.''.

(c) CONTENT OF CONCURRENT RESOLUTION ON THE BUDGET.—Section 301(a) of the Congressional Budget Act of 1974 is amended—

(1) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively; and

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

''(6) the receipts, outlays, and surplus or deficit in the Federal Old-Age and Survivors

Insurance Trust Fund and the Federal Disability Insurance Trust Fund, combined, established by title II of the Social Security Act;''.

(d) SUPER MAJORITY REQUIREMENT.—

(1) POINT OF ORDER.—Section 904(c)(1) of the Congressional Budget Act of 1974 is amended by inserting ''312(g),'' after ''310(d)(2),''.

(2) WAIVER.—Section 904(d)(2) of the Congressional Budget Act of 1974 is amended by inserting ''312(g),'' after ''310(d)(2),''.

**SEC. 4. PROTECTION OF SOCIAL SECURITY AND MEDICARE SURPLUSES.**

(a) IN GENERAL.—Chapter 11 of subtitle II of title 31, United States Code, is amended by adding before section 1101 the following:

**''§ 1100. Protection of social security and medicare surpluses**

''The budget of the United States Government submitted by the President under this chapter shall not recommend an on-budget deficit for any fiscal year covered by that budget.''.

(b) CHAPTER ANALYSIS.—The chapter analysis for chapter 11 of title 31, United States Code, is amended by inserting before the item for section 1101 the following:

''1100. Protection of Social Security and Medicare Surpluses.''.

**SEC. 5. EFFECTIVE DATE.**

This Act shall take effect upon the date of its enactment and the amendments made by this Act shall apply to fiscal year 2001 and subsequent fiscal years.

---

By Mr. MCCAIN:

S. 1963. A bill to authorize a study of alternatives to the current management of certain Federal lands in Arizona; to the Committee on Energy and Natural Resources.

ALTERNATIAVE LAND MANAGEMENT STUDY FOR THE BARRY GOLDWATER MILITARY TRAINING RANGE

● Mr. MCCAIN. Mr. President, I rise today to introduce legislation that will require a comprehensive study of alternative land management options for areas comprising the Barry Goldwater military training range and Organ Pipe National Monument in Arizona.

Earlier this year, the Congress finalized the Department of Defense Authorization Act for fiscal year 2000 which included language to renew a land-withdrawal for the Barry Goldwater training range for an additional twenty-five years to the year 2024. The final proposal transferred land management of the natural and cultural resources within the range to the Air Force and the Navy, a decision that was fully supported by both the Interior Department and the President's Council on Environmental Quality.

In practical effect, the Air Force and Marine Corps have been performing the management functions at the Goldwater range for many years, and doing a very good job of it, according to most observers. In fact, the Department of Defense already dedicates significant resources to land and natural resource management of the Range. The decision to formally transfer management recognizes the superior fiscal and manpower resources available to the military Services, who also have the most compelling interest in maintaining future training access to the range, which can only be accomplished by effectively addressing environmental concerns regarding its use.

During consideration of the legislative environmental impact statements and subsequent renewal proposals, no one disagreed that essential military training should continue on the range. However, several environmental groups registered concerns about the Administration's proposal for DOD management of the Range and expressed their fears that the military Services would be inappropriate and ineffective natural resources managers. I took personal interest in these expressed concerns and advocated for the strongest possible language in the final withdrawal bill to redress any potential problems should the land management of these areas ever be jeopardized under primary military authority.

However, in response to continuing apprehension about proper land management in the newly passed withdrawal package, I worked with the concerned individuals to develop language directing the Department of the Interior to study and make recommendations for alternative land management scenarios for the range. Such a comprehensive study would provide information to guide the Administration and the Congress in taking appropriate future action to ensure that the cultural and natural resources on the range will continue to be preserved and protected in future years.

Although I was unable to convince my colleagues that studying various land management options should be added to the Defense authorization package, I am continuing to explore appropriate land management options for the long-term. I do so because it is important that we assure that the best possible protection will be provided to the unique natural and cultural resources of these areas, consistent with the primary purpose of the range.

While the Barry Goldwater Range will continue to serve its vital purpose, we have an obligation to ensure proper stewardship of our natural resources. This study will provide us with the critical information necessary to fulfill that obligation. Once an alternative management study is completed, I will ensure that any recommendations for improved management of the Goldwater Range are considered and acted on, as necessary, by the Congress.

I strongly urge my colleagues to work with me to pass this legislation to ensure that the Goldwater Range is managed by the agency most qualified to protect the public's interest and preserve the precious land and natural resources of these pristine areas for future generations.●

---

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 1964. A bill to designate the United States Post Office located at 14071 Peyton Drive in Chino Hills, California, as the Joseph Ileto Post Office; to the Committee on Governmental Affairs.

DESIGNATION OF THE JOSEPH ILETO POST OFFICE

Mrs. FEINSTEIN. Mr. President, today I am pleased to be joined by Senator BOXER in introducing a bill to designate the United States Post Office located at 14071 Peyton Drive in Chino Hills, California, as the ''Joseph Ileto Post Office.'' This post office would be designated in memory and in celebration of the life of Joseph Santos Ileto, the Filipino American postal worker who was brutally gunned down during his postal route in August by Buford Furrow, Jr., a white supremacist. Only hours earlier, this same assailant opened fire on the North Valley Jewish Community Center, wounding three young children, one teenager, and one elderly woman.

Joseph Ileto touched many lives. He was a kind-hearted, intelligent man who gave so much to those he loved and even to those he did not know. He was known for his unselfishness and his willingness to give a helping hand to anyone in need. In fact, the day Joseph Ileto was killed, he was filling in for another mail carrier, as he had done so many times before. His life and death exemplify the ultimate sacrifice of public service, which we too often take for granted. As a U.S. Postal Service employee, he served our nation with honor and dignity and died doing his job.

My heart goes out to the Ileto family, who is grieving over the death of their son, brother, and friend. Despite the sadness of their loss, they can be proud that the life and spirit of Joseph Ileto lives on. His death only confirms the urgency in which we as a community must take a strong stand against hate crimes and racism. The number of hate crimes in the U.S. has increased during the last five years, and the time is now to have dialogue and pass meaningful legislation to address this issue. As a first step, it is my hope that we can expedite passage this bill, to remember and honor the life of Joseph Ileto.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1964

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

**SECTION 1. DESIGNATION OF JOSEPH ILETO POST OFFICE.**

The United States Post Office located at 14071 Peyton Drive in Chino Hills, California, shall be known and designated as the ''Joseph Ileto Post Office''.

**SEC. 2. REFERENCES.**

Any reference in a law, map, regulation, document, paper, or other record of the United States to the post office referred to in section 1 shall be deemed to be a reference to the Joseph Ileto Post Office.

---

By Mr. DOMENICI (for himself and Mr. BINGAMAN):

S. 1965. A bill to direct the Secretary of the Interior, the Bureau of Reclamation, to conduct a feasibility study on

the Jicarilla Apache Reservation in the State of New Mexico, and for other purposes; to the Committee on Energy and Natural Resources.

LEGISLATION AUTHORIZING THE BUREAU OF RECLAMATION TO CONDUCT A FEASIBILITY STUDY REGARDING WATER SUPPLY TO THE JICARILLA APACHE INDIAN RESERVATION IN NEW MEXICO

Mr. DOMENICI. Mr. President, I am pleased to be joined by Senator BINGAMAN in introducing legislation authorizing the Bureau of Reclamation to conduct a feasibility study regarding water supply on the Jicarilla Apache Indian Reservation in New Mexico. There are major deficiencies with regard to safe water supplies for residents of the Jicarilla Apache Reservation, since the federally owned municipal water system is severely dilapidated.

The United States has a trust responsibility to ensure that adequate and safe water supplies are available to meet the economic, environmental, water supply, and public health needs of the Jicarilla Apache Indian Reservation . Today, the House of Representatives passed identical legislation to help resolve this problem.

The Jicarilla Apache Tribe is a federally recognized Indian nation in northern New Mexico, with over 3,000 citizens. In the 1920s, the Bureau of Indian Affairs (BIA) constructed a water delivery system to serve federal facilities on the Reservation. In the 1960s, the system was extended to serve tribal facilities and members, but for the last 20 years this federal owned and operated water system has been deteriorating due to inadequate federal funding for regular maintenance and improvements.

No capital improvements have been made to the system for at least ten years. Currently, the system is not in compliance with Federal safe drinking water standards or pollutant discharge standards.

In October of 1988, the inlet system collapsed and caused a devastating five-day water outage on the Reservation. That catastrophe required emergency assistance from the National Guard. A home burned to the ground without necessary water to fight the fire. After that experience, the Tribe expended its own funds to make some repairs, and began a large-scale evaluation of the system. The Tribe has discovered serious problems with the system.

Line breaks are common and frequent, and existing supply facilities are near or at maximum capacity. The Jicarilla Apaches have had to ration water for the last seven summers.

According to a recent EPA report, the water system on the Jicarilla Reservation is the third worst system operating in a six-state region. In addition to being out of compliance with federal drinking water standards, the sewage plant has been operating without a federal discharge permit, exposing the BIA to fines up to $25,000 per day.

Sewage lagoons are operating at 200% capacity, and wastewater spillage threatens not only the Jicarilla Apaches, but down-stream communities in New Mexico and beyond. The Jicarilla Apache Tribal Council has enacted a resolution declaring a state of emergency due to the continued operation of these unsafe water systems.

The Tribe has been forced to expend their own funds due to the serious health threats posed by the unsafe system. In addition to the severe health threats that these systems pose, their inadequate and unsafe condition has virtually suspended social and economic development on the Reservation.

The water deficiencies have forced the Tribe to place a moratorium on new projects, including housing, school, senior center, post office, and health care facility construction. These projects cannot be completed, even though many are already funded, because the existing infrastructure cannot support any further development. While the federal government is entirely responsible to maintain and operate the federal water systems which serve the Reservation, the BIA lacks the resources improve the system.

The water system on the Jicarilla Apache Reservation is one of only two or three such systems still being maintained by the BIA. The BIA does not even own equipment necessary for routine sewer cleaning. While the BIA has continued federal responsibility for these systems, BIA no longer budgets for water delivery systems.

In fact, Kevin Gover of the BIA referred the Tribe to the Bureau of Reclamation for assistance. The Bureau of Reclamation has the needed expertise to help, having experience in providing water to Native Americans through irrigation projects, as well as providing water supplies to other rural communities.

The Tribe wants to eventually own and operate the water system, and wishes to enter into a relationship with the Bureau of Reclamation for completion of rehabilitation of this project. This legislation will allow the Bureau of Reclamation to conduct a feasibility study to determine the best method for developing a safe and adequate municipal, rural, and industrial water supply for the residents of the Jicarilla Apache Indian Reservation in the State of New Mexico.

We want to help the Jicarilla Apaches end their water crisis, and secure congressional authorization for the necessary studies the Bureau of Reclamation has the expertise to conduct. I ask unanimous consent that our proposed legislation and the Jicarilla Apache Counsel Resolution be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1965

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

**SECTION 1. FINDINGS.**

Congress finds that—

(1) there are major deficiencies with regard to adequate and sufficient water supplies available to resident of the Jicarilla Apache Reservation in the State of New Mexico.

(2) the existing municipal water system that serves the Jicarilla Apache Reservation is under the ownership and control of the Bureau of Indian Affairs and is outdated, dilapidated, and cannot adequately and safely serve the existing and future growth needs of the Jicarilla Apache Tribe;

(3) the federally owned municipal water system on the Jicarilla Apache Reservation has been unable to meet the minimum Federal water requirements necessary for discharging wastewater into a public watercourse and has been operating without a Federal discharge permit;

(4) the federally owned municipal water system that serves the Jicarilla Apache Reservation has been cited by the United States Environmental Protection Agency for violations of Federal safe drinking standards and poses a threat to public health and safety both on and off the Jicarilla Apache Reservation;

(5) the lack of reliable supplies of potable water impedes economic development and has detrimental effects on the quality of life and economic self-sufficiency of the Jicarilla Apache Tribe;

(6) due to the severe health threats and impediments to economic development, the Jicarilla Apache Tribe has authorized and expended $4,500,000 of tribal funds for the repair and replacement of the municipal water system on the Jicarilla Apache Reservation; and

(7) the United States has a trust responsibility to ensure that adequate and safe water supplies are available to meet the economic, environmental, water supply, and public health needs of the Jicarilla Apache Indian Reservation.

**SEC. 2. AUTHORIZATION.**

(a) AUTHORIZATION.—Pursuant to reclamation laws, the Secretary of the Interior, through the Bureau of Reclamation and in consultation and cooperation with the Jicarilla Apache Tribe, shall conduct a feasibility study to determine the most feasible method of developing a safe and adequate municipal, rural, and industrial water supply for the residents of the Jicarilla Apache Indian Reservation in the State of New Mexico.

(b) REPORT.—Not later than 1 year after funds are appropriated to carry out this Act, the Secretary of the Interior shall transmit to Congress a report containing the results of the feasibility study required by subsection (a).

**SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated $200,000 to carry out this Act.

---

THE JICARILLA APACHE TRIBE—RESOLUTION NO. 99–R–314–06

Whereas, the Jicarilla Apache Tribe is a federally recognized Indian tribe organized under Section 17 of the Indian Reorganization Act of 1934, 25 U.S.C. § 476 (1988); and

Whereas, the inherent powers of the Jicarilla Apache Tribe are vested in the Jicarilla Apache Tribal Council pursuant to Article XI, Section 1 of the Revised Constitution of the Jicarilla Apache Tribe; and

Whereas, the Jicarilla Apache Tribal Council is authorized by Article XI, Section I(d) of the Revised Constitution of the Jicarilla Apache Tribe to enact ordinances to promote the peace, safety, property, health and general welfare of the people of the Reservation and is authorized by Article X of the Revised Constitution to enact ordinances and resolutions on matters of permanent interest to

the members of the tribe and on matters relating to particular individuals, officials or circumstances; and

Whereas, the Jicarilla Apache Tribal Council has the power to authorize tribal officials to act on its behalf for regulatory and other purposes; and

Whereas, the lack of adequate and safe drinking water facilities on the Jicarilla Apache Reservation leads to serious health problems among tribal members and other residents of the Reservation, such as early loss of life and morbidity and diseases; and

Whereas, the current water treatment plant, water delivery infrastructure and sewage systems that serve the Jicarilla Apache Reservation are owned and operated by the United States, through the Jicarilla Agency Bureau of Indian Affairs (''BIA''); and

Whereas, the Federal Government has a trust responsibility to provide safe drinking water to the Jicarilla Apache people and the United States has failed to carry out this responsibility by not providing the BIA adequate resources to properly maintain and operate the water systems;

Whereas, in October 1998, due to the lack of adequate Federal resources to properly maintain and operate the water systems, the inlet system, which diverts water from the Navajo River, collapsed causing a catastrophic five-day water outage on the Jicarilla Apache Reservation, which necessitated emergency relief by the National Guard; and

Whereas, the Jicarilla Apache Tribe worked around the clock to restore water and expended tribal funds to do so, and as a result of the water outage, the Jicarilla Apache Tribe began investigating and evaluating the operation of the water systems and discovered numerous additional problems; and

Whereas, the water treatment plant, which treats water diverted from the Navajo River prior to being released for public consumption in Dulce, New Mexico, has been the subject of various notices of environmental noncompliance by the United States Environmental Protection Agency (''EPA'');

Whereas, the sewage facilities that serve the Jicarilla Apache Reservation are not in compliance with Federal law and are operating without a federal discharge permit, which exposes the BIA to fines up to $25,000 a day, and to meet the national requirements, a new waste water plant must be constructed; and

Whereas, although the Federal Government is responsible for maintaining and operating its own water systems that serve the Reservation, the Tribe has been forced to take action out of its own funds due to the serious health threats the these deficient and unsafe systems have on the people within and near the Reservation; and

Whereas, based on the analysis and recommendation of the Tribe's engineers and consultants, the Tribal Council has authorized the construction of a new inlet system, waste water treatment plant, and sewage facilities and the upgrade and rehabilitation of the water delivery infrastructure; and

Whereas, Congress amended the Safe Drinking Water Act, in 1996 and found, among other things, that:

(1) safe drinking water is essential to the protection of public health;

(2) because the requirements of the Safe Drinking Water Act (42 U.S.C. 300f et seq.) now exceed the financial and technical capacity of some public water systems, especially many small public water systems, the Federal Government needs to provide assistance to communities to help the communities meet Federal drinking water requirements;

(3) more effective protection of public health requires prevention of drinking water contamination through well-trained system operators, water systems with adequate managerial, technical and financial capacity and enhanced protection of source waters of public water systems;

(4) compliance with the requirements of the Safe Drinking Water Act continues to be a concern at public water systems experiencing technical and financial limitations and Federal, State and local governments need more resources and more effective authority to attain the objectives of the Safe Drinking Water Act;

(5) Federal health services to maintain and improve the health of the Indians are consistent with and required by the Federal Government's trust relationship with the American Indian people;

Whereas, the repair and replacement authorization by the Tribal Council is consistent with the Congressional purposes of ensuring safe drinking water to the public; and

Whereas, Indian tribes are recognized as domestic nations under the protection of the United States Government and possessed with the inherent powers of government; and

Whereas, pursuant to the Federal trust relationship between the Federal government and Indian tribes arising from the United States Constitution, United States Supreme Court caselaw, numerous treaties, statutes, and regulations, the Federal government had fiduciary duties to Indian tribes to protect tribal self-government and to provide and ensure adequate and safe drinking water; and

Whereas, in accordance with the Federal policy of Indian Self-Determination, the Federal government has pledged to assist Indian tribes in making reservations permanent homes from Indian people; and

Whereas, The Federal Indian policy of Self-Determination and the Federal trust responsibility to Indian tribes requires that the Federal government conduct government-to-government consultations with Indian tribes on matters affecting tribal interests and to promote tribal economic development, tribal governments, tribal self-sufficiency, which includes proper and adequate and safe drinking water facilities.

Now, Therefore, Be It Resolved, by the Tribal Council of the Jicarilla Apache Tribe that the Tribal Council hereby declares that the Jicarilla Apache Reservation is in a state of critical emergency due to the continued operation of the unsafe water systems that serve the Jicarilla Apache Reservation.

Be It Further Resolved, by the Tribal Council of the Jicarilla Apache Tribe that the Tribal Council, hereby authorizes the Vice-President and his staff to do all acts immediate and necessary to address this emergency, including but not limited to, executing contracts, consulting on a government-to-government basis with Congressional members and the Executive Branch, including the Federal agencies and the White House and lobbying for congressional appropriations.

And Be It Further Resolved, by the Tribal Council of the Jicarilla Apache Tribe that the Jicarilla Apache Tribe calls upon the United States Congress and the United States Department of Interior's Bureau of Indian Affairs and Bureau of Reclamation, the Department of Health and Human Services and the United States Environmental Protection Agency, to exercise their Federal Trust Responsibility and work with the Jicarilla Apache Tribe on a government-to-government basis to address this emergency.

---

By Mr. COCHRAN (for himself and Mr. LOTT):

S. 1967. A bill to make technical corrections to the status of certain land held in trust for the Mississippi Band of Choctaw Indians, to take certain land into trust for that Band, and for other purposes; to the Committee on Indian Affairs.

MISSISSIPPI BAND OF CHOCTAW INDIANS

● Mr. COCHRAN. Mr. President, today I am introducing a bill to make technical corrections to the status of certain land held in trust for the Mississippi Band of Choctaw Indians, and to take certain land into trust for the Band.

Mr. President, the lands involved in this bill are lands currently owned by the tribe. Over the last 20 years, the tribe has attempted to transfer the land to reservation land, through the regular processes of the Department of Interior and the Bureau of Indian Affairs. The land transfer applications have the support of the State of Mississippi and the local neighboring governments.

Countless times over the years, the tribe has been told by the Department that land transfer applications have been lost and that action would occur soon.

Housing, a school and a medical clinic are among the construction plans that are detained because of the inaction by the Department and BIA. Mr. President, this tribe is simply out of time. The school waiting to be replaced has over two pages of safety violations from the BIA. The medical clinic will not pass its next inspection. Thousands of Mississippi Choctaw citizens have substandard living conditions because of the lack of available housing.

Mr. President, the Choctaws are held up as the best example of self determination. Yet, the federal government seems determined to throw obstacles in the course of their success. The history of these land acquisition applications and the treatment of the tribe is intolerable.

The Congressional Budget Office has reviewed the bill and advises it has no budgetary impact. I urge the Senate to pass this bill.●

---

By Mr. CRAIG (for himself, Mr. MURKOWSKI, and Mr. THOMAS):

S. 1969. A bill to provide for improved management of, and increases accountability for, outfitted activities by which the public gains access to and occupancy and use of Federal land, and for other purposes; to the Committee on Energy and Natural Resources.

THE OUTFITTER POLICY ACT OF 1999

Mr. CRAIG. Mr. President, I am pleased to introduce today in conjunction with my colleagues Senator MURKOWSKI and Senator THOMAS the Outfitter Policy Act of 1999.

This legislation is very similar to legislation I introduced in the past congress. As that legislation did, this bill would put into law many of the management practices by which federal land management agencies have successfully managed the outfitter and guide industry on National Forests, National Parks and other federal lands over many decades.

The bill recognizes that many Americans want and seek out the skills and experience of commercial outfitters and guides to help them enjoy a safe and pleasant journey through our forests and deserts and over the rivers and lakes that are the spectacular destinations for many visitors to our federal lands.

The Outfitter Policy Act would assure the public continued opportunities for reasonable and safe access to the special areas found throughout our public lands. It establishes high standards that will be met for the health and welfare of visitors who choose outfitted services. It will help guarantee that quality professional services. It will help guarantee that will be available for their recreational and educational experiences on federal land.

This legislation is needed because the management of outfitting and guiding services by this Administration had created problems that threaten to destabilize many of these typically small, independent outfitter and guide businesses. In addressing these problems, this legislation relies heavily on practices that have historically worked well for outfitters, visitors, and other users groups, as well as for federal land managers in the field. When the bill is enacted, it will assure that these past levels of service are continued and enhanced.

Previous hearings and discussions on prior versions of this legislation helped to refine the bill I am introducing today. This process provided the intended opportunity for discussion. It allowed for the examination of the historical practices that have offered consistent, reliable outfitter services to the public. The legislation I am now introducing is a result of that process.

I look forward to considering this legislation in the coming session of the 106th Congress.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1969

*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 ''Outfitter Policy Act of 1999''.

**SEC. 2. FINDINGS.**

Congress finds that—

(1) the experience, skills, trained staff, and investment in equipment that are provided by authorized outfitters are necessary to provide access to Federal land to members of the public that need or desire commercial outfitted activities to facilitate their use and enjoyment of recreational or educational opportunities on Federal land;

(2) such activities constitute an important contribution toward meeting the recreational and educational objectives of resource management plans approved and administered by agencies of the Department of Agriculture and the Department of the Interior;

(3) an effective relationship between those agencies and authorized outfitters requires implementation of agency policies and programs that provide for—

(A) a reasonable opportunity for an authorized outfitter to realize a profit;

(B) a fair and reasonable return to the United States through appropriate fees;

(C) renewal of outfitter permits based on a performance evaluation system that rewards outfitters that meet required performance standards and discontinues outfitters that fail to meet those standards; and

(D) transfer of an outfitter permit to the qualified purchaser of the operation of an authorized outfitter, an heir or assign, or another qualified person or entity; and

(4) the provision of opportunities for outfitted visitors to Federal land to engage in fishing and hunting is best served by continued recognition that the States retain primary authority over the taking of fish and wildlife on Federal land.

**SEC. 3. PURPOSES.**

The purposes of this Act are—

(1) to establish terms and conditions of access to, and occupancy and use of, Federal land by visitors who require or desire the assistance of an authorized outfitter; and

(2) to establish a stable regulatory climate that encourages a qualified person or entity to provide, and to continue to invest in the ability to provide, outfitted visitors with access to, and occupancy and use of, Federal land.

**SEC. 4. DEFINITIONS.**

In this Act:

(1) ACTUAL USE.—The term ''actual use'' means the portion of a principal allocation of outfitter use that an authorized outfitter uses in conducting commercial outfitted activities during a period, for a type of use, for a location, or in terms of another measurement of the term or outfitted activities covered by an outfitter permit.

(2) ALLOCATION OF USE.—

(A) IN GENERAL.—The term ''allocation of use'' means a method or measurement of access that—

(i) is granted by the Secretary to an authorized outfitter for the purpose of facilitating the occupancy and use of Federal land by an outfitted visitor;

(ii) takes the form of—

(I) an amount or type of commercial outfitted activity resulting from an apportionment of the total recreation capacity of a resource area; or

(II) in the case of a resource area for which recreation capacity has not been apportioned, a type of commercial outfitted activity conducted in a manner that is not inconsistent with or incompatible with an approved resource management plan; and

(iii) is calibrated in terms of amount of use, type of use, or location of a commercial outfitted activity, including user days or portions of user days, seasons or other periods of operation, launch dates, assigned camps, or other formulations of the type or amount of authorized activity.

(B) INCLUSION.—The term ''allocation of use'' includes the designation of a geographic area, zone, or district in which a limited number of authorized outfitters are authorized to operate.

(3) AUTHORIZED OUTFITTER.—

(A) IN GENERAL.—The term ''authorized outfitter'' means a person that conducts a commercial outfitted activity on Federal land under an outfitter authorization.

(B) INCLUSION.—The term ''authorized outfitter'' includes an outfitter that conducts a commercial outfitted activity on Federal land under an outfitter authorization awarded under an agreement between the Secretary and a State or local government that provides for the regulation by a State or local agency of commercial outfitted activities on Federal land.

(4) COMMERCIAL OUTFITTED ACTIVITY.—The term ''commercial outfitted activity'' means an authorized outfitted activity—

(A) that is available to the public;

(B) that is conducted under the direction of paid staff; and

(C) for which an outfitted visitor is required to pay more than shared expenses (including payment to an authorized outfitter that is a nonprofit organization).

(5) FEDERAL AGENCY.—The term ''Federal agency'' means—

(A) the Forest Service;

(B) the Bureau of Land Management;

(C) the United States Fish and Wildlife Service; and

(D) the Bureau of Reclamation.

(6) FEDERAL LAND.—

(A) IN GENERAL.—The term ''Federal land'' means all land and interests in land administered by a Federal agency.

(B) EXCLUSION.—The term ''Federal land'' does not include—

(i) land held in trust by the United States for the benefit of an Indian tribe or individual; or

(ii) land held by an Indian tribe or individual subject to a restriction by the United States against alienation.

(7) INSTITUTIONAL RECREATION PROGRAM.—The term ''institutional recreation program'' means a program of recreational activities on Federal land that may include the conduct of an outfitted activity on Federal land sponsored and guided by—

(A) an institution with a membership or limited constituency, such as a religious, conservation, youth, fraternal, or social organization; or

(B) an educational institution, such as a college or university.

(8) LIMITED OUTFITTER AUTHORIZATION.—The term ''limited outfitter authorization'' means an outfitter authorization under section 6(f).

(9) LIVERY.—The term ''livery'' means the dropping off or picking up of visitors, supplies, or equipment on Federal land.

(10) OUTFITTED ACTIVITY.—

(A) IN GENERAL.—The term ''outfitted activity'' means an activity—

(i) such as outfitting, guiding, supervision, education, interpretation, skills training, assistance, or livery operation conducted for a member of the public in an outdoor environment; and

(ii) that uses the recreational, natural, historical, or cultural resources of Federal land.

(B) EXCLUSION.—The term ''outfitted activity'' does not include a service provided under the National Forest Ski Area Permit Act of 1986 (16 U.S.C. 497b).

(11) OUTFITTED VISITOR.—The term ''outfitted visitor'' means a member of the public that relies on an authorized outfitter for access to and occupancy and use of Federal land.

(12) OUTFITTER.—The term ''outfitter'' means a person that conducts a commercial outfitted activity, including a person that, by local custom or tradition, is known as a ''guide''.

(13) OUTFITTER AUTHORIZATION.—The term ''outfitter authorization'' means—

(A) an outfitter permit; or

(B) a limited outfitter authorization.

(14) OUTFITTER PERMIT.—The term ''outfitter permit'' means an outfitter permit under section 6.

(15) PRINCIPAL ALLOCATION OF OUTFITTER USE.—The term ''principal allocation of outfitter use'' means a commitment by the Secretary in an outfitter permit for an allocation of use to an authorized outfitter in accordance with section 9.

(16) RESOURCE AREA.—The term ''resource area'' means a management unit that is described by or contained within the boundaries of—

(A) a national forest;

(B) an area of public land;

(C) a wildlife refuge;

(D) a congressionally designated area;

(E) a hunting zone or district; or

(F) any other Federal planning unit (including an area in which outfitted activities are regulated by more than 1 Federal agency).

(17) SECRETARY.—The term ''Secretary'' means—

(A) with respect to Federal land administered by the Forest Service, the Secretary of Agriculture, acting through the Chief of the Forest Service or a designee;

(B) with respect to Federal land administered by the Bureau of Land Management, the Secretary of the Interior, acting through the Director of the Bureau of Land Management or a designee;

(C) with respect to Federal land administered by the United States Fish and Wildlife Service, the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service or a designee; and

(D) with respect to Federal land administered by the Bureau of Reclamation, the Secretary of the Interior, acting through the Commissioner of Reclamation or a designee.

(18) TEMPORARY ALLOCATION OF USE.—The term ''temporary allocation of use'' means an allocation of use to an authorized outfitter in accordance with section 9.

**SEC. 5. NONOUTFITTER USE AND ENJOYMENT.**

Nothing in this Act enlarges or diminishes the right or privilege of occupancy and use of Federal land under any applicable law (including planning process rules and any administrative allocation), by a commercial or noncommercial individual or entity that is not an authorized outfitter or outfitted visitor.

**SEC. 6. OUTFITTER AUTHORIZATIONS.**

(a) IN GENERAL.—

(1) PROHIBITION.—No person or entity, except an authorized outfitter, shall conduct a commercial outfitted activity on Federal land.

(2) CONDUCT OF OUTFITTED ACTIVITIES.—An authorized outfitter shall not conduct an outfitted activity on Federal land except in accordance with an outfitter authorization.

(3) SPECIAL RULE FOR ALASKA.—With respect to a commercial outfitted activity conducted in the State of Alaska, the Secretary shall not establish or impose a limitation on access by an authorized outfitter that is inconsistent with the access ensured under subsections (a) and (b) of section 1110 of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3170).

(b) TERMS AND CONDITIONS.—An outfitter authorization shall specify—

(1) the rights and obligations of the authorized outfitter and the Secretary; and

(2) other terms and conditions of the authorization.

(c) CRITERIA FOR AWARD OF AN OUTFITTER PERMIT.—The Secretary shall establish criteria for award of an outfitter permit that—

(1) identify skilled, experienced, and financially capable persons or entities with knowledge of the resource area to offer and conduct commercial outfitted activities;

(2) provide a stable regulatory climate in accordance with this Act and other law (including regulations) that encourages a qualified person or entity to provide, and to continue to invest in the ability to provide, commercial outfitted activities;

(3) offer a reasonable opportunity for an authorized outfitter to realize a profit; and

(4) subordinate considerations of revenue to the United States to the objectives of—

(A) providing recreational or educational opportunities for the outfitted visitor;

(B) providing for the health and welfare of the public; and

(C) conserving resources.

(d) AWARD.—

(1) IN GENERAL.—The Secretary may award an outfitter permit under this Act if—

(A) the commercial outfitted activity to be authorized is not inconsistent with or incompatible with an approved resource management plan applicable to the resource area in which the commercial outfitted activity is to be conducted; and

(B) the authorized outfitter meets the criteria established under subsection (c)(1).

(2) USE OF COMPETITIVE PROCESS.—

(A) IN GENERAL.—Except as otherwise provided by this Act, the Secretary shall use a competitive process to select an authorized outfitter to which an outfitter permit is to be awarded.

(B) EXCEPTION FOR CERTAIN ACTIVITIES.—The Secretary may award an outfitter permit to an applicant without conducting a competitive selection process if the Secretary determines that—

(i) the applicant meets criteria established by the Secretary under subsection (c); and

(ii) there is no competitive interest in the commercial outfitted activity to be conducted.

(C) EXCEPTION FOR RENEWALS AND TRANSFERS.—The Secretary shall award an outfitter permit to an applicant without conducting a competitive selection process if the authorization is a renewal or transfer of an existing outfitter permit under section 11 or 12.

(e) PROVISIONS OF OUTFITTER PERMITS.—

(1) IN GENERAL.—An outfitter permit shall provide for—

(A) the health and welfare of the public;

(B) conservation of resource values;

(C) a fair and reasonable return to the United States through an authorization fee in accordance with section 7;

(D) a term of 10 years;

(E) the obligation of an authorized outfitter to defend and indemnify the United States in accordance with section 8;

(F) a principal allocation of outfitter use, and, if appropriate, a temporary allocation of use, in accordance with section 9;

(G) a plan to conduct performance evaluations in accordance with section 10;

(H) renewal or termination of an outfitter permit in accordance with section 11;

(I) transfer of an outfitter permit in accordance with section 12;

(J) a means of modifying an outfitter permit to reflect material changes from the terms and conditions specified in the outfitter permit;

(K) notice of a right of appeal and judicial review in accordance with section 14; and

(L) such other terms and conditions as the Secretary may require.

(2) EXTENSIONS.—The Secretary may award not more than 3 temporary 1-year extensions of an outfitter permit, unless the Secretary determines that extraordinary circumstances warrant additional extensions.

(f) LIMITED OUTFITTER AUTHORIZATIONS.—

(1) IN GENERAL.—The Secretary may issue a limited outfitter authorization to an applicant for incidental occupancy and use of Federal land for the purpose of conducting a commercial outfitted activity on a limited basis.

(2) TERM.—A limited outfitter authorization shall have a term of not to exceed 2 years.

(3) REISSUANCE OR RENEWAL.—A limited outfitter authorization may be reissued or renewed at the discretion of the Secretary.

**SEC. 7. AUTHORIZATION FEES.**

(a) AMOUNT OF FEE.—

(1) IN GENERAL.—An outfitter permit shall provide for payment to the United States of a fair and reasonable authorization fee, as determined by the Secretary.

(2) DETERMINATION OF AMOUNT OF FEE.—In determining the amount of an authorization fee, the Secretary shall take into consideration—

(A) the obligations of the outfitter under the outfitter permit;

(B) the provision of a reasonable opportunity for net profit in relation to capital invested; and

(C) economic conditions.

(b) ESTABLISHMENT OF AMOUNT APPLICABLE TO AN OUTFITTER PERMIT.—

(1) IN GENERAL.—The amount of the authorization fee paid to the United States for the term of an outfitter permit shall be specified in the outfitter permit.

(2) REQUIREMENTS.—The amount of the authorization fee—

(A)(i) shall be expressed as—

(I) a simple charge per day of actual use; or

(II) an annual or seasonable flat fee;

(ii) if calculated as a percentage of revenue, shall be determined based on adjusted gross receipts; or

(iii) with respect to a commercial outfitted activity conducted in the State of Alaska, shall be based on a simple charge per user day;

(B) shall be subordinate to the objectives of—

(i) conserving resources;

(ii) protecting the health and welfare of the public; and

(iii) providing reliable, consistent performance in conducting outfitted activities; and

(C) shall be required to be paid by an authorized outfitter to the United States on a reasonable schedule during the operating season.

(3) ADJUSTED GROSS RECEIPTS.—For the purpose of paragraph (2)(A)(ii), the Secretary shall—

(A) take into consideration revenue from the gross receipts of the authorized outfitter from commercial outfitted activities conducted on Federal land; and

(B) exclude from consideration any revenue that is derived from—

(i) fees paid by the authorized outfitter to any unit of Federal, State, or local government for—

(I) hunting or fishing licenses;

(II) entrance or recreation fees; or

(III) other purposes (other than commercial outfitted activities conducted on Federal land);

(ii) goods and services sold to outfitted visitors that are not within the scope of authorized outfitter activities conducted on Federal land; or

(iii) operations on non-Federal land.

(4) SUBSTANTIALLY SIMILAR SERVICES IN A SPECIFIC GEOGRAPHIC AREA.—

(A) IN GENERAL.—Except as provided in subparagraph (B), if more than 1 outfitter permit is awarded to conduct the same or similar commercial outfitted activities in the same resource area, the Secretary shall establish an identical fee for all such outfitter permits.

(B) EXCEPTION.—The terms and conditions of an existing outfitter permit shall not be subject to modification or open to renegotiation by the Secretary because of the award of a new outfitter permit at the same resource area for the same or similar commercial outfitted activities.

(5) ACTUAL USE.—

(A) IN GENERAL.—For the purpose of calculating an authorization fee for actual use under clauses (ii) and (iii) of paragraph (2)(A), the sum of authorization fees proportionately assessed per outfitted visitor in a single calendar day for commercial outfitted

activities at more than 1 resource area shall be not greater than the equivalent fee charged for 1 full user day.

(B) RECONSIDERATION OF FEE.—The authorization fee may be reconsidered during the term of the outfitter permit in accordance with paragraph (6) or section 9(c)(3) at the request of the Secretary or the authorized outfitter.

(6) ADJUSTMENT OF FEES.—The amount of an authorization fee—

(A) shall be determined as of the date of the outfitter permit; and

(B) may be modified to reflect—

(i) changes relating to the terms and conditions of the outfitter permit, including 1 or more outfitter permits described in paragraph (5);

(ii) extraordinary unanticipated changes affecting operating conditions, such as natural disasters, economic conditions, or other material adverse changes from the terms and conditions specified in the outfitter permit;

(iii) changes affecting operating or economic conditions determined by other governing entities, such as the availability of State fish or game licenses; or

(iv) the imposition of new or higher fees assessed under other law.

(c) ESTABLISHMENT OF AMOUNT APPLICABLE TO A LIMITED OUTFITTER AUTHORIZATION.—The Secretary shall determine the amount of an authorization fee, if any, under a limited outfitter authorization.

**SEC. 8. LIABILITY AND INDEMNIFICATION.**

(a) IN GENERAL.—An authorized outfitter shall defend and indemnify the United States for costs or expenses associated with injury, death, or damage to any person or property caused by the authorized outfitter's negligence, gross negligence, or willful and wanton disregard for persons or property arising directly out of the authorized outfitter's conduct of a commercial outfitted activity under an outfitter authorization.

(b) NO LIABILITY.—An authorized outfitter—

(1) shall have no responsibility to defend or indemnify the United States, its agents, employees, or contractors, or third parties for costs or expenses associated with injury, death, or damage to any person or property caused by the acts, omissions, negligence, gross negligence, or willful and wanton misconduct of the United States, its agents, employees, or contractors, or third parties;

(2) shall not incur liability of any kind to the United States, its agents, employees, or contractors, or third parties as a result of the award of an outfitter authorization or as a result of the conduct of a commercial outfitted activity under an outfitter authorization absent a finding by a court of competent jurisdiction of negligence, gross negligence, or willful and wanton disregard for persons or property on the part of the authorized outfitter; and

(3) shall have no responsibility to defend or indemnify the United States, its agents, employees, or contractors, or third parties for costs or expenses associated with injury, death, or damage to any person or property resulting from the inherent risks of the commercial outfitted activity conducted by the authorized outfitter under the outfitter authorization or the inherent risks present on Federal land.

(c) AGREEMENTS.—An authorized outfitter may enter into contracts or other agreements with outfitted visitors, including agreements providing for release, waiver, indemnification, acknowledgment of risk, or allocation of risk.

**SEC. 9. ALLOCATION OF USE.**

(a) IN GENERAL.—In a manner that is not inconsistent with or incompatible with an approved resource management plan applicable to the resource area in which a commercial outfitted activity occurs, the Secretary—

(1) shall provide a principal allocation of outfitter use to an authorized outfitter under an outfitter permit; and

(2) may provide a temporary allocation of use to an authorized outfitter under an outfitter permit.

(b) RENEWALS, TRANSFERS, AND EXTENSIONS.—The Secretary shall provide a principal allocation of outfitter use to an authorized outfitter that—

(1) in the case of the renewal of an outfitter permit, is not inconsistent with or incompatible with the terms and conditions of an approved resource management plan applicable to the resource area in which the commercial outfitted activity occurs; or

(2) in the case of the transfer or temporary extension of an outfitter permit, is the same amount of principal allocation of outfitter use provided to the current authorized outfitter.

(c) WAIVER.—

(1) IN GENERAL.—At the request of an authorized outfitter, the Secretary may waive any obligation of the authorized outfitter to use all or part of the amount of allocation of use provided under the outfitter permit, if the request is made in sufficient time to allow the Secretary to temporarily reallocate the unused portion of the allocation of use in that season or calendar year.

(2) RECLAIMING OF ALLOCATION OF USE.—Unless the Secretary has reallocated the unused portion of an allocation of use in accordance with paragraph (1), the authorized outfitter may reclaim any part of the unused portion in that season or calendar year.

(3) NO FEE OBLIGATION.—An outfitter permit fee may not be charged for any amount of allocation of use subject to a waiver under paragraph (1).

(d) ADJUSTMENT TO ALLOCATION OF USE.—The Secretary—

(1) may adjust an allocation of use assigned to an authorized outfitter to reflect—

(A) material change arising from approval of a change in the resource management plan for the area of operation; or

(B) requirements arising under other law; and

(2) shall provide an authorized outfitter with documentation supporting the basis for any adjustment in the principal allocation of outfitter use, including new terms and conditions that result from the adjustment.

(e) TEMPORARY ALLOCATION OF USE.—

(1) IN GENERAL.—A temporary allocation of use may be provided to an authorized outfitter at the discretion of the Secretary for a period not to exceed 2 years.

(2) RENEWALS, TRANSFERS, AND EXTENSIONS.—A temporary allocation of use may be renewed, transferred, or extended at the discretion of the Secretary.

**SEC. 10. EVALUATION OF PERFORMANCE UNDER OUTFITTER PERMITS.**

(a) EVALUATION PROCESS.—

(1) IN GENERAL.—The Secretary shall develop a process for annual evaluation of the performance of an authorized outfitter in conducting a commercial outfitted activity under an outfitter permit.

(2) EVALUATION CRITERIA.—Criteria to be used by the Secretary to evaluate the performance of an authorized outfitter shall—

(A) be objective, measurable, and reasonably attainable; and

(B) include—

(i) standards generally applicable to all commercial outfitted activities;

(ii) standards specific to a resource area, an individual outfitter operation, or a type of commercial outfitted activity; and

(iii) such other terms and conditions of the outfitter permit as are agreed to by the Secretary and the authorized outfitter as measurements of performance.

(3) SPECIAL RULE FOR ALASKA.—With respect to commercial outfitted activities conducted in the State of Alaska, objectives relating to conservation of natural resources and the taking of fish and game shall not be inconsistent with the laws (including regulations) of the Alaska Department of Fish and Game.

(4) REQUIREMENTS.—In evaluating the level of performance of an authorized outfitter, the Secretary shall—

(A) appropriately account for factors beyond the control of the authorized outfitter, including conditions described in section 7(b)(6)(B);

(B) ensure that the effect of any performance deficiency reflected by the performance rating is proportionate to the severity of the deficiency, including any harm that may have resulted from the deficiency; and

(C) allow additional credit to be earned for elements of performance that exceed the requirements of the outfitter permit.

(b) LEVELS OF PERFORMANCE.—The Secretary shall define 3 levels of performance, as follows:

(1) Good, indicating a level of performance that fulfills the terms and conditions of the outfitter permit.

(2) Marginal, indicating a level of performance that, if not corrected, will result in an unsatisfactory level of performance.

(3) Unsatisfactory, indicating a level of performance that fails to fulfill the terms and conditions of the outfitter permit.

(c) PERFORMANCE EVALUATION.—

(1) EVALUATION SYSTEM.—The Secretary shall establish a performance evaluation system that assures the public of continued availability of dependable commercial outfitted activities and discontinues any authorized outfitter that fails to meet the required standards.

(2) PROCEDURE.—An authorized outfitter shall be entitled—

(A) to be present, or represented, at inspections of operations or facilities, which inspections shall be limited to the operations and facilities of the authorized outfitter located on Federal land;

(B) to receive written notice of any conduct or condition that, if not corrected, might lead to a performance evaluation of marginal or unsatisfactory, which notice shall include an explanation of needed corrections and provide a reasonable period of time in which the corrections may be made without penalty; and

(C) to receive written notice of the results of the performance evaluation not later than 30 days after the conclusion of the authorized outfitter's operating season, including the level of performance and the status of corrections that may have been required.

(d) MARGINAL PERFORMANCE.—If an authorized outfitter's level of performance for a year is determined to be marginal, and the authorized outfitter fails to complete the corrections within the time period specified under subsection (c)(2)(B), the level of performance shall be determined to be unsatisfactory for the year.

(e) DETERMINATION OF ELIGIBILITY FOR RENEWAL.—

(1) IN GENERAL.—The results of all annual performance evaluations of an authorized outfitter shall be reviewed by the Secretary in the year preceding the year in which the outfitter permit expires to determine whether the authorized outfitter's overall performance during the term has met the requirements for renewal under section 11.

(2) FAILURE TO EVALUATE.—If, in any year of the term of an outfitter permit, the Secretary fails to evaluate the performance of the authorized outfitter by the date that is

60 days after the conclusion of the authorized outfitter's operating season, the performance of the authorized outfitter in that year shall be considered to have been good.

(3) NOTICE.—Not later than 60 days after the end of the year preceding the year in which an outfitter permit expires, the Secretary shall provide the authorized outfitter with the cumulative results of performance evaluations conducted under this subsection during the term of the outfitter permit.

(4) UNSATISFACTORY PERFORMANCE IN FINAL YEAR.—If an authorized outfitter receives an unsatisfactory performance rating under subsection (d) in the final year of the term of an outfitter permit, the review and determination of eligibility for renewal of the outfitter permit under paragraph (1) shall be revised to reflect that result.

**SEC. 11. RENEWAL OR TERMINATION OF OUTFITTER PERMITS.**

(a) RENEWAL AT EXPIRATION OF TERM.—

(1) IN GENERAL.—On expiration of the term of an outfitter authorization, the Secretary shall renew the authorization in accordance with paragraph (2).

(2) DETERMINATION BASED ON ANNUAL PERFORMANCE RATING.—The Secretary shall renew an outfitter authorization under paragraph (1) at the request of the authorized outfitter and subject to the requirements of this Act if the Secretary determines that the authorized outfitter has received not more than 1 unsatisfactory annual performance rating under section 10 during the term of the outfitter permit.

(b) TERMINATION.—An outfitter permit may be terminated only if the Secretary determines that—

(1) the authorized outfitter has failed to correct a condition for which the authorized outfitter received notice under section 10(c)(2)(B) and the condition is considered by the Secretary to be significant with respect to the health and welfare of outfitted visitors or the conservation of resources;

(2) the authorized outfitter is repeatedly in arrears in the payment of fees under section 7; or

(3) the authorized outfitter's conduct demonstrates repeated and willful disregard for—

(A) the health and welfare of outfitted visitors; or

(B) the conservation of resources on which the commercial outfitted activities are conducted.

**SEC. 12. TRANSFERABILITY OF OUTFITTER PERMITS.**

(a) IN GENERAL.—An outfitter permit shall not be transferred (including assigned or otherwise conveyed or pledged) by the authorized outfitter without prior written notification to, and approval by, the Secretary.

(b) APPROVAL.—

(1) IN GENERAL.—The Secretary shall approve a transfer of an outfitter permit unless the Secretary determines that the transferee does not have sufficient professional, financial, and other resources or business experience to be capable of performing under the outfitter permit for the remainder of the term of the outfitter permit.

(2) QUALIFIED TRANSFEREES.—Subject to section 6(d)(1), the Secretary shall approve a transfer of an outfitter permit—

(A) to a purchaser of the operation of the authorized outfitter;

(B) at the request of the authorized outfitter, to an assignee, partner, or stockholder or other owner of an interest in the operation of the authorized outfitter; or

(C) on the death of the authorized outfitter, to an heir or assign.

(c) NO MODIFICATION AS CONDITION OF APPROVAL.—The terms and conditions of an outfitter permit shall not be subject to modification or open to renegotiation by the Secretary because of a transfer described in subsection (a), unless the terms and conditions of the outfitter permit that is proposed to be transferred have become inconsistent or incompatible with an approved resource management plan for the resource area as a result of a modification to the plan.

(d) CONSIDERATION PERIOD.—

(1) THRESHOLD FOR AUTOMATIC APPROVAL.—Subject to paragraph (2), if the Secretary fails to approve or disapprove the transfer of an outfitter permit within 90 days after the date of receipt of an application containing the information required with respect to the transfer, the transfer shall be deemed to have been approved.

(2) EXTENSION.—The Secretary and the authorized outfitter making application for transfer of an outfitter permit may agree to extend the period for consideration of the application.

(e) CONTINUANCE OF OUTFITTER PERMIT.—If the transfer of an outfitter permit is not approved by the Secretary or if the transfer is not subsequently made, the outfitter permit shall remain in effect.

**SEC. 13. RECORDKEEPING REQUIREMENTS.**

(a) IN GENERAL.—An authorized outfitter shall keep such reasonable records as the Secretary may require to enable the Secretary to determine that all the terms of the outfitter authorization have been and are being carried out.

(b) BURDEN ON AUTHORIZED OUTFITTER.—The recordkeeping requirements established by the Secretary shall incorporate simplified procedures that do not impose an undue burden on an authorized outfitter.

(c) ACCESS TO RECORDS.—The Secretary, or an authorized representative of the Secretary, shall, until the end of the fifth calendar year beginning after the end of the business year of an authorized outfitter, have access to and the right to examine any books, papers, documents, and records of the authorized outfitter relating to each outfitter authorization held by the authorized outfitter during the business year.

**SEC. 14. APPEALS AND JUDICIAL REVIEW.**

(a) APPEALS PROCEDURE.—The Secretary shall by regulation—

(1) grant an authorized outfitter full access to administrative remedies under the Secretary's authority at the time of an appeal; and

(2) establish an expedited procedure for consideration of appeals of Federal agency decisions to deny, suspend, fail to renew, or terminate an outfitter permit.

(b) JUDICIAL REVIEW.—An authorized outfitter that is adversely affected by a final decision of the Secretary under this Act may commence a civil action in United States district court.

**SEC. 15. INSTITUTIONAL RECREATION PROGRAMS.**

(a) IN GENERAL.—The Secretary shall manage the occupancy and use of Federal land by institutional recreation programs that conduct outfitted activities under this Act.

(b) REQUIREMENTS.—In managing an institutional recreation program authorized under this Act, the Secretary shall require that the program—

(1) operate in a manner that is not inconsistent with or incompatible with an approved resource management plan applicable to the resource area in which the outfitted activity is conducted;

(2) provide for the health and welfare of members of the sponsoring organization or affiliated participants; and

(3) ensure the conservation of resources.

**SEC. 16. CONSISTENCY WITH OTHER LAW AND RIGHTS.**

(a) CONSISTENCY WITH OTHER LAW.—Each program of outfitted activities carried out on Federal land shall be consistent with the mission of the administering Federal agency and all laws (including regulations) applicable to the outfitted activities.

(b) CONSISTENCY WITH RIGHTS OF UNITED STATES.—Nothing in this Act limits or restricts any right, title, or interest of the United States in or to any land or resource.

**SEC. 17. REGULATIONS.**

Not later than 2 years after the date of enactment of this Act, the Secretary shall promulgate such regulations as are appropriate to carry out this Act.

**SEC. 18. RELATIONSHIP TO OTHER LAW.**

(a) NATIONAL PARK OMNIBUS MANAGEMENT ACT OF 1998.—Nothing in this Act supersedes or otherwise affects any provision of title IV of the National Park Omnibus Management Act of 1998 (16 U.S.C. 5951 et seq.).

(b) STATE OUTFITTER LICENSING LAW.—This Act does not preempt any outfitter or guide licensing law (including any regulation) of any State or territory.

**SEC. 19. TRANSITION PROVISIONS.**

(a) IN GENERAL.—

(1) OUTFITTERS WITH SATISFACTORY RATINGS.—An outfitter that holds a permit, contract, or other authorization to conduct commercial outfitted activities (or an extension of such a permit, contract, or other authorization) in effect on the date of enactment of this Act shall be entitled, on request or on expiration of the authorization, to the issuance of an outfitter permit under this Act if a recent performance evaluation determined that the outfitter's aggregate performance under the permit, contract, or other authorization was good or was the equivalent of good, satisfactory, or acceptable under a rating system in use before the date of enactment of this Act.

(2) OUTFITTERS WITH NO RATINGS.—For the purpose of paragraph (1), if no recent performance evaluation exists with respect to an outfitter, the outfitter's aggregate performance under the permit, contract, or other authorization shall be deemed to be good.

(b) EFFECT OF ISSUANCE OF OUTFITTER PERMIT.—The issuance of an outfitter permit under subsection (a) shall not adversely affect any right or obligation that existed under the permit, contract, or other authorization (or an extension of the permit, contract, or other authorization) on the date of enactment of this Act.

---

By Mr. SPECTER:

S. 1970. A bill to amend chapter 171 of title 28, United States Code, with respect to the liability of the United States for claims of military personnel for damages for certain injuries; to the Committee on the Judiciary.

FERES DOCTRINE REVERSAL LEGISLATION

Mr. SPECTER. Mr. President, I seek recognition to introduce a bill which will overturn what has come to be known as the ''Feres doctrine.'' In the 1950 case of Feres v. U.S., the Supreme Court held that the United States Government is not liable under the Federal Tort Claims Act for injuries to military personnel where the injuries are sustained ''incident to service.'' Under the Feres doctrine, therefore, a soldier would not be able to seek compensation from the government for injuries sustained due to government negligence unless the soldier happened to be on leave or furlough at the time he or she sustained the injuries.

Over the years, we have seen the Feres doctrine produce anomalous results which reflect neither the will of

the Congress nor basic common sense. For instance, under Feres, a soldier who is the victim of medical malpractice at an army hospital cannot sue the government for compensation. Likewise, his family cannot sue for compensation if the soldier dies from the malpractice. But a civilian who suffers from the same malpractice would be entitled to file suit against the government. Likewise, if a soldier driving home from work on an army base is hit by a negligently driven army truck, he is barred from suing the government for compensation. If the soldier dies in the accident, his family will be barred from suing for compensation. Meanwhile, a civilian hit by the same truck would have a cause of action against the United States. Unfortunately, the individuals hurt by the Feres doctrine are the men and women of our armed forces—people whom we should protect and reward, not punish.

The recent decision of the Third Circuit Court of Appeals in O'Neil v. United States illustrates the troubling results produced by the Feres doctrine. In O'Neil, the family of slain Naval officer Kerryn O'Neil was barred from pursuing a wrongful death claim against the government under the Feres doctrine. O'Neil was murdered by her former fiance, George Smith, a Navy ensign. The two met at the U.S. Naval Academy and were stationed at the same Naval base in California. After Ms. O'Neil broke off their engagement, Mr. Smith began to stalk her. One night while Ms. O'Neil was sitting in her on-base apartment watching a movie with a friend, Smith came to her building and killed her, her friend, and then himself.

After the murders, Kerryn O'Neil's family learned that Mr. Smith had scored in the 99.99th percentile for aggressive/destructive behavior in Navy psychological tests. Under Naval procedures, these results should have been forwarded to the Department of Psychiatry at the Naval Hospital for a full psychological evaluation. Had their claim not been barred, the O'Neils would have argued that the Navy was negligent in failing to follow up on these extreme test results. I do not know whether the O'Neil's deserved to be compensated under the Act—this depends on the specific facts and the case law in this area. But it does seem clear to me that the O'Neils should not have been barred from pursuing their claim because their daughter's fatal injuries were sustained ''incident to service.''

Of course, there are situations in which soldiers should not be allowed to sue the government in tort. For example, in a combat situation, countless judgment calls are made which result in death or injuries to soldiers. We cannot have lawyers and juries second guessing the decisions made by field commanders and combatants in the heat of battle. But such considerations do not necessitate that military personnel should lose the right to sue the government in any context.

The bill I introduce today will reverse the court-created Feres doctrine and return the law to the way it was originally intended by Congress. My bill is very short and simple. It amends the Federal Tort Claims Act to specifically provide that the Act applies to military personnel on active duty the same as it applies to anyone else. My bill further specifies that military personnel will be limited by the exceptions to government liability already included in the Act, including the bar on liability for injuries sustained by military personnel in combat and the bar on liability for claims which arise in a foreign country. In short, my bill will ensure that members of our armed forces will be entitled to damages they deserve when injured through the negligence or wrongful actions of the Federal government or its agents, except for certain limited cases contemplated by Congress when it originally passed the Act.

Congress passed the Federal Tort Claims Act in 1946 to give the general consent of the government to be sued in tort, subject to several specific restrictions. Under the common law doctrine of sovereign immunity, the United States cannot be sued without such specific consent. The Act provides that the government will be held liable ''in the same manner and to the same extent as a private individual under the circumstances.'' Thus, the Act makes the United States liable for the torts of its employees and agents to the extent that private employers are liable under state law for the torts of their employees and agents.

The Act contains many exceptions to government liability, but it does not contain an explicit exception for injuries sustained by military personnel incident to service. In fact, one of the Act's exceptions prevents ''any claim arising out of the combatant activities of the military or naval forces, or the Coast Guard during time of war.'' By including this exception, Congress clearly contemplated the special case of military personnel and decided that certain limits must be placed on government liability in this context. But by drawing this exception narrowly and limiting it to combat situations, Congress rejected any broad exception for injuries sustained ''incident to service.'' The Supreme Court did far more than interpret our statute when it significantly broadened the limited combat exception provided by Congress. This bill leaves intact the government's exemption for injuries sustained in combat.

The Feres doctrine has been the subject of harsh criticism by some of the leading jurists in the nation. In the 1987 case of United States v. Johnson, a 5 to 4 majority of the Supreme Court held that the Feres doctrine bars suits on behalf of military personnel injured incident to service even in cases of torts committed by employees of civilian agencies. Justice Scalia wrote a scathing dissent in Johnson, in which he was joined by Justices Brennan, Marshall, and Stevens. Scalia wrote that Feres was ''wrongly decided and heartily deserves the widespread, almost universal criticism it has received.''

Judge Edward Becker, the Chief Judge of the Third Circuit Court of Appeals, has also spoken out strongly against the Feres doctrine. He has noted that ''the scholarly criticism of the doctrine is legion'' and has urged the Supreme Court to grant cert. to reconsider Feres. Judge Becker has written to me that given the failure of the Court to overturn Feres thus far, I should introduce legislation doing so.

Even in the Feres opinion itself, the Supreme Court expressed an uncharacteristic doubt about its decision. The justices recognized that they may be misinterpreting the Federal Tort Claims Act. They called upon Congress to correct their mistake if this were the case. The Court wrote:

> There are few guiding materials for our task of statutory construction. No committee reports or floor debates disclose what effect the statute was designed to have on the problem before us, or that it even was in mind. Under these circumstances, no conclusion can be above challenge, but if we misinterpret the Act, at least Congress possesses a ready remedy.

Congress does possess a ready remedy, and I call upon my colleagues to exercise it. The bill I introduce today will eliminate the judicially created Feres doctrine and revive the original framework of the Federal Tort Claims Act. There is no reason to deny compensation to the men and women of our armed services who are injured or killed in domestic accidents or violence outside the heat of combat. I hope that when we resume our business next year my colleagues will join me in supporting and passing this legislation.

## ADDITIONAL COSPONSORS

S. 211

At the request of Mr. MOYNIHAN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 211, a bill to amend the Internal Revenue Code of 1986 to make permanent the exclusion for employer-provided educational assistance programs, and for other purposes.

S. 279

At the request of Mr. MCCAIN, the name of the Senator from Tennessee (Mr. FRIST) was added as a cosponsor of S. 279, a bill to amend title II of the Social Security Act to eliminate the earnings test for individuals who have attained retirement age.

S. 345

At the request of Mr. ALLARD, the names of the Senator from Minnesota (Mr. GRAMS) and the Senator from West Virginia (Mr. BYRD) were added as cosponsors of S. 345, a bill to amend the Animal Welfare Act to remove the limitation that permits interstate movement of live birds, for the purpose of fighting, to States in which animal fighting is lawful.

S. 486

At the request of Mr. EDWARDS, his name was added as a cosponsor of S. 486, a bill to provide for the punishment of methoamphetamine laboratory operators, provide additional resources to combat methamphetamine production, trafficking, and abuse in the United States, and for other purposes.

At the request of Mr. HATCH, his name, and the name of the Senator from Delaware (Mr. BIDEN) were added as cosponsors of S. 486, supra.

S. 1020

At the request of Mr. GRASSLEY, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 1020, a bill to amend chapter 1 of title 9, United States Code, to provide for greater fairness in the arbitration process relating to motor vehicle franchise contracts.

S. 1109

At the request of Mr. MCCONNELL, the names of the Senator from Arizona (Mr. KYL) and the Senator from Missouri (Mr. BOND) were added as cosponsors of S. 1109, a bill to conserve global bear populations by prohibiting the importation, exportation, and interstate trade of bear viscera and items, products, or substances containing, or labeled or advertised as containing, bear viscera, and for other purposes.

S. 1197

At the request of Mr. ROTH, the name of the Senator from Illinois (Mr. DURBIN) 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. 1257

At the request of Mr. HATCH, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 1257, a bill to amend statutory damages provisions of title 17, United States Code.

S. 1380

At the request of Mr. HATCH, the name of the Senator from Virginia (Mr. ROBB) was added as a cosponsor of S. 1380, a bill to provide for a study of long-term care needs in the 21st century.

S. 1419

At the request of Mr. MCCAIN, the names of the Senator from Oklahoma (Mr. NICKLES), the Senator from Tennessee (Mr. THOMPSON), and the Senator from Alaska (Mr. STEVENS) were added as cosponsors of S. 1419, a bill to amend title 36, United States Code, to designate May as ''National Military Appreciation Month.''

S. 1447

At the request of Mr. WELLSTONE, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 1447, a bill to amend the Public Health Service Act, Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to provide for nondiscriminatory coverage for substance abuse treatment service under private group and individual health coverage.

S. 1500

At the request of Mr. HATCH, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 1500, a bill to amend title XVIII of the Social Security Act to provide for an additional payment for services provided to certain high-cost individuals under the prospective payment system for skilled nursing facility services, and for other purposes.

S. 1590

At the request of Mr. CRAPO, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1590, a bill to amend title 49, United States Code, to modify the authority of the Surface Transportation Board, and for other purposes.

S. 1668

At the request of Mr. KERRY, the name of the Senator from New York (Mr. MOYNIHAN) was added as a cosponsor of S. 1668, a bill to amend title VII of the Civil Rights Act of 1964 to establish provisions with respect to religious accommodation in employment, and for other purposes.

S. 1708

At the request of Mr. MOYNIHAN, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 1708, a bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to require plans which adopt amendments that significantly reduce future benefit accruals to provide participants with adequate notice of the changes made by such amendments.

S. 1812

At the request of Mr. WARNER, the names of the Senator from Nebraska (Mr. HAGEL), the Senator from New York (Mr. MOYNIHAN), the Senator from Maine (Ms. SNOWE), the Senator from Oregon (Mr. SMITH), and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. 1812, a bill to establish a commission on a nuclear testing treaty, and for other purposes.

S. 1823

At the request of Mr. DEWINE, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 1823, a bill to revise and extend the Safe and Drug-Free Schools and Communities Act of 1994.

S. 1900

At the request of Mr. LAUTENBERG, the names of the Senator from Nevada (Mr. REID), the Senator from Wisconsin (Mr. FEINGOLD), and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 1900, a bill to amend the Internal Revenue Code of 1986 to allow a credit to holders of qualified bonds issued by Amtrak, and for other purposes.

S. 1954

At the request of Mr. BINGAMAN, the name of the Senator from Tennessee (Mr. FRIST) was added as a cosponsor of S. 1954, a bill to establish a compensation program for employees of the Department of Energy, its contractors, subcontractors, and beryllium vendors, who sustained beryllium-related illness due to the performance of their duty; to establish a compensation program for certain workers at the Paducah, Kentucky, gaseous diffusion plant; to establish a pilot program for examining the possible relationship between workplace exposure to radiation and hazardous materials and illnesses or health conditions; and for other purposes.

SENATE CONCURRENT RESOLUTION 53

At the request of Mrs. FEINSTEIN, the name of the Senator from Washington (Mr. GORTON) was added as a cosponsor of Senate Concurrent Resolution 53, a concurrent resolution condemning all prejudice against individuals of Asian and Pacific Island ancestry in the United States and supporting political and civic participation by such individuals throughout the United States.

SENATE RESOLUTION 91

At the request of Mr. NICKLES, his name was added as a cosponsor of Senate Resolution 91, a resolution expressing the sense of the Senate that Jim Thorpe should be recognized as the ''Athlete of the Century.''

SENATE RESOLUTION 118

At the request of Mr. REID, the name of the Senator from Arkansas (Mrs. LINCOLN) 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 names of the Senator from Virginia (Mr. ROBB) and the Senator from Nevada (Mr. REID) were added as cosponsors of Senate Resolution 128, a resolution designating March 2000, as ''Arts Education Month.''

## SENATE CONCURRENT RESOLUTION 76—EXPRESSING THE SENSE OF CONGRESS REGARDING A PEACEFUL RESOLUTION OF THE CONFLICT IN THE STATE OF CHIAPAS, MEXICO AND FOR OTHER PURPOSES

Mr. LEAHY (for himself, Mr. KENNEDY, Mrs. FEINSTEIN, Mr. JEFFORDS, Mr. TORRICELLI, Mrs. MURRAY, Mr. DURBIN, Mr. WELLSTONE, Mr. FEINGOLD, Mr. HARKIN, Mr. KERRY, Ms. MIKULSKI, and Mrs. BOXER) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 76

Whereas the United States and Mexico have a long history of close relations and share a wide range of interests;

Whereas a democratic, peaceful and prosperous Mexico is of vital importance to the security of the United States.

Whereas the United States Government provides assistance and licenses exports of military equipment to Mexican security forces for counter-narcotics purposes;

Whereas the Department of State's 1998 Country Report on Human Rights Practices in Mexico stated that a ''culture of impunity pervades the security forces'' and documented human rights violations, including arbitrary detention, torture, extrajudicial killings, and disappearances, by these forces;

Whereas confrontations in August 1999 between members of the Mexican military and supporters of the Zapatista National Liberation Army (EZLN) in Chiapas, Mexico are representative of the political tension and violence that has plagued the region for years;

Whereas the conflict has its roots in the poverty and injustice suffered by the indigenous people of Chiapas, and shared by the poor in the neighboring states of Oaxaca and Guerrero;

Whereas the lack of progress in implementing a preliminary peace agreement signed in 1996 and the intimidating level of militarization by the Mexican army, paramilitary groups and the EZLN has resulted in the forced displacement of thousands of indigenous people and exacerbated the impoverished conditions in Chiapas;

Whereas on September 14, 1999, the Commission for Peace and Reconciliation in Chiapas of the Conference of Mexican Catholic Bishops urged the Government of Mexico to consider relocating military forces in Chiapas to only those positions absolutely necessary to maintaining the integrity and security of Mexico;

Whereas the Government of Mexico has devoted resources to reduce poverty in Chiapas, but the breakdown in peace negotiations and the lack of trust between the Mexican Government and some indigenous communities have limited the impact of that assistance;

Whereas on September 7, 1999, the Government of Mexico pledged to renew dialogue with the EZLN, support the formation of a new mediation tea, and investigate human rights abuses in Chiapas;

Whereas the EZLN has not yet accepted the Government of Mexico's overtures to resume negotiations; and

Whereas the summary expulsions of American citizens and human rights monitors from Mexico are inconsistent with the freedoms of movement, association and expression: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring),* That it is the sense of Congress that the Secretary of State should—

(1) take effective measures to ensure that United States assistance and exports of equipment to Mexican security forces—

(A) are used primarily for counter-narcotics purposes; and

(B) are not provided to units of security forces that have been implicated in human rights violations, unless the Government of Mexico is taking effective measures to bring the individuals responsible to justice;

(2) encourage the EZLN and the Government of Mexico to take steps to create conditions for good faith negotiations that address the social, economic and political causes of the conflict in Chiapas, to achieve a peaceful and lasting resolution of the conflict, and to vigorously pursue such negotiations;

(3) commend the Government of Mexico for its renewed commitment to negotiations and for establishing a date for the United Nations High Commissioner for Human Rights to visit Mexico to discuss human rights concerns there;

(4) give a higher priority in discussions with the Government of Mexico to criminal justice reforms that protect human rights, emphasizing United States concerns about arbitrary detention, torture, extra judicial killings, and disappearances, and the failure to prosecute individuals responsible for these crimes; and

(5) urge the Government of Mexico to implement the recommendations of the Inter-American Commission on Human Rights, particularly with regard to American citizens and others who have been summarily expelled from Mexico in violation of Mexican law and international law.

Mr. LEAHY. Mr. President, I am today submitting a concurrent resolution expressing the sense of Congress regarding measures to achieve a peaceful settlement of the conflict in the state of Chiapas, Mexico.

This resolution is cosponsored by Senators KENNEDY, FEINSTEIN, JEFFORDS, TORRICELLI, MURRAY, DURBIN, WELLSTONE, FEINGOLD, HARKIN, KERRY, MIKULSKI, and BOXER.

Congresswoman NANCY PELOSI is introducing an identical resolution today in the House of Representatives.

The purpose of this resolution is to convey our support for a peaceful settlement of the conflict in Chiapas that has been simmering since the Zapatista uprising in 1994. Since then, and despite repeated attempts at negotiations, the situation remains tense and prospects for productive dialogue remote. In August, armed confrontations between members of the Mexican military and Zapatista supporters in Chiapas was a reminder of the political violence that has plagued the region for years. I submitted a similar resolution just over a year ago and, unfortunately, the situation remains largely unchanged.

This resolution does not attempt to take sides or to dictate an outcome of that conflict. It is not meant to embarrass or interfere in Mexico's internal affairs. The situation in Chiapas is a complex one that has social, ethnic, economic and political dimensions. It is a manifestation of years of Mexican history. It is for the Mexican people to resolve.

But despite its complexities, there is no doubt that the indigenous people of Chiapas have been the victims of injustice for centuries. Most do not own any land and they live—as their parents and grandparents did—in abject poverty. The 1994 Zapatista uprising, in which some 150 people died, was a reflection of that injustice and despair, and the political tension and violence of recent years has only exacerbated their plight.

To his credit, President Zedillo has devoted considerable financial resources to address the poverty and lack of basic services in Chiapas. On September 7, 1999, he pledged to renew dialogue with the Zapatistas and investigate human rights abuses there. The scheduled November 23rd visit to Mexico by Mary Robinson, the United Nations High Commissioner for Human Rights, is an important and welcome development. I am hopeful that the Mexican Government will engage in an open dialogue with Ms. Robinson and that progress can be made on ways to further promote and protect human rights in Mexico.

Despite these positive steps, however, Mexican officials indicate that they expect little progress toward resolving the conflict before the presidential elections in July 2000. This is very disappointing. While mistrust runs deep on both sides, a great deal can be accomplished in eight months if the parties to the conflict are willing to take the steps to create conditions for good faith negotiations to succeed, and then sit down at the table together.

There is little evidence that the Mexican Government's strategy is working. Since early 1998, the Zedillo administration has, on the one hand, lavishly funded social programs in those indigenous communities in Chiapas that are willing to accept them. On the other hand, Mexican troops have tightened their grip on the impoverished communities of Zapatista supporters. They patrol the roads in and out of Chiapas in armored vehicles, brandishing weapons and establishing military check-points and bases when it is abundantly clear that neither the communities, nor the Zapatistas themselves, pose a credible threat to the Mexican Government. In addition, paramilitary forces, responsible for some of the worst atrocities, continue to operate in the region.

Human rights monitors, including Mexican citizens, have been harassed, and foreigners, including American citizens, have been summarily expelled from Mexico for activities that amount to nothing more than criticizing the policies of the Mexican Government.

The Zapatistas have also contributed to their isolation. They have not accepted the Mexican Government's recent overtures to resume dialogue and seem resigned to wait in their jungle stronghold until there is a new government before considering a return to talks. Again, July is a long way away, especially for the Zapatistas' supporters who struggle every day just to find food and shelter for themselves and their families. They have suffered long enough.

Mr. President, this resolution calls on our Secretary of State to encourage the Mexican Government and the Zapatistas to support negotiations that address the underlying causes of the conflict, to achieve a lasting peace. It seeks to convey our concern about the people of Chiapas, and the urgent need for concrete progress to resolve a conflict that has cost many innocent lives and threatens the economic and political development of our southern neighbor.

A stable, peaceful and prosperous Mexico is not only in the best interest of all Mexicans, it is also in the economic and security interests of the United States. And human rights abuses, wherever and however they occur, deserve our attention.

The resolution urges the Secretary of State to ensure that the United States is not contributing to the political violence, by reaffirming current law which limits assistance and exports of equipment only to Mexican security forces

who are primarily involved in counter-narcotics activities and who do not commit human rights abuses. In order to ensure that the law is faithfully implemented, the State Department needs to know who we train and who receives our equipment.

It calls on the Mexican Government to respect the freedoms of movement, association and expression by implementing the recommendations of the Inter-American Commission on Human Rights, particularly with regard to American citizens and others who have been summarily expelled from Mexico in violation of Mexican law and international law.

And it urges both sides to take initiatives for peace.

Mr. President, some may ask why we are submitting this resolution today, when this conflict has been simmering for years, It is my hope that in conjunction with Mary Robinson's visit next week, this Resolution will send a strong message to the Mexican Government, the Zapiatislas, our own administration and the international community that an intensified effort is needed urgently to resolve the conflict peacefully.

## SENATE RESOLUTION 233—EXPRESSING THE SENSE OF THE SENATE REGARDING THE URGENT NEED FOR THE DEPARTMENT OF AGRICULTURE TO RESOLVE CERTAIN MONTANA CIVIL RIGHTS DISCRIMINATION CASES

Mr. BAUCUS (for himself and Mr. BURNS) submitted the following resolution; which was referred to the Committee on Agrilcuture, Nutrition, and Forestry:

S. RES. 233

Whereas there exists a strong public policy against discrimination against minority groups, whether the discrimination is committed by private individuals or by the Federal Government in the operation of its programs;

Whereas, whenever discrimination occurs in the conduct of a Federal Government program, the responsible Federal Government agency should take quick and aggressive action to remedy the discrimination;

Whereas, last year, the Department of Agriculture was held accountable for certain civil rights violations against United States agricultural producers in connection with their attempted participation in lending programs of the Department;

Whereas, a significant number of Montana civil rights petitioners have not received a timely, and equitable resolution of their complaints;

Whereas the agricultural community has faced a series of hardships, including record low prices, extreme weather disasters, and a shortage of farm loan opportunities;

Whereas additional frustration and financial difficulties perpetuated by the inadequate review process has further imposed undue hardship on the Montana civil rights petitioners;

Whereas the mission of the Office of Civil Rights of the Department of Agriculture requires the Office to facilitate the fair and equitable treatment of customers and employees of the Department while ensuring the delivery and enforcement of civil rights programs and activities;

Whereas the Department of Agriculture should be committed to the policy of treating its customers with dignity and respect as well as to providing high quality and timely products and services; and

Whereas an urgent need exists for the Department of Agriculture to resolve certain Montana civil rights discrimination cases, many backlogged, by a date certain in furtherance of that policy: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that, not later than March 1, 2000, the Secretary of Agriculture should resolve, or take other action to resolve, all cases pending on the date of approval of this resolution of alleged civil rights discrimination by the Department of Agriculture against agricultural producers located in the State of Montana.

● Mr. BAUCUS. Mr. President, I rise today to submit a sense-of-the-Senate Resolution regarding the urgent need for the U.S. Department of Agriculture to resolve its civil rights discrimination cases. On behalf of Senator BURNS, the bill's cosponsor, and myself, I urge the Senate to recognize the urgency of this situation.

Mr. President, there exists a strong public policy against discrimination against minority groups, whether the discrimination is committed by private individuals or by the Government in the operation of its programs, and it is our firmly held belief that whenever discrimination occurs in the conduct of Government programs, the responsible Government agencies should take quick and aggressive action to remedy such discrimination.

I am most concerned that over the past year, such action has not been taken by the U.S. Department of Agriculture's Office of Civil Rights. In fact, many Montana civil rights cases that my office and that of Senator's BURNS have been working with are seriously backlogged in the system and have consequently remained unsatisfactorily addressed.

We have worked hard with the Montana Department of Agriculture's Farm Agency to resolve these cases. The Director of the FSA and the State FSA Committee has worked hard to resolve any outstanding problems concerning its programs and have made certain that these kinds of problems to not occur in Montana. I commend their outreach efforts in ensuring the equitable delivery of the Agency's programs to all eligible Montana recipients.

We need a better working relationship with the USDA's Office of Civil Rights to bring the outstanding cases to resolution in a timely manner. Repeated phone calls and requests have yielded few answers. For that reason, I am offering this resolution which binds the agency to its mission of facilitating the fair and equitable treatment of USDA customers and employees while ensuring the delivery and enforcement of civil rights programs and activities. Further we hope to commit the USDA to treating its customers with dignity and respect as well as to providing quality and timely products and services. Finally, the resolution resolves that not later than March 1, 2000, the Secretary should resolve all the outstanding cases of alleged civil rights discrimination by the Department of Agriculture.

It is high time to bring this issue to resolution, and I appreciate the Senate's consideration of this important matter.●

● Mr. BURNS. Mr. President. I am pleased to be joined by Mr. BAUCUS, in sponsoring a sense-of-the-Senate resolution which addresses the backlog of Montana civil rights complaints at the U.S. Department of Agriculture (USDA).

Last year, a finding was made that the USDA had, for decades, been guilty of violating many of America's producer's civil rights. When these producers tried to take advantage of the programs offered by the USDA they were treated differently than their friends and neighbors. We enacted Legislation last fall, that was intended to right this wrong. Even with passage of this provision, it remains a difficult challenge to ensure that those who have been harmed by USDA will receive a prompt and balanced resolution of their complaints.

It appears that a number of those previously investigated complaints have fallen into some sort of ''black hole''. Despite numerous phone calls and concerted pressure, no progress has been made in resolving these cases. We have been contacted by a number of Montanans who have shared horror stories about the treatment their cases have received from the USDA's Office of Civil Rights. These complaints are simply being ignored. The inadequacy of this process is adding insult to injury, keeping these producers in limbo and allowing their complaints to rest, unresolved. These constituents cannot get on with their lives until the USDA takes action. For those who have justified complaints, this delay is another slap in the face.

This resolution expreses the sense of the Senate that USDA's delays must stop. These cases must be resolved soon. It is our intent that they be resolved by March 1, 2000. These producers has suffered too much already. They cannot afford to wait any longer.

We look forward to working with members of other states affected by this abuse of the civil rights program to resolve these complaints as quickly a possible.●

## AMENDMENTS SUBMITTED

## FURTHER CONTINUING RESOLUTION, 2000

### BYRD (AND OTHERS) AMENDMENT NO. 2780

Mr. BYRD (for himself, Mr. MCCONNELL, Mr. ROCKEFELLER, Mr. BUNNING, Mr. REID, Mr. CRAIG, Mr. BRYAN, Mr. HATCH, Mr. BENNETT, Mr. MURKOWSKI, Mr. CRAPO, Mr. ENZI, Mr. BURNS, Mr.

KYL, Mr. BREAUX, Mr. SHELBY, Mr. GRAMM, and Mr. GRAMS) proposed an amendment to the joint resolution (H.J. Res. 82) making further continuing appropriations for the fiscal year 2000, and for other purposes, as follows:

At the appropriate place, insert the following:

**SEC. . DISPOSAL OF EXCESS SPOIL AND COAL MINE WASTE.**

(a) IN GENERAL.—Notwithstanding any other provision of law (including any regulation or court ruling), hereafter—

(1) in rendering permit decisions for discharges of excess spoil and coal mine waste into waters of the United States from surface coal mining and reclamation operations, the permitting authority shall apply section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) and the section 404(b)(1) guidelines pursuant to section 404(b)(1) of the Federal Water Pollution Control Act (33 U.S.C. 1344(b)(1)) and implementing regulations set forth in part 230 of title 40, Code of Federal Regulations (as in effect on October 19, 1999);

(2) the permitted disposal of such spoil or waste meeting the requirements of the section 404(b)(1) guidelines referred to in paragraph (1) shall be deemed to satisfy the criteria for granting a variance under regulations set forth in sections 816.57 and 817.57 of title 30, Code of Federal Regulations, and applicable State regulations; and

(3) Federal and State water quality standards shall not apply to the portions of waters filled by discharges permitted pursuant to the procedures set forth in paragraphs (1) and (2); all applicable Federal and State water quality standards shall apply to all portions of waters other than those filled pursuant to the permitting procedures set forth in paragraphs (1) and (2).

(b) DURATION OF EFFECTIVENESS.—The permitting procedures specified in subsection (a) shall remain in effect until the later of—

(1) the date that is 2 years after the date of enactment of this Act; or

(2) the effective date of regulations promulgated to implement recommendations made as a result of the environmental impact statement relating to the permitting process, the preparation of which was announced at 64 Fed. Reg. 5800 (February 5, 1999).

(c) EFFECT OF SECTION.—Nothing in this section modifies, supersedes, undermines, displaces, or amends any requirement of, or regulation issued under, the Federal Water Pollution Control Act (commonly known as the ''Clean Water Act'') (33 U.S.C. 1251 et seq.) or the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 et seq.), as applied by the responsible Federal agencies on October 19, 1999.

(d) PERIOD OF EFFECTIVENESS.—Notwithstanding any other provision of law repealing or terminating the effectiveness of this Act, this section shall remain in effect until the date of termination of the effectiveness of the permitting procedures in accordance with subsection (b).

**SEC. . HARDROCK MINING.**

(a) IN GENERAL.—For the purposes of section 1000(a)(3) of division B of the Act enacting H.R. 3194 of the 106th Congress, in lieu of section 357 of title III of H.R. 3423 of the 106th Congress, as introduced on November 17, 1999, regarding the issuance of regulations on hardrock mining, the following shall apply:

(1) HARDROCK MINING.—None of the funds made available under this Act or any other Act shall be used by the Secretary of the Interior to promulgate final regulations to revise subpart 3809 of 43, Code of Federal Regulations, except that the Secretary, after the end of the public comment period required by section 3002 of the 1999 Emergency Supplemental Appropriations Act (Public Law 106–31; 113 Stat. 89), may issue final regulations to amend that subpart if the regulations are consistent with—

(A) the regulatory gap findings identified in the report of the National Research Council entitled ''Hardrock Mining on Federal Lands''; and

(B) statutory authorities in effect as of the date of enactment of this Act.

(2) LIMITATION.—Nothing in this section expands the statutory authority of the Secretary of the Interior in effect as of the date of enactment of this Act.

(b) PERIOD OF EFFECTIVENESS.—This section—

(1) takes effect 1 day after the date of enactment of the Act enacting H.R. 3194 referred to in subsection (a); and

(2) notwithstanding any other provision of law repealing or terminating the effectiveness of this Act, shall remain in effect unless repealed by Act of Congress that makes specific reference to this section.

**SEC. . MILLSITES.**

(a) IN GENERAL.—For the purposes of section 1000(a)(3) of division B of the Act enacting H.R. 3194 of the 106th Congress, in lieu of section 337 of title III of H.R. 3423 of the 106th Congress, as introduced on November 17, 1999, regarding the millsites opinion, the following shall apply:

(1) MILLSITES OPINION.—No funds shall be expended by the Secretary of the Interior or the Secretary of Agriculture, for fiscal years 2000 and 2001, to limit the number or acreage of millsites based on the ratio between the number or acreage of millsites and the number or acreage of associated lode or placer claims with respect to—

(A) any patent application excluded from the operation of section 112 of the Department of the Interior and Related Agencies Appropriations Act, 1995, by section 113 of that Act (108 Stat. 2519);

(B) any operation or property for which a plan of operations has been approved before the date of enactment of this Act; or

(C) any operation or property for which a plan of operations, or amendment or modification to an existing plan, was submitted to the Bureau of Land Management or the Forest Service before May 21, 1999.

(2) NO RATIFICATION.—Nothing in this Act or the 1999 Emergency Supplemental Appropriations Act (Public Law 106–31) shall be construed as an explicit or tacit adoption, ratification, endorsement, approval, rejection, or disapproval of the opinion dated November 7, 1997, by the Solicitor of the Department of the Interior concerning millsites.

(b) PERIOD OF EFFECTIVENESS.—This section—

(1) takes effect 1 day after the date of enactment of the Act enacting H.R. 3194 referred to in subsection (a); and

(2) notwithstanding any other provision of law repealing or terminating the effectiveness of this Act, shall remain in effect unless repealed by Act of Congress that makes specific reference to this section.

---

## HELMS (AND OTHERS) AMENDMENT NO. 2781

Mr. LOTT (for Mr. HELMS (for himself, Mr. EDWARDS, and Mr. ROBB)) proposed an amendment to the joint resolution, H.J. Res. 82, supra; as follows:

At the appropriate place insert:

COMMODITY CREDIT CORPORATION PRODUCER-OWNED MARKETING ASSOCIATIONS FORGIVENESS

SEC. 1. The Secretary of Agriculture shall reduce the amount of any principal due on a loan made to marketing association incorporated in the State of North Carolina for the 1999 crop of an agricultural commodity by at least 75 percent if the marketing association suffered losses of the agricultural commodity in a county with respect to which—(1) a natural disaster was declared by the Secretary for losses due to Hurricane Dennis, Floyd, or Irene; or (2) a major disaster or emergency was declared by the President for losses due to Hurricane Dennis, Floyd, or Irene under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)

If the Secretary assigns a grade quality for the 1999 crop of an agricultural commodity marketed by an association described in subsection (a) that is below the base quality of the agricultural commodity, the Secretary shall compensate the association for losses incurred by the association as a result of the reduction in grade quality.

Up to $81,000,000 of the resources of the Commodity Credit Corporation may be used for the cost of this provision: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) and prevent sequestration of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

SEC. 2. In administering $50,000,000 in emergency supplemental funding for the Emergency Conservation Program, the Secretary shall give priority to the repair of structures essential to the operation of the farm.

# ADDITIONAL STATEMENTS

---

## TRIBUTE TO GRAHAM STILES NEWELL

• Mr. JEFFORDS. Mr. President, it gives me great pleasure to stand before the Senate today and pay tribute to a man who has greatly influenced the cultural maturity of my home state of Vermont. Graham Stiles Newell will be honored as Citizen of the Year by the Vermont Chamber of Commerce on December 4, 1999. Graham has made extraordinary contributions to Vermont in many areas throughout his life. And he has made his biggest contributions in one area in which I have spent a great deal of legislative energy—education.

Graham Newell probably learned to read before he learned to walk. I understand that he first secured a library card at the Saint Johnsbury Atheneum when he was in the first grade. Since then, he has been passing on his knowledge to anyone willing to learn, and that number is larger than you can imagine. After graduating from the University of Chicago in 1938, he launched an incredible career in education, one that touched three generations of many Vermont families.

Graham has been a leader in Vermont education in both the professional and legislative arenas. In the last seven decades he has been a teacher at the Junior High, High School, and College level, and will undoubtably keep teaching well into the next millennium. Graham began his teaching career at his alma mater, Saint

Johnsbury Academy, in 1938, and remained on the faculty for nine years. From 1945 to 1982 he taught history at Lyndon State College full-time. After ''retiring'' in 1982, he returned to the Academy to teach Latin, where you will still find him today. He also continued to teach one or two history classes a semester at Lyndon State College until 1996.

Most people consider Latin a dead language, but if you were to enter Graham's classroom today you would find it to be as alive and enjoyable as ever. A testament to Graham's teaching skills was demonstrated at the Academy in 1997, when 47 of his 52 Latin students, over 90 percent, made honors on the National Latin Exam, an extremely challenging test taken by over 90,000 students across the United States.

Graham's contributions to education do not end in the classroom. While teaching, he also served in the Vermont Legislature for over 25 years. He was a member and chair of the Vermont Senate Education Committee during the 1960s, helping to create Vermont's education laws. Indeed, the self proclaimed Ambassador of the Northeast Kingdom has positively affected every single student in the state of Vermont over the last 30 years. In fact, his influence has even reached students outside of Vermont, due to his tenure on the New England Board of Higher Education. But Graham always remained supremely faithful to the students in his classroom, once even teaching class over the phone from the Vermont Statehouse.

One can look at Graham's education accomplishments alone and see a lifetime of work and success. However, his influence has touched many in other fields as well. As President of the Vermont Historical Society from 1965 to 1969, his many successes included securing a permanent home for the organization in the historic Pavilion Office Building in Montpelier. He has also served on a number of commissions, including the Commission on Interstate Cooperation, the Historic Sites Commission, the Commission to Study State Government (or ''Little Hoover'' as we called it), the Vermont Civil War Centennial Commission, the board of managers of the Council of State Governments, and the Education Commission of the States. In addition, the thousands of people who check into the Northeastern Vermont Regional Hospital each year should be thankful to Graham as he is largely responsible for its existence. I could go on, but I'm afraid it would take the remainder of this session of congress to do so.

I am thankful for the opportunity to provide my colleagues with a shining example of a real Vermont renaissance man. I join countless Vermonters in offering my heartfelt congratulations and gratitude to Graham Stiles Newell for his many years of hard work and dedication to the citizens of Vermont.●

## TRIBUTE TO BARB RABE

● Mr. KOHL. Mr. President, I rise today to recognize the work of Barb Rabe, who retired after 29 years of service in the Oshkosh School District. She began her career in the Oshkosh School District in 1970 at the Perry Tipler Middle School as a Teachers Assistant, and then transferred to Oakwood Elementary School where she served for the next 27 years. During her years of service, Barb worked for six principals, adapting to each new principal's style, and was always actively involved as the staff grew from 12 to 42 and the student population grew from 200 to 500. She worked hard at creating partnerships with staff, students and families that would foster collaboration, cooperation and allegiance. Barb's strong work ethic, energy and enthusiasm will be missed.

While mastering the key elements of organization and flexibility, giving of her time and talent in serving the faculty and students of Oakwood School, and showing love and appreciation for students, she also came up with new ideas to adapt to the changing work environment. She developed the computerized milk and lunch money collection program at the school, which helped the school collect money more efficiently and thoroughly. She also purchased her own computer years before the school purchased them and took her work home to complete it in an organized fashion. When Oakwood School became computerized, she played an instrumental role in the conversion process. The students and staff of Oakwood will miss her professional and positive demeanor, although her husband of 45 years, Gordon, and their three sons and their families, will enjoy spending more time with her. Barb will be sorely missed by the entire Oakwood Elementary School community, however I extend my best wishes for a healthy, enriched and rewarding retirement.●

## 30TH ANNIVERSARY OF THE SAN DIEGO REGIONAL PRINTING FACILITY OF THE JOHN H. HARLAND COMPANY

● Mrs. FEINSTEIN. Mr. President, this year marks the 30th anniversary of the San Diego Regional Printing Facility of the John H. Harland Company.

The John H. Harland Company was founded in 1923, and is the second largest check printer in the United States.

The John H. Harland Company opened its doors in California in 1969. Today, the San Diego Regional Printing Facility employs 249 employees and fills 98,900 orders per week. The jobs this facility has brought to our state throughout the years have been of great benefit to California.

I offer my congratulations to the John H. Harland Company and its employees on the occasion of its 30th Anniversary and wish it great, continued success in the future.●

## TRIBUTE TO MR. MICHAEL J. NAPLES

● Mr. LAUTENBERG. Mr. President, I rise today to pay tribute to Mr. Michael J. Naples. ''Napes,'' as he is affectionately called by all who know him, is retiring after 29 years of teaching at Ocean City High School in New Jersey. He has earned great respect from students and peers alike. Each year the students Mr. Naples' taught and the athletes he coached attest to his dedication to excellence.

Although his first commitment was to education, his enthusiasm for cross-country and track leave an enduring legacy at Ocean City High School. Mr. Naples' cross-country record over the last 21 years is 209 victories and 28 losses. His track record is 133 wins and only 8 losses. During his tenure as a track coach, Mr. Naples led the Raiders to two state titles and coached 9 individual state champions.

His greatest moment as a coach came during the 1989 cross-country season, when he inspired his girls' team to capture the first state title for an Ocean City High School team in 24 years!

Mr. President, it is often difficult to say goodbye to a teacher who has touched the lives of so many people. This is a teacher whose former students are continually coming back to thank him for inspiring them, educating them and, most importantly, caring about them. My deepest respects go to this inductee of the New Jersey Interscholastic Athletic Association Hall of Fame. He has left a lasting legacy of high academic standards and excellence in sports.●

## NATIONAL ADOPTION MONTH HONORS WEST VIRGINIA ADOPTION ANGELS

● Mr. ROCKEFELLER. Mr. President, I rise today to honor three West Virginia individuals who have recently been awarded ''Adoption Angel'' awards by the Congressional Coalition on Adoption. Larry and Jane Leech and Judge Gary Johnson are truly ''angels'' in adoption.

President Clinton recently proclaimed November ''National Adoption Month''. It is a good time to re-commit ourselves to doing all we can to ensure that all children have the opportunity to grow up in safe, stable and permanent homes.

During Adoption Month in 1997, the Adoption and Safe Families Act, a bill I sponsored, was signed into law. This act, for the first time ever, made children's safety, health and opportunity for loving, stable families the paramount factors to consider when planning for children in foster care. The act provided incentive bonuses for states successful in increasing adoptions.

My state of West Virginia has made a lot of progress in moving kids out of foster care and into permanent homes. When the adoption bonuses for 1999 were announced, I was proud that West

Virginia, because three of our state's children. Brian, Shawn and Sarah Keane, had the honor of introducing President Clinton the day the bonuses were announced. The 3 Keane children along with 208 more West Virginia foster children moved in with their adoptive families in 1998.

Our State is working hard to increase public awareness of adoption and children needing homes. A quarterly newsletter, ''Open Your Heart, Open Your Home'' features stories of waiting children and successful adoptive families. In May, Dave Thomas came to West Virginia for the third annual Foster and Adoptive Parent Recognition Day, to recognize adoptive parents who provide homes for children with special needs.

We have been able to make this progress largely as a result of the efforts of the individuals who were honored by the Congressional Coalition on Adoption, and other dedicated and hard-working West Virginians like them. Let me tell you a little about these ''angels''.

Larry and Jane Leech have been foster parents for many years, opening their home and their hearts to children in need of both. Working with the West Virginia Department of Health and Human Resources, the Leeches adopted a sibling group of three young boys, twins age 4 and an older brother, age 6, in 1998. Now, a year later, the Leeches are again in the final stages of adopting another sibling group—this time, three older girls. Mr. and Mrs. Leech also have three biological children. They have a tremendous amount of love and a strong commitment to all nine of their children. Recently, the Leeches and their children visited the West Virginia Governor's mansion where they were honored by First Lady Hovah Underwood, for their commitment to children in need.

Judge Gary Johnson believes that all children in the foster care system deserve permanent homes. As the 28th Judicial circuit judge, elected in 1992, Judge Johnson has worked closely with the West Virginia Department of Health and Human Resources. He meets with them quarterly to review problems or identify issues that prevent children in West Virginia from achieving permanence in their lives. Judge Johnson continually increases his own knowledge of the issues by attending conferences on child welfare.

The progress we have made since the passage of the 1997 Adoption Act is significant. Certainly the 211 West Virginia children who found families last year, including the six children who now call Larry and Jane Leech ''Mom'' and ''Dad'' know that. But over 400 West Virginia children are still waiting and hoping to be adopted—over 100,000 children in our nation are still waiting and hoping to be adopted. Too many of these chilldren are growing up in the insecurity of foster care. Too many of them are becoming teenagers without a permanent family.

And that is why we need ''National Adoption Month''. We need opportunities to honor the angels in adoption like the Leeches and Judge Johnson. And we need the opportunity to publicly re-new our commitment to ensuring that all children have the opportunity for permanent adoptive homes.

I am pleased to join the other members of the Congressional Coalition on Adoption in honoring more than 50 ''Angels of Adoption'' from around the country. I am doubly pleased that 3 of these angels are from West Virginia. And I pledge to continue to work on legislation that will help all of West Virginia's, and America's foster children have the opportunity that the Leech children now have, the chance to grow up in a permanent, loving family.

I urge my colleagues to dedicate themselves to this effort as well.●

## JEWISH HISTORY IN GREECE

● Mr. SARBANES. Mr. President, in recent years there has been renewed interest in the early history of the Jewish community in Greece. The Hellenic and Jewish peoples have had a long and constructive relationship, and that interaction has been one of the foundations of Western civilization.

An important part of this historical movement is the renewed research on historic Jewish sites in Greece. There is now an active and impressive Jewish museum in Athens which has served as a focal point for this activity. These efforts have spawned a number of individuals to do their own family and group research; and I am pleased to report that one of my constituents, Dr. Judith Mazza, has written an excellent account of her visit to Greece entitled, ''First-time Traveler's Impressions of Jewish Sites in Greece,'' which was published in the spring 1999 issue of Kol haKEHILA. Dr. Mazza is descended from a Romaniote Jewish family from Greece, and her article depicts succinctly the rich and enduring Jewish cultural and religious legacy in Greece. I recommend it to all those interested in the history of the Jewish people and ask that the article be inserted at this point in the RECORD.

The article follows:

[From Kol haKEHILA, Spring 1999]

### A FIRST-TIME TRAVELER'S IMPRESSIONS OF JEWISH SITES IN GREECE

(By Dr. Judith Mazza)

I first saw mention of the Jewish Museum of Greece, located in Athens, about twenty years ago. Curious about my family history, I joined the Museum as an ''American Friend.'' Upon joining, I received a letter from the founder (now Director Emeritus) of the museum, Nicholas Stavroulakis, concerning my family name (Mazza, Matsas, Matza, etc). I learned from that letter that my family most probably was a Romaniote family rather than a Sephardi family. I then understood why my father's family never spoke Ladino (judaeo-espanol). My father, born in the United States, spoke Greek at home, as did his parents (who emigrated to the United States in the early 1900s from Ionnina and Corfu).

My husband and I were curious to visit Jewish sites in Greece. My interest had been stimulated by the book Jewish Sites and Synagogues of Greece (Athens, 1992) by Stavroulakis and Timothy DeVinney. Prior to reading this book, I knew little about the communities that had existed in Greece prior to World War II. I did not have the opportunity to travel to Greece until November 1998. As soon as I knew I would be in Athens, I attempted to contact the Jewish Museum of Greece. Kol haKEHILA, was the first internet source to give me a way to contact the museum by e-mail.

By e-mail, I asked the museum's curator, Zanet Battinou, to help find us a knowledgeable guide for our day in Athens. She recommended Dolly Asser. In addition to visiting ancient sites in Athens that day, Ms. Asser also took us to the Jewish Museum of Greece, and to the two modern synagogues in Athens.

#### ATHENS

We began our day at the Museum. It had recently relocated and now occupies an entire building in the Plaka neighborhood. The museum has a number of floors, each with a different focus. As a first-time visitor, I found it interesting to see historic artifacts, documents, clothing and a wide variety of religious and domestic objects. There is a research library on the top floor. School children arrived as we were leaving, so apparently a visit to the Jewish Museum of Greece has become a part of the public school curriculum.

After we left the museum, we visited the two synagogues. They are located on Melidoni Street, immediately across the street from one another. The street is gated and guarded by an armed policeman as a precaution against potential terrorist incidents.

We first went to the Beth Shalom synagogue, which is the only actively used synagogue for the 3,500 Jews in Athens today. Ms. Asser introduced us to Rabbi Jacob Arar, who studied in France and Israel, inasmuch as there are no rabbinical schools in Greece. The outside of the building has simple lines and is faced in white marble. The interior of the synagogue is mostly wood paneled and has a warm and comfortable feeling.

Directly across the street is the Ianniotiki synagogue, which had been built by Romaniote Jews from Ionnina. It is located on the second floor of the building. The lower floor houses the Athens Jewish community offices. We obtained the key to the synagogue from the office staff and walked through a hallway into a courtyard. The courtyard was fully paved except for a small area from which one large palm tree grew. We walked up the narrow exterior stairs to a walkway, and unlocked the door. This synagogue was smaller and seemed older than the synagogue across the street. We later learned that it is mostly used for special occasions. It is elegant in its simplicity.

#### RHODES

We had the opportunity to see one other Jewish site in Greece when we stopped in Rhodes a few days later. We had seen a website for the Jewish Museum of Rhodes before our travels began at www.RhodesJewishMuseum.org. We sought out the island's synagogue and adjacent museum. Finding the street in the old walled city of Rhodes was not too difficult, as it was clearly labeled and the synagogue is noted on tourist maps. As we walked toward the synagogue and museum, we knew that we were in what had once been the Jewish quarter of the city. We could see Hebrew inscriptions above some of the doorways, signifying houses built by prominent Jewish families. However, many of these buildings appeared to be in a state of disrepair. Unfortunately,

we had no information about the buildings and knew virtually nothing about the Jewish community that once existed here.

As we walked, we could see through iron gates, that some buildings had interior courtyards with interesting floor patterns formed by smooth black and white stones. In some courtyards, the stone patterns were intact, while in others the patterns were quite deteriorated.

We could not find the synagogue itself, but luckily, we asked directions from an elderly woman. Lucia Modiano Sulam turned out to be the keeper of the synagogue and was kind enough to guide us to it. She was a Holocaust survivor, with tattooed numbers on her forearm.

We were quite unprepared for what we found when we entered Kahal Shalom synagogue. The synagogue, in very good condition, was more elaborate than the synagogues we had seen in Athens. Crystal chandeliers hung from the ceiling. Beautiful carpets lay on the floor. The mosaic floor inside was made of the same black and white smooth stones that we had seen elsewhere. Here, the stones were arranged in more elaborate patterns. Chairs were placed on the two long sides of the interior and the wooden bimah was in the middle of the room.

Just outside the synagogue entrance is a courtyard which has a stone mosaic floor. It is well preserved.

We also visited the Jewish Museum of Rhodes, located next to the synagogue. This is a new museum in its first stage of development. Aron Hasson, a Los Angeles attorney whose family came from Rhodes, founded it. The museum currently consists of one room with white rustic walls and a curved ceiling. When we were there, the museum exhibition consisted of photographs and other printed materials.

TOURISM TO JEWISH SITES IN GREECE

We knew that the Jewish population in Greece had been decimated by the Holocaust, and that only remmants of that once-thriving community remains there. However, as a traveler and tourist, I have been stuck by the difficulty in obtaining information about Jewish sites and Jewish history of Greece. I do not understand why one organization or resource does not reference another. Organizations that have websites or access to the Internet should have hypertext links to other Greek Jewish organizations, including e-mail links to facilities that may not yet have a website.

There should be a list of bibliographic references about Greek Jewry and Jewish tourist sites in Greece. When we were in the Jewish Museum of Greece shop in Athens, I was stunned to find an English language book about the Jews of Ionnina (Dalven, R., The Jews of Ioannina, Philadelphia, 1992). I purchased the book immediately! Likewise, it was through word of mouth from both Yitzhak Kerem (publisher of the electronic newsletter Sefarad) and Elias Messinas (editor of Kol haKEHILA) that I learned of the fascinating book written by Dr. Michael Matsas entitled The Illusion of Safety; The story of the Greek Jews During the Second World War (New York, 1997). In reading these books and in speaking with both Messinas and Kerem whom I recently met in Jerusalem, I understand that the Greek Jews, unlike Jews in some other parts of Europe, had ample opportunity to flee or hide from the Nazis. In instance after instance the warnings of the catastrophic consequences of not fleeing or hiding were not disseminated, or the seriousness of the situation was minimized. The communication among the communities was poor.

When we visited Rhodes, we stood on its acropolis and clearly saw the Turkish coast only 11 miles away. It was difficult to come to terms with the complacency of the Jewish population of Rhodes in 1944 that resulted in their slaughter. They were among the last Greek Jews to be sent to Auschwitz. By 1944, other communities in Greece had already been eliminated. Safety lay only eleven miles away. The Jews of the city of Rhodes did not even flee to the island's countryside. Perhaps a reader can explain this puzzling apparent fact.

The lesson today seems clear. To preserve the remnants of the Greek Jewish heritage, various interested organizations should cooperate with the another. They should use electronic hypertext links to cross-reference one another whenever possible. The Jewish Museum of Greece in Athens should have information about Jewish sites throughout Greece, including other museums, such as the one in Rhodes. Likewise, the Jewish Museum of Rhodes should link to as many Jewish sites throughout Greece as possible. Books, bibliographies and brochures about Jewish sites throughout Greece should be made available at each of the sites and at Tourist Offices. Never again should the Jewish community of Greece be weakened by poor communication among various components. Certainly, not in this age of electronic communications and the Internet. There are some dedicated people working in disparate organizations to preserve and memorialize Greek Jewish sites and culture. Now they need to recognize the gestalt effect that would result from closer cooperation.

We came away from our experience wanting to learn more about the various communities that only existed in the past, and also those which continue to survive. We hope that others will become interested in exploring and preserving Jewish heritage in Greece. The best way to do this and to attract Jewish tourists is to make information about Jewish sites more readily available. We hope that the various organizations and interested parties will work together to that end.●

## IN RECOGNITION OF THE FOURTH BIRTHDAY OF THE PROVIDENCE GAY MEN'S CHORUS

● Mr. REED. Mr. President, I rise today to pay tribute to the Providence Gay Men's Chorus, which celebrated its fourth anniversary on November 14, 1999. I would like to thank the Chorus for its four years of community involvement, during which time the members have shared not only their melodious voices with the citizens of Rhode Island, but also their hopes and ambitions for a better world.

The Providence Gay Men's Chorus, which began in 1995 as a group of eight, now has 50 members. In addition to their musical talent, one of the attributes that is most unique about the Chorus, and most appreciated, is the group's mission to promote tolerance. As we know, the real work of fostering support for people with diverse backgrounds and lifestyles usually happens slowly, and within the context of shared activities and community. The Providence Gay Men's Chorus reaches out with its concerts to expand the bounds of community. By helping to create an atmosphere of tolerance and understanding, their work benefits not only the citizens of Rhode Island, but ultimately the entire nation.

I am pleased to make it known that November 14, 1999 was not only the fourth anniversary of the Chorus, but also was declared Providence Gay Men's Chorus Day in the State of Rhode Island. Mr. President, I ask that a gubernatorial proclamation from the Governor of my home state of Rhode Island proclaiming November 14th as ''Providence Gay Men's Chorus Day'' be printed in the CONGRESSIONAL RECORD.

I join in the chorus of voices supporting the Providence Gay Men's Chorus' dual mission of creating beautiful music and promoting mutual respect and understanding. I know this talented musical group will continue its good work and I wish them many, many more birthdays.

The proclamation follows:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS—GUBERNATORIAL PROCLAMATION

Whereas, the Providence Gay Men's Chorus was first conceived in a karaoke bar in Providence in October 1995. The first meeting of its original eight members from Rhode Island and Massachusetts was held in November 1995, in a home in Pawtucket. The name Providence Gay Men's Chorus (PGMC) was decided on after some deliberation and the group was then underway with a music director and an accompanist; and,

Whereas, the mission of the PGMC is to provide and foster continuing growth of men's voices. Through the sharing of song concerts, the PGMC hopes to foster mutual understanding, tolerance and support of people with diverse backgrounds and lifestyles; and,

Whereas, the membership started to blossom during the first year and moved to St. James Episcopal Church in North Providence. During this year, the first board was also formed and the first concert was held in Warcham, Massachusetts with 12 members; and,

Whereas, the chorus kept growing and moved again. This time to the Bell Street Chapel in Providence, where the now 35-member chorus was performing two seasons per year with three concerts per season. It was at the Bell Street Chapel that the PGMC achieved their first sell out audience; and,

Whereas, as membership approached 40 members, the chorus moved once again to the First Unitarian Church in Providence. During this time, the PGMC joined the national choral organization for gay and lesbians called GALA and received its first corporate sponsorship; and,

Whereas, the chorus is now approaching its fourth birthday, has a membership of 50 and is back at the Bell Street Chapel. The members will be performing series of concerts in November, singing at First Night 2000, and initiating a scholarship program. Future plans for the chorus are to bring a program to the Hasbro's Children's Hospital, perform to mainstream audiences throughout the city and state, and attend the national GALA conferences; and,

Whereas, on November 14, 1999 the chorus will hold a concert at the Newport Congregational Church, under the direction of Charles Pietrello and the accompaniment of Bruce Ruby;

Now, therefore, I, Lincoln Almond, Governor of the State of Rhode Island and Providence Plantations, do hereby proclaim November 14, 1999, as Providence Gay Men's Chorus Day.●

## TRIBUTE TO WILLIAM AND OLENE DOYLE

• Mr. JEFFORDS. Mr. President, I am proud to stand before my colleagues today and pay tribute to a couple who have so positively influenced the people of Washington County, Vermont over the course of their lives. William and Olene Doyle will be honored as the Washington County Citizens of the Year by the Green Mountain Council of Boy Scouts on November 22nd, 1999.

My old friend Bill Doyle has navigated a well rounded career as a teacher, politician, and author. Since 1958, he has been teaching history and government at Johnson State College. In 1968, he was elected to serve as one of Washington County's three State Senators, a role in which he has thrived for over three decades. As a skilled teacher and a master of parliamentary rules, Bill has been an invaluable mentor and mediator in the Vermont State House. Bill has written two books, including The Vermont Political Tradition, which is regarded by many to be a ''must read'' on Vermont political history. He has also taken his passion for government and politics and created the annual ''Doyle Poll,'' our yearly gauge of public opinion on the hottest and sometimes most controversial issues facing Vermonters. While admittedly unscientific, the poll's results are soundly reflective of Vermont sentiment.

As the son of an art teacher, I have always held a deep respect for the arts and for those who are able to inspire creativity in our nation's young people. Olene Doyle has taught art in elementary, secondary, and higher education institutions in the central Vermont region. Her dedication to arts and education led her to volunteer positions on the local school board in Montpelier, as well as on the board of the Wood Art Gallery, where, incidently, I now hold the annual Congressional Arts Competition.

Bill and Olene raised three wonderful children. However, they have never stopped teaching as evidenced by their ongoing community service and involvement in their local church and non-profit organizations. Given the countless hours they dedicate to community service, it is noteworthy that the couple finds the time to pursue personal hobbies such as golf and gardening. And while I have never had the privilege of seeing the Doyle gardens, I have been told they are a vibrant reflection of the dedication which Bill and Olene give to everything they do.

I am thankful for the opportunity to express my heartfelt praise. I can think of few couples more worthy of this award. Years of partnership and devotion to each other have inevitably spilled over into the Vermont community, where Bill and Olene have truly made their mark as two of Vermont's most influential and giving people.•

## BRETT WAGNER ON RUSSIAN NUCLEAR MATERIALS

• Mr. KENNEDY. Mr. President, it is important that we remember how vital our nuclear nonproliferation programs with Russia are to our national security. That's why I was pleased, in recent weeks, to see two articles by Brett Wagner in the San Francisco chronicle and in the Wall Street Journal, which I would like to submit for the RECORD.

Mr. Wagner is the president of the California Center for Strategic Studies, and his articles bring much needed attention to an essential aspect of our nuclear nonproliferation policy—to ensure that Russian weapons-grade, highly-enriched uranium does not fall into the wrong hands. We need to live up to our agreement with Russia and strengthen our nuclear, chemical and biological nonproliferation program with that nation. Our future could well depend on it.

I believe that Mr. Wagner's articles will be of interest to all of us in Congress who care about these issues, and I ask that they be printed in the RECORD.

The articles follow.

[From the San Francisco Chronicle, Oct. 22, 1999]

### U.S. MUST MOVE QUICKLY TO BUY RUSSIA'S EXCESS NUKES

(by Brett Wagner)

Without a doubt, what's been most frustrating about being a national security specialist in the 1990s has been urging that the United States buy the hundreds of tons of undersecured excess weapon-grade uranium scattered across Russia—only to repeatedly hear in response that this could never happen in the real world because of Washington's never-ending struggle to balance the federal budget.

My, how things change.

Today, Washington is awash in an unprecedented trillion-dollar budget surplus—a surplus expected to surpass $100 billion in the next fiscal year alone.

Politicians from both major parties are busy, of course, debating what to do with all the extra money. Unfortunately, neither party has even mentioned Russia's offer to sell its enormous stockpiles of excess weapon-grade uranium to the United States as quickly as possible in exchange for badly needed hard currency.

Congressional and presidential priorities aside, it's hard to imagine a better time to reconsider this issue.

By now, almost everyone who reads the newspaper or watches the evening news knows that Russia has yet to develop any reliable means of securing its enormous stockpiles of weapon-grade uranium and plutonium. It doesn't even have an accounting system capable of keeping track of them.

And as the media often remind us, these materials have already begun leaking into the West—troubling news, to say the least, considering that:

The blueprints and non-nuclear components necessary to build crude but highly effective nuclear weapons are already widely available;

It only takes 20 or 30 pounds of highly enriched uranium to arm a device capable of leveling a city the size of downtown Washington;

Rogue states and terrorist groups openly hostile to the United States have already attempted several times to purchase nuclear warheads or material from Russian nuclear workers;

There is no reliable way of keeping a nuclear weapon or contraband from being smuggled into U.S. territory if it ever does fall into the wrong hands.

What most people don't seem to remember, however, is that for several years now Russia has been trying to sell these same undersecured stockpiles of highly enriched uranium to the United States for use as nuclear fuel in commercial power plants and, what's more, that an agreement designed to help further this goal was signed by President Clinton and Russian leader Doris Yeltsin in February 1993.

Unfortunately, that agreement is a full year behind schedule, with shipments from 1993 through 1999 representing only 80 tons of highly enriched uranium—30 tons short of the minimum goal by the end of its seventh year in force. Moreover, even if the agreement were moving ahead at full speed, it would still cover only a fraction of Russia's excess weapon-grade uranium (500 of 1,200 tons), and none of its plutonium. A frustrated Russia can't understand why America wants to move so slowly.

Meanwhile, terrorism is spiraling out of control in and around Moscow, war is breaking out again in the Caucus and the nuclear materials from thousands of dismantled Russian warheads continue to pile up in poorly protected makeshift warehouses scattered across several time zones, many of them far from the central government's watchful eye.

All of which begs the question: How long can things go on this way, before we run out of luck? Or, in other words, how long can Russia's hundreds of tons of missile materials be stored so haphazardly before small but significant amounts begin winding up in the hands of terrorists or rogue states?

The time has come for Washington to finally put its money where its mouth is and use part of the enormous budget surplus to purchase as much of Russia's fissile materials—both uranium and plutonium—as Moscow is willing to sell, and as quickly as Moscow is wiling to sell them.

The case for taking such a bold step should be easy to make with the American people.

First, the sticker price would be remarkably low—less than $20 billion. And since the U.S. government would presumably one day sell most or all of the uranium and plutonium for use as nuclear fuel, the expense would not have to be counted as an expense—an argument sure to resonate well with fiscal conservatives eager to keep pace with Gramm-Rudman.

Second, one could compare the price tag with the hundreds of billions of dollars America spent to defend itself and its allies against nuclear weapons during the Cold War; the trillion dollars of human life that would result if a small nuclear device were ever successfully detonated in a place such as downtown Washington; and the billions of dollars that rogue states and terrorist groups have already offered Russian nuclear workers for extremely small amounts of the same nuclear material.

And there is the tremendous sense of relief in purchasing the very stuff that for so long threatened America's very survival, and which now threatens the whole world.

With the 2000 election cycle beginning to pick up steam, and with the possibility of a viable third-party presidential candidate growing by the day, one would think that the two major parties would be scrambling to take the lead on this most serious of national Security issues.

[From the Wall Street Journal, Sept. 9, 1999]

NUKES FOR SALE

(By Brett Wagner)

Strangely absent from the debate over how to spend Washington's projected $1 trillion surplus has been any discussion of Russia's longstanding offer to sell its stockpiles of excess weapon-grade uranium. The time has come to take Russia up on this offer.

Russia has never developed a reliable system for protecting the enormous stockpiles of weapon-grade uranium and plutonium it inherited from the Soviet Union. These stockpiles are often stored in makeshift warehouses, some protected only by $5 combination locks and soldiers who occasionally desert their posts in search of food. Small caches of these nuclear materials have already begun leaking out of Russia. It would only take 20 or 30 pounds of highly enriched uranium to arm a device capable of leveling a city the size of lower Manhattan.

In February 1993 Presidents Clinton and Boris Yeltsin signed an agreement for Russia to sell the U.S. highly enriched uranium extracted from its dismantled nuclear warheads in exchange for hard currency. Russia is currently dismantling thousands of warheads. Unfortunately, this unprecedented opportunity to advance U.S. and international security has fallen behind schedule at nearly every turn, primarily because Washington is constantly distracted by less important issues. So far Russia has shipped only 50.5 tons of highly enriched uranium—almost 30 tons short of the agreement's stated goal by this point.

One major holdup has been the U.S. enrichment Corp., a recently privatized company selected by the U.S. government to implement the American side of the accord. It has resisted accepting delivery of Russia's enriched uranium because, among other reasons, it claims that the materials are not pure enough for U.S. nuclear plants. But the corporation has a fundamental conflict of interest. Since it also produces enriched uranium, it wants to limit Russian competition in the international market.

The question is: How long do we have before we run out of luck? How long before some of Russia's uranium winds up in the hands of terrorists like Osama bin Laden or regimes like Saddam Hussein's?

Washington should switch the power of executive agent from the U.S. Enrichment Corp. to the Department of Energy. Given that most of the delays in implementing the agreement have stemmed from America's insistence that the highly enriched uranium be blended down into nuclear fuel in Russia, Washington should reverse this policy and accept Moscow's offer to ship its undiluted uranium directly to the U.S.

As soon as the agreement gets back on track, Washington should ask Moscow to expand it to include all of Russia's excess weapon-grade uranium, not to mention its excess plutonium. It makes no sense to purchase one stockpile of unsecured fissile material while leaving others in jeopardy.

The pricetag for such a deal would be remarkably low. The cost of purchasing 500 tons of Russia's highly enriched uranium, the quantity covered in the agreement, is approximately $8 billion. Beyond what the agreement covers, Moscow has some 700 tons of additional weapons-grade uranium it has deemed ''excess.'' That would increase the price to around $19 billion. And for an additional $1 billion or $2 billion. Moscow would probably throw in its excess weapon-grade plutonium, which it has also been trying to sell for use as nuclear fuel.

With Russian parliamentary elections scheduled for later this year and a presidential election next June—which may well bring in a government less friendly to the West than Mr. Yeltsin's—the time to act is now rather than later.●

## MORNING BUSINESS

Mr. MURKOWSKI. I ask consent that there be a period for the transaction of routine morning business, with any Senator permitted to speak for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

## NATIONAL SALVAGE MOTOR VEHICLE CONSUMER PROTECTION ACT

Mr. LOTT. Mr. President, I am proud to add the American Automobile Association (AAA) and the California DMV to the long list of organizations that support S. 655, the National Salvage Motor Vehicle Consumer Protection Act that I introduced during this session to protect consumers from title fraud.

Other supporters of my title branding legislation include the American Association of Motor Vehicle Administrators (AAMVA), state DMV directors around the country, the Michigan Secretary of State and other Secretaries of State, the International Union of Police Associations AFL–CIO, International Association of Auto Theft Investigators, National Odometer and Title Fraud Enforcement Association, American Automobile Manufacturers Association, Association of International Automobile Manufacturers, National Automobile Dealers Association, National Association of Minority Automobile Dealers, National Independent Automobile Dealers Association, Honda North America, Nissan North America, Carfax, CarMax, American Service Industry Association, American Automotive Leasing Association, American Car Rental Association, American Salvage Pool Association, Automotive Engine Rebuilders Association, Automotive Parts and Accessories Association, Automotive Parts Rebuilders Association, National Association of Fleet Resale Dealers, National Auto Auction Association, and State Farm Insurance.

I also think it is worth recognizing 23 of our colleagues who have actively signaled their intention to protect motorists in their state and throughout the nation by formally supporting S. 655. Senators MCCAIN, BREAUX, STEVENS, CONRAD, BURNS, HUTCHISON, FRIST, ABRAHAM, MACK, WARNER, BENNETT, SESSIONS, MURKOWSKI, SHELBY, INHOFE, GRAMS, THOMAS, ROBERTS, HATCH, THOMPSON, ENZI, KYL, and HUTCHINSON are to be commended for cosponsoring this important consumer protection measure.

The American Automobile Association represents over 40 million drivers. It is a nonpartisan organization that champions the interests of the driving public in virtually every city, county, and state across this great land. AAA supports S. 655 because it shares my belief that national standards for titling salvage, rebuilt salvage, non-repairable and flood damaged vehicles will help prevent the fraudulent sale of damaged vehicles and protect consumers from unknowingly purchasing them. Mr. President, I ask unanimous consent to print AAA's letter of support for S. 655 in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AAA WASHINGTON OFFICE,
*Washington, DC, November 17, 1999.*

Hon. TRENT LOTT,
*Majority Leader, U.S. Senate, Washington, DC.*

DEAR SENATOR LOTT: As a representative of 42 million motorists, AAA appreciates your effort to establish more uniformity in the titling and registration of salvage and other damaged vehicles.

AAA shares your concern about the practice of unscrupulous individuals buying damaged vehicles at low cost, rebuilding them, and then retitling them in another state with less or no protections. A ''washed'' title does not disclose previous damage to a vehicle and therefore, subsequent purchasers have no knowledge of the damage. Unwitting consumers are the victims of such fraudulent practices.

In an effort to help AAA members avoid the pitfalls of buying damaged or rebuilt vehicles, AAA provides tips on ways to identify damaged or flood vehicles. AAA also recommends that consumers have used cars checked for safety and reliability by a reputable auto technician before they purchase the vehicle.

Minimum standards for titling salvage, rebuilt salvage, non-repairable and flood-damaged vehicles will help present the fraudulent sale of damaged vehicles and protect consumers from unknowingly purchasing them. However, because states often have unique and various problems relating specifically to salvage vehicles, AAA believes states should be provided flexibility to enact stricter standards that address individual state concerns as your bill allows.

S. 655 represents an important step toward addressing the problem, while recognizing the legitimate role states have in motor vehicle licensing and titling laws. AAA commends your leadership in working with all parties to craft a workable solution and is pleased to support your bill.

Sincerely,

SUSAN G. PIKRALLIDAS,
*Interim Vice President,*
*Public & Government Relations.*

Mr. LOTT. Mr. President, my goal from the outset has been to protect used car buyers from title fraud. The solution I proposed was simple, straightforward, and modeled after the recommendations of the Motor Vehicle Titling, Registration, and Salvage Advisory Committee. S. 655 merely establishes model uniform definitions and disclosure requirements for four basic terms: salvage; rebuilt salvage; flood; and nonrepairable vehicles. Under the legislation reported out by the Senate Commerce Committee, states would be free to utilize additional terms and to provide additional disclosures beyond those provided for in this bill. States that choose to adopt the four uniform terms and related provisions would be eligible for incentive grants. No state

would be penalized for non-participation or for retaining different standards.

While there is substantial and broad support for this much needed legislation, there continues to be resistance to moving forward with this legislation in the Senate. Unfortunately, this resistance has the effect of allowing unsuspecting consumers to continue to purchase and drive potentially life-threatening vehicles. Delaying this legislation will cost used car buyers another $4 billion this year and place millions of structurally unsafe vehicles back on America's roads and highways. Roads that our family, friends, and neighbors share every day.

Even though S. 655 has wide-spread support and follows the recommendations of the Congressionally-chartered Salvage Advisory Committee, a few groups have attempted to undermine this measure at every stage of the process. Unfortunately, these groups seemed to have convinced some of my colleagues that it is better to delay the implementation of clearly needed consumer protections and continue to press for the imposition of untried, untested and in many cases anti-consumer requirements. Requirements that states have rejected time and again. Provisions that focus on post-purchase redress rather than pre-purchase disclosure. Definitions and standards that would perpetuate confusion rather than promote uniformity among the states, undermining the very purpose of this legislation. These groups claim to have the interests of consumers in mind, yet the best representative of car-buying consumers, the American Automobile Association, has rejected their approach and supports passage of S. 655.

As I am sure my colleagues will agree, advancing titling definitions and standards that states have rejected, and will continue to reject, will only exacerbate title fraud. Such an approach only benefits those who prey on unsuspecting car buyers and would jeopardize the minimum standards required to make the program work, unnecessarily harm many vehicle owners and buyers by needlessly reducing the value of their vehicles, create unreasonable or untested standards, foster unnecessary litigation, impinge on states rights, and promote a scheme that states will reject.

During the 104th and 105th Congresses, this was a bipartisan, better yet nonpartisan, initiative. My only interest has been to protect consumers by encouraging the use of minimal uniform disclosure standards for severely damaged vehicles—those involved in a serious accident, severely damaged by falling objects, or vehicles that have sustained significant and lingering water damage. Whether the used car buyer is in Mississippi, California, Nevada, Minnesota, or in any other state, he or she needs the pre-purchase disclosure information that S. 655 would provide.

I have made every effort to reach consensus on this legislation. In that vein, a number of changes were incorporated throughout the legislative process to address the concerns of State attorneys general, certain consumer groups, and many of my colleagues. The latest version of this legislation incorporates the full range of changes that DMV administrators, including California's Administrator, believe are practicable. The substitute makes it very clear that there is no preemption of state law. The substitute also mirrors much of the State of California's current titling requirements, ensuring that minimal change will be required by our largest state should it choose to apply for the bill's grant monies.

Mr. President, even though I have made numerous compromises on this legislation, the goal post continues to move further away. Instead of gaining acceptance, I was recently presented with yet another round of proposed modifications. AAMVA reviewed these proposed changes and determined they would eviscerate the purpose of this legislation. AAMVA opposes these additional changes because they could potentially harm the very people this legislation aims to protect, create a mountain of unnecessary paperwork, and would create a substantial amount of bureaucracy with no added value.

It makes no sense to adopt provisions that the experts on titling matters believe are harmful to used car consumers, the very people this balanced legislation aims to protect. AAMVA, Secretaries of State, local and state law enforcement, state legislators, and the automotive and insurance industries have repeatedly pronounced their support for S. 655. AAA and the California DMV also agree that my substitute bill is the right legislative solution.

Mr. President, if we do not pass this legislation, the real loser is the unfortunate used car buyer in these and other states who unknowingly purchases a wreck on wheels, perhaps a previously totaled government crash test vehicle. Every day that Congress fails to act on this prudent title branding legislation, thousands of individuals are harmed and millions of dollars are lost to the unscrupulous practice of title laundering. Let's pass this bill now.

## S. 1949

Mr. LEAHY. Mr. President, I ask unanimous consent that the text of the bill, S. 1949, the ''Clean Power Plant and Modernization Act,'' introduced on November 18, 1999, be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1949

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

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) SHORT TITLE.—This Act may be cited as the ''Clean Power Plant and Modernization Act of 1999''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings and purposes.
Sec. 3. Definitions.
Sec. 4. Combustion heat rate efficiency standards for fossil fuel-fired generating units.
Sec. 5. Air emission standards for fossil fuel-fired generating units.
Sec. 6. Extension of renewable energy production credit.
Sec. 7. Megawatt hour generation fees.
Sec. 8. Clean Air Trust Fund.
Sec. 9. Accelerated depreciation for investor-owned generating units.
Sec. 10. Grants for publicly owned generating units.
Sec. 11. Recognition of permanent emission reductions in future climate change implementation programs.
Sec. 12. Renewable and clean power generation technologies.
Sec. 13. Clean coal, advanced gas turbine, and combined heat and power demonstration program.
Sec. 14. Evaluation of implementation of this Act and other statutes.
Sec. 15. Assistance for workers adversely affected by reduced consumption of coal.
Sec. 16. Community economic development incentives for communities adversely affected by reduced consumption of coal.
Sec. 17. Carbon sequestration.

**SEC. 2. FINDINGS AND PURPOSES.**

(a) FINDINGS.—Congress finds that—

(1) the United States is relying increasingly on old, needlessly inefficient, and highly polluting powerplants to provide electricity;

(2) the pollution from those powerplants causes a wide range of health and environmental damage, including—

(A) fine particulate matter that is associated with the deaths of approximately 50,000 Americans annually;

(B) urban ozone, commonly known as ''smog'', that impairs normal respiratory functions and is of special concern to individuals afflicted with asthma, emphysema, and other respiratory ailments;

(C) rural ozone that obscures visibility and damages forests and wildlife;

(D) acid deposition that damages estuaries, lakes, rivers, and streams (and the plants and animals that depend on them for survival) and leaches heavy metals from the soil;

(E) mercury and heavy metal contamination that renders fish unsafe to eat, with especially serious consequences for pregnant women and their fetuses;

(F) eutrophication of estuaries, lakes, rivers, and streams; and

(G) global climate change that may fundamentally and irreversibly alter human, animal, and plant life;

(3) tax laws and environmental laws—

(A) provide a very strong incentive for electric utilities to keep old, dirty, and inefficient generating units in operation; and

(B) provide a strong disincentive to investing in new, clean, and efficient generating technologies;

(4) fossil fuel-fired power plants, consisting of plants fueled by coal, fuel oil, and natural gas, produce nearly two-thirds of the electricity generated in the United States;

(5) since, according to the Department of Energy, the average combustion heat rate efficiency of fossil fuel-fired power plants in

the United States is 33 percent, 67 percent of the heat generated by burning the fuel is wasted;

(6) technology exists to increase the combustion heat rate efficiency of coal combustion from 35 percent to 50 percent above current levels, and technological advances are possible that would boost the net combustion heat rate efficiency even more;

(7) coal-fired power plants are the leading source of mercury emissions in the United States, releasing an estimated 52 tons of this potent neurotoxin each year;

(8) in 1996, fossil fuel-fired power plants in the United States produced over 2,000,000,000 tons of carbon dioxide, the primary greenhouse gas;

(9) on average—

(A) fossil fuel-fired power plants emit 1,999 pounds of carbon dioxide for every megawatt hour of electricity produced;

(B) coal-fired power plants emit 2,110 pounds of carbon dioxide for every megawatt hour of electricity produced; and

(C) coal-fired power plants emit 205 pounds of carbon dioxide for every million British thermal units of fuel consumed;

(10) the average fossil fuel-fired generating unit in the United States commenced operation in 1964, 6 years before the Clean Air Act (42 U.S.C. 7401 et seq.) was amended to establish requirements for stationary sources;

(11)(A) according to the Department of Energy, only 23 percent of the 1,000 largest emitting units are subject to stringent new source performance standards under section 111 of the Clean Air Act (42 U.S.C. 7411); and

(B) the remaining 77 percent, commonly referred to as ''grandfathered'' power plants, are subject to much less stringent requirements;

(12) on the basis of scientific and medical evidence, exposure to mercury and mercury compounds is of concern to human health and the environment;

(13) pregnant women and their developing fetuses, women of childbearing age, and children are most at risk for mercury-related health impacts such as neurotoxicity;

(14) although exposure to mercury and mercury compounds occurs most frequently through consumption of mercury-contaminated fish, such exposure can also occur through—

(A) ingestion of breast milk;

(B) ingestion of drinking water, and foods other than fish, that are contaminated with methyl mercury; and

(C) dermal uptake through contact with soil and water;

(15) the report entitled ''Mercury Study Report to Congress'' and submitted by the Environmental Protection Agency under section 112(n)(1)(B) of the Clean Air Act (42 U.S.C. 7412(n)(1)(B)), in conjunction with other scientific knowledge, supports a plausible link between mercury emissions from combustion of coal and other fossil fuels and mercury concentrations in air, soil, water, and sediments;

(16)(A) the Environmental Protection Agency report described in paragraph (15) supports a plausible link between mercury emissions from combustion of coal and other fossil fuels and methyl mercury concentrations in freshwater fish;

(B) in 1997, 39 States issued health advisories that warned the public about consuming mercury-tainted fish, as compared to 27 States that issued such advisories in 1993; and

(C) the number of mercury advisories nationwide increased from 899 in 1993 to 1,675 in 1996, an increase of 86 percent;

(17) pollution from powerplants can be reduced through adoption of modern technologies and practices, including—

(A) methods of combusting coal that are intrinsically more efficient and less polluting, such as pressurized fluidized bed combustion and an integrated gasification combined cycle system;

(B) methods of combusting cleaner fuels, such as gases from fossil and biological resources and combined cycle turbines;

(C) treating flue gases through application of pollution controls;

(D) methods of extracting energy from natural, renewable resources of energy, such as solar and wind sources;

(E) methods of producing electricity and thermal energy from fuels without conventional combustion, such as fuel cells; and

(F) combined heat and power methods of extracting and using heat that would otherwise be wasted, for the purpose of heating or cooling office buildings, providing steam to processing facilities, or otherwise increasing total efficiency; and

(18) adopting the technologies and practices described in paragraph (17) would increase competitiveness and productivity, secure employment, save lives, and preserve the future.

(b) PURPOSES.—The purposes of this Act are—

(1) to protect and preserve the environment while safeguarding health by ensuring that each fossil fuel-fired generating unit minimizes air pollution to levels that are technologically feasible through modernization and application of pollution controls;

(2) to greatly reduce the quantities of mercury, carbon dioxide, sulfur dioxide, and nitrogen oxides entering the environment from combustion of fossil fuels;

(3) to permanently reduce emissions of those pollutants by increasing the combustion heat rate efficiency of fossil fuel-fired generating units to levels achievable through—

(A) use of commercially available combustion technology, including clean coal technologies such as pressurized fluidized bed combustion and an integrated gasification combined cycle system;

(B) installation of pollution controls;

(C) expanded use of renewable and clean energy sources such as biomass, geothermal, solar, wind, and fuel cells; and

(D) promotion of application of combined heat and power technologies;

(4)(A) to create financial and regulatory incentives to retire thermally inefficient generating units and replace them with new units that employ high-thermal-efficiency combustion technology; and

(B) to increase use of renewable and clean energy sources such as biomass, geothermal, solar, wind, and fuel cells;

(5) to establish the Clean Air Trust Fund to fund the training, economic development, carbon sequestration, and research, development, and demonstration programs established under this Act;

(6) to eliminate the ''grandfather'' loophole in the Clean Air Act relating to sources in operation before the promulgation of standards under section 111 of that Act (42 U.S.C. 7411);

(7) to express the sense of Congress that permanent reductions in emissions of greenhouse gases that are accomplished through the retirement of old units and replacement by new units that meet the combustion heat rate efficiency and emission standards specified in this Act should be credited to the utility sector and the owner or operator in any climate change implementation program;

(8) to promote permanent and safe disposal of mercury recovered through coal cleaning, flue gas control systems, and other methods of mercury pollution control;

(9) to increase public knowledge of the sources of mercury exposure and the threat to public health from mercury, particularly the threat to the health of pregnant women and their fetuses, women of childbearing age, and children;

(10) to decrease significantly the threat to human health and the environment posed by mercury;

(11) to provide worker retraining for workers adversely affected by reduced consumption of coal; and

(12) to provide economic development incentives for communities adversely affected by reduced consumption of coal.

**SEC. 3. DEFINITIONS.**

In this Act:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) GENERATING UNIT.—The term ''generating unit'' means an electric utility generating unit.

**SEC. 4. COMBUSTION HEAT RATE EFFICIENCY STANDARDS FOR FOSSIL FUEL-FIRED GENERATING UNITS.**

(a) STANDARDS.—

(1) IN GENERAL.—Not later than the day that is 10 years after the date of enactment of this Act, each fossil fuel-fired generating unit that commences operation on or before that day shall achieve and maintain, at all operating levels, a combustion heat rate efficiency of not less than 45 percent (based on the higher heating value of the fuel).

(2) FUTURE GENERATING UNITS.—Each fossil fuel-fired generating unit that commences operation more than 10 years after the date of enactment of this Act shall achieve and maintain, at all operating levels, a combustion heat rate efficiency of not less than 50 percent (based on the higher heating value of the fuel), unless granted a waiver under subsection (d).

(b) TEST METHODS.—Not later than 2 years after the date of enactment of this Act, the Administrator, in consultation with the Secretary of Energy, shall promulgate methods for determining initial and continuing compliance with this section.

(c) PERMIT REQUIREMENT.—Not later than 10 years after the date of enactment of this Act, each generating unit shall have a permit issued under title V of the Clean Air Act (42 U.S.C. 7661 et seq.) that requires compliance with this section.

(d) WAIVER OF COMBUSTION HEAT RATE EFFICIENCY STANDARD.—

(1) APPLICATION.—The owner or operator of a generating unit that commences operation more than 10 years after the date of enactment of this Act may apply to the Administrator for a waiver of the combustion heat rate efficiency standard specified in subsection (a)(2) that is applicable to that type of generating unit.

(2) ISSUANCE.—The Administrator may grant the waiver only if—

(A)(i) the owner or operator of the generating unit demonstrates that the technology to meet the combustion heat rate efficiency standard is not commercially available; or

(ii) the owner or operator of the generating unit demonstrates that, despite best technical efforts and willingness to make the necessary level of financial commitment, the combustion heat rate efficiency standard is not achievable at the generating unit; and

(B) the owner or operator of the generating unit enters into an agreement with the Administrator to offset by a factor of 1.5 to 1, using a method approved by the Administrator, the emission reductions that the generating unit does not achieve because of the failure to achieve the combustion heat rate efficiency standard specified in subsection (a)(2).

(3) EFFECT OF WAIVER.—If the Administrator grants a waiver under paragraph (1), the generating unit shall be required to achieve and maintain, at all operating levels, the combustion heat rate efficiency standard specified in subsection (a)(1).

**SEC. 5. AIR EMISSION STANDARDS FOR FOSSIL FUEL-FIRED GENERATING UNITS.**

(a) ALL FOSSIL FUEL-FIRED GENERATING UNITS.—Not later than 10 years after the date of enactment of this Act, each fossil fuel-fired generating unit, regardless of its date of construction or commencement of operation, shall be subject to, and operating in physical and operational compliance with, the new source review requirements under section 111 of the Clean Air Act (42 U.S.C. 7411).

(b) EMISSION RATES FOR SOURCES REQUIRED TO MAINTAIN 45 PERCENT EFFICIENCY.—Not later than 10 years after the date of enactment of this Act, each fossil fuel-fired generating unit subject to section 4(a)(1) shall be in compliance with the following emission limitations:

(1) MERCURY.—Each coal-fired or fuel oil-fired generating unit shall be required to remove 90 percent of the mercury contained in the fuel, calculated in accordance with subsection (e).

(2) CARBON DIOXIDE.—

(A) NATURAL GAS-FIRED GENERATING UNITS.—Each natural gas-fired generating unit shall be required to achieve an emission rate of not more than 0.9 pounds of carbon dioxide per kilowatt hour of net electric power output.

(B) FUEL OIL-FIRED GENERATING UNITS.—Each fuel oil-fired generating unit shall be required to achieve an emission rate of not more than 1.3 pounds of carbon dioxide per kilowatt hour of net electric power output.

(C) COAL-FIRED GENERATING UNITS.—Each coal-fired generating unit shall be required to achieve an emission rate of not more than 1.55 pounds of carbon dioxide per kilowatt hour of net electric power output.

(3) SULFUR DIOXIDE.—Each fossil fuel-fired generating unit shall be required—

(A) to remove 95 percent of the sulfur dioxide that would otherwise be present in the flue gas; and

(B) to achieve an emission rate of not more than 0.3 pounds of sulfur dioxide per million British thermal units of fuel consumed.

(4) NITROGEN OXIDES.—Each fossil fuel-fired generating unit shall be required—

(A) to remove 90 percent of nitrogen oxides that would otherwise be present in the flue gas; and

(B) to achieve an emission rate of not more than 0.15 pounds of nitrogen oxides per million British thermal units of fuel consumed.

(c) EMISSION RATES FOR SOURCES REQUIRED TO MAINTAIN 50 PERCENT EFFICIENCY.—Each fossil fuel-fired generating unit subject to section 4(a)(2) shall be in compliance with the following emission limitations:

(1) MERCURY.—Each coal-fired or fuel oil-fired generating unit shall be required to remove 90 percent of the mercury contained in the fuel, calculated in accordance with subsection (e).

(2) CARBON DIOXIDE.—

(A) NATURAL GAS-FIRED GENERATING UNITS.—Each natural gas-fired generating unit shall be required to achieve an emission rate of not more than 0.8 pounds of carbon dioxide per kilowatt hour of net electric power output.

(B) FUEL OIL-FIRED GENERATING UNITS.—Each fuel oil-fired generating unit shall be required to achieve an emission rate of not more than 1.2 pounds of carbon dioxide per kilowatt hour of net electric power output.

(C) COAL-FIRED GENERATING UNITS.—Each coal-fired generating unit shall be required to achieve an emission rate of not more than 1.4 pounds of carbon dioxide per kilowatt hour of net electric power output.

(3) SULFUR DIOXIDE.—Each fossil fuel-fired generating unit shall be required—

(A) to remove 95 percent of the sulfur dioxide that would otherwise be present in the flue gas; and

(B) to achieve an emission rate of not more than 0.3 pounds of sulfur dioxide per million British thermal units of fuel consumed.

(4) NITROGEN OXIDES.—Each fossil fuel-fired generating unit shall be required—

(A) to remove 90 percent of nitrogen oxides that would otherwise be present in the flue gas; and

(B) to achieve an emission rate of not more than 0.15 pounds of nitrogen oxides per million British thermal units of fuel consumed.

(d) PERMIT REQUIREMENT.—Not later than 10 years after the date of enactment of this Act, each generating unit shall have a permit issued under title V of the Clean Air Act (42 U.S.C. 7661 et seq.) that requires compliance with this section.

(e) COMPLIANCE DETERMINATION AND MONITORING.—

(1) REGULATIONS.—Not later than 2 years after the date of enactment of this Act, the Administrator, in consultation with the Secretary of Energy, shall promulgate methods for determining initial and continuing compliance with this section.

(2) CALCULATION OF MERCURY EMISSION REDUCTIONS.—Not later than 2 years after the date of enactment of this Act, the Administrator shall promulgate fuel sampling techniques and emission monitoring techniques for use by generating units in calculating mercury emission reductions for the purposes of this section.

(3) REPORTING.—

(A) IN GENERAL.—Not less than often than quarterly, the owner or operator of a generating unit shall submit a pollutant-specific emission report for each pollutant covered by this section.

(B) SIGNATURE.—Each report required under subparagraph (A) shall be signed by a responsible official of the generating unit, who shall certify the accuracy of the report.

(C) PUBLIC REPORTING.—The Administrator shall annually make available to the public, through 1 or more published reports and 1 or more forms of electronic media, facility-specific emission data for each generating unit and pollutant covered by this section.

(D) CONSUMER DISCLOSURE.—Not later than 2 years after the date of enactment of this Act, the Administrator shall promulgate regulations requiring each owner or operator of a generating unit to disclose to residential consumers of electricity generated by the unit, on a regular basis (but not less often than annually) and in a manner convenient to the consumers, data concerning the level of emissions by the generating unit of each pollutant covered by this section and each air pollutant covered by section 111 of the Clean Air Act (42 U.S.C. 7411).

(f) DISPOSAL OF MERCURY CAPTURED OR RECOVERED THROUGH EMISSION CONTROLS.—

(1) CAPTURED OR RECOVERED MERCURY.—Not later than 2 years after the date of enactment of this Act, the Administrator shall promulgate regulations to ensure that mercury that is captured or recovered through the use of an emission control, coal cleaning, or another method is disposed of in a manner that ensures that—

(A) the hazards from mercury are not transferred from 1 environmental medium to another; and

(B) there is no release of mercury into the environment.

(2) MERCURY-CONTAINING SLUDGES AND WASTES.—The regulations promulgated by the Administrator under paragraph (1) shall ensure that mercury-containing sludges and wastes are handled and disposed of in accordance with all applicable Federal and State laws (including regulations).

(g) PUBLIC REPORTING OF FACILITY-SPECIFIC EMISSION DATA.—

(1) IN GENERAL.—The Administrator shall annually make available to the public, through 1 or more published reports and the Internet, facility-specific emission data for each generating unit and for each pollutant covered by this section.

(2) SOURCE OF DATA.—The emission data shall be taken from the emission reports submitted under subsection (e)(3).

**SEC. 6. EXTENSION OF RENEWABLE ENERGY PRODUCTION CREDIT.**

Section 45(c) of the Internal Revenue Code of 1986 (relating to definitions) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking ''and'';

(B) in subparagraph (B), by striking the period and inserting '', and''; and

(C) by adding at the end the following:

''(C) solar power.'';

(2) in paragraph (3)—

(A) by inserting '', and December 31, 1998, in the case of a facility using solar power to produce electricity'' after ''electricity''; and

(B) by striking ''1999'' and inserting ''2010''; and

(3) by adding at the end the following:

''(4) SOLAR POWER.—The term 'solar power' means solar power harnessed through—

''(A) photovoltaic systems,

''(B) solar boilers that provide process heat, and

''(C) any other means.''.

**SEC. 7. MEGAWATT HOUR GENERATION FEES.**

(a) IN GENERAL.—Chapter 38 of the Internal Revenue Code of 1986 (relating to miscellaneous excise taxes) is amended by inserting after subchapter D the following:

**''Subchapter E—Megawatt Hour Generation Fees**

''Sec. 4691. Imposition of fees.

**''SEC. 4691. IMPOSITION OF FEES.**

''(a) TAX IMPOSED.—There is hereby imposed on each covered fossil fuel-fired generating unit a tax equal to 30 cents per megawatt hour of electricity produced by the covered fossil fuel-fired generating unit.

''(b) ADJUSTMENT OF RATES.—Not less often than once every 2 years beginning after 2002, the Secretary, in consultation with the Administrator of the Environmental Protection Agency, shall evaluate the rate of the tax imposed by subsection (a) and increase the rate if necessary for any succeeding calendar year to ensure that the Clean Air Trust Fund established by section 9511 has sufficient amounts to fully fund the activities described in section 9511(c).

''(c) PAYMENT OF TAX.—The tax imposed by this section shall be paid quarterly by the owner or operator of each covered fossil fuel-fired generating unit.

''(d) COVERED FOSSIL FUEL-FIRED GENERATING UNIT.—The term 'covered fossil fuel-fired generating unit' means an electric utility generating unit that—

''(1) is powered by fossil fuels;

''(2) has a generating capacity of 5 or more megawatts; and

''(3) because of the date on which the generating unit commenced commercial operation, is not subject to all regulations promulgated under section 111 of the Clean Air Act (42 U.S.C. 7411).''.

(b) CONFORMING AMENDMENT.—The table of subchapters for such chapter 38 is amended by inserting after the item relating to subchapter D the following:

''SUBCHAPTER E. Megawatt hour generation fees.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to electricity produced in calendar years beginning after December 31, 2000.

**SEC. 8. CLEAN AIR TRUST FUND.**

(a) IN GENERAL.—Subchapter A of chapter 98 of the Internal Revenue Code of 1986 (relating to trust fund code) is amended by adding at the end the following:

**"SEC. 9511. CLEAN AIR TRUST FUND.**

''(a) CREATION OF TRUST FUND.—There is established in the Treasury of the United States a trust fund to be known as the 'Clean Air Trust Fund' (hereafter referred to in this section as the 'Trust Fund'), consisting of such amounts as may be appropriated or credited to the Trust Fund as provided in this section or section 9602(b).

''(b) TRANSFERS TO TRUST FUND.—There are hereby appropriated to the Trust Fund amounts equivalent to the taxes received in the Treasury under section 4691.

''(c) EXPENDITURES FROM TRUST FUND.—Amounts in the Trust Fund shall be available, without further Act of appropriation, upon request by the head of the appropriate Federal agency in such amounts as the agency head determines are necessary—

''(1) to provide funding under section 12 of the Clean Power Plant and Modernization Act of 1999, as in effect on the date of enactment of this section;

''(2) to provide funding for the demonstration program under section 13 of such Act, as so in effect;

''(3) to provide assistance under section 15 of such Act, as so in effect;

''(4) to provide assistance under section 16 of such Act, as so in effect; and

''(5) to provide funding under section 17 of such Act, as so in effect.''.

(b) CONFORMING AMENDMENT.—The table of sections for such subchapter A is amended by adding at the end the following:

''Sec. 9511. Clean Air Trust Fund.''.

**SEC. 9. ACCELERATED DEPRECIATION FOR INVESTOR-OWNED GENERATING UNITS.**

(a) IN GENERAL.—Section 168(e)(3) of the Internal Revenue Code of 1986 (relating to classification of certain property) is amended—

(1) in subparagraph (E) (relating to 15-year property), by striking ''and'' at the end of clause (ii), by striking the period at the end of clause (iii) and inserting '', and'', and by adding at the end the following:

''(iv) any 45-percent efficient fossil fuel-fired generating unit.''; and

(2) by adding at the end the following:

''(F) 12-YEAR PROPERTY.—The term '12-year property' includes any 50-percent efficient fossil fuel-fired generating unit.''.

(b) DEFINITIONS.—Section 168(i) of the Internal Revenue Code of 1986 (relating to definitions and special rules) is amended by adding at the end the following:

''(15) FOSSIL FUEL-FIRED GENERATING UNITS.—

''(A) 50-PERCENT EFFICIENT FOSSIL FUEL-FIRED GENERATING UNIT.—The term '50-percent efficient fossil fuel-fired generating unit' means any property used in an investor-owned fossil fuel-fired generating unit pursuant to a plan approved by the Secretary, in consultation with the Administrator of the Environmental Protection Agency, to place into service such a unit that is in compliance with sections 4(a)(2) and 5(c) of the Clean Power Plant and Modernization Act of 1999, as in effect on the date of enactment of this paragraph.

''(B) 45-PERCENT EFFICIENT FOSSIL FUEL-FIRED GENERATING UNIT.—The term '45-percent efficient fossil fuel-fired generating unit' means any property used in an investor-owned fossil fuel-fired generating unit pursuant to a plan so approved to place into service such a unit that is in compliance with sections 4(a)(1) and 5(b) of such Act, as so in effect.''.

(c) CONFORMING AMENDMENT.—The table contained in section 168(c) of the Internal Revenue Code of 1986 (relating to applicable recovery period) is amended by inserting after the item relating to 10-year property the following:

''12-year property ..... 12 years''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to property used after the date of enactment of this Act.

**SEC. 10. GRANTS FOR PUBLICLY OWNED GENERATING UNITS.**

Any capital expenditure made after the date of enactment of this Act to purchase, install, and bring into commercial operation any new publicly owned generating unit that—

(1) is in compliance with sections 4(a)(1) and 5(b) shall, for a 15-year period, be eligible for partial reimbursement through annual grants made by the Secretary of the Treasury, in consultation with the Administrator, in an amount equal to the monetary value of the depreciation deduction that would be realized by reason of section 168(c)(3)(E) of the Internal Revenue Code of 1986 by a similarly-situated investor-owned generating unit over that period; and

(2) is in compliance with sections 4(a)(2) and 5(c) shall, over a 12-year period, be eligible for partial reimbursement through annual grants made by the Secretary of the Treasury, in consultation with the Administrator, in an amount equal to the monetary value of the depreciation deduction that would be realized by reason of section 168(c)(3)(D) of such Code by a similarly-situated investor-owned generating unit over that period.

**SEC. 11. RECOGNITION OF PERMANENT EMISSION REDUCTIONS IN FUTURE CLIMATE CHANGE IMPLEMENTATION PROGRAMS.**

It is the sense of Congress that—

(1) permanent reductions in emissions of carbon dioxide and nitrogen oxides that are accomplished through the retirement of old generating units and replacement by new generating units that meet the combustion heat rate efficiency and emission standards specified in this Act, or through replacement of old generating units with nonpolluting renewable power generation technologies, should be credited to the utility sector, and to the owner or operator that retires or replaces the old generating unit, in any climate change implementation program enacted by Congress;

(2) the base year for calculating reductions under a program described in paragraph (1) should be the calendar year preceding the calendar year in which this Act is enacted; and

(3) a reasonable portion of any monetary value that may accrue from the crediting described in paragraph (1) should be passed on to utility customers.

**SEC. 12. RENEWABLE AND CLEAN POWER GENERATION TECHNOLOGIES.**

(a) IN GENERAL.—Under the Renewable Energy and Energy Efficiency Technology Act of 1989 (42 U.S.C. 12001 et seq.), the Secretary of Energy shall fund research and development programs and commercial demonstration projects and partnerships to demonstrate the commercial viability and environmental benefits of electric power generation from—

(1) biomass (excluding unseparated municipal solid waste), geothermal, solar, and wind technologies; and

(2) fuel cells.

(b) TYPES OF PROJECTS.—Demonstration projects may include solar power tower plants, solar dishes and engines, co-firing of biomass with coal, biomass modular systems, next-generation wind turbines and wind turbine verification projects, geothermal energy conversion, and fuel cells.

(c) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts made available under any other law, there is authorized to be appropriated to carry out this section $75,000,000 for each of fiscal years 2001 through 2010.

**SEC. 13. CLEAN COAL, ADVANCED GAS TURBINE, AND COMBINED HEAT AND POWER DEMONSTRATION PROGRAM.**

(a) IN GENERAL.—Under subtitle B of title XXI of the Energy Policy Act of 1992 (42 U.S.C. 13471 et seq.), the Secretary of Energy shall establish a program to fund projects and partnerships designed to demonstrate the efficiency and environmental benefits of electric power generation from—

(1) clean coal technologies, such as pressurized fluidized bed combustion and an integrated gasification combined cycle system;

(2) advanced gas turbine technologies, such as flexible midsized gas turbines and baseload utility scale applications; and

(3) combined heat and power technologies.

(b) SELECTION CRITERIA.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Energy shall promulgate criteria and procedures for selection of demonstration projects and partnerships to be funded under subsection (a).

(2) REQUIRED CRITERIA.—At a minimum, the selection criteria shall include—

(A) the potential of a proposed demonstration project or partnership to reduce or avoid emissions of pollutants covered by section 5 and air pollutants covered by section 111 of the Clean Air Act (42 U.S.C. 7411); and

(B) the potential commercial viability of the proposed demonstration project or partnership.

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—In addition to amounts made available under any other law, there is authorized to be appropriated to carry out this section $75,000,000 for each of fiscal years 2001 through 2010.

(2) DISTRIBUTION.—The Secretary shall make reasonable efforts to ensure that, under the program established under this section, the same amount of funding is provided for demonstration projects and partnerships under each of paragraphs (1), (2), and (3) of subsection (a).

**SEC. 14. EVALUATION OF IMPLEMENTATION OF THIS ACT AND OTHER STATUTES.**

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary of Energy, in consultation with the Chairman of the Federal Energy Regulatory Commission and the Administrator, shall submit to Congress a report on the implementation of this Act.

(b) IDENTIFICATION OF CONFLICTING LAW.—The report shall identify any provision of the Energy Policy Act of 1992 (Public Law 102–486), the Energy Supply and Environmental Coordination Act of 1974 (15 U.S.C. 791 et seq.), the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2601 et seq.), or the Powerplant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8301 et seq.), or the amendments made by those Acts, that conflicts with the intent or efficient implementation of this Act.

(c) RECOMMENDATIONS.—The report shall include recommendations from the Secretary of Energy, the Chairman of the Federal Energy Regulatory Commission, and the Administrator for legislative or administrative measures to harmonize and streamline the statutes specified in subsection (b) and the regulations implementing those statutes.

**SEC. 15. ASSISTANCE FOR WORKERS ADVERSELY AFFECTED BY REDUCED CONSUMPTION OF COAL.**

In addition to amounts made available under any other law, there is authorized to

be appropriated $75,000,000 for each of fiscal years 2001 through 2015 to provide assistance, under the economic dislocation and worker adjustment assistance program of the Department of Labor authorized by title III of the Job Training Partnership Act (29 U.S.C. 1651 et seq.), to coal industry workers who are terminated from employment as a result of reduced consumption of coal by the electric power generation industry.

**SEC. 16. COMMUNITY ECONOMIC DEVELOPMENT INCENTIVES FOR COMMUNITIES ADVERSELY AFFECTED BY REDUCED CONSUMPTION OF COAL.**

In addition to amounts made available under any other law, there is authorized to be appropriated $75,000,000 for each of fiscal years 2001 through 2015 to provide assistance, under the economic adjustment program of the Department of Commerce authorized by the Public Works and Economic Development Act of 1965 (42 U.S.C. 3121 et seq.), to assist communities adversely affected by reduced consumption of coal by the electric power generation industry.

**SEC. 17. CARBON SEQUESTRATION.**

(a) CARBON SEQUESTRATION STRATEGY.—In addition to amounts made available under any other law, there is authorized to be appropriated to the Environmental Protection Agency and the Department of Energy for each of fiscal years 2001 through 2003 a total of $15,000,000 to conduct research and development activities in basic and applied science in support of development by September 30, 2003, of a carbon sequestration strategy that is designed to offset all growth in carbon dioxide emissions in the United States after 2010.

(b) METHODS FOR BIOLOGICALLY SEQUESTERING CARBON DIOXIDE.—In addition to amounts made available under any other law, there is authorized to be appropriated to the Environmental Protection Agency and the Department of Agriculture for each of fiscal years 2001 through 2010 a total of $30,000,000 to carry out soil restoration, tree planting, wetland protection, and other methods of biologically sequestering carbon dioxide.

(c) LIMITATION.—A project carried out using funds made available under this section shall not be used to offset any emission reduction required under any other provision of this Act.

## THE RUSSIAN LEADERSHIP PROGRAM

Mr. STEVENS. Mr. President, I am pleased to announce that Congress included $10 million in the Foreign Operations Appropriations bill to continue the Russian Leadership Program in Fiscal Year 2000.

The Russian Leadership Program was created earlier this year in the FY 1999 supplemental appropriations bill in order to bring emerging Russian leaders to the United States to see first hand how democracy and the American free market economic system function. The program was successful in bringing over 2,100 emerging leaders from 83 of the 89 states and republics in the Russian Federation during July, August, and September of this year. Dr. Billington, the Librarian of Congress, and one of the world's leading historians of Russian culture was asked to administer this program. Our thanks go to Dr. Billington for doing an excellent job implementing this program in a short period of time.

The program was modeled after the Marshall Plan which was implemented after World War II. Between 1946–1956, the U.S. Government brought over 10,000 Germans citizens to the United States to learn ways to rebuild their economy through technical assistance as well as cultural and political contacts. The Marshall Plan was one of the most successful foreign aid programs of the last century.

Similar to the Marshall Plan, participants in the Russian Leadership Program visited more than 400 communities in 46 states and the District of Columbia observing democracy in action at all levels of government. They met and discussed the American system of government with current and former U.S. Presidents, Members of the U.S. Senate and U.S. House, Governors, state legislators, state supreme court justices, mayors, and members of city and town councils.

Some of the participants also campaigned door-to-door with political candidates, visited police and fire stations, met with students in schools, visited hospitals, research facilities, businesses, soup kitchens, shelters and experienced firsthand the partnership among government, and the private sector.

This program was unique because more than 800 American families hosted our Russian visitors, welcoming them into their homes and communities, and spending the time to answer questions about and show our guests the American way of life. Vadim Baikov, one of the six Russians who visited Alaska, the State I represent, wrote after the program that, ''In my opinion, the best cultural aspect is that we stayed with the families, because in this way one can actually gain insight of the genuine American lifestyle. I think that is what counts the most.''

Organizations such as Rotary International, the United Methodist Church, Freedom Force, and the Church of Jesus Christ of Latter-day Saints played a key role in organizing the participants in the program both in Russia and the United States. In addition to volunteering their time, these families and hosting communities generously supplemented the government's $10 million appropriations by providing approximately $1.5 million worth of meals, cultural activities, additional transportation and medical care.

Beyond the strong ties of friendship that developed between guests and hosts, it is clear that the Russian Leadership Program fundamentally changed how these Russian guests see America. They constitute the largest single group ever to travel from Russia to the U.S. They return to Russia with clear ideas and strong commitment to positive change. A mayor from Tomsk spend time with the mayor of Cleveland and said: ''If we were to meet more often, there would be more peaceful relations.''

The Russian Leadership Program has had a tremendous impact in one year. It is a good program and I am pleased that we were able to provide the necessary funding to continue this program into the new millenium.

## INTELLECTUAL PROPERTY AND COMMUNICATIONS OMNIBUS REFORM ACT OF 1999

Mr. SCHUMER. Mr. President, I rise today in support of the revised ''Intellectual Property and Communications Omnibus Reform Act of 1999'' (H.R. 1554). As a Member of the Judiciary Committee, I am particularly pleased that this legislation includes as Title IV, the ''American Inventors Protection Act of 1999.'' This important patent reform measure includes a series of initiatives intended to protect the rights of inventors, enhance patent protections and reduce patent litigation.

Perhaps most importantly, subtitle C of title IV contains the so-called ''First Inventor Defense.'' This defense provides a first inventor (or ''prior user'') with a defense in patent infringement lawsuits, whenever an inventor of a business method (i.e., a practice process or system) uses the invention but does not patent it. Currently, patent law does not provide original inventors with any protections when a subsequent user, who patents the method at a later date, files a lawsuit for infringement against the real creator of the invention.

The first inventor defense will provide the financial services industry with important, needed protections in the face of the uncertainty presented by the Federal Circuit's decision in the State Street case. *State Street Bank and Trust Company* v. *Signature Financial Group, Inc.* 149 F.3d 1368 (Fed. Cir., 1998). In State Street, the Court did away with the so-called ''business methods'' exception to statutory patentable subject matter. Consequently, this decision has raised questions about what types of business methods may now be eligible for patent protection. In the financial services sector, this has prompted serious legal and practical concerns. It has created doubt regarding whether or not particular business methods used by the industry—including processes, practices, and systems—might now suddenly become subject to new claims under the patent law. In terms of everyday business practice, these types of activities were considered to be protected as trade secrets and were not viewed as patentable material.

The first inventor defense strikes a fair balance between patent and trade secret law. Specifically, this provision creates a defense for inventors who (1) acting in good faith have reduced the subject matter to practice in the United States at least one year prior to the patent filing date (''effective filing date'') of another (typically later) inventor; and (2) commercially used the subject matter in the United States before the filing date of the patent. Commercial use does not require that the

particular invention be made known to the public or be used in the public marketplace—it includes wholly internal commercial uses as well.

As used in this legislation, the term ''method'' is intended to be construed broadly. The term ''method'' is defined as meaning ''a method of doing or conducting business.'' Thus, ''method'' includes any internal method of doing business, a method used in the course of doing or conducting business, or a method for conducting business in the public marketplace. It includes a practice, process, activity, or system that is used in the design, formulation, testing, or manufacture of any product or service. The defense will be applicable against method claims, as well as the claims involving machines or articles the manufacturer used to practice such methods (i.e., apparatus claims). New technologies are being developed every day, which include technology that employs both methods of doing business and physical apparatus designed to carry out a method of doing business. The first inventor defense is intended to protect both method claims and apparatus claims.

When viewed specifically from the standpoint of the financial services industry, the term ''method'' includes financial instruments, financial products, financial transactions, the ordering of financial information, and any system or process that transmits or transforms information with respect to investments or other types of financial transactions. In this context, it is important to point out the beneficial effects that such methods have brought to our society. These include the encouragement of home ownership, the broadened availability of capital for small businesses, and the development of a variety of pension and investment opportunities for millions of Americans.

As the joint explanatory statement of the Conference Committee on H.R. 1554 notes, the provision ''focuses on methods for doing and conducting business, including methods used in connection with internal commercial operations as well as those used in connection with the sale or transfer of useful end results—whether in the form of physical products, or in the form of services, or in the form of some other useful results; for example, results produced to the manipulation of data or other imports to produce a useful result.'' H. Rept. 106– , p. 31.

The language of the provision states that the defense is not available if the person has actually abandoned commercial use of the subject matter. As used in the legislation, abandonment refers to the cessation of use with no intent to resume. Intervals of non-use between such periodic or cyclical activities such as seasonable factors or reasonable intervals between contracts, however, should not be considered to be abandonment.

As noted earlier, in the wake of State Street, thousands of methods and processes that have been and are used internally are now subject to the possibility of being claimed as patented inventions. Previously, the businesses that developed and used such methods and processes thought that secrecy was the only protection available. As the conference report on H.R. 1554 states: ''(U)nder established law, any of these inventions which have been in commercial use—public or secret—for more than one year cannot now be the subject of a valid U.S. patent.'' H. Rept. 106– , p. 31.

Mr. President, patent law should encourage innovation, not create barriers to the development of innovative financial products, credit vehicles, and e-commerce generally. The patent law was never intended to prevent people from doing what they are already doing. While I am very pleased that the first inventors defense is included in H.R. 1554, it should be viewed as just the first step in defining the appropriate limits and boundaries of the State Street decision. This legal defense will provide important protections for companies against unfair and unjustified patent infringement actions. But, at the same time, I believe that it is time for Congress to take a closer look at the potentially broad and, perhaps, adverse consequences of the State Street decision. I hope that beginning early next year the Judiciary Committee will hold hearings on the State Street issue, so Senators can carefully evaluate its economic and competitive consequences.

Mr. TORRICELLI. My colleague is correct. The State Street decision may have unintended consequences for the financial services community. By explicitly holding that business methods are patentable, financial service companies are finding that the techniques and ideas, that were in wide use, are being patented by others.

The Prior Inventor Defense of H.R. 1554 is an important step towards protecting the financial services industry. By protecting early developers and users of a business method, the defense allows U.S. companies to commit resources to the commercialization of their inventions with confidence that a subsequent patent holder will prevail in a patent infringement suit. Without this defense, financial services companies face unfair patent-infringement suits over the use of techniques and ideas (methods) they developed and have used for years.

While I support the Prior Inventor Defense, as a member of the Judiciary Committee, I hope we will revisit this issue next year. More must be done to address the boundaries of the State Street decision with the realities of the constantly changing and developing financial services industry.

I look forward to working with Senator SCHUMER and my colleagues on the committee on this important issue.

## ORDERS FOR FRIDAY, NOVEMBER 19, 1999

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 10 a.m. on Friday, November 19. I further ask consent that on Friday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and that the Senate then proceed to morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

## PROGRAM

Mr. MURKOWSKI. For the information of all Senators, when the Senate convenes, it will begin consideration of a number of legislative items that have been cleared for action and need to be considered in the House prior to adjournment. Following the consideration of these bills, the Senate will resume debate on the final appropriations bill. Further, as a reminder, cloture was filed today on the appropriations conference report, and there is still hope that the Wisconsin delegation will allow the cloture vote to occur at a reasonable hour during tomorrow's session. However, if no agreement is made, the cloture vote will occur at 1:01 a.m. on Saturday morning, and abbreviated postcloture debate is anticipated. Therefore, Senators can expect a vote to occur a few hours after the cloture vote.

In addition, the Senate may consider the Work Incentives conference report prior to the pending adjournment.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MURKOWSKI. If there is no further business to come before the Senate, I now ask unanimous consent the Senate stand in adjournment under the previous order.

Mr. FEINGOLD. Is there a unanimous consent request pending?

The PRESIDING OFFICER. There is, to adjourn.

Mr. FEINGOLD. Reserving the right to object, I ask unanimous consent with regard to the cloture vote which the Senator from Alaska described, that the vote take place at 10 a.m. on Saturday; and that should cloture be invoked, no more than 21 hours of debate remain.

Mr. MURKOWSKI. I object.

The PRESIDING OFFICER. The objection is heard.

Mr. FEINGOLD. Reserving the right to object, I simply want to indicate, as one member from the Wisconsin delegation, there is an effort to be reasonable with respect to the hour of the vote and to limit our rights with respect to the 30 hours respectively. Our goal is certainly not to cause people to vote at a very extreme hour.

The PRESIDING OFFICER. Under the previous order, the Senate stands in adjournment until 10 a.m., Friday, November 19, 1999.

Thereupon, the Senate, at 10:44 p.m., adjourned until Friday, November 19, 1999, at 10 a.m.

# EXTENSIONS OF REMARKS

## IN SUPPORT OF H.R. 2420

### HON. RICHARD H. BAKER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mr. BAKER. Mr. Speaker, we need to make sure that America's schools, libraries, and rural clinics are allowed to capitalize on the newest computer and data communications technology.

In 1996, Congress and the Clinton Administration joined together to establish a program to extend the Internet to all our schools. That effort is underway—at a cost of about $2.45 billion a year, incidentally. But in this field, just like everywhere else, it is the weakest link in the chain that matters. And, the ''weak link'' here is the data communications network—or, more accurately, the lack of such a network.

Mr. Speaker, instead of trying to expand these networks by harnessing the power of competition, economic freedom, and individual choice, the Federal Communications Commission (FCC) seems to be relying on yesterday's tools—heavy handed and restrictive regulation.

That's not my estimate, it's the considered judgment of two of this country's experts—Congressman JOHN DINGELL and his colleague, the Chairman of the House Telecommunications Subcommittee, Congressman TAUZIN.

Their appraisal of the situation is that we need to modernize and reform FCC regulation—because, otherwise, the data links which this country needs, are just not going to be available. That is the philosophy reflected in their bill, H.R. 2420. And, it is a pro-growth, pro-progress view which I want to embrace.

Mr. Speaker, if we can accomplish reform in this field, all of the experts are predicting that there can be a rapid expansion of our communications networks. That expansion, in turn, will help connect our schools, libraries, and clinics faster. And that will yield substantial public policy dividends.

## IN RECOGNITION OF THE TEXAS REALTOR OF THE YEAR

### HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mr. HALL of Texas. Mr. Speaker, I rise today to offer my congratulations to Barbara Russell of Denton, Texas, who this year was named the 1998 Realtor of the Year by the Texas Association of Realtors.

Barbara has served on the Texas Association of Realtors Board of Directors and is a former regional vice president and chairman of the legislative and economic development committees. She also served two three-year terms on the National Association of Realtors Board of Directors.

In Denton, Barbara has earned many honors, including the Greater Denton/Wise County Association of Realtors President's Award, Women's Council of Realtors Gold Rule Award, Realtor of the Year and Associate of the Year. In addition, she is active in various civic and charitable organizations, including serving as former chairman of the board of the Denton Chamber of Commerce and serving four years on the Denton Planning and Zoning Commission.

Barbara has nearly 30 years of experience in the real estate business, and this recent award is a testament to her professional accomplishments and her hard work. She is married to Benny Russell, and they have two daughters and four grandchildren.

And Mr. Speaker, I would be remiss if I also did not pay tribute to the late Mary Claude Gay, a prominent realtor in Denton and associate of Barbara's. Mary Claude's contributions to her profession also have been significant, and she, too, was very influential in Denton's community life.

Mr. Speaker, I am pleased to recognize Barbara Russell and Mary Claude Gay for their accomplishments in their profession and for their contributions to their community. The Texas Association of Realtors could not have selected a more giving and devoted Realtor of the Year. Barbara Russell is a class act and is the epitomy of the type of leadership and professionalism that bring respect and admiration for her profession.

As we adjourn today, and as we leave the floor of the House of Representatives for the last time this century, let us do so in respect and appreciation for the ''Texas Realtor of the Year''—Barbara Russell.

## CONFERENCE REPORT ON H.R. 2116, VETERANS MILLENNIUM HEALTH CARE AND BENEFITS ACT

SPEECH OF

### HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 16, 1999*

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H.R. 2116. This bill makes a number of important changes to veteran's health care programs.

H.R. 2116—Veterans Millennium Health Care Act makes comprehensive reforms to improve access to, as well as the timeliness and quality of the Veterans Administration health care system. Reforms to improve veterans' access to care include requiring the VA to increase home and community based options for veterans needing extended care; requiring the VA to provide nursing home care to certain veterans through 2003; establishing means to enhance revenues for the VA; lifting the six-month limit on VA adult day health care; authorizing the VA to enhance mental health care services; and establishing a pilot program to make contract arrangements for assisted living services.

Although the calendar year indicates that we honor these men and women on Memorial Day and Veterans Day, I believe that we should pause everyday to thank them for their sacrifice. The collective experience of our 25 million living veterans encompasses the turbulence and progress America has experienced throughout the twentieth century. This nation's veterans have written much of the history of the last hundred years. They have served this nation without reservation or hesitation during its darker moments.

Their unwavering devotion to duty and country has brought this nation through two World Wars and numerous costly struggles against aggression. From World War I to the Gulf War, America's veterans have been leading this nation against those who have threatened the values and interests of our nation.

Only today are the accomplishments and sacrifices of our veterans being fully appreciated by historians and the public. These genuine heroes have often been ignored and denied their proper place in America's melting pot. We need to remember that America owes these men and women the best it can offer because they have given us the best they could when America was in need.

Mr. Speaker, I am fortunate to have The Houston Department of Veterans Affairs Medical Center located in my congressional district. Having just celebrated fifty years of service to the veterans in the Houston community. Some 1,646,700 veterans live in the State of Texas alone. The House VA Medical Center expects to receive and serve over 50,000 veterans in this year alone. I expect this measure to improve the quality of life for all our veterans who so proudly served our nation.

Mr. Speaker this bill is important not only because it provides for the needs of our veterans today but because it sends an important signal to the men and women serving our nation in places like Bosnia, Kosovo, Germany, Korea, Japan and other far off places around the world. That message is simple, that when you serve our nation we will answer the plea of President Lincoln ''to care for him who shall have borne the battle.''

I urge my colleague to vote ''yes'' on H.R. 2116 and care for the men and women who have borne the battle.

## TRIBUTE TO JOHN DORRENBACHER—A GREAT AMERICAN

### HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mr. McINNIS. Mr. Speaker, it is with great sadness that I wish to take this moment to recognize the remarkable life and significant achievements of a leading civic servant, John Dorrenbacher. Tragically, John died in his home Monday, November 8, 1999. While family, friends and colleagues remember the truly exceptional life of John, I, too, would like to pay tribute to this remarkable man.

For the last 18 years, John ran the computers and books for the Colorado Republican Party. In his time at the party, he was a pioneer of the mailing list. In the earliest days of computers, he mastered integrating information to create better mailing lists. With this advancement, those who John served were able to do targeted mailings, therefore better contacting constituents and ultimately, better serving the people. There may not be a Colorado Republican in legislative or statewide office today who wasn't helped by a mailing list generated by John. Amazingly, John managed to serve five very different Republican chairman. In addition, he once served as Boulder County GOP chairman.

Although his professional accomplishments will long be remembered and admired, most who knew him well will remember John Dorrenbacher, above all else, as someone who loved his country and had a deep faith in our democracy. It is clear that the multitude of those who, like me, have come to know John as a friend will be worse off in his absence. However, Mr. Speaker, I am confident that, in spite of this profound loss, the family and friends of John Dorrenbacher can take solace in the knowledge that each is a better person for having known him.

## TRIBUTE TO MRS. DAISY BATES

### HON. EARL F. HILLIARD

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mr. HILLIARD. Mr. Speaker, today I rise to with a great sense of twoness—one as an African American and another as an American to honor death of my mentor and friend, Mrs. Daisy Bates. Her death last Friday comes prematurely as we honor Congressional Gold Medals to the men and women, known as the Little Rock Nine, that she shepherded into Central High School against the will of a racist Governor and white neighbors. She worked for many years in the NAACP and with the Democratic National Committee to educate and register voters. In 1987, the City of Little Rock paid tribute to her work by naming an elementary school in her honor. Her life is a celebration of progress and shows us how man in his quest for justice, is determined and cannot be deterred. Her sacrifices to tear down the walls of prejudice and injustice through education and voter registration will go ahead, whether we accept it or not. Daisy Bates' life, along with the life of other Civil Rights Movement heroes, showcases how overcoming racism in this country has become one of the greatest adventures of all time. But, it is an adventure that must be overcome.

Today as I lift up Daisy Bates, I acknowledge that there is new knowledge to be gained, new rights to be won for the progress of not just African Americans, but all Americans. Whether this country likes it or not, there will come a day when the position of preeminence for the United States will not rest on the human rights it has obtained for others across the world, but the rights and dignity she has bestowed upon her own citizens.

Our forefathers made certain that this country would ride the first waves of the industrial revolution, the first waves of modern invention, the first waves of nuclear power, and the first waves of equality under the law. Unfortunately, we have not yet ridden the wave for equal justice and must struggle to once again be a part of it and lead it. The eyes of the world now look unto us for the banner of freedom and peace.

So, today, as I honor my mentor for her work and undying courage, I challenge my brothers and sisters across the world to begin establishing their lives, like Daisy Bates as instruments of knowledge and understanding.

## IN HONOR OF THE SOKOL GREATER CLEVELAND'S NEW ATHLETIC FACILITY

### HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mr. KUCINICH. Mr. Speaker, I rise today to announce the grand opening of the Czech Cultural Center of Sokol Greater Cleveland's new athletic, a state-of-the-art expansion to the historic Bohemian National Hall.

After considerable planning and construction, the new facility opening this month will provide a variety of health, fitness, leisure, and cultural activities to everyone in the community. In the tradition of the American Sokol Organization, the Czech Cultural Center of Sokol Greater Cleveland's new athletic facility will provide Cleveland citizens with the opportunity to strengthen both their physical and mental character allowing them to enhance their celebration of life and vitality. With membership open to the community, this new facility is sure to provide Cleveland citizens with an opportunity to cultivate a harmonious and total person.

The Czech Cultural Center of Sokol Greater Cleveland's new athletic facility promises to be a popular place for fitness enthusiasts who will enjoy the volleyball, gymnasium, cardio-conditioning area and strength training center. Additionally, the facility will serve as a center for community development where both young and older generations can display their abilities and knowledge in dance and gymnastic performances. In short, the health and quality of life for everyone in Cleveland will improve greatly with the opening of this new facility.

My fellow colleagues, please join me in recognizing dedication of the Czech Cultural Center of Sokol Greater Cleveland for building this new athletic facility for the benefit of the Cleveland community.

## EXPRESSING GRAVE CONCERN REGARDING ARMED CONFLICT IN NORTH CAUCASUS REGION OF RUSSIAN FEDERATION

SPEECH OF

### HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 16, 1999*

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H. Con. Res. 206. This resolution expresses the sense of the Congress urging all parties involved in the conflict, to cease the indiscriminate use of force against civilian population in Chechnya. In addition this measure calls on all sides in this conflict to enter into a constructive dialogue under the auspicious of the Organization for Security and Cooperation in Europe. This group was successful in brokering a settlement to end the 1994–1996 war.

Yes, Mr. Speaker, this region as once before experienced the horrors of war. As the 1994–1996 Russo-Chechen war resulted in the massive use of force against civilians, causing immense human casualties, human rights violations, large-scale displacement of individuals, and the destruction of property. In recent months this conflict has been renewed as forces in Chechnya have mounted armed incursions into the Russian Federation of Dagestan and have committed bombing in Moscow.

Mr. Speaker, this Congress must insist that all parties in this conflict resolve this situation peacefully, with complete respect to the human rights of all the citizens of the Russian Federation. We must also insist that all parties commit themselves to allowing humanitarian assistance to the victims caught in the middle of this conflict.

I urge my colleagues to lend their support and the considerable weight of this body on all sides involved in this conflict.

## HONORING DON SCOGGINS

### HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mr. HALL of Texas. Mr. Speaker, it is a privilege to rise today in recognition of Don W. Scoggins, president of the Texas Eastman Division of Eastman Chemical Company in Longview, Texas, who is retiring this year after 37 years of service at Texas Eastman.

Mr. Scoggins joined Texas Eastman in 1962 as a Mechanical Engineer in the Plastics Laboratory. He has served as a supervisor, assistant supervisor, assistant to the general superintendent, senior mechanical engineer, and assistant superintendent of various divisions at Texas Eastman. He also served Eastman Chemical in Kingsport, Tennessee, in a variety of capacities before returning to Texas Eastman as director of Administration. He was named manager of Operations in 1989, became a vice president in 1990 and was named president in 1998.

Mr. Scoggins received a bachelor's degree in mechanical engineering from the University of Texas and is a Registered Professional Engineer in Texas. He serves on the Texas Chemical Council's Board of Directors and on the Board of Trustees at Good Shepherd Medical Center.

Texas Eastman's influence on economic development and community causes in Longview has been enormous, and the employees and administrators at Texas Eastman—like Don Scoggins—have played a significant role in those accomplishments. Mr. Speaker, I am pleased to recognize Don Scoggins for his contributions to Texas Eastman Division and to his community—and to wish him well in his retirement.

I am especially privileged in that Don's mother and father live in my hometown of Rockwall. They are, like Don, strong and loved members of the First United Methodist

Church. They teach, direct, entertain, and lead us in both the Sunday School class and in the overall direction of our religious activities.

As we adjourn today—the last day of this century that the United States House of Representatives is in session—let us adjourn on this signal day in respect and admiration for Don Scoggins.

## INTRODUCTION OF TWO BILLS TO REDUCE TAXES ON SOCIAL SECURITY BENEFITS

### HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mr. NADLER. Mr. Speaker, I rise today to join with Representative NITA LOWEY to announce the introduction of two bills to reduce taxes on Social Security benefits. The first bill would repeal the 1993 tax increase on Social Security benefits. I have always opposed this provision, and I believe that it is now time to repeal this tax on our Nation's seniors.

The 1993 economic plan imposed additional taxation on the benefits of single social security recipients with incomes over $34,000, and on married recipients with joint incomes over $44,000 by including, in each case, 85 percent of Social Security benefits in taxable income. At the time, proponents of the tax increase said it was necessary to reduce to deficit. Remember the atrocious national debt had risen from $800 billion in 1981 to more than $4 trillion in 1993. The annual deficit, which was almost $300 billion a year in 1992, was projected to increase to $500 billion a year later in the decade. We passed a tough economic plan, the economy improved, and the deficit was eliminated.

I believed it was unfair to tax seniors on their social security benefits to reduce the deficit, and, therefore, I joined with Representative NITA LOWEY in offering a bill which would have repealed the provision immediately and taken other steps to reduce the deficit. We demonstrated that you could still reduce the deficit without increasing taxes on social security benefits. Now that 6 years have passed and the deficit has been transformed into a surplus, it is more important than ever that we abolish this unnecessary tax on seniors. So, again, I am joining with Representative NITA LOWEY to abolish this unfair tax on social security benefits. I urge my colleagues to support this bill and work toward its swift passage.

Mr. Speaker, if we are unable to implement this bill quickly, then the very least we should do is adjust the 1993 income threshold to take into account the rise in the cost of living. That is why I am also announcing the introduction of another tax relief bill for our seniors, which should be implemented immediately. Again, I am proud to work with Representative NITA LOWEY to advance this effort.

This bill would ensure that we do not inadvertently tax more and more seniors with relatively less income every year. Under current law, the income levels that were set in 1993 were not adjusted for cost of living increases. As a result, more and more people are having their social security benefits taxes. This is unfair and unnecessary. So, this second bill would require the 1993 level to be adjusted on an annual basis to take account for the rise in the cost of living. I am hopeful that we can build strong bipartisan support for this legislation and work together to ease the tax burden on our Nation's seniors. I urge all of my colleagues to support these two tax cut measures.

## THE TRAGEDY OF THE S.S. ''LEOPOLDVILLE''

### HON. RONNIE SHOWS

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mr. SHOWS. Mr. Speaker, today I would like to take a minute to tell my colleagues and the American People about a pitch-black night on Christmas Eve in 1944 during one of the darkest hours of World War II. A Belgian troop transport, the S.S. *Leopoldville*, was sunk by a German U-Boat, taking the lives of 802 American soldiers. The *Leopoldville* was part of a crossing of the English Channel for the Battle of the Bulge. 2,235 American Soldiers were being carried to this historic battle.

The *Leopoldville* was torpedoed and sunk 5½ miles from Cherbourg, France. The result was a horrific loss of lives—almost one-third of the 66th Infantry Division was killed. 493 bodies were never recovered from the cold and murky waters of the English Channel. Most of the soldiers who died were young Americans, from 18 to 20 years old, barely out of High School. These young men came from 46 out of the 48 states that were part of the Union at that time.

Sadly, this tragic story has been a mere footnote in the history books of World War II. Their efforts to preserve and sustain Democracy must be remembered. Their lives must not be vainly forgotten.

Today, I ask my colleagues and all Americans to join me in remembering and honoring those who gave their lives that we might be free today. The young men aboard the S.S. *Leopoldville*, those who perished and those who survived, were part of an American force that advanced Democracy and forever changed the world. They went because their country called. They sacrificed because their way of life was threatened. They rose to incredible heights of courage because their faith and resolve mandated no less.

My friend and fellow-Mississippian, Sid Spiro, was on the S.S. *Leopoldville*. Mr. Spiro, after the direct torpedo hit, lowered himself in the freezing water by a rope. And for three hours he floated and waited for help. The water was freezing and he nearly died. He was 19 years old then. Today, he and other survivors often gather to remember and commemorate their fellow Americans who died. I am in awe of these men. And I want Sid and all of them to know of my admiration and respect.

These young men, forever part of our national memory, must be honored. We must never forget. I salute the survivors of the S.S. *Leopoldville* and I honor the memory of those who gave their lives.

## INTRODUCTION OF EXPEDITED RESCISSION LEGISLATION

### HON. CHARLES W. STENHOLM

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mr. STENHOLM. Mr. Speaker, I am introducing legislation today that will give the President an important tool to control spending by identifying low priority and wasteful spending that can be eliminated. The legislation I am introducing today, known as modified line item veto or expedited rescission legislation, would strengthen the ability of Presidents to identify and eliminate low-priority budget items with the support of a majority in Congress.

Under this legislation the President would be able to single out individual items in tax or spending legislation and send a rescission package to Congress. The President would have the option of earmarking savings from proposed rescissions to deficit reduction by proposing that the discretionary spending caps be reduced by the amount of the rescissions. Congress would be required to vote up or down on the package under an expedited procedure. Members could offer motions to remove individual items from the package by majority vote if their motion was supported by fifty members. The spending items would be eliminated or the tax item would be repealed if a majority of Congress approves the rescission package. If the rescission bill is defeated in either House the funds for any proposed rescission would be spent or the tax item would take effect.

This legislation embodies an idea which many Members, both Democrats and Republicans, have worked on for several years. Dan Quayle first introduced expedited rescission legislation in 1985. Tom Carper and DICK ARMEY did yeomen's work in pushing this legislation for several years. On the Democratic side, TIM JOHNSON, Dan Glickman, Tim Penny and L.F. Payne were particularly effective advocates of this legislation for years. Numerous Republicans, including Lynn Martin, Bill Frenzel, Gerald Solomon, Harris Fawell and others made meaningful contributions to expedited rescission legislation as it has developed.

Thanks to the efforts of these and other members, the House overwhelmingly passed expedited rescission legislation in the 102nd Congress. In the 103rd Congress, JOHN SPRATT and Butler Derrick worked with me to refine the legislation. This revised legislation was passed by the House in 1993. In 1994, Representatives JOHN KASICH and Tim Penny joined the effort and helped pass a strengthened version of this legislation. Since then, Representatives BOB WISE, ROB ANDREWS and others have advocated this approach. Today, I am joined by DAVID MINGE, ROB ANDREWS, COLLIN PETERSON, MARION BERRY, MAX SANDLIN, RALPH HALL and ALLEN BOYD in introducing this legislation.

We have heard a lot of talk about eliminating waste and pork barrel spending, but little serious action to actually eliminate pork barrel spending. In fact, the appropriations bills passed by the House includes hundreds of earmarks for spending items that were not requested by the administration and have not been subject to hearings or review. Senator JOHN MCCAIN has identified more than $14 billion of spending items buried in appropriations

bills that have not been subjected to the proper review. Other private organizations have identified even more earmarked spending in the appropriations bills passed by Congress which they believe can be eliminated. Instead of subjecting these spending items buried in the appropriations bills to scrutiny, the Majority has proposed an across the board spending that would cut good programs just as much as we cut low priority and wasteful programs.

Forcing votes on individual items in tax and spending bills will bring a little more accountability to the budget process. I hope that my colleagues from both sides of the aisle who are serious about controlling spending and eliminating wasteful spending and special interest tax breaks that cannot withstand public scrutiny, will join me in cosponsoring this legislation.

SUMMARY OF EXPEDITED RESCISSION LEGISLATION

The legislation would amend the Budget Control and Impoundment Act of 1974 to require Congress to consider Presidential rescissions of appropriations or tax items by a majority vote.

The President could propose to cut or eliminate individual spending items in appropriations bills or to repeal targeted tax breaks (tax breaks which benefit a particular taxpayer or class of taxpayers, except benefits based on demographic conditions).

The President would be required to submit proposed rescissions of tax items within ten days of signing the tax bill. Proposed rescissions of spending items could be submitted at any time during the fiscal year.

The President could propose that the discretionary spending limits be reduced by the amount of the rescissions, but would not be required to do so.

Within ten legislative days after the President sends a rescission package to Congress, a vote shall be taken on the rescission bill in the House. The bill may not be amended on the floor, except that 50 House members can request a vote on a motion to strike an individual rescission from the package.

If the President's rescission package is approved by a simple majority of the House, the bill would be sent to the Senate for consideration under the same expedited procedure. Fifteen Senators may request a separate vote on an individual item.

If a simple majority in either the House or Senate defeats a rescission proposal, the funds for programs covered by the proposal would be released for obligation in accordance with the previously enacted appropriation, or the tax provision would take effect.

If a bill rescinding spending or eliminating tax benefits is approved by the House and Senate, it would be sent to the President for his signature. Upon Presidential signature, the spending items in the rescission package are reduced or eliminated, or the tax items in the rescission package are repealed.

## TRIBUTE TO FRANCES L. MURPHY II

### HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Ms. NORTON. Mr. Speaker, I rise today to honor Frances L. Murphy II, publisher emeritus of the Washington AFRO-American Newspaper, and a great lady who has had major responsibility for this great asset to the city of Washington and the communities surrounding it. Her hard-hitting editorials and well written stories provide the local African American community with news and information that cannot be obtained elsewhere. She has trained and nurtured many young journalistic talents, who have taken what they learned at the AFRO to institutions as diverse as the NAACP, the Washington Post, and African Americans on Wheels magazine.

Ms. Murphy's grandfather, John H. Murphy, Sr., founded the AFRO in 1892. Her father, Dr. Carl Murphy, was editor and publisher of the AFRO-American Newspapers from 1918 until his death in 1967. But, Ms. Murphy did not start at the top. She learned her business inside out, starting as a library assistant, and moved up the ladder to reporter, then editor, magazine editor, and managing editor before becoming publisher.

In addition to her work as publisher of the AFRO, Ms. Murphy has spent much of her time as an educator. She started in the Baltimore schools in 1958, where she stayed until 1964, when she took her first position in higher education at Morgan State College. Until She retired from teaching in 1991, she held various teaching positions at University of Maryland Baltimore County, Buffalo State College, and Howard University. Her students rated her a top professor, and said, as others have said about her journalism, ''She is tough but fair.''

Ms. Murphy is well known for her contributions to her community, having served as a member of the National Board of Directors of the NAACP and of the Board of Trustees of both the State Colleges of Maryland and the University of the District of Columbia. She is on the board and serves as treasurer of the African American Civil War Memorial Freedom Foundation. She also is an active member of St. Luke's Episcopal Church, where she is a member of the flower guild, a lector, a member of the Search Committee and president of the Episcopal Church Women. All this from a woman who has been a distinguished journalist and publisher and managed, as well, to raise three children, and now to be grandmother to fourteen grandchildren, and great-grandmother to two.

Mr. Speaker, Ms. Murphy and her accomplished family are a quintessential family of service and a source of great and enduring pride to the entire Washington region. Like thousands of Washingtonians, I count Frances Murphy as a friend whom I greatly admire. I ask my colleagues to join me in a well deserved honor for the model life and career of Frances L. Murphy II.

## OUTSTANDING VETERANS DAY ESSAYS FROM DISTRICT STUDENTS

### HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mr. LIPINSKI. Mr. Speaker, it gives me great pleasure to bring to the attention of my colleagues, seven outstanding Veterans Day essays by young individuals from the 3rd Congressional District of Illinois. For my annual Veterans Day Ceremony in Chicago, the following students wrote about what Veterans Day means to them. I hope you will also enjoy these essays:

VETERANS DAY

(By Katie Wiencek, Kinzie Elementary School)

Veterans Day is a very important day. It is the day when we remember the American soldiers who have lost their lives in the many wars. More than 58,000 soldiers died during the Vietnam War. It has been called one of the most painful periods in our history. But, America still had it good, after all, we had ceased fighting and were trying to rebuild South Vietnam by sending money. America has been the ''good guy'' in almost every war. This stereotype goes for not just the government, but the people and soldiers as well. I think they have a right to be remembered. It is our debt to them to have this memorial for four of the many soldiers who fought so hard for us. They need to be noticed. This memorial is a ''good thing,'' as Martha Stewart would say. I would say, it is a very good thing.

VETERANS DAY

(By Rich Pala, Byrne Elementary School)

Veterans Day is a day all proud Americans honor the men and women who served the American Army. Some people fought and died for what they believed was right. Some went to war and many died for our country. These are the true heroes of America, and deserve all the respect of billions of American people. Without these brave men and women, America would not be what it is today. We owe everything to these men and women, because they put the pride and honor in America. They fought for everything America stands for.

VETERANS DAY

(By Shaun Caulfield, Byrne Elementary School)

Bring to mind images of brave soldiers fighting for our country in war time, working in peace time, and trying to keep our country free. Great soldiers come in mind: General Washington, George Patton, Audie Murphy, the less famous but not less important vet. John Joseph Kunkes, my grandfather, fought in Korea. He was missing from action from his platoon for one month. He was on his own staying alive on skills taught to him by the U.S. Army.

Thinking about my grandfather's adventures makes me remember every veteran has their tale to tell. It would be to our best interest to seek out his story and appreciate his commitments to his country and his branch of service.

To some, Veterans Day is a day off of school or work. But World War I, World War II, Korea and Vietnam fighters make me shiver. They fought in those wars and risked their lives that makes them so great.

On Veterans Day, remember and pray for courageous vets and honor them with the respect and dignity they deserve. To all past, present, and future veterans, remember we are all behind you.

VETERANS DAY

(By Julian Ollry, Nathan Hale Middle School)

Many brave men and women have given their lives in wartime for our country. One that was not so far in the past was the Vietnam War. The veterans of this war must be especially honored for their valor and loyalty at the most crucial time in American History.

This war was difficult for Americans because many of them disagreed with the war. In 1973, the United States government had agreed to stop fighting in Vietnam. When

many soldiers returned from the hardships during the war, seeing friends or relatives die in battle, many Americans did not support them and many soldiers felt very unappreciated. Veterans are now beginning to be recognized by other foreign war heroes. Veterans gather at the Vietnam Veterans Memorial in Washington, DC to place gifts and stand quiet vigil at the names of their friends and relatives who fell in the Vietnam War. Families have lost sons and/or daughters in wars. Their thoughts and many others are toward peace and the avoidance of future wars.

Today, let us give thanks to these Vietnam veterans and all the brave men and women who fought for America. These soldiers are our heroes. They gave their lives for us and for the cause of freedom. May each and everyone be honored for eternity.

WHAT VETERANS DAY MEANS TO ME

(By Amanda Lally, Grade 7, St. Jane de Chantal Elementary School)

Veterans Day is a very important holiday in our country. It honors all of those who are living and dead—who served with the US armed forces in times of war. We owe so much to those brave men and women who fought for our freedom and protected our country.

I am very proud to have family members who have served for our country. My great-grandfather fought in World War II. He was captured by the enemy and became a prisoner of war, but he survived and came home. My great-uncle fought in the Korean Conflict. They were both proud to serve our country.

Without all of these brave men and women, where would our country be? they put their life on the line for all of us. We should not only honor our veterans on this commemorative day, but every day, because without our armed forces there would be no peace or freedom.

To all of the people who have served for our country, you make me feel proud to be an American.

WHAT VETERANS DAY MEANS TO ME

(By Jennifer Gename, Grade 8, St. Jane de Chantal Elementary School)

In my opinion, I think it is only fair to have a holiday commemorating the men who risked their lives to uphold the benefits and principles of our country. They worked hard to uphold our nation's belief in freedom, and they deserve to have a day of recognition.

Although Veterans Day is probably not one of the most publicly mentioned holidays, it has great meaning towards my family and me. My grandfather served in World War II, and thankfully survived unharmed. He, and all the other men, worked day and night in the midst of shootings, killings, and pain. They didn't know if they would ever get through a day, let alone survive until the end of the war. If this sort of endurance doesn't deserve a holiday, then I don't know what does. These men did so much for our country, so that everyone would be able to lead happy, safe lives.

So, to me, Veterans Day is a very important holiday, because it helps people realize what others went through to help the nation.

VETERANS DAY

(By William Matuszak, St. Rene Goupil Elementary School)

Veterans Day is a time to remember and honor men and women who have served in the Armed forces. This holiday is celebrated on November, 11.

Veterans Day is important to me for many reasons. Both my grandfathers have served in a war. One served in World War II and the other in the Korean Conflict. It is not only important to me, but to everyone, because many families have served in armies and have fought for their countries in war. Veterans Day can also show people between countries, because war is over and we can celebrate that also.

Veterans Day is a very important day to all. Men and women from all over the world have fought for their countries in many different ways, and we honor them on this very special day. We celebrate their accomplishments and sacrifices. Veterans Day is a great way to honor all who have died and all who are still living that have served their nation in the military. Let us keep all of the men and women who are presently serving in our military that God will keep them out of harm's way.

Mr. Speaker, I wish all of these fine authors the best of luck in their future studies.

## COLLEGE STUDENT CREDIT CARD PROTECTION ACT

### HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Ms. SLAUGHTER. Mr. Speaker, on October 25, JOHN DUNCAN of Tennessee and I introduced H.R. 3142, the College Student Credit Card Protection Act. Madison Avenue and the credit card companies have convinced our college students that getting a credit card is necessary for a fun college experience. But upon graduation, many of these young people find themselves buried in debt. Just recently, the House recognized the need to educate young people on this issue by passing a bill to encourage high schools to teach financial literacy, including credit education. College by college, state by state, this issue is being recognized as a serious problem that needs to be addressed.

A recent report found that one-fifth of the Nation's college students are carrying credit debts of more than $10,000. Seventy percent of undergraduates at 4-year colleges possess at least one credit card. One 19-year-old sophomore student in the Rochester, NY area who had no income recently attempted to declare bankruptcy; he had accumulated a stack of credit cards and owed the credit card companies $23,000! In Knoxville, TN, one college student ran up $30,000 in credit card debt in just 2 years. Students are snowballing into debt through the extension of unaffordable credit lines, peer pressure to spend, and financial naivete. Low minimum monthly payments and routine credit limits hikes add to the seductiveness of plastic.

Even though many students with credit cards have no income to pay the bills, credit card companies are aggressively marketing their cards to college students. Credit card companies set up tables during orientation week and outside college lunchrooms, advertising free gifts such as t-shirts and mugs, to sign up as many students as possible. Most of the time, all that is required is a student identification card. For many students, they experience problems when they cannot afford to make payments on their credit cards, which ruins their credit ratings before they have even entered the workforce. While many college students are adults, responsible for the debt they charge, the credit card industry's policy of extending high lines of credit to unemployed or underemployed students needs to be examined.

This bipartisan legislation would compel credit card companies to determine before approving a card whether any prospective customer who is a traditionally aged full-time student, can afford to pay off the balance. This bill would limit credit lines to 20 percent of a student's annual income without a cosigner. Students could also receive a starter credit card with a lower credit limit, allowing increases over time if prompt payments have been made. Another provision would eliminate the fine print in credit card agreements and solicitations, where fees and penalties are hidden. This print would have to be enlarged. Finally, parents would have to agree in writing to increases in the credit limit of cards which they have cosigned.

## HONORING GORDON WOOD

### HON. CHARLES W. STENHOLM

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mr. STENHOLM. Mr. Speaker, I rise today with a great deal of Texas pride to recognize an outstanding individual, Gordon Wood of Brownwood, Texas.

In today's edition of the Dallas Morning News, the newspaper named Coach Wood, the ''Coach of the Century'' as part of its 100 Years of Texas High School Football series. I can think of no one more deserving. Coach Wood not only led and inspired many young people during his career but also brought great achievements to several Texas communities.

''Coach'' was an important figure during the formative years of my life, and he has remained so. Early in his career, he coached in my hometown of Stamford. He led our team to two State championships, and I am proud to have been part of his early success. He went on to lead the Brownwood Lions to seven State championships and won a total of 405 games in his 43-year career.

Coach Wood is a legend in Texas not only for his coaching but for the way he has led his life. To me, that puts him in the Ranks of Tom Landry, Bear Bryant and Joe Paterno.

I wish to include in the RECORD a copy of the article that ran this morning in the Dallas Morning News.

This honor is a great tribute to Coach Wood and his wife, Katharine, and I know there are many folks who join me in sending them congratulations and best wishes.

[From the Dallas Morning News, Nov. 17, 1999]

ALWAYS IN THE GAME—FOOTBALL, GORDON WOOD STYLE, STILL ABSORBS COACH OF CENTURY

(Kevin Sherrington)

BROWNWOOD, TEXAS.—Gordon Wood wears hearing aids in both ears. He had a triple bypass in 1990, and five years ago a stroke punched a few holes in his memory. He's working on his third artificial hip. He's diabetic. A faint white web of scars runs wild over his mottled face, the vestiges of 13 skin tumors.

This is what can happen to you if you live 85 years.

He can't play golf because of the bad left hip. He won't play checkers anymore because that's what he was doing when the world started spinning, and he walked into a restroom and couldn't find his way out. A stroke, the doctors told him. A woman came to get him in the restroom and asked him to step back with his right foot. He tried to comply but stepped forward instead, right into the toilet.

Checkers was fun, and he was good at it, but it's not worth it if it reminds him of that. So now the only hobby he has left is football.

This is what can happen to you if you coach 43 years.

Or maybe this is what happens if you're Gordon Wood, the greatest coach in the history of Texas high school football.

A Dallas Morning News panel of college coaches and sports writers chose Wood over a group that included Waco's Paul Tyson, who won four state championships in the 1920s, and Abilene's Chuck Moser, who won 49 consecutive games. Joe Golding got some consideration at Wichita Falls, as did Amarillo's Blair Cherry.

Wood wasn't a hard choice, though. He won nine state championships, two at Stamford and seven at Brownwood, which in the 40 years before he arrived had won only a single district title.

He won 405 games overall, which was more than anyone else in the nation when he retired in 1985 at 71.

But, if you're looking for numbers to define Wood's greatness, you must know that he is the only coach to win 100 games in three different decades, and the only coach who won state titles in three decades, as well.

Those numbers indicate that he never lost his enthusiasm for the game, never thought he knew so much that he couldn't learn more, never won so much that he got enough of it.

Not when he retired 14 years ago.

Not even now.

The numbers say a lot about Gordon Wood. But, if you really want to know why he was so great, you only have to go to a game with him.

He is better-looking in person than in photographs. Pictures can't capture his vitality or regal posture, his warmth, his habit of extending both hands to someone in greeting, or his habit of holding on to the hand of a young person while he's talking to him. In most pictures, he looks almost sad, or, at best, blank. They couldn't be less telling. Pictures can't show the balletic movement of a curious, inquisitive mind.

He is sitting in the press box of the stadium named after him, talking about his offense between bites of a ham sandwich.

Did you always run the Wing-T?

''I have since the war,'' Wood says.

He means World War II. He put in the offense at the counsel of Clyde ''Bulldog'' Turner, once called the toughest football player ever. But it was Turner's old college coach, Warren Woodson, who invented the offense, the same one he used at Hardin-Simmons and New Mexico State and Arizona, and in the process was the only coach ever to produce the nation's top rusher four years in a row.

''Warren Woodson was one of the greatest offensive coaches that ever was,'' Wood says. ''Cocky little devil, too. He watched us one time and came up to me afterward and said, 'Coach, don't tell anybody you run our offense. You did such a lousy job.'

''Yeah, he was the best offensive coach I ever saw.''

He takes a bit out of his sandwich.

''Sorriest defensive coach, too.''

Warren Woodson is dead. So is Bulldog Turner. They are great names lost to a younger generation that wouldn't know a Wing-T offense from a wingtip shoe. Wood knew Turner and Woodson, and he knows Darrell Royal, who calls Wood ''one of the all-time great football coaches, regardless of the level.'' He is a friend of Bum Phillips, who calls Wood the best coach he knows. Bear Bryant told Wood's son, Jim, that, had he stayed at Texas A&M, ''I would have given your dad a heck of a run for the best coach in Texas.''

Wood knows Bill Parcells. Maybe you remember the story that came out a couple of years ago, when Parcells took over as coach of the New York Jets after going to Super Bowls with two different organizations. Parcells told reporters about the time he coached linebackers for Texas Tech in the 1970s. They had 20 spring practices, and at more than a dozen, he saw the same leathery old man in a maroon cap with a ''B'' on it. Parcells introduced himself and asked the old man where he was from.

''A little town down the road here,'' the man said.

''Outside Lubbock?'' Parcells asked.

''No, a little further.''

''How far is it?''

''Well, it's 2½ hours one way.''

Wood drove five hours a day to watch Tech's linebackers. He drove every day for two weeks to learn something from a coach half his age. Parcells said Wood had as much influence on him as Halas, Lombardi, Noll or Landry, and he thinks about him every summer when training camp starts, thinks about the old man with more than 300 wins ''driving five hours a day to find out something.''

Wood has gone farther than that. Every year, for 43 years, he has traveled around the country to the American Football Coaches Association meeting. He has lectured at coaching clinics in 18 states, most of them more than once. He spoke in Tennessee last summer.

He went to Canada three times, in the summers of 1967, '70 and '71. He was guest coach for the CFL's Winnipeg Blue Bombers, coached by a man named Jim Spavitol, who played at Oklahoma State and first met Wood in the Navy.

After one of his summer trips north, Katharine, his wife of 56 years, asked him what it was like working with professional players.

''They're just overgrown boys,'' he said.

He only had a few players who went on to play professional football. The best probably was Lawrence Elkins, the Baylor receiver, his career ruined by injuries in the NFL. The best set was the three Southall brothers—Si, Terry and Shae—all quarterbacks, the sons of his long-time assistant, Morris Southall.

Southall helped run the offense. In the Wing-T, the Lions flipped the offensive line to double their number of plays and simplify blocking assignments. Wood told Royal about it in 1960, when Royal invited him on a trip to New York. Royal used the flip-flop in 1963, when he won his first national championship.

''We ran more formations than most teams run plays,'' Wood says. ''We'd run 36, 39, 42 plays a week in practice, and the second team got just as many reps as the first team.''

And, always, the rules were the same.

''Kid makes a mistake in practice,'' Wood says, ''we run it over again.''

Wood hates mistakes. He made a point in his career of making players believe in themselves. He won a state championship his first season at Brownwood, in 1960. He says that, if you severely criticize a player at practice, you have to make sure you do something to build him up again.

But it is his obsessive perfectionism that drives him. He watches anxiously from a press box cubicle as the Lions play host to Joshua, a heavy underdog. He talks until a play starts and then stops talking until it's over. If the play is a success for Brownwood, he might say nothing, most likely picking up his speech where he left off. If the play favors Joshua, it might give him fits.

Like, say, a 10-yard burst on a trap play by Joshua.

''You go back to our state championship teams,'' he says, irritated, ''and see how many zeroes it has there for what the other teams scored.''

He is up from his press box seat, talking to someone about how in the world Joshua can be moving the ball at all when he suddenly realizes that the Joshua band is playing.

''Did they score?'' he asks, incredulous.

Forty-one-yard field goal, someone says. Makes it 21–3, Brownwood.

''Gaw-dang,'' Wood says.

He settles down and goes back to talking about offense. He got plays everywhere. He'd see something in a college game on Saturday afternoon and put it in the game plan Sunday night.

He has spoken at so many clinics that most of what he says seems as if he were reading it off the walls of a locker room.

On a coach who wouldn't leave his team for a week: ''If you can't leave for four days, you've got a poor group of assistant coaches. And if you leave for four days, the kids will listen to you more when you come back.''

On the variety of offenses available: ''It doesn't make a dang what you line up in; it's what you do after you get there.''

On his coaching philosophy: ''It's not the big things that beat you; it's a million little things.''

The little things might surprise you. He watched a coach in practice one day and noticed that, on every offensive play, he put the ball down on a yard line. Wood couldn't believe it. How often does that happen in a game? Move the ball around, he told them. Make the players look to see where the ball is, and maybe they won't draw foolish penalties for lining up offsides.

His assistants knew what he wanted. Southall, the only assistant over elected president of the Texas High School Coaches Association, worked for him 31 of his last 38 years in coaching.

Southall left him only a couple of times, once to be head coach at Winters after Wood left from Stamford, where he won state championships in 1955 and '56.

''If I'd had him at Stamford . . .'' Wood says of Southall and stops in mid-sentence when a ball bounces off a Brownwood receiver and into the hands of a Joshua defensive back.

''That's two balls they've dropped,'' he says.

He shakes his head.

''If I'd had him at Stamford,'' he says again, ''I'd have won three state championships there. No doubt. He was the best quarterback coach in the state.''

He thinks about the interception again and winces.

''That kills me when they do things like that,'' he says.

He sees mistakes everywhere. He watches the Cowboys every Sunday. He is a friend and ''great fan'' of Tom Landry, a reluctant admirer of the impersonal Jimmy Johnson and a defender of Barry Switzer.

But he is amazed at what happens on a professional football field. He cites a play in a recent game where Emmitt Smith fumbled on a pitch.

''You know why they fumbled and lost it?'' he asks. ''Damn poor coaching, that's what.''

He says he thought about writing Cowboys coach Chan Gailey and telling him so. Wood is big on writing letters. They appear occasionally in The News and the Abilene Reporter-News, mostly defending teachers of

U.S. Rep. Charles Stenholm, a former all-state end for Wood at Stamford. Sometimes he just writes to correct mistakes of any nature.

He'd write Gailey, he says, but he's not sure it would do any good. He pulls out a sheet of paper and diagrams his trademark play, the power pitch. Any team that wanted to beat his, he says, first had to stop the power pitch. They'd run it 20 times a game and never fumble.

Here's why the Cowboys fumble, he says, whether it's Tony Dorsett or Emmitt Smith: Coaches teach the running back to run at an angle toward the line of scrimmage before taking the pitch. Wood says they should have backs run parallel with the line, which would better allow them to catch the pitch, then square their shoulders before they hit the hole.

But wouldn't the Cowboys argue that a back gets to the hole faster if he runs at an angle?

''Might be quicker to the hole,'' Wood says tersely, his eyes returning to the field, ''but you aren't gonna get to the hole with the ball.''

He stares straight ahead.

''Just a fundamental mistake,'' he mutters. ''S'all there is to it.''

Asked his favorite college coaches, he immediately cites Texas Tech's Spike Dykes and Texas' Mack Brown. He is intrigued by Oklahoma's comeback under Bob Stoops, he's impressed by Kansas State Bill Snyder, and he's a great friend of Florida State's Bobby Bowden.

In his 1992 book, ''Gordon Wood's Game Plan to Winning Football'', he lists 36 coaches who have contributed to his beliefs, ranging from former assistants to Bo Schembechler, W.T. Staple, Gene Stallings and a high school coach from Ohio named Bron Bacevich.

Wood's education in football seems funny, considering how he started. His father was a farmer outside Abilene who didn't believe a man needed much in the way of schooling.

''If you get to third grade and can read and write,'' A.V. Wood told his eight children, ''you're wasting your time going to college. You'll just be a teacher or preacher, and you'll starve.''

Gordon Wood was the only one of A.V.s four sons to earn a high school diploma. He went on to Hardin-Simmons and never starved. But he didn't get rich, either. The most he ever made coaching and teaching, he says, was $42,000. He had an offer in the '50s to be an assistant coach at Texas Tech, but he didn't like the travel required in recruiting.

He and Katharine, who reared a son and daughter, live in a little three-bedroom house just two blocks from the high school, the same place they've lived since the early '60s, two doors down from Southhall. The day that Wood retired, he fulfilled a promise to himself when he bought a luxury car and the best golf cart he could find.

He drove the car into the garage, and Katharine told him it was nice. She also told him she'd never ride in it.

''There are too many hungry people in this town,'' she told her husband.

So he took the car back. He listens to Katharine, as long as she's not trying to send in a couple of new plays. He says he probably would have coached one more year, but she insisted that he retire, and he reluctantly agreed.

''It was time for me to quit,'' he says.

He sounds sincere. But he still has a radio program on Thursday evenings to talk about high school football, still has coffee with friends to talk about it. He watches it on television, reads about it in newspapers, visits coaches and players.

And, nearly every week, he goes to a game. ''I enjoy watching,'' he says. ''I really do.''

Most of the time, anyway. With five minutes left in the Joshua game, he gets up to leave the press box and beat the rush. Brownwood is up, 35–6, and sitting on Joshua's goal line.

At one of the exits, he says to hold up a second. ''Let's see if they score,'' he says.

As if on cue, a Brownwood player is flagged for illegal motion.

''Aw, crap,'' Wood says, and turns for the parking lot.

Mistakes kill him, and always did. ''I'd die if we had two or three penalties a game,'' he says.

Mistakes kill him, but he says he didn't make one by staying at Brownwood all those years. Katharine had put it in perspective earlier. ''You take Tom Landry and Spike Dykes and Grant Teaff and Hayden Fry,'' she said. ''They're all great coaches, but they were all just kids who played high school football in Texas.''

And Gordon Wood was a Texas high school football coach, the best ever, his peers say.

Even an old perfectionist couldn't beat that.

''I wouldn't change anything,'' he says softly, sitting in his driveway in his sensible sedan. ''No.''

## HONORING RONALD R. ROGERS AS HE IS INSTALLED AS GRAND MASTER OF THE GRAND LODGE OF FREE AND ACCEPTED MASONS IN OHIO

### HON. ROB PORTMAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mr. PORTMAN. Mr. Speaker, I rise today to recognize Ronald R. Rogers, a constituent, who recently became Grand Master of the Grand Lodge of Free and Accepted Masons for 1999–2000.

Mr. Rogers has an extensive Masonic record. He began his Masonic career as Master Councilor of Ivanhoe Chapter of the Order of DeMolay. He received his Chavalier Degree in 1952 and was awarded the Active Legion of Honor in 1976. He became a Master Mason in Norwood Lodge No. 576 in 1972. Before becoming Grand Master, Mr. Rogers was elected Junior Grand Warden in 1996, Senior Grand Warden in 1997, and Deputy Grand Master in 1998.

A Cincinnati native, Mr. Rogers is a graduate of Norwood High School and received his B.A. from the University of Cincinnati. He worked for Clayton L. Scroggins, a management consulting firm in Cincinnati, for 35 years. Mr. Rogers is the proud father of a daughter, Robin, and the proud grandfather of a granddaughter, Leslie.

Active in his community, Mr. Rogers is a member of the Forest Chapel United Methodist Church. He has served Forest Chapel as Chairman of Finance, Chairman of Music and a member of the Administrative Board. He sang in the Forest Chapel Chancel Choir and also served as its president. Mr. Rogers is a past Area Financial Officer of United Way and past President of the Forest Park Band Boosters.

We congratulate Ronald Rogers on his position as Grand Master, and wish him every success during his tenure.

## COMMUNICATIONS SATELLITE COMPETITION AND PRIVATIZATION ACT OF 1999

SPEECH OF

### HON. TOM BLILEY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 10, 1999*

Mr. BLILEY. Mr. Speaker, I rise in support of H.R. 3261. I am pleased that today we will pass on suspension in bipartisan fashion our satellite reform and privatization legislation, H.R. 3261. The fact that we will pass this decisively and that no one has indicated he or she will vote against this bill indicates the widespread support in the House for this legislation. It is high time to end the current cartel-like ownership and management structure of INTELSAT and Inmarsat. They must not only be privatized, they must be privatized in a pro-competitive market. We must eliminate their privileges and immunities, warehoused orbital locations or frequencies, and limit their ability to use their governmental privileges to expand their services and assets pending privatization. There is no reason for government to be providing commercial communications services. We must also replace monopoly control with competition and provide full direct access in the United States to INTELSAT and Inmarsat.

As the author and manager of this legislation, I think it is important to specify what will be the legislative history for H.R. 3261. With the exception of section 641, the deletion of old section 642, the addition of section 649, and several date related changes, H.R. 3261 is identical to the bill the House passed on May 6, 1998, H.R. 1872. We have put this legislation on the suspension calendar because Members already voted for the same text year by a margin of 403 to 16. Because most of the bill is identical to last year's bill, it is unnecessary to go through the Committee hearing and report process again this year. Thus, no report will be filed with H.R. 3261. Instead, we intend that the Committee report for H.R. 1872 (See House Rpt. 105–494), the record for the legislative hearing held on September 30, 1997, and the floor debate on H.R. 1872, in relevant part, be used as legislative history for H.R. 3261.

What follows is a specific discussion of changes that have been made in H.R. 3261 when compared to H.R. 1872, which, when taken together with the H.R. 1872 legislative history discussed above, will serve as the legislative history for H.R. 3261.

Section 601(b)(1) advances the dates for the privatization of INTELSAT and Inmarsat, respectively, from January 1, 2002 to April 1, 2001, for INTELSAT, and from January 1, 2001 to April 1, 2000, for Inmarsat. The reason for this change is that it has become clear that the long transition periods provided in H.R. 1872 are no longer necessary. Both organizations have taken some steps toward some form of privatization. For example, Inmarsat moved to end its intergovernmental status, although it still has not proceeded with an initial public offering of its stock. Moreover, the INTELSAT Assembly of Parties announced some steps which could move INTELSAT in the direction of privatization.

Section 602(a)(1)(A) and section 621(1) also have been changed to reflect the new dates set out in section 601(b)(1). Similarly, the

dates set out in 603(b) for the Federal Communications Commission to make annual findings and report to Congress on INTELSAT's progress toward privatization have been advanced to reflect the fact that longer transition periods are not needed. Thus, the first Commission finding is required on or before January 1, 2000.

Furthermore, given the fact that over a year has elapsed since passage of H.R. 1872, the number of annual findings has been reduced from four to three, with the second finding of H.R. 1872 now included in the first annual finding, as set out in section 603(b)(2). The last finding is due January 1, 2002, which is later than the April 1, 2001 date established for INTELSAT privatization. It may be appropriate to make the FCC finding date the same as the privatization date of April 1, 2001 at the next stage in the legislative process.

Finally, there have been changes in the dates by which the privatized INTELSAT and Immarsat must conduct initial public offerings of their shares; from January 1, 2001 to April 1, 2001 for INTELSAT, and from January 1, 2000 to April 1, 2000 for Inmarsat.

Section 624 deals specifically with Inmarsat. While there already have been some changes in the Inmarsat structure and some provisions of this section may need to be adjusted, such as the reference to the Inmarsat Signatory, this section is still applicable. While Inmarsat has conducted what it deems to be a privatization, that privatization has not been conducted in a pro-competitive manner.

Section 641 of H.R. 3261 ends the monopoly of COMSAT over access to the U.S. market for INTELSAT services. The Commission is to comply with section 641, by adopting orders ensuring the full implementation of all forms of direct access as provided in section 641(a).

Section 641 of H.R. 1872 dealt with various issues raised by ending COMSAT's exclusive access to INTELSAT and Inmarsat. We do not believe it necessary for the new section 641 to address these issues. First, given the changes at Inmarsat, and the provisions of other parts of the legislation dealing with Inmarsat, such as section 624(1), there is no need to specify direct access to Inmarsat in the new section 641. Second, it is appropriate to permit both non-investment, or contract, direct access (also known as Level 3) and investment (also known as Level 4) direct access to INTELSAT immediately upon the effective date of this legislation. All such direct access is in the public interest. It will increase competition for access to INTELSAT services and lower prices for consumers of INTELSAT services.

The Commission currently has the authority to pursue contract or Level 3 direct access. As was the case with respect to H.R. 1872, by including provisions on direct access in H.R. 3261, we do not intend to imply that there is a need to amend any provision of the Communications Satellite Act of 1962 to provide for direct access.

There are several other differences between H.R. 3261 and H.R. 1872 in section 641 regarding direct access. First, H.R. 3261 does not provide for or specifically authorize any signatory support costs. This is a change from H.R. 1872, which permitted compensation to INTELSAT signatories for support costs that the signatories would not otherwise be able to avoid under a direct access regime. Second, H.R. 3261 does not limit the ability of non-U.S. signatories of INTELSAT to provide direct access in the United States. Thus the sections of H.R. 1872 dealing with signatory fees and foreign signatories, along with section 641(1)(A)(iii) regarding carrier pass through of savings realized as a result of direct access, were deleted.

H.R. 3261 does not grant the Commission authority to impose a signatory fee or limit direct access by foreign signatories nor should the statement indicating that the Commission has authority to implement direct access be interpreted as meaning that the Commission has the authority to impose signatory fee or limit direct access by foreign signatories.

New section 641 also does not direct the Commission to take action on COMSAT's petition to be treated as a non-dominant common carrier because the FCC already has acted on this petition. Furthermore, section 641(4), stating that direct access regulation would be eliminated after a pro-competitive privatization of INTELSAT or Inmarsat is achieved was unnecessary and thus was deleted.

H.R. 3261 does not include an equivalent of section 642 of H.R. 1872 dealing with the renegotiation of monopoly contracts, which is also known as ''fresh look.'' The sections of H.R. 3261 following section 641 were renumbered to reflect the deletion of old section 642.

New section 649 is intended to prevent U.S.-licensed international carriers and satellite operators from using leverage they may have in foreign markets to exclude other U.S.-licensed international carriers and satellite operators from gaining access to those foreign markets. The effect of Section 649 is to apply this policy to all foreign satellite operators seeking to do business in the United States. Exclusive market access is a critical barrier to the provision of competitive satellite services by United States companies.

Mr. Speaker, I urge my colleagues to support this important legislation.

## CONGRATULATING SOUTH GRAND PRAIRIE HIGH SCHOOL

### HON. MARTIN FROST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mr. FROST. Mr. Speaker, I want to congratulate South Grand Prairie High for winning one of 13 New American High School awards from the Department of Education. This designation recognizes South Grand Prairie's tremendous efforts in raising academic standards and student achievement.

South Grand Prairie is a diverse high school of over 2,400 students. It reflects the changing demographics of the surrounding community, half of the student body comes from minority backgrounds. In 1996, South Grand Prairie undertook an extensive reform program to raise academic performance by the school's ''middle majority,'' the large segment of the student body whose needs were not entirely being met. The high school created a full-academy model that incorporates Advanced Placement-level curricula with career-oriented programs.

Students at South Grand Prairie pursue a rigorous academic program in an area that best suits them—Business and Computer Technology, Creative and Performing Arts, Health Science and Human Services, Humanities or Law, and Math, Science and Engineering. This allows students to raise their performance by capitalizing on their interests.

South Grand Prairie has enlisted the entire community in this effort. They have formed partnerships with local middle schools and area colleges. An Academic Advisory Board comprised of students, teachers, and prominent local business and industry leaders, has been formed to develop a curriculum and assessments of the program. And the Chamber of Commerce participates in a teacher-shadowing program which allows educators to understand the skills needed in the vocational areas in which they are teaching.

The results of this innovative program have been remarkable. South Grand Prairie has raised its students passage rate on Texas' state math exam by 18 percent. South Grand Prairie students pass the state's reading test at a 24 percent higher rate than the state average, and the school has higher SAT scores and rates of college enrollment than the state's average.

Clearly, South Grand Prairie's academic reforms have been a success, the school is highly deserving of the New American High School award. If South Grand Prairie represents the future in American education, the future looks bright indeed. Congratulations to Principal Roy Garcia and all of South Grand Prairie's students, faculty, and parents. Your school is a model for all of America's high schools and you have made North Texas proud. I am pleased to be able to join South Grand Prairie officials at their White House award ceremony this Friday.

## IN RECOGNITION OF THE 5TH ANNUAL COVENANT HOUSE WASHINGTON CANDLELIGHT VIGIL

### HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Ms. NORTON. Mr. Speaker, I rise today to recognize the Covenant House Candlelight Vigil, where I will speak on Tuesday, December 4, 1999. The Vigil is a national event held every year in early December in some 20 cities across the country. The Candlelight Vigil symbolizes community hope for the well being of all our children and highlights the plight of homeless, runaway, and at-risk children.

The Vigil in Washington alone has 3,000 concerned adults and youth marching, bearing candles and flashlights in support of youth. They will march shoulder to shoulder for a quarter of a mile to the Covenant House Washington Community Service Center, setting a tone of joy, solidarity, commitment, and hope. Similar rallies are held simultaneously at Covenant House sites across the country.

Since its inception in 1995, Covenant House Washington has invested over $13 million of private funding in our youth. They have given hundreds of youth a hand up by providing food, shelter, tutoring, life skills, job training, legal representation, and positive recreational opportunities.

Mr. Speaker, I ask all my colleagues to join me in honoring Covenant House Washington and their commitment to our most vulnerable young people and in recognizing the 1999 Covenant House Washington Candlelight Vigil.

## HONORING THE WORK OF MIKE WOODS

### HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mr. GORDON. Mr. Speaker, I rise today to honor Mike Woods and his more than 25 years of work as city clerk for the town of Smyrna, Tennessee. Mike's tenure will soon come to an end. He has decided to retire on November 30.

As clerk, Mike has seen Smyrna grow from a small community with an annual budget of $500,000 dollars and 27 employees to being one of Tennessee's fastest growing cities with a population of more than 20,000, a current budget of more than $25 million dollars and over 300 employees.

Mike worked hard, along with former Mayor Sam Ridley, to make Smyrna the home of Nissan Motor Manufacturing U.S.A., which has almost 6,000 workers. His vision and invaluable experience have served Smyrna well, and the city has been recognized with numerous state and national awards. Mike truly exemplifies the best of public service and will be sorely missed in city government.

I have known Mike since he first began his tenure in Smyrna and consider him a close friend. He has given me lots of good advice over the years, and I thank him for that. I congratulate Mike for his admirable and distinguished career and wish him the best of luck in future endeavors.

## SENSE OF HOUSE REGARDING DIABETES

SPEECH OF

### HON. EARL F. HILLIARD

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 16, 1999*

Mr. HILLIARD. Mr. Speaker, I rise today to call for increased congressional spending to continue the research now progressing to seek a cure for diabetes. This devastating disease affects every family in America—my own brother is a victim of diabetes. The results of the disease are too numerous to count, but include blindness, loss of limbs, even shock resulting at times in death. At this time in our history, the incidence of diabetes in our population appears to be increasing.

We have made many strides in the treatment of diabetes, but much more needs to be done. It is very possible that in the near future we will be able to regenerate damaged beta cells in the pancreas, the cells which normally produce insulin. Alternatively, we may soon be able to generate new beta cells; in either case, it appears we will actually be able to cure the disease.

At this point in the process, we need to make an absolute commitment to this struggle to end this devastating disease. I commit myself and my vote to increasing spending on diabetes to an amount which will be sufficient for our scientists to accomplish this high goal.

## RECOGNIZING AND HONORING WALTER PAYTON AND EXPRESSING CONDOLENCES OF THE HOUSE TO HIS FAMILY ON HIS DEATH

SPEECH OF

### HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 16, 1999*

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to strongly support this measure that recognizes a true sports hero and legend, Walter Payton.

Payton died of bile duct cancer at age 45. He is survived by his wife, Connie; his daughter, Brittney; and his son, Jarrett.

But it is not his death that lingers in our minds. It is his way of life that fills our memories and our hearts.

As a member of the Chicago Bears, Walter Payton stretched athleticism past the bounds of our imaginations. He bulled and wove throughout the football field with a creativity that allowed brute force and artistic expression to merge into one perfect moment.

Payton, the National Football League's leader in yards rushing (16,726) and carries (3,838), was known for his durability. He missed just one game in his 13-year career with the Bears. And during that time, he earned a Super Bowl ring. Payton retired after the 1987 season, and the Bears retired his No. 34. In the first year he was eligible for the Pro Football Hall of Fame, he was a unanimous selection.

But we cannot limit his worth to mere statistics and on-the-field achievement. Walter Payton represented sheer perseverance. Some would call Walter Payton the Cal Ripken of football. I would suggest that Cal Ripken is the Walter Payton of baseball. Indeed, Payton is the very embodiment of the term, ''iron will.''

His commitment to excellence and immense endurance makes his death seem all the more unbelievable. But Walter Payton did not lose his battle with liver disease. He simply ran out of time.

During an emotional, invitation-only memorial service that drew about 1,200 people, friends and family remembered Payton's practical jokes, his passion for those around him, his determination to be the best at what he did, and his generosity.

The public also had its chance to say goodbye during a ceremony at Soldier Field. Thousands of Bears fans filed into the stadium, many carrying signs in tribute and others dressed in Payton's familiar No. 34 jersey.

Yet, sports aficionados are not the only members of society who claim Payton as their hero. Any American, regardless of race or gender, can identify with Walter Payton. The consummate statesman, Payton carried himself on and off the field with dignity and class. He achieved, yet, he always remained committed to his team—individuality was not his style. It is because of his gentle and caring demeanor that he truly earned his nickname, ''Sweetness.'' He was as sweet a person in real life as he was to watch on the football field.

And as an African-American, I am proud that an African-American holds such an imposing NFL record. His rushing record shows that anyone can achieve lofty goals, regardless of race. It is a record that will stand for many years and will remain a testament to Payton's excellence.

Teammate Mike Singletary, one of five who offered a tribute at Payton's service, said if Payton saw people crying he would say: ''Hold everything—I'm on hallowed ground. I'm running hills, I'm running on clouds. I'm running on stars. I'm on the moon.''

''He affected so many people in a positive way, not only through athletic prowess, but through his generosity and for the way he lived his life,'' said Ditka, the coach of that Bears team that went 18–1. ''Yeah, it isn't fair. Forty-five years on this Earth, you should be in the prime of your life. But I think it warns us that tomorrow is not promised.''

We will remember Walter Payton and his famous jersey number ''34'' that he wore first at Jackson State and then with the Bears. We also will remember Payton in his Chicago uniform with his trademark white headband.

But most of all, we will remember Walter Payton for his pleasant smile, his warmth of character, and his will to achieve.

## IN HONOR OF ANDREW SHARP PEACOCK

### HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mr. KUCINICH. Mr. Speaker, I rise today to say farewell to a good friend and great leader, Australian Ambassador, Andrew Peacock. Ambassador Peacock will retire from his duties as the Australian Ambassador to the United States. There will be a celebration in his honor to commend him for his many accomplishments and his lifetime service to his country and to the world's diplomatic corps.

Ambassador Peacock has had a brilliant career and has succeeded in every endeavor, at every level, and has done so with a joy of life. His life in public service began at the young age of 17, when he joined the Young Liberals in his native country, Australia. In just a few short years, his incredible leadership skills and great wit carried him to the position of President of the Young Liberal Movement. Shortly afterwards, Mr. Peacock became Vice-President and then President of the Victorian Division of the Liberal Party. Andrew Peacock made a great endeavor and entered Federal Parliament in 1966. As a parliamentarian, Mr. Peacock was instrumental in the nation's foreign affairs and industrial relations for almost 30 years. He redefined the Liberal Party in Australia and has proved his love of Australia throughout his career.

Mr. Peacock came to the United States from Australia in February 1997 after resigning from the Federal Parliament. His accomplishments here have been immeasurable and noteworthy. Ambassador Peacock has helped preserve the outstanding relationship between the United States and our loyal ally, Australia. Recently, Australia and the United States were able to move side by side in the peace-keeping efforts in East Timor, thanks to the enviable diplomatic skills of Ambassador Peacock.

My fellow colleagues, please join me in honoring Ambassador Peacock for dedicating his life to his native land of Australia, to the cause

of human dignity, and to the cause of world peace. Not only has Ambassador Peacock proven to be a true hero in Australia but also a great friend to the American people through his great efforts as Ambassador. On a personal level, I am blessed to consider him a friend of many years, and I will miss his presence in our nation's capital. His laugh, his charm, and spirit has touched this city in so many ways. He has had a profound effect on Australia, America, and the world. I wish him well on all of his new endeavors.

## IN REMEMBRANCE OF DUB HAYES

### HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mr. HALL of Texas. Mr. Speaker, it is an honor for me to rise today to pay tribute to an outstanding individual and close personal friend, James W. ''Dub'' Hayes of Whitesboro, Texas, who died suddenly on October 3 of this year. Dub was well-known and well-liked in Whitesboro and Grayson County as a prominent community leader who genuinely cared about people. His influence will be felt for generations to come.

Dub was honored as Outstanding Citizen of Whitesboro three times—in 1965, 1978, and 1994—a testimony to the contributions he made to the life of his home town. At the time of his death he was serving as a director of the Grayson County College Foundation, treasurer of Whitesboro Citizens for Excellence in Education and a member of the Whitesboro Economic Development Corporation Board of Directors.

He was an ardent proponent of education, having served for 33 years as a Trustee of Grayson County College and as past president of the board. He served on the Board from 1965, the year the school opened until 1997.

Dub also served as a charter member of the Texoma Blood Bank Board of Directors, a member of the Grayson County Airport Board and the Texoma Regional Planning Commission, past president of the Chamber of Commerce, Rotary Club and Quarterback Club in Whitesboro. Dub was active in the First Baptist Church of Whitesboro, where he served for many years as deacon, treasurer and Sunday School teacher.

Dub and his brother, Ed, owned and operated a retail pharmacy business in Whitesboro for 28 years. Dub also worked as a pharmacist for 15 years at Wilson N. Jones Hospital—and continued working until his death as a relief pharmacist and consultant. Dub will be lovingly remembered as one of those pharmacists who was willing to get up in the middle of the night to fill prescriptions for those who were sick.

He was a member of several professional organizations, including the Grayson, Collin, Cook Pharmaceutical Association, the Texas Pharmaceutical Association, the Texas Society of Hospital Pharmacists and the American Society of Hospital Pharmacists.

Born in 1925 in Whitesboro, the son of the late James Albert Hayes and Ruth Cherry Hayes, Dub graduated from Whitesboro High School, attended North Texas Agricultural College in Arlington and received his Pharmacy degree from the University of Texas. He served his county during World War II in both the Pacific and European theaters. In 1949 he married his wife of 50 years, Ruth Helen Acker.

Dub is survived by his wife, Helen; three children, Diane Hayes Gibson and her husband, Mark; Dr. Jim Hayes of Dallas; and Bill Hayes and his wife, Kelly; four grandchildren, Laura and Robert Gibson and Sarah and Charlie Hayes; brother, Ed Hayes, and his wife, Pat; sister-in-law Marjorie Acker Laney and her husband, Bobby; three nieces and two nephews.

Mr. Speaker, Dub Hayes was a truly great man who lived a life of devotion to his family, his community, his church, and his profession. He was a community leader who led an exemplary life—and he was loved by all who knew him. We will miss him—but his memory will be kept alive in our hearts and in our thoughts—and his legacy will continue to be felt in Whitesboro and Grayson County. Mr. Speaker, as we adjourn today for the last time during this century, I ask my colleagues to join me in paying our last respects to this outstanding man and great American—James W. ''Dub'' Hayes.

## INTRODUCTION OF THE TELEHEALTH IMPROVEMENT ACT OF 1999

### HON. BRIAN P. BILBRAY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mr. BILBRAY. Mr. Speaker, I rise today to announce the introduction of H.R. 3420, the Telehealth Improvement Act of 1999. As we are learning, telemedicine services can dramatically improve upon the range of health care services available in medically underserved areas through the use of telecommunications technologies and services. Telemedicine can improve the delivery and access of health care services, and is especially useful when a patient needs a specialist who is unavailable in his or her area.

By relying on technologies ranging from interactive video, e-mail, computers, fax machines, and satellites, patients will be able to communicate with their doctors and receive the health care they need regardless of their physical location. These telemedicine technologies can be used to deliver health care, diagnose patients, read X-rays, provide consultation, and educate health professionals, among other things.

Telemedicine services reduce the cost of health care by increasing the timeliness of care, reducing emergency transportation costs, improving patient administration, and strengthening the expertise available to primary-care providers. Telemedicine services also help to bring services to medically underserved areas in a quick and cost-effective manner, and can enable patients to avoid traveling long distances in order to receive access to health care.

While the Balanced Budget Act of 1997 includes a provision that provides for some Medicare reimbursement of telemedicine services, the Health Care Financing Administration (HCFA) has interpreted it too narrowly and as a result, has severely limited the services which are covered. The Telehealth Improvement Act of 1999 will clarify the intent of Congress regarding Medicare reimbursement for telemedicine services and increases telemedicine access to medically underserved areas. This legislation makes improvements to the way telemedicine services are currently regulated and reimbursed through the Medicare program, and applies to rural, underserved, and frontier areas, including areas designated as health professional shortage areas under the Public Health Service Act.

Mr. Speaker, I urge my colleagues in the House to support and cosponsor the Telehealth Improvement Act of 1999. We must continue to provide access to health care to underserved areas and provide adequate reimbursement to the hospitals and providers that are currently providing these services.

## HONORING THE LATE D.R. MILLER, ''MR. CIRCUS''

### HON. WES WATKINS

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mr. WATKINS. Mr. Speaker, today I pay tribute to the late D.R. Miller, known as ''Mr. Circus'' to those who knew him best, for his decades of service to his fellow citizens, and for his lifetime of providing laughter and fun to children of all ages.

D.R. Miller was born on July 27, 1916, in Smith Center, Kansas. But it was Hugo, the town in Oklahoma's Third Congressional District that serves as the winter headquarters for his Carson & Barnes Circus, that D.R. called home.

D.R. Miller passed away on September 8, 1999, in McCook, Nebraska—the very town where D.R.'s father and mother took D.R. and his brother to see their first circus, on August 24, 1924.

In 1937, after numerous business ventures, D.R., his father and brother, founded the famed Al G. Kelly Miller Bros. Circus, advertised as the 2nd Largest Circus in America, and toured the U.S. for years. When Ringling Bros. abandoned big top tents for buildings in 1956, the Al G. Kelly Miller Bros. Circus became the World's Largest Big Top Circus.

After several business and personal setbacks in the 1960s and 70s, D.R. roared back with the Carson & Barnes Circus, which grew and evolved into the 5 Ring Extravaganza that continues to entertain and amaze children of all ages.

In addition to his founding of two circuses, D.R. gave of himself to make this world a better place. D.R. served his country as a proud member of the Army's 273rd Artillery Division during World War II. He founded the Endangered Ark Foundation, a non-profit association dedicated to the preservation and procreation of endangered animals. He established the D.R. and Isla Miller Scholarship Fund to provide scholarships to deserving Hugo High School graduates. D.R. established the non-profit Showman's Rest Trust Fund to provide plots, burials and proper markers for indigent show people.

D.R. provided countless opportunities to circus artists and fellow dreamers. He was a friend to all. In January, 1995, he was inducted into the Circus Ring of Fame in Sarasota, Florida, with his wife and partner Isla Marie Miller, who preceded D.R. in passing.

D.R. Miller was an entertainer, a showman, a family man, a veteran, and a model citizen whose example of success and hard work shine like a beacon for all Americans who aspire to improve their own lives and the lives of others. D.R. Miller was believed by all who knew him.

Mr. Speaker, I ask that today the House pay tribute to Mr. Circus: D.R. Miller.

## A TRIBUTE TO ISRAEL POLICY FORUM

### HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mrs. LOWEY. Mr. Speaker, I rise today to express my thanks to Israel Policy Forum.

Since its founding in 1993, IPF has been a vigorous and effective advocate for Middle East peace and Israel security. Few organizations have done so much to shape public attitude's about the peace process or to educate decision-makers about the significance of American international leadership.

On November 20th, the directors, members, and friends of Israel Policy Forum will hold their second Tribute Dinner. In addition to celebrating recent progress in the Middle East peace negotiations and welcoming Prime Minister Ehud Barak, this event will also be an occasion to recognize the outstanding contributions of several remarkable individuals.

Nathan Gantcher has devoted his considerable intellect and energy to the challenges of business, education, and community service. A towering figure in the world of finance, he is widely respected for his exceptional professional skills and deep devotion to principle.

Robert Lifton has contributed to remarkable range of fields, including law, real estate, entertainment, finance, and health care. His personal commitment to American-Israeli relations is evidenced by his leadership of groups as the American Jewish Congress, AIPAC, the Council on Foreign Relations, and many others.

Norman Pattiz is the founder and Chairman of Westworld One, the undisputed leader in the radio industry, with some 7,000 affiliated stations worldwide. His business acumen is matched by a powerful commitment to quality programming, and a creative understanding of the media's role in shaping a stronger society. His devotion to promoting Middle East Peace is prodigious, and he has pursued this goal both through personal involvement with Middle Eastern leaders and through tireless activism in the American Jewish community.

Peggy Tishman is a nationally-recognized philanthropic leader, whose devotion to the Jewish community has been particularly inspiring. She was the first President of the merged UJA-Federation, where she helped lay a strong foundation for the future success of the organization, and where she demonstrated the character and charisma that would make her such an invaluable resource to a range of civic endeavors.

I am very pleased to join in this special tribute, to express my enormous pride in IPF's fine work, and to salute the examples of dynamic public advocacy IPF's honorees and leaders set every day.

## CONGRATULATING ST. SAVA'S SERBIAN ORTHODOX CHURCH

### HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mr. VISCLOSKY. Mr. Speaker, It is with great pleasure that I congratulate St. Sava's Serbian Orthodox Church in Merrillville, Indiana, as it celebrates its 85th Anniversary as a parish this Sunday. I would also like to take this opportunity to congratulate Reverend Jovan Todorovich on this glorious occasion.

On November 20th, St. Sava's Serbian Orthodox Church will open its 85th Anniversary celebration at 9:30 a.m. at the church. Reverend Todorovich will begin with a liturgy, followed by a blessing of a new icon painting, and a Parastos, or ceremony for the dead. Beginning at noon in the church's small banquet hall in Hobart, Indiana, the celebration will continue with a Pomen ceremony, a wreath laying, taps, and a service by the American Legion in honor of all veterans from St. Sava's congregation. A banquet will be served at 1:00 p.m. in the main hall in Hobart. Entertainment will be provided by Drina Tamburitza, and Nikola P. Kostich will be the guest speaker at this gala occasion. Nikola Kostich is an attorney from Milwaukee and is the lead counsel for the Serbian Republic and for the United Nations International Criminal Tribunal for the former Yugoslavia.

A church of humble beginnings, St. Sava's Serbian Orthodox Church was founded in 1914 in Gary, Indiana by about 200 immigrant families. Today, it is home to 625 families. During the past 85 years, the congregation at St. Sava's has worshiped in five different locations and weathered a major disaster when one church building was destroyed by a fire. The history of the parish, from both a joyous and sorrowful perspective, will be remembered Sunday when the church celebrates its 85th Anniversary.

The church's roots go back to a group of Serbian immigrants who first formed a choir. In 1914, the choir members began meeting for church services at a hall located near 13th Avenue and Washington Street in Gary. By 1915, they had built and consecrated a church in Gary at 20th Avenue and Connecticut Street. In 1938, a new church was built at 13th Avenue and Connecticut Street. The congregation remained there until 1978, when the church burned down. The congregation held services at a hall located on their picnic grounds in Hobart, while they raised money to build a new church in Merrillville. In 1983, the church broke ground at 9191 Mississippi Street in Merrillville, and in 1991, the church was completed and consecrated.

Mr. Speaker, I ask you and my other distinguished colleagues to join me in congratulating the parish family of St. Sava's Serbian Orthodox Church, under the guidance of Reverend Jovan Todorovich, as they prepare to celebrate their 85th anniversary. All past and present parishioners and pastors should be proud of the numerous contributions they have made out of the love and devotion they have displayed for their church throughout the past 85 years.

## HONORING SOUTH POST OAK BAPTIST CHURCH

### HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mr. BENTSEN. Mr. Speaker, I rise to congratulate the members of the congregation of South Post Oak Baptist Church in my home district of Houston, Texas for celebrating their church's 40th anniversary. The South Post Oak Baptist Church family has been a pillar of the community, effectively ministering to its members for four decades.

South Post Oak Baptist Church was organized October 4, 1959 as a separate entity of Almeda Baptist Church and was incorporated in 1961. From its humble beginnings, the church has been a viable point of spiritual reference for the community. Under the leadership of Rev. Remus E. Wright, the membership of the church has grown rapidly, from 300 in 1991 to more than 4,500 members in 1999.

Over the past decade Rev. Wright and his wife Mia have worked to make South Post Oak Baptist Church, ''A Positive Place in a Negative World.'' Their endurance and tremendous energy in addressing the needs of South Post Oak Baptist Church's congregation have served their community well.

The youngest of nine children born to Remus and Elizabeth Wright in Indianapolis, Indiana, Rev. Wright answered the call to the ministry during his mid-twenties, becoming an Associate Minister at Grace Apostolic church. He joined the Pentecostal Ambassadors and recorded two gospel albums on which he sang, wrote and produced most of the songs. Upon relocating to Houston, Pastor Wright found his home at South Post Oak Baptist Church, guiding the church into its largest ever period of growth. The Church's focus has been on the family; the responsibilities of men; special needs of our senior citizens; and ''real life'' programs for youth. Rev. Wright's focus on families is a major reason why he now devotes his energy to ministering to more than 2,500 families at South Post Oak Baptist Church.

While Rev. Wright's religious and spiritual obligations have always been paramount, as a community leader, he has undertaken his civic duties with the utmost seriousness and passion, serving on several boards and organizations. He serves on two local high school boards, the YMCA board, and is a volunteer with LifeGift Organ Donation Program. He was selected to serve as a Foreign Missionary and Church Planter for the Southern Baptist Association in Zimbabwe, Africa. Most recently, he became part of an on-going Summer Leadership Institute Program at Harvard University designed to strengthen faith-based programs throughout urban communities in the United States.

Mr. Speaker, South Post Oak Baptist Church has much to celebrate on its 40th anniversary. The church has been a haven for its community. Since its beginnings four decades ago through the last 8 years of unprecedented growth, South Post Oak Baptist Church should be commended for its dedication to God and commitment to the needs of its congregation and surrounding community.

## CONGRATULATIONS TO THE UNIVERSITY OF WISCONSIN'S FOOTBALL TEAM

### HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Ms. BALDWIN. Mr. Speaker, I rise today to congratulate the University of Wisconsin's football team. This has been an exceptional season for the Badgers in many respects.

For the second straight year, the Badgers are off to play in a major NCAA Bowl Game. The Badgers could go to the Rose Bowl, just as they did last year, or to another major bowl, depending on how other college teams fare in the closing weeks of the season. On Saturday, a beautiful and unusually balmy day at Camp Randall, the Badgers sealed their ticket to a bowl game by defeating the Iowa Hawkeyes, 41 to 3, and winning the Big Ten championship.

But securing the championship was not all that was celebrated on Saturday. Before nearly 80,000 screaming Badger fans, tailback Ron Dayne made history as he became the all-time rushing leader in NCAA Division I football. Ron Dayne has finished his collegiate career with 6,397 yards—and is the favorite for winning this year's Heisman Trophy.

Ron Dayne's historic record and going to a major bowl game for the second straight year are only part of the triumphant season. The whole team created this championship. It was particularly heartening to see the team come together when Coach Barry Alvarez was either coaching from his hospital bed or the coach's box while waiting for knee replacement surgery.

The Badgers end the regular season with a 9–2 record. Congratulations to all the players, students and fans at the University of Wisconsin. I look forward to enjoying the Fifth Quarter at the bowl game. On Wisconsin!

## STOPPING ABUSE OF COMPREHENSIVE OUTPATIENT REHABILITATION FACILITY PROGRAM

### HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mr. STARK. Mr. Speaker, one of the good services in Medicare is the CORF (Comprehensive Outpatient Rehabilitation Facility) program, where beneficiaries recovering from an illness or operation can get a wide range of quality rehab services.

Unfortunately, there appears to be a loophole in the law allowing the establishment of ''satellite'' CORFs. In this scheme, doctors are getting letters offering to rent part of their office for the placement of a therapist. The rent offered is often sight-unseen and is far above what is a reasonable rental rate. It is, in my opinion, a violation of the anti-kickback laws and is a way to get referrals that greatly drives up utilization and costs for Medicare.

To stop this proliferation of services we never knew we needed, I am introducing a bill, with an effective date of today, to require that all CORF services be provided at one site. I submit a letter from the HCFA Deputy Administrator on this issue and on the steps Medicare is taking to avoid fraudulent utilization in this area. The Administration is to be commended for its efforts to prevent abuse in this area—but clarifying the law will also be helpful.

DEPARTMENT OF HEALTH AND HUMAN SERVICES, HEALTH CARE FINANCING ADMINISTRATION, DEPUTY ADMINISTRATOR

*Washington, DC, Oct. 27, 1999.*

Hon. PETE STARK,
*House of Representatives, Washington, DC.*

DEAR MR. STARK: Thank you for your letter to the Administrator regarding contracts being mailed to doctors to open uncertified mini-Comprehensive Outpatient Rehabilitation Facilities (CORFs) in physicians' offices. I am responding on her behalf, and I apologize for the delay in this response. You also stated that you earlier copied the Administrator on a letter you sent to the Department of Health and Human Services' (DHHS') Office of the Inspector General regarding this matter. You are requesting that the Administrator immediately put a halt to the proliferation of these ''satellite'' CORFs.

I share your concern with the apparent proliferation of satellite CORFs. Based on the information furnished, the establishment of satellite facilities is consistent with section 1861(cc) of the Social Security Act (the Act). Section 1861(cc)(1) of the Act states that in the case of physical therapy (PT), occupational therapy (OT), and speech pathology (SP) services there shall be no requirement that the item or service be furnished at any single, fixed location. All other CORF services must be provided at the site of the CORF approved for Medicare participation.

It should be noted that although the Act exempts these services from the single, fixed location requirement, it does not exempt them from any of the other CORF requirements. Since the CORF must make documentation available to the state survey agency surveyor demonstrating that it furnishes all services in compliance with the CORF requirements, we would expect the documentation at the CORF for services furnished off-site would not be unlike that for services furnished at the CORF. Also, state survey agencies are not precluded from making visits to the off-site locations as necessary, to ensure that the CORF requirements are met.

Recently, a briefing on CORFs and outpatient rehabilitation facilities was held for Kevin Thurm, Deputy Secretary of DHHS. I presented the Health Care Financing Administration' (HCFA's) program integrity action plan based on analysis we had initiated with the HCFA Miami Satellite Office. The plan includes intensified medical review in targeted areas, education of providers and fiscal intermediaries, and increased reviews of off-site locations. I believe these interventions and the increased oversight will curb inappropriate growth of the providers until HCFA is granted statutory authority to require that PT, OT, or SP be furnished at a single, fixed location.

Thank you for your interest in this matter.

Sincerely,

MICHAEL M. HASH,
*Deputy Administrator.*

## A TRIBUTE TO BILL SHIVELY ON HIS RETIREMENT

### HON. JIM RAMSTAD

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mr. RAMSTAD. Mr. Speaker, I rise today to pay tribute to one of our nation's best and brightest business leaders.

By any measure of merit, William C. Shively, is a truly visionary business leader. His hard work and pioneering efforts in the area of financial management and commitment to public service are absolutely exemplary—as well as an inspiration to us all.

Mr. Speaker, Bill Shively is retiring as Executive Vice President of the nationally recognized Gelco Information Network in my Third District of Minnesota.

Bill had the vision in 1992 to bring corporate America's soundest financial management practices to the federal government. In his book Best Practices, Bill Shively identified areas for immediate improvement and re-engineering. He targeted official business travel within government since, in the corporate world, travel is the third largest business expense behind payroll and data processing.

Mr. Speaker, in 1995 the federal government was spending over $7 billion on official business travel. Mr. Shively realized the government was spending unnecessary overhead based on the outdated business processes that governed federal travel.

The need for improvement in this arena, Mr. Speaker, was the source for Bill's vision to create a business unit dedicated to identifying improvements and recommending solutions to save taxpayer money. The vision's underlying theme was to save taxpayer money through the implementation of re-engineered systems and processes.

Mr. Speaker, the Government Services Division of Gelco was born on March 1, 1995 and was comprised of Bill and one other employee. Since 1995, the business has grown to close to 100 employees, supporting products and services utilized today within every single federal executive agency within our government.

Bill helped the Department of Defense through the evolutionary stages of defining its vision, leading to one of the largest non-weapon procurements—DTS.

Mr. Speaker, Bill Shively leaves a legacy of public service that will be long remembered. But, more important to Bill, he leaves a legacy to that is sure to inspire his family for generations to come. Despite the impact of his visionary actions around the world, Bill Shively's No. 1 priority has been his family. Bill has been a dedicated father of three sons and a devoted husband to his wife, Betty.

Mr. Speaker, Bill Shively has done much for his country. We must take the time to pay tribute to great Americans like Bill, citizens who share their special skills to make outstanding contributions to their nation. Bill Shively may be retiring, but he has improved federal processes and driven down costs to taxpayer—truly lasting contributions that will benefit our country for generations to come.

At a time when good role models are few and far between, a time when people of integrity are needed more than ever, Bill Shively is a shining example of how to achieve success in our personal, professional and public lives.

Mr. Speaker, please join with me today to honor William Shively for all he has done to help others. We wish him and his family all the best in his retirement and in all his future endeavors.

## RESIGNATION OF NATIONAL FOREST SUPERVISOR GLORIA FLORA

### HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mr. GEORGE MILLER of California. Mr. Speaker, Gloria Flora, forest Supervisor of the Humboldt-Toiyabe National Forest in Nevada resigned last week, citing relentless ''fed-bashing.'' Since becoming Supervisor of the largest national forest in the lower 48 just over a year ago, Ms. Flora has become embroiled in disputes over grazing, endangered species protection, and road closures. One of these disputes recently culminated in Elko County residents, including public officials, illegally rebuilding a forest road without federal permits, an act which in turn triggered a U.S. Fish and Wildlife Service emergency listing of the bull trout. At the forefront of these disputes are extremists whose radical anti-government stance has translated into several instances of intimidation and harassment of federal land managers and acts of violence against public servants and property.

It is deeply distressing that public servants who are administering and enforcing the law are subjected to such hostile circumstances that they are forced to leave their jobs and homes. We should keep in mind that federal land managers like Ms. Flora are charged with enforcing laws passed by the Congress and entrusted with public lands and natural resources that belong to all the people of this country.

For twenty years, the wise use movement in its various forms—the Sagebrush rebellion, states' rights, county supremacy—has fomented hostility and hatred toward officials enforcing the laws of Congress. Rather than perpetuate the disregard and disdain for the government and its laws, I urge my colleagues to use their good offices to create a climate of decency and cooperation.

Mr. Speaker, while I deeply regret that Ms. Flora has chosen to resign, I sincerely hope that we take this opportunity to express our support for her and for the many Forest Service employees who share her concerns. I submit Ms. Flora's letter to her fellow employees.

OPEN LETTER TO EMPLOYEES OF THE HUMBOLDT-TOIYABE NATIONAL FOREST

NOVEMBER 8, 1999

There is no easy way to say good-bye to a group of hard-working, dedicated employees and friends. But the time has come when I must do just that. The best part of working on this Forest is watching each of you perform your work so well. The results speak for themselves in the outstanding land stewardship and exemplary business practices found on this Forest.

I have become increasingly troubled by the difficult conditions that so many of us face in the state of Nevada. We now accept as commonplace unwarranted criticisms of and verbal attacks on federal employees. Officials at all levels of government in Nevada participate in this irresponsible fed-bashing. The public is largely silent, watching as if this were a spectator sport. This level of anti-federal fervor is simply not acceptable.

It is not like this in other places! As you know, I've worked throughout the Intermountain West: Montana, Idaho, Utah and Wyoming. Yes, there are arguments and strong disagreements over land use policy, but they usually stay within the bounds of reason. As tensions escalate, others weigh in with their opinions and the media does in-depth investigative reporting. There is a sense of balance. Outlandish words and acts, regardless of the origin, are repudiated openly by reasonable community members. Constructive collaboration and discourse are recognized as the methods to resolve complex natural resource issues. Yes, things may get heated but all people have a voice.

The attitude towards federal employees and federal laws in Nevada is pitiful. People in rural communities who do respect the law and accept responsibility for complying with it are often rebuked or ridiculed. They are compared to collaborators with the Vichy government in Nazi-controlled France! People who support the federal government or conservation of natural resources ask that they not be identified for fear of retaliation. When I speak against the diatribes and half-truths of the Sagebrush Rebellion, I am labeled a liar and personally vilified in an attempt to silence me. When I express concerns for Forest Service employees' safety, I am accused of inciting violence.

This is the United States of America. All people have a right to speak and all people have a right to protection from discrimination. However, I learned that in Nevada, as a federal employee, you have no right to speak, no right to do your job and certainly no right to be treated with respect. I could go on and on with examples of those of you who have been castigated in public, shunned in your communities, refused service in restaurants, kicked out of motels . . . just because of who you work for. And we cannot forget those who have been harassed, called before kangaroo courts, or had their very lives threatened.

It disturbs me to think that two million people in this state watch silently, or worse, in amusement, as a small percent of their number break laws and trounce the rights of others with impunity. Worse yet, there are elected officials who actively support these offenders. Those whose responsibility it is to help us enforce the laws passed by Congress and do our mandated jobs, always seem to have a reason why action must be postponed.

The Jarbidge situation is just another example of how certain elements would rather fight and excoriate the federal government than work towards a solution. These people need an ''evil empire'' to attack. When a member of the United States Congress joins forces with them, using the power of the office to stage a public inquisition of federal employees followed by a political fundraiser, I must protest. This member and others continue to do this, and we, as an agency, believe that it is best to keep turning the other cheek. Enough is enough. I am not promoting conflict; I'm simply advocating that our agency demands fairness and common decency. It's time to speak up.

But speaking up and continuing to work here are not compatible. By speaking out, I cannot provide you, my employees, with a safe working environment. And to date, I have not been able to convince others that the current atmosphere is unacceptable and requires a proactive response. I refuse to continue to participate in this charade of normalcy.

Equally troubling is our limited ability to perform the mission of the Forest Service under these conditions. As stewards for public lands, entrusted with protecting and restoring natural resources for present and future generations, we must be able to perform those functions in a collaborative and cooperative manner. The health of the land is paramount.

I am choosing to leave for my principles, for my personal well-being, and so I can actualize my commitment to natural resource management in a setting where respect and civil discourse is the norm. I have no definite plans and I am not seeking special treatment from the agency. I will stay at least until the end of the year to help ensure a smoother transition to new leadership.

I leave you with my fondest wishes for continuing your excellent work and gaining the fulfillment and respect that you all deserve. As I told you when I first arrived, simply demonstrate honesty, integrity and ethical behavior and you will succeed. Thank you for the tremendous support you have given me, I couldn't have asked for more from you.

Sincerely,

GLORIA E. FLORA,
*Forest Supervisor.*

## TRIBUTE TO BRIAN LANCE GOTLIEB

### HON. ANTHONY D. WEINER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mr. WEINER. Mr. Speaker, I rise today to recognize an upstanding member of our community who is being recognized by the Brighton-Atlantic Unit #1671 of B'nai Brith on the occasion of its 1999 Youth Services Award Breakfast.

Brian Lance Gotlieb has earned a well-deserved reputation as a tireless fighter on behalf of the youth in our community, and is rightfully honored for his achievements by B'nai Brith on this special occasion.

Gotlieb, who serves as the liaison to Intermediate School 303 and Public Schools 90, 100, 209 and 253, is currently working on different ways to protect our community's children. As a member of the District 21 School Board, he has initiated the process of identifying unsafe streets throughout District 21 to ensure the safety of all pedestrians. And, throughout this school year, Gotlieb will be hosting a series of Child Safety Programs that will provide parents with free copies of their children's fingerprints along with Polaroid pictures to present to law enforcement personnel in the event of an emergency.

Further, as my Deputy Chief of Staff, Brian Lance Gotlieb has served as my liaison to the Board of Education and School Construction Authority for the last three years. In addition, he is primarily responsible for the intake and resolution of constituent concerns in my Community Office located in the Sheepshead Bay section of Brooklyn.

Gotlieb, who credits his late mother, Myrna, with teaching him the importance of helping others and being active in the community, created the highly successful organization Shorefront Toys for Tots in 1995. Founded in his mother's memory, Shorefront Toys for Tots has helped bring Chanukah cheer to more than 7,500 underprivileged children in the Shorefront community.

As a student at the Rabbi Harry Halpern Day School and its Talmud Torah High School division, Gotlieb packed and delivered Passover packages to aid needy senior citizens.

Gotlieb strengthened his bond with the Jewish community as an undergraduate and graduate student through his involvement with the Jewish Culture Foundation at New York University and B'nai B'rith Hillel at the University of Florida, where he served as a Reporter for the Jewish Student News.

Gotlieb is a member of Community Board 13 and serves on it's Education and Library and Youth Services committees. He also serves his neighbors as a member of the Board of Directors in Section 4 of Trump Village and as an Executive Board member of the 60th Precinct Community Council.

Mr. Speaker, I applaud the members of Brighton-Atlantic Unit #1671 of B'nai Brith for recognizing the achievements of Brian Lance Gotlieb, a tireless worker for the people of Brooklyn and Queens.

## CONGRATULATING THE PASCACK HISTORICAL SOCIETY

### HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mrs. ROUKEMA. Mr. Speaker, I rise to congratulate the Pascack Historical Society on the recent restoration of its museum, and for all the work the Society has done to preserve the heritage of the Pascack Valley.

The Pascack Historical Society Museum, located in Park Ridge, New Jersey, is a wonderful collection of artifacts depicting life in the region from the 18th Century through the early 20th Century. It is a popular destination for tourists and natives alike, and is a treasure-trove of archival information for scholars of local history.

Special recognition must go to a number of key individuals involved. The project was ably guided by Historical Society President Katharine P. Randall, Vice President Fracesca M. Moskowitz, Secretary Ellen Kramer and Treasurer Richard Ross.

The renovation would not have been possible without the generosity of the late Ellen Berdais, a long-time member of the Historical Society who died of cancer in 1995, just after the project began. In her honor, the annex will be named the Ellen Berdais Hall. In addition, the main museum building will be named in memory of its longtime curator, Wilma Uder.

The museum is housed in the 19th century former First Congregational Church of Park Ridge. During the three-year, $275,000 renovation, the church building was substantially restored and a dilapidated barn was replaced with an 18,000-square-foot addition. Its exhibits include the facade of a country store, a turn-of-the-century parlor, and a recreation of rooms from a small, Colonial-era home. Artifacts include items the Leni-Lenape Indian tribe and early settlers used for trading, farming and manufacturing. A machine for making the ''wampum'' ornaments Native Americans once used as currency is part of the collection, along with a printing press from a local newspaper and a wooden horse used by a saddle maker.

The Historical Society was founded in the 1930s by John C. Storms, publisher of the Park Ridge Local, and was formally incorporated in 1942. A small group of area residents dedicated themselves to collecting and preserving artifacts and written accounts of Pascack Valley history, and sharing the collection through exhibits, lectures and a quarterly newsletter. The society's collection was housed in various locations until it found a permanent home in 1952 with the purchase of the church, which had been a Park Ridge landmark since 1873.

During its nearly half-century of operation, thousands of school classes, civic organizations, researchers and individuals have visited the museum and attended the Historical Society's lectures. Staffed entirely by volunteers, the museum has depended on the generosity of its members and friends for financial support.

It became obvious in 1994 that the adjacent bar—used as a meeting room, research center, storage area and workroom—was in such a dangerous state of disrepair that its demolition was ordered by the borough. With the loss of this facility, it was necessary to temporarily close the museum and begin a major fundraising campaign to rebuild. Supports worked for five years to make the dream a reality.

I ask my colleagues in the House of Representatives to join me in commending the Pascack Historical Society and all its members on the hard work and dedication that have preserved this American historic treasure for the benefit of all.

## THE BICENTENNIAL OF MONROE, NEW YORK

### HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mr. GILMAN. Mr. Speaker, I am pleased to note to our colleagues that the Town of Monroe, New York, in my congressional district is currently celebrating its 200th anniversary.

With its population estimated in 1996 to be nearly 26,000, the Town of Monroe has long been considered one of the major hubs of our Hudson River valley. Within the boundaries of the Town are three incorporated villages: the Village of Monroe (incorporated in 1894), the Village of Harriman (incorporated in 1914), and the Village of Kiryas Joel (incorporated in 1977).

The Village of Monroe sprang up along a mill pond created by the construction of a dam and grist mill constructed prior to the Revolutionary War. Soon, stagecoach routes, inns, and taverns grew along Monroe's Mill Pond, and soon the community became the economic and social focal point of the area.

The Village of Harriman was the sight of a creamery and grist mill, which early in this century became the site of the estate of the railroad magnate Edward H. Harriman. The Village was named in his honor, and became the home of his son, Averill, who served as a cabinet member, diplomat, and Governor of New York.

The Village of Kiryas Joel is the second legally incorporated community of Hasidic Jews in the world. The community is a unique village where traditional values and the centrality of family are the guiding principles of community life. To preserve these values, Kiryas Joel remains without television or radio.

The entire Town of Monroe has enjoyed a varied history over the past 200 years. In the earliest days, it was known for its iron mines and smelting furnaces. The famous giant chain which was stretched across the Hudson River to prevent invasion by the British army was forged in Monroe. The Monroe iron mines thrived as late as the 1880's.

For many years, Monroe was the center of a thriving dairy and cheese industry. We forget today that the concept of shipping fresh milk from the farm to the city is a relatively new concept which did not come about until the advent of the railroads. The Town of Monroe was host to a variety of dairy farms, and beginning in 1841 what are now the Villages of Monroe and Harriman were the railroad terminals from which dairy products were shipped.

But it is for cheese that Monroe is most famous. Two types of cheese beloved throughout the world—velveeta and liederkranz—were invented in Monroe and originally manufactured at the factory operated by Emil Frey.

Today, the Monroe Cheese Festival is the biggest and most successful event held annually in Monroe. Conceived by Village Mayor Robert Bonney—who tragically passed away soon after he ''sold'' the festival idea to the community—the cheese festival annually attracts thousands of visitors of all ages to the community from far and wide.

In 1997, a local newspaper reporter wrote that: ''There are few places where a kid can wear a giant foam cheese wedge on his head and still look pretty cool. A Green Bay Packer game may be one. Another, most definitely, is the Monroe Cheese Festival.''

Other long time traditions which permeate Monroe are the Mombasha Fire Department, over 100 years old, and the Museum Village, which preserves for tourists and scholars a typical colonial community. The legendary showman, George M. Cohan, was a resident of Monroe. When in his declining years the classic motion picture biography of his life, ''Yankee Doodle Dandy'' was released, he was too ill to travel to New York City for the grand premiere. So a special screening for Cohan and his family was arranged to take place at the Mombasha Fire House. Mr. Cohan applauded the portrayal of his life story by the legendary Jimmy Cagney.

Today, as we stand on the threshold of a new millennium, the Town of Monroe and the three Villages within its boundaries all look forward to the third hundred years with a sense of confidence that the challenges of tomorrow will be met.

Mr. Speaker, I invite all of our colleagues to join with me in saluting the town of Monroe, New York, on this milestone occasion.

## TRIBUTE TO STEPHEN M. MELTZ

### HON. DAVID D. PHELPS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mr. PHELPS. Mr. Speaker, I rise today to pay tribute to Stephen M. Meltz on his sixieth birthday. Stephen will gather with his friends and family to celebrate this momentous occasion just after Thanksgiving. Stephen was born in Chicago, Illinois, on December 15, 1939, to Jacob and Cecilia Meltz. He is married to Nadine (Greenberg) Meltz and has two sons: David and Gary. Stephen has lived in Chicago his entire life. He attended college at

the University of Chicago, receiving both his undergraduate degree in political science and his M.B.A. at the prestigious university. He also served his country proudly in the United States Army Reserve.

Stephen M. Meltz is currently the President of Stephen M. Meltz and Associates, a C.P.A. firm located in Lincolnwood, Illinois. It is a successful business, where his clients know that the work done by Stephen's firm is both professional and honest. For the last year his son David Meltz has joined him at the firm, which now makes it truly a family business. But for all the success Stephen has had in his professional life, I know that his family is his greatest sense of pride and accomplishment.

Stephen has always made the best interests of his family his primary concern. He has taken care of his wife, his children, his parents, his wife's parents and many members of his extended family with loving care. He saw to it that his children received the best educations available. He made sure that the final years of his and his wife's parents were lived with dignity and comfort. Like many fathers, his dedication to his family has sometimes gone unnoticed, but he does not care for his loved ones for accolades, but because he loves his family. for all these reasons, Stephen is a patriarch in the truest sense of the term. A pillar of integrity that all his family can lean on in their hour of need and celebrate with during times of joy.

Mr. Speaker, it is often said, that the road to the Underworld is paved with good intentions. Contrary to this premise, Stephen M. Meltz has always had honor and a strong core of moral beliefs and intentions, and his actions have always mirrored those values. Aristotle said, ''In the arena of human life the honors and rewards fall to those who show their good qualities in action.'' Stephen's rewards are both a devout family and loyal friends who have witnessed his lifelong ''good qualities in action'' and will honor him over dinner on his sixtieth birthday.

Mr. Speaker, lastly, I am particularly pleased to have this opportunity to congratulate Stephen M. Meltz, on his sixtieth birthday, because his son Gary C. Meltz is a member of my staff here in Washington, DC. Gary asked me to put into the CONGRESSIONAL RECORD a speech to commemorate his father's birthday. I am honored to do this for Gary and his father. I urge all my colleagues to join me now in wishing Stephen M. Meltz a happy sixtieth birthday and Godspeed.

## M.D. ANDERSON CANCER CENTER

### HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mr. GREEN of Texas. Mr. Speaker, I wish to bring to the attention of my colleagues in the House of Representatives a recent article about the wonderful medical advances at the M.D. Anderson Cancer Center in Houston, Texas. The article tells the stories of two people, a young college student and the former Speaker of the House Jim Wright, dealing with cancer of the jaw and their experiences with this once debilitating disease. Their respective stories highlight the need to support our Nation's cancer centers and highlight how medical advances can truly give Americans hope where none previously existed.

Reconstructing Lives by Mary Jane Schier—

For 19-year old James Smith, the quality of survival from cancer of the jaw is paramount in order to pursue his dream of playing professional football.

Smith is a junior majoring in health and human performance at McNeese State University in Lake Charles, LA, where he was an outstanding defensive tackle until diagnosed with a disease uncommon among teenagers.

He and his family were stunned to learn in November 1998 that he had a tumor in his right mandible, the horseshoe-shaped bone that forms the lower jaw. the mandible, he knows, is the largest and strongest bone in the face.

Smith was forced to take an extended timeout from the football team to begin the biggest challenge of his young life. Upon coming to M.D. Anderson, he joined a new team whose members are nationally ranked for treating head and neck cancers.

The head coaches in the multidisciplinary treatment regimen that Smith received are Dr. Helmuth Goepfert and Dr. Geoffrey L. Robb, who chair the Department of Head and Neck Surgery and the Department of Plastic Surgery, respectively. For the coaches and their specialty colleagues, the common goal centers on removing patients, cancers and restoring optimal form and function.

Smith's surgery 3 days before last Christmas involved cutting out his diseased jaw and reconstructing the mandible with bone and tissue taken from his left leg. Although he couldn't talk or eat his favorite pizza for a while, Smith says now, ''I'm getting stronger every day . . . and I'm eager to play again.''

At the other end of the age spectrum is former U.S. House Speaker Jim Wright, who at age 76 also illustrates the importance of high quality in one's life.

I've always been a talker, so I was a little concerned before the surgery that I wouldn't be able to talk well enough for people to understand me,'' confides Wright, a Fort Worth Democrat whose 34-year span in Congress was complete in 1989.

During more than 13 hours of surgery at M.D. Anderson last March 12, Wright's cancerous right mandible, an adjacent segment of the tongue and eight teeth were removed, then a six inch piece of bone from his left leg was used to form a new jaw. Skin from his left thigh overlying the bone was also transplanted to replace part of his inside of his mouth and tongue and the external skin of his cheek.

''Believe me, I feel truly blessed,'' Wright says in a strong and clear voice.

His gratitude has been enhanced by recalling how his father lost a jaw to cancer more than 30 years ago. ''There was no thought then of replacing it with bone from somewhere else in the body . . . (He) spent his last days with a facial disfigurement that was the mark then of many cancer victims,'' Wright remembers.

This was Wright's second bout with an oral cancer. In 1991, he had surgery at M.D. followed by radiation treatments. Since his latest extensive surgery, he has resumed most of his favorite activities, including writing a regular newspaper column and, of course, ''talking with anyone who'll listen.''

Intensive collaboration among head and neck surgeons and plastic surgeons in recent years has ''greatly improved our ability to resect all sizes of tumors and to restore vital function and appearance as well as to extend survival,'' observes Dr. Goepfert, who holds the M.G. and Lillie A. Johnson Chair for Cancer Treatment and Research.

New methods developed by plastic surgeons permit reconstruction of the oral cavity safely and with increasingly good outcomes. The key to success involves transferring tissues—together with vital blood vessels and nerves—from elsewhere in a patient's body to use for rebuilding parts of the head and neck affected by cancer.

Dr. Robb explains, ''The head and neck is the most difficult area to reconstruct. But through specialized Micro vascular techniques, we can move tissues, muscle, fat and bone, along with their blood supply, to use in reshaping jaws, the tongue, and parts of the nose, ears, and throat.''

Age is no obstacle for performing big reconstructive procedures so long as older patients have good blood vessels to transfer with the tissues. Regardless of age, Dr. Robb says, ''Our primary aim is to restore form, contour and function to the body parts affected by cancer surgery so that patients can enjoy the highest quality of life.''

For Wright, being able to talk, chew, swallow and look virtually normal is a ''miracle'' stemming from remarkable medical progress and his religious faith. ''The good news is that cancer is conquerable'' and ''useful life is prolongable.''

Realizing the best quality of cancer survival for Smith, however, will occur when he can return to the football field. During a recent follow-up visit to M.D. Anderson, his doctors encouraged him to continue that dream.

## COMMUNICATIONS SATELLITE COMPETITION AND PRIVATIZATION ACT OF 1999

SPEECH OF

### HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 10, 1999*

Mr. PALLONE. Mr. Speaker, I wish to commend the distinguished Chairman of the Commerce Committee, Chairman BLILEY, and Chairman TAUZIN, who have worked diligently to bring satellite privatization legislation before the House in these last days of this Session. This bill is an important step toward legislation that will advance increased competition in the global satellite telecommunications market.

When the House passed this bill last year, it was with the firm belief that time and technology had passed by the 1962 law that created COMSAT. In spite of the overwhelming House support, the bill was stalled over concerns raised by colleagues in the other body. Since that time, Lockheed Martin has arrived on the scene to buy COMSAT and make it a normal, private company without legal immunities or exclusive access to the Intelsat system. This is exactly what the proponents of the Bliley-Tauzin bill want and is yet another example of the marketplace being ahead on Congress.

To date, Lockheed has followed regular order in its acquisition of COMSAT. It has received the approval of both the Federal Communications Commission and the Department

of Justice to acquire 49% of COMSAT. Neither federal agency felt that competition or antitrust laws were threatened by Lockheed Martin's purchase.

Now it is Congress' turn to weigh on this issue and I believe that this bill goes to great lengths to achieve honest and fair competition in the satellite competition in the satellite communications market. I also believe that we can complete legislative action on this bill before Congress leaves this year, which I understand the Chairman has said he intends to do. But as we move toward that legislative objective, it is important that we realize that certain issues must be addressed before we can declare a victory for the private competitive marketplace.

First of all, there is the issue known as ''Level IV direct access''. In effect, it would result in the forced divestiture of billions of dollars of Comsat shareholder investment in Intelsat infrastructure—investment undertaken often at the behest of the U.S. Government. Level 4 direct access simply guts the economic rationale for a private company to invest in Comsat. Indeed, that may be the rationale behind this provision: to dissuade Lockheed from acquiring Comsat. If that is the case, it would be a cynical attempt to manipulate the free market in the name of ''competition.'' This provision must be changed in conference. Similarly, Congress should simply repeal the ownership cap on Comsat upon enactment of final consensus legislation, rather than making it contingent upon occurrence of unrelated events as it does now.

Other outstanding differences between the House and Senate have been raised by other Members and must similarly be resolved in conference. I urge Chairman BLILEY to work with Mr. DINGELL toward a consensus, notably on the privatization criteria, which serve as FCC licensing criteria, and must be made more flexible.

Again, I consider myself as a supporter of this bill. The Congress has been very shrewd in letting the telecommunications marketplace work its will towards fair competition. We should use this opportunity to continue that successful record. I urge the conferees to consider these issues when crafting a final package to present to the Congress and ultimately the President.

## A TRIBUTE TO FREDERICK C. MALKUS, JR.

### HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mr. HOYER. Mr. Speaker, I rise to pay tribute to a great statesman and leader in the State of Maryland. With the death of former state Senator Frederick C. Malkus, Jr., on November 9, Maryland, as well as the entire Country, lost a great patriot and a dutiful public servant.

Frederick C. Malkus, Jr. died at the age of 86, having spent all of his adult life in the service of his fellow citizens. Senator Malkus, a conservative Democrat, served in the legislature for 46 years—12 in the House of Delegates and 34 in the Senate—before retiring in 1994. Upon his retirement, he was the longest serving State Legislator in the United States.

Born July 1, 1913, in Baltimore, Senator Malkus moved to the 380 acre Egypt Road farm, nine miles outside of Cambridge, on Maryland's Eastern Shore where he was raised there by his aunt and uncle. He spent the past 83 years on the working farm that produces wheat, corn, and soybeans. He graduated for Western Maryland College in 1934 and received his law degree four years later from the University of Maryland Law School. During World War II, Senator Malkus served in the U.S. Army and rose to the rank of major. He returned to Maryland and in 1947 won a seat in the House of Delegates.

He was, Mr. Speaker, an unforgettable individual who was a wonderful servant to Maryland and America. To know Fred Malkus was to know how deeply he cared for rural America and more specifically for the Chesapeake Bay region. Senator Malkus was at the forefront of the fight to save the Bay. Even though he was pro-business in his views, he was a great environmentalist. His legacy will no doubt live on and serve as a model for future leaders of our State and our Country.

Senator Malkus is survived by his wife of 41 years, the former Margaret ''Maggie'' Moorer, his son, Frederick C. Malkus III, two daughters, Margaret Elizabeth ''Betsy'' LaPerch, and Susan Moorer Malkus, and three grandsons.

## HONORING JACK A. BROWN III

### HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mr. TOWNS. Mr. Speaker, I want to recognize the achievements of Jack A. Brown III.

Jack is a native New Yorker who was born and raised on the lower east side of Manhattan. He currently resides, in my district, in the Clinton Hill section of Brooklyn. Jack has had a distinguished seven-year career with the Correctional Services Corporation (CSC). The Corporation is a private company contracted by local, State, and Federal Corrections Department to provide concrete services to the inmate population. As the Vice President of Correctional Services Corporation Community Services Division, Mr. Brown maintains overall responsibility for the day to day operations of the five New York programs. These programs, three for the Federal Bureau of Prisons and two for the New York State Department of Corrections, are designed to provide inmates with the tools necessary to successfully reintegrate back into their prospective communities as self-sufficient, responsible, law abiding citizens.

Prior to his employment with CSC, Jack served as an officer in the United States Army's Air Defense Artillery Division for four years. He is a graduate of the State University of New York at Buffalo with a Bachelor's degree in Human Services, with a concentration in mental health, and Biology. During his academic years, he gained invaluable experience in the field of human services holding positions as Physiatrics Counselor, Chemical Dependency Counselor and Youth Counselor. In December, Jack expects to earn a double Masters degree, an MBA and a Master of Science and Economic Development, from the University of New Hampshire.

I wish Jack Brown success in his future endeavors and I commend his achievements to my colleagues' attention.

## TRIBUTE TO NATIONAL WOMAN'S CHRISTIAN TEMPERANCE UNION

### HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mr. BURTON of Indiana. Mr. Speaker, on November 18, 1999, the National Woman's Christian Temperance Union (WCTU) will celebrate 125 years in existence, making it the oldest, continuing, nonsectarian Christian woman's organization in the United States. Their motto is ''For God and Home and Every Land.''

Directed entirely by women from its beginning, the WCTU has united women from various backgrounds and geographical regions in their determination to educate the world about the dangers associated with the use of alcohol, tobacco, and other drugs. Throughout the years, the WCTU has advocated for universal voting rights for women and minorities, the eight-hour work day, equal pay for equal work, opposition to child labor, shelters for abused women and children, and world peace. In 1945, the WCTU became a charter member of the United Nations Non-Governmental Organizations (NGO).

Their first National president, Annie Wittenmyer, was thanked by Presidents Abraham Lincoln and Ulysses S. Grant for her work during the Civil War in organizing diet kitchens in military hospitals. Their second National president, Frances E. Willard, was honored in 1905 by having her statue placed in the Statuary Hall of the U.S. Capitol—the first woman and the only woman to be honored for more than 50 years. The current National president of the WCTU is Sarah Ward, a resident of the great State of Indiana, and I wish her all the best in her endeavors with the WCTU as they continue their good work for the protection of the home.

## A TRIBUTE TO JENNIFER MUMMERT

### HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mr. LEWIS of California. Mr. Speaker, I would like today to pay tribute to Jenny Mummert, a hardworking, highly valued staff member of the Defense Subcommittee of the House Appropriations Committee, who is leaving November 19th after eight years to pursue her career in the private sector.

Whether she was putting in long days and endless hours working on behalf of our national defense—or struggling to look serious at the Paris Air Show—Jenny Mummert couldn't help being her ever-positive self. She has always been a vital member of the team, doing all she can to make the defense appropriations subcommittee the best committee in the House of Representatives.

Now she has decided to leave us to seek new challenges and opportunities. But she will always be a part of our family. We know that her husband, Joe, and their four children, Joey, Kandyce, Kevin and Karley, are excited about her new career. But they are very likely just as excited about the prospect of mom having a more normal work schedule.

Mr. Speaker, I ask you and my colleagues to join me in wishing all the best for Jenny in her new endeavor, and to let her know that we will miss her every day and will always be grateful for what she's done for the Congress and our national defense.

## THE BOOKER T. WASHINGTON LEADERSHIP INSTITUTE AT HAMPTON UNIVERSITY

### HON. ROBERT C. SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mr. SCOTT. Mr. Speaker, I am pleased today to introduce ''The Booker T. Washington Leadership Act of 1999''. This legislation will establish the Booker T. Washington Leadership Institute at Hampton University in Hampton, Virginia.

Booker T. Washington is perhaps the most renowned alumnus of Hampton University. His vision championed the idea that black colleges and universities should embrace the responsibility not only to train men and women in their disciplines and trades, but to create and sustain new institutions and communities driven by the principle of service—service to God, country, and humankind.

The mission of this Institute reflects this vision. It is based on Hampton University's fundamental premise that leadership development is best understood and achieved in the moral context of social responsibility and service to society. The Institute will be committed to the development of ethical values, interpersonal skills and the competencies that are required for effective leadership in a broad range of business, civic and political environments.

Hampton University is uniquely prepared to launch this Institute. For the past 130 years, Hampton University has promoted higher education and positive character development as the cornerstones of effective leadership and responsible citizenship. Initially founded in 1868 to train promising young men and women to teach and lead their recently emancipated people, it has grown into a comprehensive university, offering a broad range of technical, liberal arts, pre-professional, professional and graduate degree programs. Over the past twenty years, Hampton University has doubled the student population from 2,700 to 7,000, and the average student SAT score has increased by 300 points. Forty-five academic programs have been added, including graduate degree programs in Business Administration, Museum Studies, Applied Mathematics and Chemistry, with PhD programs in Physics, Pharmacy, Physical Therapy and Nursing. Over 40% of Hampton University graduates enter graduate school within 5 years.

The Booker T. Washington Leadership Institute combines the heritage of Hampton University with the vision of Booker T. Washington, to educate young people with the knowledge, skills, insights, and positive values necessary for leading the United States into the new millennium.

Mr. Speaker, I submit the Booker T. Washington Leadership Act for my colleagues consideration.

## SENSE OF HOUSE REGARDING DIABETES

SPEECH OF

### HON. GERALD D. KLECZKA

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 16, 1999*

Mr. KLECZKA. Mr. Speaker, I am proud to be a cosponsor of this important resolution expressing our continued commitment to the fight against diabetes.

Diabetes is one of the most costly health problems in America. More than 1 out of every 10 health care dollars in the United States, and about 1 out of every 4 Medicare dollars is spent on care for people with diabetes.

The devastation caused by diabetes, however, goes far beyond the financial costs. Over 16 million Americans suffer from this chronic disease for which there is no cure. Diabetes is the seventh leading cause of death in the United States.

While over 10 million Americans know that they are living with diabetes, another 5.4 million people are not even aware that they have the disease. Many people only realize that they have diabetes when they develop a life-threatening complication like blindness, kidney disease, nerve damage, heart disease or stroke.

Early diagnosis and treatment can help reduce the risk of these terrible complications. I am pleased to note that constituents in my district have access to a number of outstanding diabetes education programs, including those at the Children's Hospital of Wisconsin, Clement J. Zablocki VA Medical Center, Columbia Hospital, Froedtert Memorial Lutheran Hospital, St. Francis Hospital, St. Luke's Medical Center, Waukesha Memorial Hospital, and West Allis Memorial Hospital. The resolution before us today recognizes the important role that these dedicated health professionals and volunteers play in the fight against diabetes.

Mr. Speaker, these health providers and their patients need our help. Improvements in technology and the general growth in scientific knowledge have created unprecedented opportunities for advances that might lead to better treatments, prevention, and ultimately a cure. Congress has a responsibility to support this critical, life-saving research. I urge my colleagues to support this resolution and affirm their commitment to find a cure for diabetes.

## IN RECOGNITION OF JOHN P. POWELL

### HON. BOB RILEY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mr. RILEY. Mr. Speaker, I rise today to recognize John P. Powell, who was honored on November 14, 1999, at the official dedication of the newly named J.P. Powell Middle School in Chambers County, Alabama.

John P. Powell was born in Chambers County, Alabama, on September 13, 1912. After graduating from Florida A&M University, he began his teaching career at Langdale School in 1949. On September 24, 1954, he became the principal of the Chambers County Training School (renamed Southside Elementary School during the 1970–71 school year) and remained its principal for 27 years until his retirement on May 28, 1976. The Chambers County Board of Education by official action renamed the school, now a middle school for grades 6–8, in Professor Powell's honor on May 19, 1999.

During his career and after his retirement, Mr. Powell was active in the Lafayette, Alabama, community. He served on the Chambers County Industrial Board and was active in the Chambers County Extension Service. His community involvement included the Red Cross, the United Givers Fund, Powell Chapel United Methodist Church, the Chambers County Retired Teachers organization and senior citizens' groups. Even now, at the age of 87, Professor Powell is president of the Birmingham Rehabilitation Center where he resides.

In 1991, the Lafayette City Council proclaimed John Powell Day in Lafayette. In the resolution issued, Mr. Powell was commended for his community involvement and his leadership, particularly in the fields of education, industry and race relations. Now, once again, he is being recognized for what he has done to promote respect between races and the value of education for his students. Most important, however, he is recognized for his life-long commitment to public service.

I join the residents of Chambers County in thanking John P. Powell and saluting him on this special day of recognition.

## CONDEMNING ARMENIAN ASSASSINATIONS

SPEECH OF

### HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 16, 1999*

Mr. KING. Mr. Speaker, I rise today to express my concern about the violence that recently took place in Armenia. The Prime Minister and the Speaker of the Parliament, as well as other prominent Armenian politicians, were killed in a hail of gunfire on the floor of the Armenian Parliament.

Besides my deep concern and sympathy for the individuals who were brutally murdered and for their families and friends, I fear that this event could cause a delay or postponement of the peace talks currently underway between Armenia and Azerbaijan. Thankfully, both governments have stated that the peace process will not be interrupted by this tragic event.

Armenia should step up its efforts to push the peace process along. The conflict between Armenia and Azerbaijan has been going on for 11 years now, and more than 30,000 people have been killed and over a million refugees created on both sides, including over 800,000 in Azerbaijan. It is time to reach a peace agreement, and Presidents Heydar Aliyev of Azerbaijan and Robert Kocharian of Armenia have met four times in recent months to discuss such a settlement.

As original sponsor of legislation designed to repeal Section 907 of the Freedom Support Act, I would like to draw your attention to a statement in the New York Times, that appeared on November 3, urging to loft ''the ban

on giving Azerbaijan the same kind of economic assistance that it provides to all other former Soviet republics. This would serve both to recognize the risks that Heydar Aliyev, Azerbaijan's President, has taken for peace and begin to bring about more realistic attitudes in Armenia. If we are to be an effective broker, we must adopt a balanced approach.''

## PERSONAL EXPLANATION

### HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mr. ORTIZ. Mr. Speaker, during the following rollcall votes, I was unavoidably detained. Had I been present, I would have voted as indicated below.

Rollcall No. 587, ''yes''; rollcall No. 588, ''yes''; rollcall No. 589, ''yes''; rollcall No. 590, ''no''; rollcall No. 591, ''yes''; rollcall No. 592, ''yes''; rollcall No. 593, ''yes''; rollcall No. 594, ''yes''; rollcall No. 595, ''no''.

## A PROPOSAL TO GUARANTEE HEALTH INSURANCE TO EVERY AMERICAN CHILD BORN IN THE NEXT CENTURY: SEEKING IDEAS AND COMMENTS ON THE PROPOSAL

### HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mr. STARK. Mr. Speaker, it is a national disgrace that 11.1 million children in the United States still do not have health insurance as we enter a new millennium.

What we have done so far has not worked. Since 1996, the numbers and percentages of children without insurance have actually crept upward. They have not yet reached a statistically significant degree of increase, but we are moving in the wrong direction.

The web of programs we pieced together in 1997, CHIP/Medicaid/transitional Medicaid, are failing to get health insurance coverage to more children.

We need to come back to this question, and find something that will work. America's children deserve health insurance.

I have begun to develop a bill to address this problem, currently in a rough draft form, which is based on the idea that we need a simple and comprehensive solution:

We want every child in America to have health insurance.

Every child in America is issued a birth certificate and social security number at birth. Let's automatically enroll every child at birth into a Medicare-type program; call it ''MediKids.''

MedKids will be both an umbrella and a safety net for all of the other programs insuring our children, so that no child will ever fall through the enrollment cracks again, much less 11.1 million children.

Our current approach places the burden on already disadvantaged parents. State and local enrollment and welfare workers are unable to determine which families match various programs—much less process pages of forms and documentation in order to enroll children in health insurance.

Instead, I propose we do what's right, sensible, and directly accomplishes the goal of health insurance for all of our children: (1) Enroll every child in MediKids automatically at birth; and (2) allow parents who do have other choices for a child's health insurance to attach evidence of coverage to their tax forms, thus exempting themselves from the premiums used to finance MediKids.

Children are relatively inexpensive to insure, but this program will have a budget impact. I am developing a plan for covering the costs of this program. Ultimately, however we pay for it, we must make the stand that some things are wotrh spending money on, particularly in this time of unprecedented, record-breaking economic growth.

My staff and I will be refining this bill over the holiday recess. For example, we will want to adjust the MediKids program to cover the specific services which children need. As our work progresses, we will be posting our drafts on our website, http://www.house.gov/stark and we invite everyone to visit the site and offer their input.

We plan to introduce this bill at the start of the next Congressional session—the first of the new millennium. I invited all of my colleagues, and everyone in America who cares about the health of our children, to join us in developing this idea, and to co-sponsor this important effort to get every millennium baby off to a good start.

## IN HONOR OF THE PANPAPHIAN ASSOCIATION AND SAVAS C. TSIVICOS

### HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mrs. MALONEY of New York. Mr. Speaker, I rise today to pay special tribute to the Panpaphian Association, its members, friends and special honoree, this year, Savas Tsivicos.

The Panpaphian Association was founded in 1987, by a group of Cypriot-Americans of Paphian ancestry in order to encourage and help promote awareness of the customs and traditions of the region of Paphos and Cyprus. It is a vital philanthropic organization concerned with education, the health and well-being of students from the United States and Cyprus, and the liberation of Cyprus from the Turkish invasion of 1974.

This year's honoree, Savas Tsivicos, exemplifies the honorable characteristics of the people from Paphos. He came to the United States in 1982 from a farming community in the village of Inia to live the ''American Life.'' His life embodies the dreams, hopes and aspirations of thousands of immigrants who arrive in the United States to construct a decent life. Mr. Tsivicos holds a Bachelor's Degree and MBA from Fairleigh Dickinson University and a Masters Certificate from George Washington University, where he received numerous scholastic awards and honors.

Mr. Tsivicos has also become an outspoken community leader. He serves on the Ethnic Advisory Council of New Jersey and he has been elected President of the Cyprus Federation of America. He is a member of the Archdiocesan Council of the Greek Orthodox Church of America and is an Archon of the Ecumenical Patriarchate. Mr. Tsivicos is on the Advisory Board of the Center for Byzantine and Modern Greek Studies of Queens College, and on the Board of Directors for the Foundation of Hellenic Studies, the Greek American Chamber of Commerce, and the Council of Overseas Cypriots.

Savas Tsivicos is a proud American who has not forgotten his roots. He is imbued with determination to bring justice and freedom to Cyprus and has served as Vice President of the International Coordinating Committee Justice for Cyprus. A very successful businessman, Mr. Tsivicos is president and owner of Paphian Enterprises, Inc. He is married to Maria Tsivicos and they have three children, Haralambos, Elpetha and Evangelos ages 11, 9 and 6.

The Panpaphian Association is now led by Florentia Christodoulidou, and supported by: George Sophocleous, Debbie Riga Evangelides, Spyros Stylianou, Michael Hadjiloucas, Kyriaki Christodoulou, Irene Theodorou, Andreas Pericleous and George Theodorou, plus the Advisory Board, Stavors Charalambous, Annoula Constantinides, Andreas Chrysostomou, Anna Chrsostomou, Savvas Konnaris, Georgios Kouspos, Chrusi Kleopas Notskas, Ismini Michaelides, and Evan Tziazas.

Mr. Speaker, I salute Mr. Savas Tsivicos and the work of the officers and friends of the Panpaphian Association of America.

## 1999 INTERNATIONAL PRESS FREEDOM AWARDS

### HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mrs. MORELLA. Mr. Speaker, I want to congratulate this year's recipients of the 1999 International Press Freedom Awards, presented by the Committee to Protect Journalists (CPJ).

CPJ was founded by American journalists in 1981 to defend the ''human and professional rights of journalists around the world.'' CPJ works to protect reporters who are threatened by authoritarian regimes and other foes of accurate, independent journalism. Its annual awards honor those journalists working under the most onerous of conditions.

This year's honorees, who have been beaten, jailed, or had their lives threatened because of their work, will receive their awards at a ceremony in New York next week. I join CPJ in congratulating: Jesus Joel Diaz Hernandez, who is serving a four-year prison sentence in Cuba for starting an independent news agency; Baton Haxhiu, editor of Kosovo's leading independent newspaper, ''Koho Ditore,'' which he continued to publish from exile after eluding Serbian police; Jugnu Mohsin and Najam Sethi, publisher and editor of ''The Friday Times'' of Lahore, Pakistan—last spring, Sethi was beaten, abducted, and jailed after the paper published charges of government corruption; and Maria Cristina Caballerio, a reporter for Colombia's ''Semana,'' who received frequent death threats as a result of her work covering the country's civil war.

Mr. Speaker, too often we take a free press for granted. CPJ and this year's honoree's remind us that press freedoms are vital to the functioning of democratic government and that journalists often risk their lives to assure that the rest of us know the truth.

## EXPRESSING SUPPORT OF CONGRESS FOR RECENT ELECTIONS IN REPUBLIC OF INDIA

SPEECH OF

### HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 16, 1999*

Mr. ACKERMAN. Mr. Speaker, I rise in support of H. Con. Res. 211. First let me thank Mr. GEJDENSON, Mr. LANTOS, Mr. BROWN, and Mr. HASTINGS for co-sponsoring this resolution.

Mr. Speaker, the contrasting events in India and Pakistan over a single 24 hour period speak eloquently about the new challenges and opportunities that we face in South Asia. In India, we have seen hundreds of millions of voters enthusiastically exercise their votes in a free and fair election. In Pakistan, we witnessed a military coup.

This resolution, Mr. Speaker, recognizes that the people of India have a deep and abiding commitment to democracy and it salutes them for the passion with which they choose their own destiny. No country reflects our own values more in that part of the world than does India.

It is high time we seriously begin to recognize this fact and graduate from mere platitudes to some tangible policy changes toward India.

I believe that it is time to re-examine our basic premise regarding U.S. policy in South Asia. We should abandon old paradigms and Cold War hangups and see that India, a democracy, is our natural ally in the region.

The best way to demonstrate our commitment to the people of India is by ensuring that the President travels to India as soon as possible, as the resolution urges him to do.

I urge my colleagues to support the resolution.

## CONFERENCE REPORT ON H.R. 2116, VETERANS MILLENNIUM HEALTH CARE AND BENEFITS ACT

SPEECH OF

### HON. MICHAEL F. DOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 16, 1999*

Mr. DOYLE. Mr. Speaker, I rise today to speak about the final version of legislation that deals with a comprehensive and complex set of veterans' healthcare and benefits issues. Without question, this conference report on H.R. 2116, the Veterans Millennium Health Care and Benefits Act, deals constructively with a significant portion of the substantive matters considered at length by the Veterans Affairs Committees in both the House and the Senate.

I want to recognize the efforts of Senator SPECTER, Senator ROCKEFELLER, Senator STUMP, and Ranking Member EVANS for their demonstrated leadership in crafting collaborative compromises in the most productive manner as the conference allowed.

This agreement makes significant steps forward in defining the VA's mission in a number of critical health care areas: Extended care, emergency services, mental health services, and chiropractic treatment to name a few. This agreement also moves in the right direction in terms of addressing the lingering need for additional national veterans cemeteries and long-term care facilities, as well as needed renovations at various VA medical centers.

This agreement also provides constructive direction in the areas of veterans' education and housing, in meeting the needs of homeless veterans, and improving the administrative structure of the court of appeals for veterans claims.

I am disappointed however, that many of the provisions that were originally included in the House version of the bill pertaining to employee and veterans organizations participation in various VA decision-making and planning practices were not made part of this final package. I also think that the conference could have produced a better work product in terms of providing strong language that speaks to the need for cost-benefit analysis, employee protections, stringent hospital closure guidelines, and heightened oversight measures throughout the entire VA network. Inclusion of such provisions would have greatly improved the agreement's overall intentions and would have made them less susceptible to inconsistent treatment system wide.

So in summary, while the conference agreement is not a perfect piece of legislation, it is nonetheless worthy of members' support. And as Representative EVANS pointed out earlier, the conference agreement in many ways represents the need to demonstrate our concerted interest in reaffirming our commitment to our nation's veterans. But as I have repeatedly stated, the most well intentioned efforts in terms of authorizing language are only as good as the amount of adequate funding that is appropriated. I have very serious concerns that next year we will find ourselves in the same vicious circle of logical debate. And the circle begins and ends with the need to have adequate resources to sufficiently support our responsibilities in meeting the needs of our veterans.

It is my hope that all members who cast their vote in support of the conference agreement will maintain their focus on veterans issues so that in the next fiscal year we can reverse the course we have been on for far too long and begin our work on matters concerning veterans with enhanced resources, not severe budgetary cuts.

## TRIBUTE TO COLONEL HARRY SUMMERS

### HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mr. SKELTON. Mr. Speaker, Colonel Harry G. Summers, Jr., United States Army, died this week. In his passing, the Army and the Nation have lost a soldier and scholar, who ranks among the preeminent military strategists and analysts of this century.

As an Army officer, who began his professional life as an enlisted soldier, and later as a military analyst, author and commentator, Colonel Summers knew personally the bayonet-point reality of war and thought and wrote widely about strategic issues. He was a decorated veteran of combat in Korea and Vietnam, awarded the Silver Star and the Bronze Star for Valor, and the legion of Merit; twice awarded the combat infantry badge; and twice awarded the Purple Heart for wounds received in combat.

An infantry squad leader in the Korean conflict, he served as a battalion and corps operation officer during the Vietnam war, and later as a negotiator with the North Vietnamese in Saigon and in Hanoi. Instructor of strategy at the U.S. Army Command and General Staff College, he was a political-military action officer on the Army General Staff, a member of the then Army chief of staff Creighton Abrams' strategic assessment group, and served in the Office of the Army Chief of Staff from 1975 to 1980, before joining the faculty of the U.S. Army War College.

At the war college, Colonel Summers was at the heart of the rebirth of strategic studies in the professional military education of our Armed Forces in the early 1980's. His book On Strategy: The Vietnam War in Context provided a critical strategic appraisal of American strategy in that war and a seminal American work in the relationship of military strategy to national policy. On Strategy has been characterized as being ''about'' the Vietnam war in much the same way that Clausewitz is ''about'' the Napoleonic wars or that Mahan is ''about'' 18th-century naval struggles between France and England. That is, Harry Summers used the Vietnam war as a vehicle for analysis and illustration of principles of war that apply universally.

After his retirement from active service, Harry Summers continued to contribute to the professional development of the officer corps and to the development of strategic thought and military strategy as a lecturer, visiting professor, columnist, editor, and commentator.

When Harry Summers testified before the House Armed Services Committee in December 1990 before Operation Desert Storm, he reemphasized the need for clarity of purpose and the relation of means to objective as this House wrestled with the decision to go to war against Iraq and commit U.S. military forces to protect the vital interests of the United States. He appeared before the committee again as we reviewed what happened to U.S. forces in Somalia in 1994 and provided valuable insights on the relation of military force and commitment to our national objectives and commitment in that country.

Harry Summers was justifiably proud of his sons and their service as Army officers and of his daughter-in-law who served as a warrant officer in the Persian Gulf War. In all this, he was supported by his wife, Eloise. My good friend, Floyd Spence, the chairman of the House Armed Services, joins me in sending our sympathies to them at this time.

Colonel Harry Summers made a tremendous contribution to the rebirth of the study of military strategy and to the professional military education of our armed forces, and that legacy lives on after him. His commitment to the Nation and the Army that he loved was unstinting. The Nation and the Army are poorer for his passing.

## IN HONOR OF MS. JAMILA DEMBY, NCAA WOMAN OF THE YEAR

### HON. DOUG OSE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mr. OSE. Mr. Speaker, it is with great pride that I rise to acknowledge University of California Davis student, Jamila Demby, who was recently named NCAA Woman of the Year.

Ms. Demby, the first UC Davis athlete to earn this NCAA honor, was selected as a national finalist from among 50 state winners. Representing California, she was one of two Division II finalists.

It was a perfect ending to a perfect career at UC Davis. A seven-time All-American, Ms. Demby won eight conference championships in four years. During last year's California Collegiate Athletic Association championships, Ms. Demby established a new UC Davis 800-meter record of 2 minutes, 10.8 seconds. In addition, she ran the final leg of the 4×400 relay team, which set a UC Davis record of 3:45.33.

In addition to her athletic achievements, Ms. Demby has been active in student and community activities. In addition to serving as a UC Davis Aggie team captain and sitting on the student-athlete advisory committee, Ms. Demby finds time to regularly visit children at the Shriner's Hospital and tutor at local schools. In fact, her work with children has become such an influential experience that she changed her career path from advertising to serving underprivileged and underrepresented youth.

As NCAA Woman of the Year, Ms. Demby was chosen from a group of highly accomplished women. Ms. Demby will graduate from UC Davis this December with a degree in rhetoric and communications and will continue to give back to her community.

In closing, I would like to congratulate Ms. Demby for a job well done.

## FEDERAL GOVERNMENT'S OBLIGATION TO THE STATE OF LOUISIANA

### HON. CHRISTOPHER JOHN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mr. JOHN. Mr. Speaker, I rise today to introduce a bill with Mr. TAUZIN and the entire Louisiana congressional delegation that will bring closure to an issue that has lingered long enough concerning our home State of Louisiana. Mr. Speaker, the State of Louisiana and the Federal Government have a long history of working together to develop our abundant natural resources in a cooperative manner that protects our unique habitat and spurs economic development. I am pleased that we have been able to rectify our differences when they occur in order to reach sensible and judicious decisions that foster goodwill and the efficient use of our resource base.

Mr. Speaker, there remains before this House an obligation on the part of the Federal Government to satisfy an authorization that was included in the Oil Pollution Act of 1990. This authorization was crafted to resolve a unique dispute between the State of Louisiana and the Federal Government over the development of the oil and gas resources on the Outer Continental Shelf. Unfortunately, this authorization has never been satisfied and my home state has lost literally millions of dollars as a result.

Today, I am joined by members from Louisiana, Texas, New York and Pennsylvania in introducing legislation directing the Minerals Management Service (MMS) to grant the State of Louisiana and its lessees a credit in the payment of Federal offshore royalties to satisfy the authorization contained within the Oil Pollution Act of 1990 for oil and gas drainage in the West Delta Field.

I will be brief with the history of this matter, but I feel compelled to clarify for all our colleagues why the language contained in OPA must be satisfied both out of concern for the treatment of the State and for the protection of our coastal environment.

In November of 1985, the State of Louisiana began to notify the MMS that a federal lessee was draining the West Delta Field at the expense of the State and its lessees. The Governor made this request based on the entire history of cooperative development agreements between the State and Federal government. The State sought to ''unitize'' the field by allocating the appropriate shares of the field's resources to each lessee. Unitization is standard practice in cases where multiple producers share common reservoirs. Much to the State's amazement, officials at MMS disagreed with the State and the entire Louisiana congressional delegation regarding the need and availability of relief for the State.

In order to bring some unbiased perspective to the debate, the Congress authorized an independent fact finder to review the situation and to determine if unauthorized drainage occurred and to what extent, if any, loss had been identified. In 1988, the Congress, in the Interior Appropriations Act for FY89, authorized the Secretary of the Interior to appoint an independent fact-finder to determine if Louisiana had been drained of its gas and oil reserves and, if so, the market value of those confiscated reserves.

That independent fact finder reported to Congress in 1989 that drainage had indeed occurred and quantified the resulting loss. At that point, the congressional delegation sought and obtained an authorization of appropriations for compensation that matched the determination of the fact finder. It is important to note that during the 4-year period of study, the federal lessee continued to drain the sacred reservoir and actually continued to drain the field until the Federal wells ceased producing in 1998.

Why is that important to note? Because the State is seeking compensation only for the drainage that can be empirically determined by the fact finder's report for those initial 4 years. All drainage that occurred for the next decade has basically been written off by my State although they would have every right to seek their share of those revenues siphoned by the Federal Government. In short, my State is knowingly leaving money on the table in order to make a good faith effort to resolve this issue.

In addition, we believe it is important to point out that satisfying this obligation in no way opens the doors to a myriad of similar demands on the Federal budget. From early on, the uniqueness of this situation was recognized when the Department of Interior wrote to then-Senator Johnston on September 19, 1991, that ''To the best of our knowledge, the West Delta dispute is the only (emphasis added) situation in which the Department did not agree to unitization, or a similar joint development agreement on the Outer Continental Shelf when requested to do so by the Governor of a coastal State.'' To verify that this situation is unique, the State of Louisiana thoroughly reviewed its records and has confirmed that there are no other similar cases anywhere along the OCS boundary. In fact, in that same letter the Department wrote, ''The Department agrees with your understanding that Section 6004 (c) of the Oil Pollution Act does not create a precedent for the payment of any funds to any parties other than the State of Louisiana and its lessees.''

As for the environmental concerns raised by the Federal government's inappropriate actions, the record is clear. In OPA 90, the Congress specifically reiterated the harmful effects of ''unrestrained competitive production on hydrocarbons from a common hydrocarbon-bearing geological area underlying the Federal and State boundary.'' The logic behind this language is simple. Why would we encourage the construction and operation of more oil and gas wells in U.S. waters than are necessary? If a field can be produced with one well, having two only doubles that chances of an accident. The concept is common sense and has been at the root of all Federal and State policies for decades. I see no reason to abandon that intelligent precedent now.

Mr. Speaker, after years of waiting, my State is interested in putting this issue behind us and moving on. What makes that statement so intriguing is that is the exact line the MMS stated in a letter to the dean of the Louisiana delegation over 9 years ago when they too wrote, ''We are also very interested in putting this matter behind us.''

Our legislation is simple. It will allow the State and its lessees to recover a portion of what was lost by the unauthorized development of the West Delta Field and will do so in the most benign of methods. The State and its lessees have proposed an alternative method for providing compensation by foregoing payment of federal royalties due by the lessee on other federal leases and distributing those withholdings to the State and lessee until the federal obligation is satisfied. Upon restitution, the lessee will resume their payments to the Federal Government. By withholding royalty payments and sharing those revenues proportionately between the State and its lessees we expect the Federal obligation will be satisfied within 2 to 3 years.

After more than a decade, it is time for the federal government to settle this outstanding obligation and, at the same time, protect the rights of my home State. In addition, we must reaffirm that this Congress does not support policies that may well create precedents that would needlessly and recklessly endanger our coastal environments.

PERSONAL EXPLANATION

## HON. JAMES H. MALONEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mr. MALONEY of Connecticut. Mr. Speaker, yesterday I was unavoidably detained during rollcall vote No. 588.

Had I been present I would have voted yea on rollcall No. 588.

CELEBRATING THE 100TH BIRTHDAY OF MRS. AGNES VENETTA STANDBRIDGE

## HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Ms. ESHOO. Mr. Speaker, I rise in honor of Mrs. Agnes Venetta Standbridge, who will celebrate her 100th birthday on December 20, 1999.

As a young adult, Mrs. Standbridge observed first hand the effects that both World War I and World War II had on family and friends. She saw the world turned upside down as many of her friends, neighbors and family went off to the trenches in Europe and never returned or returned scarred by injury and the nightmares of battle. During World War II, Mrs. Standbridge was a young mother raising her four children in Lemington Spa near Coventry, England. There, she and her husband, Albert Standbridge did their best to protect their children from the sights and sounds of German aircraft bombing factories in the area. During these tumultuous times she developed a quiet courage and inner strength. By the early 1950's she would need that bravery to confront the passing of her beloved husband at a young age. She never remarried and his memory remains with her today.

Mrs. Standbridge began another memorable chapter in her life when she moved to Northern California and ultimately settled in Mountain View where she has lived for 38 years. Living in beautiful Silicon Valley, Mrs. Standbridge witnessed the world change again—in a far more positive way. The technological revolution that has occurred over the last few decades has made her world and ours, a more prosperous place than ever before.

The events of the 20th Century have had a great impact on Mrs. Standbridge's life and she has been shaped by the relationships of those who hold her dear. Family and friendship flow through her life and have enriched her century of living. She is a great example of resilience and courage. I'm proud to represent Mrs. Standbridge and ask my colleagues to join me in wishing this extraordinary woman a very blessed and a very happy 100th birthday.

TRIBUTE TO PETER McCUEN

## HON. DOUG OSE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 17, 1999*

Mr. OSE. Mr. Speaker, I rise today with a humble heart to pay tribute to a distinguished leader, a personal friend, and a true pioneer for the city of Sacramento, Mr. Peter McCuen. The city lost one of its great giants on Monday, when Peter succumbed to his third battle with cancer.

More than any other person in the last 20 years, Peter McCuen transformed the landscape of Sacramento and many of those who live in it. We can see the visual legacy he left when we drive through the Highway 50 corridor. The region's most graceful skyscraper and its most visible ziggurat building remind us how integral he was in bringing prosperity to the city.

Peter came to Sacramento in 1980 after having successful careers as a professor at Stanford University and a hi-tech entrepreneur in Silicon Valley. He had planned on retiring in the city. But immediately after he arrived, he saw the many opportunities Sacramento had to offer. He was involved in over 100 development projects, including the Library Plaza, the U.S. Bank Plaza, the Teale Data Building, and the redevelopment of Mather Air Field. He also played a vital role in brining major corporations like Intel and Sprint to this region, which created thousands of jobs for the people of Sacramento. His impact on the economic development of the Sacramento area is unparalleled.

But for many of us, it is not just the suburban business parks he built or the highrises he helped engineer that touched our lives. It is Peter's unreserved generosity, canny vision, boundless energy and incomparable intellect that make him a truly unique human being.

Peter's philanthropic efforts benefited a long list of causes and groups in the city. His renowned love of arts, education and civic organizations earned him the Regional Pride Excellence Award in 1991. He served on the advisory boards of the Cancer Center at UC Davis Medical Center and both the engineering school and the graduate school of management at UCD. He also served on the advisory board to the president of the Cal State University, Sacramento and the State's Clean Air Partnership.

Peter had a bright vision for our city, and he tried everything in his power to fulfill that vision. Sacramento is a better place because of Peter McCuen. My heart goes out to his wife Susan, his two children, Pamela and Patrick, and the entire McCuen family. Sacramento will miss one of its true leaders.

# *Daily Digest*

HIGHLIGHTS

Senate and House passed Continuing Appropriations H.J. Res. 82 and H.J. Res. 83

House passed H.J. Res. 82, H.J. Res. 83, and H.J. Res. 84, Making Further Continuing Appropriations

House agreed to the Conference Report on H.R. 3194, District of Columbia Appropriations Act

House agreed to the Conference Report on H.R. 1180, Ticket to Work and Work Incentives Improvement Act

House agreed to H. Con. Res. 235, providing for the adjournment of the House and Senate

# Senate

## *Chamber Action*

*Routine Proceedings, pages S14751–S14838*

Measures Introduced: Sixteen bills and two resolutions were introduced, as follows: S. 1955–1970, S. Res. 233, and S. Con. Res. 76. **Pages S14805–06**

Measures Reported: Reports were made as follows:

S. 1561, to amend the Controlled Substances Act to add gamma hydroxybutyric acid and ketamine to the schedules of control substances, to provide for a national awareness campaign, with amendments.

**Page S14805**

Measures Passed:

*Continuing Appropriations:* Senate passed H.J. Res. 83, making further continuing appropriations for the fiscal year 2000. **Pages S14796–97**

*Adjournment Resolution:* Senate agreed to H. Con. Res. 235, providing for a conditional sine die adjournment of the first session of the One Hundred Sixth Congress. **Page S14799**

*Continuing Appropriations:* Senate passed H.J. Res. 82, making further continuing appropriations for the fiscal year 2000, after agreeing to the following amendments proposed thereto:

**Pages S14796–97, S14799–S14803**

By 56 yeas to 33 nays (Vote No. 370), Byrd/McConnell Amendment No. 2780, to provide for the disposal of excess spoil and coal mine waste.

**Pages S14796–97, S14799–S14803**

By 88 yeas to 1 nay (Vote No. 371), Lott (for Helms/Edwards) Amendment No. 2781, to provide for agricultural disaster relief and emergency assistance in North Carolina.

**Pages S14796–97, S14799–S14803**

District of Columbia Appropriations Conference Report: By 80 yeas to 8 nays (Vote No. 369), Senate agreed to the motion to proceed to the consideration of the conference report to H.R. 3194, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2000. **Pages S14796–99**

A motion was entered to close further debate on the conference report and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on the cloture motion will occur on Saturday, November 20, 1999, at 1:01 a.m.

**Page S14799**

Loan Guarantee Agreement: A unanimous-consent agreement was reached providing that no later than March 30, 2000, if no Senate committee has reported a bill limited to providing loan guarantees to establish local television service to rural areas by satellite and other means, that the leadership or their designees be recognized to introduce a bill limited to sections 2002, 2003, 2004, and 2006 of the conference report accompanying H.R. 1554 providing such loan guarantees, and that the Senate immediately begin consideration of the bill with relevant

first degree amendments in order and second degree amendments that are relevant to the first degree amendment they propose to amend. Further, that if legislation is reported that is limited to such loan guarantees it be considered on, or before March 30, and be open to relevant amendments as provided above, and further that upon the disposition of all amendments, the bill be read a third time and passed, with no intervening action. **Pages S14795–96**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting the report of the National Aeronautics and Space Administration for fiscal year 1998; referred to the Committee on Commerce, Science, and Transportation. (PM–77). **Page S14803**

Messages From the President: **Page S14803**

Messages From the House: **Pages S14803–04**

Communications: **Pages S14804–05**

Statements on Introduced Bills: **Pages S14806–22**

Additional Cosponsors: **Pages S14822–23**

Amendments Submitted: **Pages S14825–26**

Additional Statements: **Pages S14826–31**

Record Votes: Three record votes were taken today. (Total—371) **Pages S14798–99, S14802–03**

Adjournment: Senate convened at 11 a.m., and adjourned at 10:44 p.m., until 10:00 a.m., on Friday, November 19, 1999. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S14837.)

## *Committee Meetings*

No committee meetings were held.

# House of Representatives

## *Chamber Action*

Bills Introduced: 66 public bills, H.R. 3443–3508; 2 private bills, H.R. 3509–3510; and 17 resolutions, H.J. Res. 84–85, H. Con. Res. 234+238, and H. Res. 391–400, were introduced. **Pages H12791–94**

Reports Filed: Reports were filed today as follows:

H.R. 1095, to require the United States to take action to provide bilateral debt relief, and improve the provision of multilateral debt relief, in order to give a fresh start to poor countries, amended (H. Rept. 106–483, Pt. 1);

H.R. 728, to amend the Watershed Protection and Flood Prevention Act to authorize the Secretary of Agriculture to provide cost share assistance for the rehabilitation of structural measures constructed as part of water resource projects previously funded by the Secretary under such Act or related laws, amended (H. Rept. 106–484, Pt. 1); and

H.R. 2669, to reauthorize the Coastal Zone Management Act of 1972, amended (H. Rept. 106–485). **Page H12791**

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative LaTourette to act as Speaker pro tempore for today. **Page H12730**

Guest Chaplain: The prayer was offered by the guest Chaplain, Rev. Douglas Tanner of Washington, D.C. **Page H12730**

Motion to Adjourn: Rejected the Obey motion to adjourn by yea and nay vote of 14 yeas to 375 nays, Roll No. 598. **Pages H12730–31**

Motion to Adjourn: Rejected the Kind motion to adjourn by a recorded vote of 25 ayes to 395 noes, Roll No. 603. **Pages H12737–38**

Motion to Adjourn: Rejected the Obey motion to adjourn by yea and nay vote of 24 yeas to 378 nays, Roll No. 604. **Pages H12738–39**

Motion to Adjourn: Rejected the Obey motion to adjourn by yea and nay vote of 24 yeas to 379 nays, Roll No. 605. **Pages H12740–41**

Member Sworn: Representative-elect Joe Baca of California presented himself in the well and was administered the oath of office by the Speaker. **Pages H12739–40**

Further Continuing Appropriations: The House passed H.J. Res. 82, making further continuing appropriations for the fiscal year 2000 by a recorded vote of 403 ayes to 16 noes, Roll No. 607. **Pages H12741–46**

Rejected the Obey motion to recommit the joint resolution to the Committee on Appropriations by yea and nay vote of 1 yea to 420 nays, Roll No. 606. Agreed to table the motion to reconsider the vote by voice vote. **Pages H12744–45**

H. Res. 385, the rule that provided for consideration of the joint resolution was agreed to by a recorded vote of 352 ayes to 63 noes, Roll No. 601.

Agreed to table the motion to reconsider the vote by a recorded vote of 294 ayes to 123 noes, Roll No. 602. **Pages H12730–37**

Agreed to order the previous question on the rule by yea and nay vote of 375 yeas to 45 nays, Roll No. 599, and then agreed to table the motion to reconsider the vote by a yea and nay vote of 316 yeas to 101 nays, Roll No. 600. **Pages H12735–36**

Consolidated Appropriations Act: The House agreed to the conference report on H.R. 3194, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2000 by a yea and nay vote of 296 yeas to 135 nays, Roll No. 610.

**Pages H12756 (continued next issue)**

Rejected the Obey motion to recommit the conference report to the Committee on conference with instructions that the House managers not agree to any provisions which would reduce or rescind appropriations for Veterans Medical Care by yea and nay vote of 212 yeas to 219 nays, Roll No. 609.

**(See next issue.)**

H. Res. 386, the rule that provided for consideration of the conference report was agreed to by a yea and nay vote of 226 yeas to 204 nays, Roll No. 608.

**Pages H12746–56**

Agreed to the Linder amendment that provides that the conference report shall be debatable for one hour equally divided and controlled and the previous question shall be considered as ordered to final adoption without intervening motion except one motion to recommit. **Page H12755**

Pursuant to the rule, after adoption of the conference report, H. Con. Res. 234 was considered as adopted. And, pursuant to that concurrent resolution, the enrolled copy of H.R. 2466, Interior and Related Agencies Appropriations, FY 2000 was not presented to the President and was laid on the table.

**(See next issue.)**

Further Continuing Resolution: The House passed H.J. Res. 83, making further continuing appropriations for the fiscal year 2000. **(See next issue.)**

Agreed to the Young of Florida amendment that strikes ''November 23'' where it appears twice in the resolution and inserts in lieu thereof ''November 18''. **(See next issue.)**

Earlier, H. Res. 385, the rule that provided for consideration of the joint resolution was agreed to by a recorded vote of 352 ayes to 63 noes, Roll No. 601. **(See next issue.)**

Presidential Message—Aeronautics and Science: Read a message from the President wherein he transmitted his report on aeronautics and science for fiscal year 1998—referred to the Committee on Science.

**(See next issue.)**

Committee Election: The House agreed to H. Res. 391, electing Representative Baca to the Committees on Agriculture and Science. **(See next issue.)**

Work Incentives Improvement Act: The House agreed to the conference report on H.R. 1180, to amend the Social Security Act to expand the availability of health care coverage for working individuals with disabilities, to establish a Ticket to Work and Self-Sufficiency Program in the Social Security Administration to provide such individuals with meaningful opportunities to work by a yea and nay vote of 418 yeas to 2 nays, Roll No. 611.

**(See next issue.)**

H. Res. 387, the rule waiving points of order against the conference report was agreed to by voice vote. **(See next issue.)**

Returning Bill to the Senate: The House agreed to H. Res. 393, returning to the Senate S. 4.

**(See next issue.)**

Returning Bill to the Senate: The House agreed to H. Res. 394, returning to the Senate S. 1232.

**(See next issue.)**

Further Continuing Appropriations: The House passed H.J. Res. 84, making further continuing appropriations for the fiscal year 2000. **(See next issue.)**

Chippewa Cree Tribe Water Rights Settlement: The House passed S. 438, to provide for the settlement of the water rights claims of the Chippewa Cree Tribe of the Rocky Boy's Reservation—clearing the measure for the President. **(See next issue.)**

Four Corners Monument Tribal Park: The House passed S. 28, to authorize an interpretive center and related visitor facilities within the Four Corners Monument Tribal Park—clearing the measure for the President. **(See next issue.)**

Establishing National Historical Sites in Ohio: The House passed S. 548, to establish the Fallen Timbers Battlefield and Fort Miamis National Historical Site in the State of Ohio—clearing the measure for the President. **(See next issue.)**

Coastal Barrier Resources System Map Corrections: H.R. 34, to direct the Secretary of the Interior to make technical corrections to a map relating to the Coastal Barrier Resources System.

**(See next issue.)**

Corrections to the Cape Henlopen State Park Boundary: The House passed S. 574, to direct the Secretary of the Interior to make corrections to a

map relating to the Coastal Barrier Resources System—clearing the measure for the President.

**(See next issue.)**

John H. Chafee Coastal Barrier Resources System: The House passed S. 1866, to redesignate the Coastal Barrier Resources System as the ''John H. Chafee Coastal Barrier Resources System''—clearing the measure for the President. **(See next issue.)**

Foster Care Independence Act: The House passed H.R. 3443, to amend part E of title IV of the Social Security Act to provide States with more funding and greater flexibility in carrying out programs designed to help children make the transition from foster care to self-sufficiency. **(See next issue.)**

Healthcare Research and Quality Act: The House passed S. 580, to amend title IX of the Public Health Service Act to revise and extend the Agency for Healthcare Policy and Research—clearing the measure for the President. **(See next issue.)**

Women's Business Center Program: The House passed S. 791, to amend the Small Business Act with respect to the women's business center program—clearing the measure for the President.

**(See next issue.)**

Correcting Enrollment: The House agreed to H. Con. Res. 236, providing for the correction of the enrollment of H.R. 1180. **(See next issue.)**

Designating the Sandra Day O'Connor U.S. Courthouse: The House passed S. 1595, to designate the United States courthouse at 401 West Washington Street in Phoenix, Arizona, as the ''Sandra Day O'Connor United States Courthouse''—clearing the measure for the President.

**(See next issue.)**

Designating the Robert C. Weaver Federal Building: The House passed S. 67, to designate the headquarters building of the Department of Housing and Urban Development in Washington, District of Columbia, as the ''Robert C. Weaver Federal Building''—clearing the measure for the President.

**(See next issue.)**

Establishing the Federal Motor Carrier Safety Administration: The House passed H.R. 3419, to amend title 49, United States Code, to establish the Federal Motor Carrier Safety Administration.

**(See next issue.)**

Continued Reporting of Intercepted Wire, Oral, and Electronic Communications Act: The House passed S. 1769, to continue reporting requirements of section 2519 of title 18, United States Code, beyond December 21, 1999. Agreed to the Coble amendment in the nature of a substitute. Agreed to amend the title. **(See next issue.)**

Statutory Damages Amendments: The House passed H.R. 3456, to amend the statutory damages provisions of title 17 of the United States Code.

**(See next issue.)**

Condemning Hate Crimes in Illinois and Indiana: The House agreed to H. Res. 254, expressing the sense of the House of Representatives condemning recent hate crimes in Illinois and Indiana.

**(See next issue.)**

China's Persecution of Falun Gong: The House agreed to H. Con. Res. 218, expressing the sense of the Congress that the Government of the People's Republic of China should stop its persecution of Falun Gong practitioners. Agreed to the Gilman en bloc amendments. **(See next issue.)**

Designating the Merlin Malcolm Dymally Post Office: The House passed H.R. 642, to redesignate the Federal building located at 701 South Santa Fe Avenue in Compton, California, and known as the Compton Main Post Office, as the ''Mervyn Malcolm Dymally Post Office Building''. **(See next issue.)**

National Children's Memorial Day: The House passed H. Res. 376, to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to provide that the United States Army Corps of Engineers perform contract oversight of Fund financed remedial actions under that Act. Agreed to the Ose amendment. **(See next issue.)**

Meeting Hour—Friday, November 19: Agreed that when the House adjourn today, it adjourn to meet at 12:00 p.m. on Friday, November 19, 1999.

**(See next issue.)**

Late Report: Committee on Government Reform received permission to have until midnight on Dec. 10, 1999 to file an investigative report.

**(See next issue.)**

Committee on Transportation and Infrastructure: Read a letter from the Chairman wherein he transmitted copies of resolutions approved on Nov. 10, by the Committee—referred to the Committee on Appropriations. **(See next issue.)**

Sine Die Adjournment: Agreed to H. Con. Res. 235, providing for the sine die adjournment of the first session of the One Hundred Sixth Congress.

**(See next issue.)**

Convening Date of the Second Session: The House passed H.J. Res. 85, appointing the day for the convening of the One Hundred Sixth Congress.

**(See next issue.)**

Committee to Inform the President: H. Res. 395, appointing Members to join a similar committee appointed by the Senate to inform the President that the two Houses have completed their business of the

session and are ready to adjourn. Subsequently, appointed Representatives Armey and Gephardt to the Committee. **(See next issue.)**

Extensions of Remarks: Agreed that members may have until publication of the last edition of the Congressional Record authorized for the First Session by the Joint Committee on Printing to revise and extend their remarks and to include brief, related extraneous material on any matter occurring before the adjournment of the First Session Sine Die.

**(See next issue.)**

Resignations—Appointments: Agreed that until the day the House convenes for the Second Session of the 106th Congress, and notwithstanding any adjournment of the House, the Speaker, Majority Leader, and Minority Leader be authorized to accept resignations and make appointments. **(See next issue.)**

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Morella and in her absence Representative to act as Speaker pro tempore to sign enrolled bills and joint resolutions through the end of the First Session of the One Hundred Sixth Congress. **(See next issue.)**

Senate Messages: Messages received from the Senate appear on pages (See next issue.)

Quorum Calls—Votes: Nine yea and nay votes and five recorded votes developed during the proceedings of the House today and appear on pages H12730–31, H12735, H12735–36, H12736–37, H12737, H12737–38, H12738–39, H12740–41, H12744–45, H12745–46, H12756 (continued next issue). There were no quorum calls.

Adjournment: The House met at 10:00 a.m. and adjourned at 9:00 p.m.

## *Committee Meetings*

No committee meetings were held.

---

COMMITTEE MEETINGS FOR FRIDAY, NOVEMBER 19, 1999

### Senate

No meetings/hearings scheduled.

### House

No committee meetings are scheduled.

*Next Meeting of the* SENATE

10 a.m., Friday, November 19

Senate Chamber

Program for Friday: Senate will consider any cleared legislative and executive business, including appropriation measures.

*Next Meeting of the* HOUSE OF REPRESENTATIVES

12 p.m., Friday, November 19

House Chamber

Program for Friday: Pro forma session.

## Extensions of Remarks, as inserted in this issue


HOUSE

Ackerman, Gary L., N.Y., E2453
Baker, Richard H., La., E2435
Baldwin, Tammy, Wisc., E2446
Bentsen, Ken, Tex., E2445
Bilbray, Brian P., Calif., E2444
Bliley, Tom, Va., E2441
Burton, Dan, Ind., E2450
Doyle, Michael F., Pa., E2453
Eshoo, Anna G., Calif., E2455
Frost, Martin, Tex., E2442
Gilman, Benjamin A., N.Y., E2448
Gordon, Bart, Tenn., E2443
Green, Gene, Tex., E2449
Hall, Ralph M., Tex., E2435, E2436, E2444
Hilliard, Earl F., Ala., E2436, E2443
Hoyer, Steny H., Md., E2450
Jackson-Lee, Sheila, Tex., E2435, E2436, E2443
John, Christopher, La., E2454
King, Peter T., N.Y., E2451
Kleczka, Gerald D., Wisc., E2451
Kucinich, Dennis J., Ohio, E2436, E2443
Lewis, Jerry, Calif., E2450
Lipinski, William O., Ill., E2438
Lowey, Nita M., N.Y., E2445
McInnis, Scott, Colo., E2435
Maloney, Carolyn B., N.Y., E2452
Maloney, James H., Conn., E2455
Miller, George, Calif., E2447
Morella, Constance A., Md., E2452
Nadler, Jerrold, N.Y., E2437
Norton, Eleanor Holmes, D.C., E2438, E2442
Ortiz, Solomon P., Tex., E2452
Ose, Doug, Calif., E2454, E2455
Pallone, Frank, Jr., N.J., E2449
Phelps, David D., Ill., E2448
Portman, Rob, Ohio, E2441
Ramstad, Jim, Minn., E2446
Riley, Bob, Ala., E2451
Roukema, Marge, N.J., E2448
Scott, Robert C., Va., E2451
Shows, Ronnie, Miss., E2437
Skelton, Ike, Mo., E2453
Slaughter, Louise McIntosh, N.Y., E2439
Stark, Fortney Pete, Calif., E2446, E2452
Stenholm, Charles W., Tex., E2437, E2439
Towns, Edolphus, N.Y., E2450
Visclosky, Peter J., Ind., E2445
Watkins, Wes, Okla., E2444
Weiner, Anthony D., N.Y., E2447


*(House proceedings for today will be continued in the next issue of the Record.)*


**Congressional Record** The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed at one time. ¶Public access to the Congressional Record is available online through *GPO Access,* a service of the Government Printing Office, free of charge to the user. The online database is updated each day the Congressional Record is published. The database includes both text and graphics from the beginning of the 103d Congress, 2d session (January 1994) forward. It is available on the Wide Area Information Server (WAIS) through the Internet and via asynchronous dial-in. Internet users can access the database by using the World Wide Web; the Superintendent of Documents home page address is http://www.access.gpo.gov/su_docs, by using local WAIS client software or by telnet to swais.access.gpo.gov, then login as guest (no password required). Dial-in users should use communications software and modem to call (202) 512–1661; type swais, then login as guest (no password required). For general information about *GPO Access,* contact the *GPO Access* User Support Team by sending Internet e-mail to gpoaccess@gpo.gov, or a fax to (202) 512–1262; or by calling Toll Free 1–888–293–6498 or (202) 512–1530 between 7 a.m. and 5 p.m. Eastern time, Monday through Friday, except for Federal holidays. ¶The Congressional Record paper and 24x microfiche will be furnished by mail to subscribers, free of postage, at the following prices: paper edition, $165.00 for six months, $325.00 per year, or purchased for $2.75 per issue, payable in advance; microfiche edition, $141.00 per year, or purchased for $1.50 per issue payable in advance. The semimonthly Congressional Record Index may be purchased for the same per issue prices. Mail orders to: Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250–7954, or phone orders to (202) 512–1800, or fax to (202) 512–2250. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, or GPO Deposit Account. ¶Following each session of Congress, the daily Congressional Record is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the Congressional Record.