United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, SECOND SESSION

Vol. 146 WASHINGTON, TUESDAY, JUNE 27, 2000 No. 83

House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
June 27, 2000.

I hereby appoint the Honorable GREG WALDEN to act as Speaker pro tempore on this day.

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

MORNING HOUR DEBATES

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

The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

TRIBUTE TO TECHNICAL SERGEANT JAMES CAMERON, MARINE CORPS WAR HERO

Mr. JONES of North Carolina. Mr. Speaker, earlier this month I was in New Orleans as the city was preparing to celebrate the 56th anniversary of D-Day and the opening of the national D-Day museum. The event brought together thousands of World War II veterans and attracted even more to pay tribute to the soldiers, sailors, airmen and marines who risked and far too often gave their lives to protect the freedoms that you and I enjoy every day. These brave Americans make up what is called ''the greatest generation.'' Many of them are our parents and grandparents, husbands and wives, who endured through often unthinkable circumstances to build the United States of America into what it is today.

Mr. Speaker, Daniel Webster once said, ''God grants liberty to those who love it and are always willing and prepared to defend it.'' Unfortunately, the cost of our liberty has not come easy. Throughout our Nation's history, brave men and women have sacrificed their lives in order to defend and protect the principles this Nation was founded upon. Together, they have ensured the strength of this Nation.

Mr. Speaker, I am proud and honored to represent a district with a strong military presence, both active and retired. The Third District of North Carolina is home to Marine Corps Base Camp Lejuene, Air Station Cherry Point and New River, Seymour Johnson Air Force Base, and the Elizabeth City Coast Guard Station. In addition, Eastern North Carolina is home to 77,000 retired veterans and nearly 13,000 retired military. While each individual can provide a unique perspective and account of their service, I would like to take time today to pay tribute to a gentleman whose service during World War II is worthy of recognition.

Technical Sergeant James Cameron, Jr., was a navigator-bombardier during the Second World War. His remarkable military record both in combat and in peace represents that of many citizens who answered their call to duty and accepted the highest responsibility to preserve peace and freedom both here and abroad. Although regrettably 25 years after his death, Tech Sergeant Cameron was finally rewarded for his service. Earlier this year at Camp Lejuene Marine Corps in Jacksonville, North Carolina, Tech Sergeant Cameron's wife was part of a ceremony to honor her late husband's valiant service to this country. On behalf of her husband, Ms. Cameron received eight air medals. He is also eligible for two Distinguished Flying Crosses which are forthcoming. Technical Sergeant Cameron has also been awarded the Asiatic-Pacific Campaign Medal with one Bronze Star, the World War II Victory Medal, the American Campaign Medal, and the Air Medal with two gold stars and one silver star.

Mr. Speaker, James Cameron enlisted in the Marine Corps in November of 1942 at the age of 22. After attending the Navy Air Training Center in Jacksonville, Florida and the navigation-bombardier school at Quantico, he joined the 423rd bombing squadron at Cherry Point. He has served his country at war in the Southwest Pacific region from February 1944 to March 1945. His B–25 crew flew more than 50 combat missions, bombing targets in New Britain and New Ireland.

In 1944, his crew was on a crack bomber mission that was raiding Japanese positions when they were caught in the midst of heavy crossfire and were shot down. To survive, the crew was forced to spend 10 hours on a life raft, averting enemy fire, before finally being rescued. Before this mission, Tech Sergeant Cameron and four combat air crewmen helped rescue a downed flyer in the sea off Green Island. Mr. Cameron helped secure a five-man raft and carried it down a 75-foot cliff in order to rescue the pilot. For his brave assistance, he received the Navy and Marine Corps medal for heroism.

On October 2, 1945, Technical Sergeant Cameron was honorably discharged from the Marines. His dedication to his country can only be matched by his dedication to his family. James Cameron married his wife

Printed on recycled paper.

Elizabeth on September 27, 1941. Together they have three sons, James, Bruce and Doug.

After leaving the service, Mr. Cameron served as a mounted policeman in New York City where he helped to train horses and taught other officers to ride horses. He retired from the police force at the rank of sergeant.

Mr. Speaker, Technical Sergeant Cameron died on September 15, 1975 after a long battle with cancer. But today we celebrate and honor his life and his dedication to preserve peace and freedom for all Americans.

In closing, I want to share a quote from one of the Founding Fathers of this country, Gouveneur Morris, who once said, ''I anticipate the day when to command respect in the most remotest regions it will be sufficient to say, 'I am an American.' ''

Mr. Speaker, I want to thank Tech Sergeant Cameron and all United States veterans for their heroic courage in the name of freedom. Yes, Mr. Speaker, we are free but it is because of the sacrifice made by many men and women to defend the freedom of this country.

LIVABLE COMMUNITIES

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

Mr. BLUMENAUER. Mr. Speaker, I came to Congress with a keen interest in having the Federal Government be a better partner in promoting livable communities, things that we can do with the private sector, with business, with individual neighborhood associations, with government at all levels to help make our families safe, healthy and economically secure. I found that one of the most powerful things that we can do in the Federal Government is to simply lead by example, for the Federal Government to model the type of behavior that we want the rest of America to abide by.

We have had great fun with a very simple concept that would require the post office to obey local land use laws, zoning codes and environmental regulations. This legislation has already commanded the cosponsorship of the majority of Members of this assembly and has excited people around the country who see the post office as potential building blocks to stabilize their small towns, to stabilize neighborhood installations in over 40,000 facilities around the country.

One of the best opportunities is to be found with the Department of Defense. Our Pentagon budget houses the largest inventory of infrastructure in the world. The value is placed at some $550 billion. It is a huge land inventory. The Department of Defense is the third largest repository of Federal lands, but unlike BLM or the U.S. Forest Service land, this is oftentimes intensively managed. There are some 12,000 properties in the inventory of the Department of Defense right now that is eligible for historic building status. Over the course of the next 30 years, there will be 50,000 more. These facilities represent important aspects of military history and important elements that lead to actually building the components of communities. We have seen around the country base decommissioning arise as a larger and larger issue where they have to be closed and recycled, turned over to the private sector where there is an opportunity here to revitalize communities. Where at one point this was fought by local communities who felt that they would be losing an opportunity for economic development and security, we are finding as is the case in the transitioning of Fort Ord to private ownership that this can actually be a tremendous source of job generation, new housing and facilities that can make a difference for the community.

Camp Pendleton is the only significant open space between Los Angeles and San Diego. It is home to some 17 endangered species requiring special stewardship on the part of the military establishment. In the area of housing, here too is an opportunity. There is an interesting initiative taking place in the Department of the Army under the leadership of Under Secretary Apgar looking for ways to use the private sector to be able to finance and upgrade and design quality housing that our military employees deserve.

In my own district in Portland, Oregon, there is an opportunity to decommission Navy ships that employs family wage jobs and modern environmental technology to make sure that these ships are dismantled in not only a cost effective but an environmentally sensitive way as opposed to what some would do, simply tow them overseas and allow them to be disposed of in Bangladesh under who knows what standards. It is simply not a responsible activity on our part.

And then there is the issue of unexploded ordnance. Throughout the United States, there are areas where we have used land for training purposes that are filled with bombs and shells that have not exploded. At the current rate, it is going to take us 100 years to be able to decontaminate, to be able to deal with this problem of unexploded ordnance.

Mr. Speaker, it is clear that throughout the military establishment, there are challenges and opportunities for the Federal Government to promote more livable communities, a better environment for the men and women who serve in the military, and to protect our environment by providing leadership by example.

I invite my colleagues to join us the evening of July 20 at the National Building Museum for a discussion in greater detail dealing with how the military can promote livable communities.

DEPARTMENT OF ENERGY COMES UNDER SCRUTINY IN WAKE OF MISSING NUCLEAR SECRETS

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

Mr. FOLEY. Mr. Speaker, I appreciate the option to discuss with the House this morning an issue that does cause me quite a bit of concern. It really revolves around the missing nuclear secrets from the Los Alamos lab. We have spent about $16 billion a year on the Department of Energy; 15,000 plus employees, 125,000 contract employees and over $16 billion of spending of the taxpayers' money. On their own website, they have the following two mission statements: To provide affordable and available fuel now and in the future, and the security of our nuclear weapons stockpile.

It would seem to me based on those two statements, those two mission statements by the Department and the amount of money the American taxpayers have put into the fund in order to run the agency, you would have assumed with those types of numbers you would have gotten at least a modicum of success in protecting either the nuclear secrets or providing affordable energy for Americans now and in the future.

I am sure some of you recently have had the pleasure and joy of filling up your car at the gas station and witnessed prices escalating almost at every week, an increase in prices of fuel. In some areas in my community, prices for regular unleaded are about $1.65 and in some places in the country, including the Midwest, we see prices upwards of $2.25. Is that affordable? Yes, it is available but is it affordable? And how much does that take out of the American family's budget weekly, money that they could spend on clothes for their kids, textbooks for school, health care or purchasing prescription drugs? It is a lot of money. Filling up a 20-gallon tank costs somewhere between 4 and 8 additional dollars a week now due to the price of energy. Now, that is the administration that is doing America a favor by spending $16 billion on the Department of Energy.

We have heard recently that, of course, we do not think there was espionage involved. We do not know obviously because we are not certain where the disk drives were and who had them. But we are comforted by the fact that we are being told by the administration, at least by the Secretary of Energy, that we do not suspect espionage. Initially it was reported that there was a 4-week breach of time between the reporting of the missing hard drives and the notification to the FBI. Then we heard erroneous or maybe possibly accurate reports that it was upwards of 6 months when the hard drives were missing. Then on Meet the Press, Secretary Richardson said, ''Oh, no, it

wasn't that long, it was only possibly March 28.'' Talk about the gang that could not shoot straight, nobody can give us definitive answers where the hard drives were, how they were stored, how long they had been missing, and who checks in and out of this secret vault. Just last week testifying before the Senate, the Secretary said, we are going to institute technology like bar coding and putting bar codes onto the devices.

I mean, we bar code lettuce in the grocery store. You cannot leave a record store without paying for the CD. Otherwise, the security devices at the door will make an alarm so that the detectives or guards there can try and stop a shoplifter. But the nuclear secrets of America, the most sensitive of all data stored by our government, is wandering around with nobody watching, nobody monitoring, nobody taking the blame.

Mr. Speaker, we have got a serious issue on our hands. I think rather than politicize it, we need to get to the bottom of it. If this incident occurred to a corporation, the CEO's head would roll. If this announcement of this problem was a stock market activity, the stock would collapse. If this was a student in school, they would fail. Somebody has to take account for the pilferage or the potential misuse or even the missing hard drives.

General Gordon with this House attempted to set up a separate nuclear agency, if you will, to run the very sensitive lab. We were rebuffed oftentimes by both the administration, the Secretary of Energy and others. I think we need a full and fair explanation of what happened. America deserves it. Our security depends on it.

We urge the administration to come forward with an explanation reasonable to the taxpayers.

IN OPPOSITION TO H.R. 4680, REPUBLICAN PRESCRIPTION DRUG BENEFIT BILL

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

Mr. BENTSEN. Mr. Speaker, later this week, the Republican leadership will bring to the floor a bill purporting to be a new prescription drug benefit for America's senior citizens. Yesterday, I gave a number of reasons why the Republican prescription drug bill is fatally flawed and issued a challenge to the Republican majority to allow the Democrats to put forth our own prescription drug plan. Today, I want to stress the hypocrisy of the Republicans' procedure for considering this important issue.

Rather than allow an open and honest debate on how Congress would provide for a prescription drug benefit for America's senior citizens, the Republicans apparently will script a closed rule with limited debate predicated on an arbitrary budget resolution which they have shown a willingness time and again to violate when it suits their purposes. Unfortunately, both their flawed insurance subsidy plan and their desire to stifle debate in this the people's House on a question of vital importance to nearly 40 million American Medicare beneficiaries indicates once and for all that responding to the needs of America's senior citizens does not suit the political purposes of congressional Republicans.

The Republicans' claim that no Medicare prescription drug benefit can exceed the cost of $40 billion over 5 years is false. As such, they have designed a flawed plan that fits neatly under this cap by delaying implementation and limiting catastrophic coverage only to those costs that exceed $6,000. Under their plan, if the government pays an insurer enough to create a plan where the premiums are not set too high by the insurer that someone can afford it, you still only get a benefit of about $1,000 less premiums and after that you are on your own until you reach $6,000. The Republicans know full well that a real, affordable, workable prescription drug plan will cost more but they are opposed to investing in this coverage for America's senior citizens.

During the drafting of the fiscal year 2001 budget resolution, the Republican majority found room for nearly $200 billion in tax cuts but said that if and when a Medicare prescription drug plan could be developed, it would be limited to $40 billion. There was no study, no scientific basis, no analysis that resulted in this figure. Rather it was a back-of-the-envelope calculation to make room for the huge tax cut they wanted to fund. Furthermore, during the markup, I offered an amendment to restore funding for teaching hospitals, academic medical centers and other Medicare in-patient costs. My amendment was rejected and I was told that by the Republican majority that any changes to the Balanced Budget Act of 1997 could be addressed out of that $40 billion set aside. I was also told that money could be used for Medicare reform. But of course that is the same money that was supposed to be set aside for prescription drug coverage.

Now we hear that the Republican leadership has promised to push legislation later this year to make those exact same fixes but they have said they are already spending that on prescription drugs. So clearly the Republicans have no intention of abiding by the fiscal year 2001 budget resolution as long as it does not serve their political purposes.

This is not a new phenomenon. Under the Balanced Budget Act of 1997, agriculture was to be funded at $11.3 billion in 1999 and $10.7 billion in 2000. But when it came time for Congress to live by these caps, the Republican majority, recognizing the harsh effects of these constraints, abandoned them. Agriculture was funded at $23 billion in 1999 and $35 billion in 2000. The same is true when it came to highways. When Congress set caps in 1997 and then passed a highway construction bill, the Republicans busted the caps. So far they have funded transportation and highway construction far above what was set in 1997. It is true again for defense. In 1997, we set caps for defense spending going out 5 years and we have busted those caps every year.

Mr. Speaker, do not get me wrong. I do not dispute the need at times to adjust balanced budget caps when the need is justified. What I challenge is whether the Republican leadership is really sincere about helping America's senior citizens. They found a way to finesse budget limits for national defense, for highways and for our farmers. They are all worthy causes, but why will they not work around the budget resolution for America's senior citizens? Why will they not do this for the generation that fought ''The Great War'' and built the Nation? Why will they not do that for those we honored this past week who fought ''The Forgotten War'' in Korea?

If the Republicans were really sincere about helping our seniors, they would not hide behind artificial budgets and stifle debate. They would allow the Democrats who started this debate in the first place to bring up our bill which provides for meaningful, voluntary, universal prescription drug coverage under Medicare. Let us have the debate on what is best for America's senior citizens even if it means debating a real drug benefit versus large tax cuts. But, Mr. Speaker, let us have this debate.

RECESS

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

Accordingly (at 9 o'clock and 22 minutes a.m.), the House stood in recess until 10 a.m.

□ 1000

AFTER RECESS

The recess having expired, the House was called to order at 10 a.m.

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

Reverence for You, O God, breathes forth a spirit of freedom within us. It is this spirit that gives us true self-esteem, a gracious attitude toward everyone else, and the power to live out our commitments to others with love.

It is this same spirit that urges us to seek out even greater freedom within ourselves and work for the good of our brothers and sisters wherever they may be in this country and beyond.

Thomas Jefferson taught us, O Lord, that ''the very God who gave us life gave us liberty at the same time.'' Help us never to separate these two great gifts. Make us instruments of life and liberty now and forever. Amen.

THE JOURNAL

The SPEAKER. 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. Will the gentleman from New Jersey (Mr. PASCRELL) come forward and lead the House in the Pledge of Allegiance.

Mr. PASCRELL 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.

ANNOUNCEMENT BY THE SPEAKER

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

THE NEED TO ADDRESS OIL PRICE FIXING

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

Mr. GIBBONS. Mr. Speaker, recently gasoline prices have increased at rates not seen since the 1970s. While the Clinton-Gore administration vows that it will not tolerate companies who fix prices here at home, it remains reluctant to get tough on foreign countries that simultaneously receive U.S. aid and engage in oil price fixing that affects every American.

Although it is almost too late, it is time that the administration begin working for the American people.

Mr. Speaker, many Americans are seeing their family vacation plans evaporate as prices rise. I call upon the administration to adopt a national policy with other oil-consuming nations to take steps towards reducing, suspending, or even eliminating assistance or arms sales to exporters engaged in price fixing.

The hard-working American families deserve more than just a vacation. They deserve national leadership that is concerned about their future rather than the hollow rhetoric and empty promises of the Clinton-Gore White House.

FIREFIGHTER INVESTMENT AND RESPONSE ENHANCEMENT ACT

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

Mr. PASCRELL. Mr. Speaker, I am the proud sponsor of the Firefighter Investment and Response Enhancement Act, better known as the Fire Bill. It has almost 280 sponsors.

The bill will provide competitive grants directly to over 32,000 paid, part-paid, and volunteer fire departments across America.

On April 12 of this year, we had a hearing on this legislation before the Subcommittee on Oversight, Investigations and Emergency Management of the House Committee on Transportation and Infrastructure. At this hearing, a colleague from across the aisle stated that my legislation does not have the support of the administration. He challenged me to get it. Today I am here to present the administration's unwavering support of H.R. 1168 to the House.

I have a letter from Jack Lew, who is the Budget Director for the White House. This letter expresses, and I quote, ''the Administration supports passage of the Firefighter Investment and Response Enhancement Act.''

We owe it to the firefighters of America, Mr. Speaker, who put their lives at risk every day to save ours, to bring this legislation to the floor. It is about time we took care of the other side of the public safety equation, our firefighters.

INTERNATIONAL ABDUCTION

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

Mr. LAMPSON. Mr. Speaker, I rise today to tell my colleagues the story of Anthony and Timothy Azarmgin. Anthony and Timothy were abducted from Missouri by their noncustodial father, Mr. Tony Hossein Azarmgin, during their father's visitation period on January 2, 1991.

By August of 1991, both warrants for kidnapping and unlawful flight to avoid prosecution were in place. In 1992, Ms. Lewis, the boys' mother, was contacted by Mr. Azarmgin when he insinuated that he and the boys were in another country. In 1994, the Interpol developed reason to believe that Mr. Azarmgin, Anthony, and Timothy were in Tehran, Iran.

In 1994, Ms. Lewis established phone contact with Mr. Azarmgin, but it has been irregular at best. Mr. Azarmgin is not willing to return to the United States unless the charges are dropped.

Mr. Speaker, there are 10,000 American children just like Anthony and Tim who have been abducted to foreign countries. I urge this House to continue to work with me and help bring our children home.

MOVE FORWARD WITH BROWNFIELDS LEGISLATION AND CLEAN UP COMMUNITIES

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

Mr. GARY MILLER of California. Mr. Speaker, there are almost half a million pieces of property in the United States that are polluted and useless because people are afraid to buy them to clean them up.

We have seen these properties. Many of them are fenced with chain-link or have signs that say ''hazardous material, keep out.'' The problem with that is individuals will not buy these properties, because when they do, they accept the historical problems that go along with that, and they accept the liability with EPA and likely to be sued because of that.

We need to change the law. We need to say that individuals and businesses can buy these properties and clean them up and put them to a useful purpose without being concerned about EPA taking them to court and suing them because pollution occurred 40 years ago.

We have done nothing on this. We need to move forward rapidly with Brownfields legislation and help clean up our communities throughout the United States and help put these properties that are polluted, that are continuing to pollute our environment to a good purpose.

WORLD'S FIRST CANINE TRAVEL AGENCY

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

Mr. TRAFICANT. Mr. Speaker, the world's first canine travel agency opened in Austria. No joke. A company advertises health spas for Rottweilers, massage parlors for Dobermans, beauty parlors for poodles.

If that is not enough to throw up one's Alpo, they offer a frequent flier program for doggy owners who vacation with Fido. Unbelievable. What is next, Mr. Speaker, fire hydrants on all 747s?

Think about it, with children starving all over the world, doggy discos are popping up like beagle patties. Beam me up.

I yield back all the rabies and fleas that have evidently constipated the minds of these rich canine owners who have simply gone to the dogs.

AMERICA NEEDS ENERGY POLICY TO PROTECT AMERICA'S INTERESTS AND FAMILIES

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

Mrs. CUBIN. Mr. Speaker, driving is not a luxury to most Americans, it is a necessity, especially in the mountain West where I live where one might have to drive 100 miles to go see the doctor.

Americans need their cars, and they need their cars to get to work, to school, to church, and to the grocery store. Truckers need their rigs to deliver food, clothing, and other goods across the Nation.

When gas prices get out of hand, it is more than just inconvenient, it is a considerable financial problem. Truckers across the country are having their livelihoods threatened because they

cannot afford the price of fuel. Families are curbing their long-anticipated summer vacation plans. This is simply wrong.

The gas prices that plague our Nation represent a complete failure of the energy policy or lack of energy policy, I should say, of the Clinton-Gore administration. It is time for Mr. Clinton and Mr. GORE to wake up. America needs an energy policy that will protect America's interests, help our families and our national security.

GIVE OUR SENIORS SIMPLICITY AND CHEAPER PRICES FOR PRESCRIPTION DRUGS

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

Mr. WEYGAND. Mr. Speaker, 4 years ago Paul and Judy from Warwick, Rhode Island, retired hoping that they would have a great retirement with a great pension. They are now spending about $8,350 a year for prescription drugs. They want a plan that will cover them under Medicare that will be simple, effective, and reduce the cost for them, but all seniors.

Over the next few days, we are going to address a plan that the Republican leadership will offer that will simply put more money back into the insurance companies, provide a prescription drug plan that will be nothing more than another boondoggle.

We ask for simplicity. We ask for universal coverage. We ask for our seniors to be given cheaper prices for prescription drugs.

ADMINISTRATION BLAMING GAS COMPANIES FOR FUEL CRISIS

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

Mr. BARTLETT of Maryland. Mr. Speaker, rising gas prices are a serious concern to Americans everywhere.

The hike in fuel prices has hurt the truckers who deliver our food and clothing. It has hurt our farmers who need gas to run their farm equipment. It has hurt the average American who just wants to get to and from work.

The Clinton-Gore administration has often claimed it feels the pain of the American people. But instead of working with OPEC to increase oil production or moving to temporarily suspend expensive regulations, the administration is choosing to play the blame game.

The administration's new claim is that gas companies are engaging in price gouging. Gas companies are not to blame for our fuel prices, the Clinton-Gore administration is. While they are focusing their efforts on shifting the blame, the American people are the ones paying the price.

This is not price gouging, it is ''price-Gore-ging.''

CONCERN FOR LACK OF ENERGY POLICY

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

Mr. BLUNT. Mr. Speaker, I want to join my colleagues in expressing my concern for a lack of an energy policy in the country over the last 7 years.

Really, there are three areas that we should have been watching and three areas where we failed to take the necessary steps. We have not done what we should have done to maintain our relationships with the countries we buy oil from.

At the same time, we have allowed our country to become more and more dependent on those countries. Somewhere between 56 and 58 percent of all our oil is now imported. We have done everything we could during that same period of time to discourage domestic supply, and we have not done anything to encourage alternative use.

Now suddenly, at the end of 7 years of no policy, the Secretary of Energy says we were caught napping. Well, it seems to me the Secretary of Energy has been napping a lot. Whether it was involving our nuclear codes at Los Alamos or our dependence on foreign oil, we cannot afford to have an Energy Department napping. We need to look and see what happened at the same time we need to do everything we can to provide relief to the families that are being caught in this crisis right now.

RECESS

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to clause 12 of rule I, the Chair declares the House in recess until 10:25 a.m.

Accordingly (at 10 o'clock and 15 minutes a.m.), the House stood in recess until 10:25 a.m.

□ 1025

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LAHOOD) at 10 o'clock and 25 minutes a.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Any record vote on postponed questions will be taken after debate has concluded on all motions to suspend the rules.

PLACEMENT OF STATUE OF CHIEF WASHAKIE IN NATIONAL STATUARY HALL

Mr. THOMAS. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 333) providing for the acceptance of a statue of Chief Washakie, presented by the people of Wyoming, for placement in National Statuary Hall, and for other purposes, as amended.

The Clerk read as follows:

H. CON. RES. 333

Whereas Chief Washakie was a recognized leader of the Eastern Shoshone Tribe;

Whereas Chief Washakie contributed to the settlement of the west by allowing the Oregon and Mormon Trails to pass through Shoshone lands;

Whereas Chief Washakie, with his foresight and wisdom, chose the path of peace for his people;

Whereas Chief Washakie was a great leader who chose his alliances with other tribes and the United States Government thoughtfully; and

Whereas in recognition of this alliance and long service to the United States Government, Chief Washakie was the only chief to be awarded a full military funeral: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. ACCEPTANCE OF STATUE OF CHIEF WASHAKIE FROM THE PEOPLE OF WYOMING FOR PLACEMENT IN NATIONAL STATUARY HALL.

(a) IN GENERAL.—The statue of Chief Washakie, furnished by the people of Wyoming for placement in National Statuary Hall in accordance with section 1814 of the Revised Statutes of the United States (40 U.S.C. 187), is accepted in the name of the United States, and the thanks of the Congress are tendered to the people of Wyoming for providing this commemoration of one of Wyoming's most eminent personages.

(b) PRESENTATION CEREMONY.—The State of Wyoming is authorized to use the rotunda of the Capitol on September 7, 2000, at 11 o'clock ante meridian, for a presentation ceremony for the statue. The Architect of the Capitol and the Capitol Police Board shall take such action as may be necessary with respect to physical preparations and security for the ceremony.

(c) DISPLAY IN ROTUNDA.—The statue shall be displayed in the rotunda of the Capitol for a period of not more than 6 months, after which period the statue shall be moved to its permanent location in National Statuary Hall.

SEC. 2. TRANSMITTAL TO GOVERNOR OF WYOMING.

The Clerk of the House of Representatives shall transmit a copy of this concurrent resolution to the Governor of Wyoming.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. THOMAS) and the gentleman from Maryland (Mr. HOYER) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. THOMAS).

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

As visitors move around the Capitol, one of the most striking examples of State representation is, in fact, the ability of each State to send two statues to the Capitol. It is fascinating to look at the regional and especially the historical differences of who States recognize as appropriate figures to memorialize by statue in the Capitol.

We have before us today a resolution which completes the State of Wyoming's decision to send two statues. I think it is emblematic, the particular statue that Wyoming has chosen.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from Wyoming (Mrs. CUBIN) to really give the details of the reason for the selection of this particular statue.

Mrs. CUBIN. Mr. Speaker, I thank the gentleman from California (Mr. THOMAS) for yielding me this time, and I also wish to thank him in his capacity as the chairman of the Committee on House Administration for moving this important piece of legislation forward in such a timely manner, as well as the ranking member, the gentleman from Maryland (Mr. HOYER). It is very important to the people of Wyoming.

I am proud to bring before the House today this resolution to provide for the placement of a statue of Chief Washakie in Statuary Hall presented by the people of the State of Wyoming.

In 1840, Chief Washakie became the principal chief of the eastern Shoshone tribe, a role he would fill until his death over 60 years later. Chief Washakie was well-known as a distinguished leader and a stately warrior who bravely defended the Shoshone and their allies. He was a skilled linguist. He spoke English, French and Shoshone.

Adhering to the philosophy of making the best of what cannot be changed, Chief Washakie maintained friendly relations with the United States Government, with the settlers, and other American immigrants. He always placed the peace and welfare of his people above all other concerns. Chief Washakie worked tirelessly to seek the best for his people, requesting schools, churches, and hospitals on Shoshone land.

He peacefully surrendered the Green River Valley to provide for the right-of-way for the Union Pacific railroad, thus helping complete the first transcontinental railroad and the settlement of the west.

□ 1030

As the last Chief of the Shoshone tribe, Chief Washakie successfully preserved the Wind River Mountain Range for his tribe's homeland. The Wind River Mountains are truly some of the most magnificent mountains in the world. Anyone who has not seen them needs to take a trip and look at the vast beauty.

In the role of chief, Chief Washakie greatly contributed to the settlement of the West by allowing the Oregon and the Mormon trails to pass through Shoshone lands. When wagon trains carrying these pioneers passed through the Shoshone territory in the 1850s, Chief Washakie and his people aided overland travelers in fording the streams and recovering stray animals.

I think that it is interesting to note that over 9,000 emigrants signed a thank-you document to Chief Washakie and his people for safe passage through their territory.

In the 1870s, Chief Washakie served as a military leader of over 150 Shoshone men who were serving with United States Cavalry General Crook in the campaign to return the Sioux and the Cheyenne bands to their assigned reservations.

This campaign ended with Custer's ill-fated attack at the Little Big Horn in 1876. This was an attack which Chief Washakie seriously advised Colonel Custer against doing.

My own maternal great, great grandfather migrated to Wyoming around 1846. He was a mountain man and a trapper. He traded fur pelts with the Indians, and surely the Shoshones were among those with whom he traded.

When Chief Washakie died in 1900, some say over the age of 100, Chief Washakie received a full military funeral and burial honoring his career in the U.S. Army. He is the only chief who has ever been awarded such a distinction.

The Wind River Indian Reservation in central Wyoming is the home of many Shoshone and Arapaho Indians today. Their culture and their art work are still being passed to young generations. For this legacy, we should all be grateful.

On behalf of the people of Wyoming, I am proud to put forth this legislation providing a commemoration of one of the States' most celebrated names, Chief Washakie.

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

Mr. Speaker, I am pleased to join the gentleman from California (Mr. THOMAS) and the gentlewoman from Wyoming (Mrs. CUBIN), who represents Wyoming so well, in rising in support of this resolution. The gentlewoman from Wyoming (Mrs. CUBIN) referred to it as an important resolution, and that it is. It may not be controversial, but it is important.

Mr. Speaker, as ranking minority member of the House Administration Committee and the Joint Committee on the Library, I am pleased to support this concurrent resolution to enhance the National Statuary Hall collection by accepting this statue of Chief Washakie submitted by the State of Wyoming.

Each of the 50 States, Mr. Speaker, as my colleagues know, is permitted to submit two statues for our collection, which then become the property of the United States. This is Wyoming's second statue and brings the total number of such statues in the Capitol to 97 since the law creating the collection was enacted in 1864.

Mr. Speaker, Congress has usually adopted concurrent resolutions such as the one before us today upon the arrival of a new statue for the collection from a State. H. Con. Res. 333 provides that the statue of Chief Washakie will be displayed for not to exceed 6 months in the Capitol rotunda. It will then be moved to a permanent site within the Capitol, as directed by the Joint Committee on the Library, since there is not sufficient enough space in Statuary Hall to accommodate all of the existing collection.

The concurrent resolution would also authorize use of the Capitol rotunda on Thursday, September 7, at 11 o'clock a.m., for a ceremony where Wyoming will formally present the bronze statue of Chief Washakie by the noted sculptor Dave McGary.

The concurrent resolution would provide for the printing of an appropriate number of copies of the transcript of the proceedings, under the direction of the Joint Committee on the Library, for use by both Chambers of Congress and by the senators and the representative from Wyoming.

Chief Washakie, as it has been noted, lived from 1798 to 1900. He was a leader of the Shoshone tribe who united his people into a significant political and military force. Both warrior and peacemaker, he recognized that survival of Indian tribes in the western United States depended upon accommodation with migrating settlers and the United States Government.

In 1868, he signed the Fort Bridger Treaty, establishing reservation boundaries of more than three million acres around the Warm Valley area of Wyoming.

Chief Washakie spoke English and French as well as a number of other Indian languages, including, of course, Shoshone. He was a skilled negotiator who gained substantial benefits for his people at a time when many other tribes engaged in futile warfare with the army and incoming settlers.

Chief Washakie knew that peace was better than war for his people and, as a result, did very well by them and was honored until his death by them and is honored today by them and by their State, Wyoming.

When Chief Washakie died on February 23, 1900, he was accorded a full military funeral. I am told that he is the only known Indian chief to receive such an honor.

Mr. Speaker, Wyoming has exercised its prerogative to honor Chief Washakie for his significant role in the early history of the State.

We in this Congress, I know, are pleased to support this concurrent resolution and congratulate its sponsor on her leadership and for helping to facilitate the presentation of the statue to the people of the United States.

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

Mr. HOYER. Mr. Speaker, I yield 2 minutes to my friend, the gentleman from Ohio (Mr. TRAFICANT).

Mr. TRAFICANT. Mr. Speaker, I thank my very good friend for yielding me the time.

Mr. Speaker, I just want to rise to compliment the gentlewoman from Wyoming (Mrs. CUBIN) for the fine job she has done. The Native American Indians and that whole story in this country is a tragic scar on our history,

and I believe her efforts are indicative of the feelings and the spirit of the people of Wyoming and are well appreciated here and are absolutely necessary.

It is good to see that we honor those who at times were dishonored in a Nation that now respects the greatness of the action they had taken. So I want to compliment my good friend, who is one of the Democratic Party's finer leaders, that is the gentleman from Maryland (Mr. HOYER); and I want to compliment the gentleman from California (Mr. THOMAS) for giving the opportunity for the gentlewoman from Wyoming (Mrs. CUBIN) to bring her legislation to the floor. I am honored to support it.

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

Mr. Speaker, in closing, a distinguished son of Wyoming, Mike Sullivan, now an ambassador, is quoted on this very impressive brochure related to the Chief Washakie sculpture project. I think he says it well:

''Washakie is a model for leaders across the generations.''

How appropriate it is to have a statue representing the State of Wyoming, representing Native Americans, and representing the kind of country that does and should honor a leader across the generations.

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

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

Mr. Speaker, I want to thank the gentleman from Maryland (Mr. HOYER) for his comments.

He was indeed an impressive historical figure. The purpose in allowing States to send statues is to illustrate the diversity of the historical figures that by adding up the statues of the States give us an even better understanding of the history of the United States.

It is not by accident that the other statue from the State of Wyoming is a statue of Esther Hobart Morris, who was a suffragette, who was the first woman governor anywhere in the United States, and who pushed the legislation that made Wyoming the first State in the Union to afford the full voting privileges to women.

So this impressive statue, and my understanding is that Chief Washakie is going to be more than 12-feet tall in full Indian headdress with a spear, it will be a focal point on the tours given to the Capitol visitors and they will be able to visit a portion of our history, all Americans' history, presented to us by the State of Wyoming.

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

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion offered by the gentleman from California (Mr. THOMAS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 333, as amended.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H. Con. Res. 333, as amended.

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

There was no objection.

PERMITTING USE OF ROTUNDA OF CAPITOL FOR PRESENTATION CEREMONY OF CONGRESSIONAL GOLD MEDAL TO FATHER THEODORE HESBURGH

Mr. THOMAS. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 344) permitting the use of the rotunda of the Capitol for a ceremony to present the Congressional Gold Medal to Father Theodore Hesburgh, as amended.

The Clerk read as follows:

H. CON. RES. 344

Resolved by the House of Representatives (the Senate concurring), That the rotunda of the Capitol is authorized to be used on July 13, 2000, for a ceremony to present the Congressional Gold Medal to Father Theodore Hesburgh. Physical preparations for the ceremony shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. THOMAS) and the gentleman from Maryland (Mr. HOYER) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. THOMAS).

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

Mr. Speaker, as was indicated, this is a resolution to use the rotunda of the Capitol for the ceremony of awarding a Congressional Gold Medal to Father Theodore Hesburgh.

Dr. Hesburgh's history is truly an impressive one, especially when we look at the rapidity with which he moved to the presidency of one of the more distinguished private religious and secular universities in the United States, the University of Notre Dame.

He received his ordination as a priest in 1943; studied here at the Catholic University of America in Washington, D.C., receiving his doctorate in 1945; moved to Notre Dame to teach; and then at the age of 35, in 1952, became the 15th president of the University of Notre Dame and held that position until 1987, shaping in a significant way the current position of the University of Notre Dame.

Based upon additional activities, along with this very short biography, which my friend the gentleman from Indiana (Mr. ROEMER) will elaborate on, it is absolutely appropriate that we authorize the use of the rotunda to present the Congressional Gold Medal to a religious scholar, a scholar, an administrator, and someone who has made a significant impact not just on students, not just on faculty, not just on Catholics, not just on the United States, but upon the world.

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

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

Mr. Speaker, I thank the chairman of our committee, the gentleman from California (Mr. THOMAS) for facilitating this resolution moving forward.

I particularly want to commend my colleague, the gentleman from Indiana (Mr. ROEMER), for sponsoring this resolution and for all his hard work in getting this body to pass legislation giving the Congressional Gold Medal to Father Theodore Hesburgh, the President Emeritus of the University of Notre Dame.

I leaned over to my colleague, the gentleman from Indiana (Mr. ROEMER), and said that when we talked about him being a doctor or this, that, or the other, that really what he was was a parish writ large, not just for the United States but all the world.

The gentleman from Indiana (Mr. ROEMER) I know is extraordinarily proud that his district is the home of Notre Dame, one of our Nation's great academic institutions. Whether it is in the classroom, the laboratory, or the athletic fields, Notre Dame is rightfully known for producing extraordinary leaders, including, I might say, our colleague, the gentleman from Indiana (Mr. ROEMER), who received both his masters and his Ph.D. at that school.

I was, as all of us were, pleased to support the legislation granting Father Hesburgh a Congressional Gold Medal. I am honored to rise today in support of H. Con. Res. 344, which will grant use of the Capitol rotunda on July 13, 2000, for the presentation ceremony.

☐ 1045

The Congressional Gold Medal is the highest honor, Mr. Speaker, that Congress can give to a private citizen of this Nation. We have given them to the heroes of our history, those who have displayed uncommon valor on the field of battle, courage in the pursuit of civil rights and insight in the quest of knowledge. Last October, Congress gave the Congressional Gold Medal to Father Hesburgh. We now will provide for the awarding of that medal.

For 35 years, Father Hesburgh guided one of our country's finest universities, through a period of unparalleled growth. I spoke at the beginning about the excellence of Notre Dame, not just on the athletic field but in the classroom and in the community. In large measure, it is because of the extraordinary people that have led Notre Dame, none of them more extraordinary than Father Hesburgh.

When he stepped down from the University's presidency in 1987, his tenure was the longest among active American college and university presidents. During his years as president of Notre Dame, Father Hesburgh used his leadership to seek the advancement of civil rights, peace and justice around the world. He has held 15 presidential appointments, confronting such diverse issues as the peaceful use of atomic energy, campus unrest, immigration reform and Third World development.

Throughout these efforts, Mr. Speaker, Father Hesburgh maintained an unwavering commitment to fairness, equality and justice. In 1964 when President Johnson awarded the Medal of Freedom to Father Hesburgh, he could have sat back and rested on his laurels as one of the most respected leaders of our Nation. He could have; but, of course, we know he did not. Rather he used his mantle of respect to fight for those whose voices are not always heard, whose issues are not always respected, and whose needs are not always met.

In those pursuits, he served not only his country, but most importantly, I am sure, to him, his God, and his faith. There is not enough time in this debate to review all the good work that Father Hesburgh has done in his life, but let me review just a few highlights.

He sought to bridge America's racial divide as chairperson of the Commission on Civil Rights from 1969 to 1972. He fought for the interests of the underdeveloped nations as chair of the Overseas Development Council for 11 years. He helped heal the scars of the Vietnam War with his service as a member of President's Ford's Presidential Clemency Board.

He worked to promote peace by organizing a meeting of world class scientists from both sides of the Iron Curtain urging the elimination of nuclear weapons.

After the meeting, he organized a convention of religious leaders who endorsed the views of the scientists. In addition, Mr. Speaker, to his honors, which include the Franklin Roosevelt Four Freedoms Medal, the Distinguished Peace Leader Award and the National Service Lifetime Award, Father Hesburgh has received 135 honorary degrees, the most ever awarded to any American.

Father Hesburgh is a wonderful, magnificent example of a good man who rose up and did great things. He however, was a humble person, walking closely with his God. I can think of no person for whom the honor is more appropriate.

Mr. Speaker, I urge my colleagues, as I know they will, to unanimously support this resolution.

Mr. Speaker, I yield 6 minutes to the distinguished gentleman from Indiana (Mr. ROEMER).

Mr. ROEMER. Mr. Speaker, I thank my good friend from Maryland (Mr. HOYER) for his very articulate comments about Father Hesburgh and for his overly generous comments about me.

Mr. Speaker, I want to also thank the gentleman from California (Mr. THOMAS) for his hard work and help on this resolution. I would also like to thank the Republican and Democratic leadership for their help and assistance in passing this Gold Medal to Father Hesburgh, and I want to pick out a couple of individual Members of Congress on the Democratic and Republican side who helped gather the cosponsors, the gentleman from Indiana (Mr. VISCLOSKY), the gentleman from New York (Mr. KING), the gentleman from Indiana (Mr. SOUDER), the gentleman from Georgia (Mr. LEWIS), the gentlewoman from Kentucky (Mrs. NORTHUP), all were very, very helpful. Senator BAYH and Senator LUGAR on the Senate side in helping us get the needed cosponsors to pass this very important resolution.

Mr. Speaker, I rise in strong support of H. Con. Res. 344 to authorize the use of the U.S. Capitol rotunda for the ceremony in which the President will present Father Theodore M. Hesburgh with the Congressional Gold Medal. I am deeply grateful to the leadership that has called up this resolution and recognizes that the use of the rotunda for this occasion is a fitting tribute to one of America's most distinguished educators and humanitarians.

Mr. Speaker, I would also like to take just a quick minute to salute the University of Notre Dame for its excellence in research and its faculty, for its commitment by its student body, where 10 percent of its student body that just graduated will go into voluntary service throughout the world, not just America, to help the hungry, to help the poor, to help the thirsty and to put a lot of emphasis on social justice.

I want to thank the Holy Cross Order that helps Father Hesburgh and Father Malloy, now the president of the university.

Last year, more than two-thirds of the U.S. House of Representatives cosponsored my bill to award the Gold Medal to Father Hesburgh. The companion bill was also cosponsored by more than two-thirds of the U.S. Senate. The legislation was passed with unanimous consent and signed into law by President Clinton on December 9, 1999.

This bipartisan measure recognizes Father Hesburgh's countless and enduring contributions to the United States and the global community.

Father Hesburgh's remarkable record of public service is as distinguished as his contributions are numerous. Over the years, he has held 15 Presidential appointments and remained a national leader in education, civil rights, and in social justice issues in the Third World. Highlighting a long list of awards received by Father Hesburgh is a Presidential Medal of Freedom, our Nation's highest civilian honor, bestowed on him by President Johnson in 1964.

Equal justice has been the primary focus of Father Hesburgh's pursuits. He was a charter member of the U.S. Commission on Civil Rights, and later, its chairman. Father Hesburgh passionately supported the civil rights movement and was dismissed from the commission when he criticized the administration for not fully implementing its recommendations.

Father Hesburgh was the longest serving active president of an institution of higher learning when he retired from the University of Notre Dame in 1987. He continues, he continues, Mr. Speaker, in retirement as a leading educator, a leading humanitarian, and inspiring generations of students and citizens to serve their country while sharing his wisdom and vision for the rights of man.

Father Hesburgh has served his Nation well, not only on matters of civil rights here and abroad, but he has fought against unemployment, fought against poverty, fought against hunger, and in support of better agriculture for developing nations so that they can feed their people.

In a recent speech, the United Nations Secretary Kofi Annan said that there are one in five of the population in the world today that does not have access to safe drinking water. Kofi Annan went on to say one out of every five people in the world lives on less than a dollar per day.

Father Hesburgh continues to make these people his highest priority, the hungry and the thirsty. Father Hesburgh is beloved by all who have known him. I am personally grateful to Father Hesburgh for his friendship and guidance, starting with my years as a student at the University of Notre Dame. I firmly believe that this resolution to use the Rotunda for presenting the Congressional Gold Medal to Father Hesburgh is entirely an appropriate tribute to one of America's greatest citizens and champions of human rights.

Mr. Speaker, I strongly encourage my colleagues to support the resolution and, again, express my deep gratitude to the gentleman from California (Mr. THOMAS), to the gentleman from Maryland (Mr. HOYER), to the leadership of both sides in this bipartisan tribute to be considered on the House floor today. I thank both gentlemen for the 6 minutes of time to talk about Father Hesburgh's lifetime of accomplishments.

Mr. HOYER. Reclaiming my time, I want to again thank the gentleman from Indiana (Mr. ROEMER), a distinguished graduate of an institution that was led so ably and whose service to this country, not only leading Notre Dame but service to this country, is so deserving of recognition, which the gentleman from Indiana (Mr. ROEMER) has assured will happen. I congratulate the gentleman for his leadership.

Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. TRAFICANT).

Mr. TRAFICANT. Mr. Speaker, I did not plan to speak on this issue, I will be brief. As an athlete, I played against

Notre Dame. I think it is fitting that the Congressional Gold Medal be awarded to this great American.

I want to commend the gentleman from Indiana (Mr. ROEMER) and I know the gentleman from Indiana (Mr. VISCLOSKY) is not here, a great Notre Dame fan as well, but I think as we think about the Congressional Gold Medal, the world will always think about Father Hesburgh every time they see that golden dome on the television screen and the tenacity and the spirit of Notre Dame, much of it has been imbued, developed by Father Hesburgh. I think his fingerprints rest on the university of such great acclaim. It is known throughout the world.

Mr. Speaker, I say to the gentleman from Indiana (Mr. ROEMER), this is very fitting, so I want to thank the Republican leadership, the gentleman from California (Mr. THOMAS), the gentleman from Maryland (Mr. HOYER), our ranking member, I believe this is most fitting. I am just honored to be a part, to be able to say that I had a vote in this Congressional Gold Medal award.

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

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

Mr. Speaker, lest anyone think that although this is being presented in a bipartisan way, that it is purely a partisan interest in Notre Dame. I really would be remiss if I did not mention that there are a number of Republicans who have attended and indeed graduated from Notre Dame, and one that I know is no greater Irish hunk than our former colleague Dan Lungren from California, who not only bleeds green and gold, but would occasionally wear green and gold on the floor of the House, especially after a much-needed win over the University of Southern California in the annual football contest.

Having heard these words about Father Hesburgh, this is simply an introduction and an invitation to join in the Rotunda in the presentation of that Congressional Gold Medal.

Mr. GILMAN. Mr. Speaker, I am pleased to support this legislation, which authorizes the use of the Capitol rotunda on July 13, 2000 for a ceremony to present the Congressional Gold Medal to Father Theodore M. Hesburgh.

We look forward to honoring Father Hesburgh for his many achievements in such areas as education and international and peace studies. This remarkable leader has not only served our nation's presidents but has also served a 35 year tenure as President of the University of Notre Dame and has demonstrated his leadership in a number of international organizations. The list of his accomplishments reflects his devotion to many noteworthy and noble causes.

Father Hesburgh was born in Syracuse, N.Y. on May 25, 1917, the son of Anne Murphy Hesburgh and Theodore Bernard Hesburgh.

Educated at Notre Dame and the Gregorian University in Rome, Father Hesburgh received a bachelor of philosophy degree in 1939. In 1943 he was ordained a priest of the Congregation of Holy Cross. He received his doctorate at the Catholic University of America in Washington, DC, and he joined the Notre Dame Department of Religion in 1945. In 1948, he was appointed head of the department and also served as chaplain to World War II veterans on campus. When he was 35, in 1952, Notre Dame named him their 15th president, and he retired on June 1, 1987.

In addition to his accomplishments at Notre Dame, Father Hesburgh's list of appointments and public service demonstrates a life-time of promoting peace, justice, civil and human rights, and education. He has held 15 Presidential appointments in such fields as civil rights, peaceful uses of atomic energy, and Third World development. He chaired the U.S. Commission on Civil Rights from 1969–1972. Between 1979–1981, he chaired the Select Commission on Immigration and Refugee Policy, and its recommendations became the groundwork for Congressional reform legislation 5 years later.

He has also served four Popes, and from 1956–1970 he was Vatican City's representative to the International Atomic Energy Agency in Vienna. In 1968, Pope Paul IV appointed him head of the Vatican representatives attending the 20th anniversary of the UN's human rights declaration in Teheran, Iran.

In the field of education, Father Hesburgh has served on a number of commissions and study groups that have analyzed issues such as public funding of independent colleges and universities and the purpose of foreign languages and international studies in higher education. His dedication has earned him 135 honorary degrees.

After retiring as president of Notre Dame, Father Hesburgh has continued to promote important causes and, as President Emeritus, to work for his university's future. He has continued to participate in international organizations; he has traveled the world as a distinguished speaker; written numerous articles, books as well as his autobiography, ''God, Country, Notre Dame;'' and furthered the interest of several Notre Dame academic institutes. Moreover, Father Hesburgh chairs the advisory committee for the Kellogg Institute for International Studies and the Hesburgh Center for International Studies, which was named in his honor.

Numerous awards reflect all of these achievements. In 1964, President Lyndon Johnson awarded him the Medal of Freedom. Other awards include the Franklin D. Roosevelt Four Freedoms Medal for Worship, the Distinguished Peace Leader Award, and the National Service Lifetime Achievement Award.

Mr. Speaker I urge our colleagues to join in supporting this legislation to recognize Father Hesburgh's many accomplishments as well as his honorable life dedicated to noble causes.

Mr. SOUDER. Mr. Speaker, I rise today to express my strong support for the resolution authorizing the use of the Capitol rotunda for a ceremony to present the Congressional Gold Medal to Father Theodore Hesburgh, President Emeritus of the University of Notre Dame. I also want to thank my colleague from Indiana, TIM ROEMER, for his leadership in the effort to bestow this honor on Fr. Hesburgh.

As a graduate of the University of Notre Dame, I have long admired Father Hesburgh's commitment to excellence in higher education and his extraordinary leadership in the cause of civil rights. I was happy to cosponsor the legislation last fall to present him with this distinguished award.

Under Father Hesburgh's stewardship as Notre Dame's president from 1952 to 1987, Notre Dame established itself as a top academic institution while maintaining its standing as a leading Catholic university. Fr. Hesburgh's greatest challenge was to demonstrate that it was possible to achieve prominence in both arenas and he succeeded, creating a model for other Catholic institutions of higher learning across the country.

One of Father Hesburgh's most enduring contributions to the Nation as a whole is his commitment to the pursuit of civil rights for all Americans. As a member of the U.S. Commission on Civil Rights for 15 years, three of them as its chairman, Fr. Hesburgh was instrumental in the movement that culminated in the enactment of the Civil Rights Act of 1964. His legacy of leadership in the cause of civil rights and other issues of moral imperative has served as an example for America and, indeed, the world.

Mr. Speaker, in light of these and all of Father Hesburgh's many contributions in service to our Nation, I wholeheartedly support this resolution.

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

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion offered by the gentleman from California (Mr. THOMAS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 344, as amended.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Con. Res. 344, as amended, the concurrent resolution just agreed to.

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

There was no objection.

SENSE OF CONGRESS THAT STATES SHOULD MORE CLOSELY REGULATE TITLE PAWN TRANSACTIONS AND OUTLAW IMPOSITION OF USURIOUS INTEREST RATES ON TITLE LOANS TO CONSUMERS

Mrs. ROUKEMA. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 312) expressing the sense of the Congress that the States should more closely regulate title pawn transactions and outlaw the imposition of usurious interest rates on title loans to consumers, as amended.

The Clerk read as follows:

H. CON. RES. 312

Whereas title loan lenders make title loans and title pawns to consumers by attaining the consumer's automobile title as collateral;

Whereas these loans and pawns are often offered at unscrupulously high rates of interest;

Whereas in many cases borrowers are forced to pay interest rates of up to 300 percent per year;

Whereas many of these borrowers are unaware of applicable rates and are forced into deeper and deeper debt to pay the initial lien;

Whereas this industry takes advantage of uneducated and poor consumers through usurious and exploitive lending practices;

Whereas title loans and title pawns threaten the ability of consumers to hold a job since default on the loan or pawn will result in repossession and sale of their car, which is often their only means of transportation to and from work;

Whereas this industry is expanding rapidly throughout the United States;

Whereas both the Federal Government and States have traditionally acted within their respective jurisdictions to protect citizens from usurious lending and abusive credit practices;

Whereas the spread of abusive lending practices, including those often characteristic of title loan and title pawn transactions, have recently resulted in heightened Federal interest, at the congressional, executive, and regulatory levels, in curbing predatory lending practices;

Whereas, as the result of extensive field hearings, a task force established by the Secretary of the Treasury and the Secretary of Housing and Urban Development has just underscored the need for Federal legislation to curb predatory lending;

Whereas the title loan and title pawn transaction problem is particularly acute in Alabama, Georgia, Idaho, Illinois, Minnesota, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Mexico, Oregon, South Carolina, South Dakota, Tennessee, and Utah; and

Whereas this problem has the potential to spread to other States that currently do not closely regulate the title loan and title pawn industry: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that the Federal Government and the States should—

(1) engage in greater oversight of title loan and title pawn transactions;

(2) work cooperatively to address the problem of abuses in title loan and title pawn transactions through effective legislation at both the Federal and State level, as necessary, including by prohibiting title pawn transactions and prohibiting usurious interest rates in title loan transactions; and

(3) ensure that any Federal legislative effort preserves the ability of the States to enact stronger protections for consumers with respect to such transactions.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Jersey (Mrs. ROUKEMA) and the gentleman from Pennsylvania (Mr. MASCARA) each will control 20 minutes.

The Chair recognizes the gentlewoman from New Jersey (Mrs. ROUKEMA).

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

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

Mrs. ROUKEMA. Mr. Speaker, as chair of the Subcommittee on Financial Institutions and Consumer Credit of the Committee on Banking and Financial Services, I bring this to the floor, but I want to expressly thank and recognize the gentleman from Florida (Mr. SHAW), who is the original author of this concurrent resolution, and has brought before us the increasing awareness of the usury problems associated with title pawn and title loan industry.

□ 1100

The resolution expresses the sense of Congress that the Federal Government and the States should work together cooperatively to outlaw title pawn transactions and the imposition of excessive interest rates.

Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. SHAW), the author of the resolution.

Mr. SHAW. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, House Concurrent Resolution 312 puts this Congress on record as opposing the predatory and unscrupulous lending practices of the title loan industry. As many of my colleagues are aware, abuse by the title loan industry is an ever-increasing problem all across America. These fringe banking services offer short-term loans to people unable to borrow from traditional lending institutions, taking the consumer's car, title and spare keys as collateral.

The interest rate on these loans which are usually not adequately disclosed to the borrower are so exorbitant that debtors frequently must take out additional loans just to pay the interest on the initial lien, sending them deeper and deeper into debt. These rates can often be as much as 300 percent, and, in some cases, even higher.

Take, for example, the blight of a Miami, Florida, resident whom I will simply call John. As reported in the Miami Herald, John, in need of cash to pay bills, borrowed $1,000, using the spare keys of his car as collateral. Not fully aware of the terms of the loan, he was quickly incapable of making the monthly interest-only payments of $220 and subsequently took out additional loans just to pay the interest on the initial loan. This amounts to an annual rate of nearly 350 percent. Now knee-deep in debt and fearful that any day his car would be repossessed, which would likely cost him his job, John struggled to pay back what amounted to three times his initial loan. He eventually ended up destitute and in a homeless shelter. Unfortunately, this one example is not uncommon and reflects the cases of far too many Americans who have found themselves trapped in an ever-worsening cycle of debt because of the title loan industry.

As this industry spreads across this country, more and more States are taking action to eliminate this type of institutional usury. Just last month, in my home State, Florida, Governor Jeb Bush signed into law legislation limiting the outrageous rates that loan companies in Florida had been charging and limited it to 30 percent.

Nationwide recognition of this problem is needed. However, title loan companies can circumvent prohibitions imposed by individual States by crossing State lines and filing the proper paperwork in a State that has yet to regulate this industry. The result is that loan companies continue to spread like wildfire in States which are unregulated, and more and more people find themselves swimming in outrageous debt. This problem will persist until elected officials make the protection of their constituents a priority and rein in this fringe industry.

Mr. Speaker, passage of this resolution will put those who engage in this type of legal loan-sharking on notice that such predatory lending practices will no longer be tolerated. Although a number of States like Florida have stopped the title loan industry in its tracks, much remains to be done and Congress may need to play a role. While respecting the rights of the States to improve upon existing consumer protection laws, H. Con. Res. 312 makes it clear that, if necessary, Congress will take appropriate action to combat predatory lending practices.

Mr. Speaker, H. Con. Res. 312 puts Congress on record as condemning the practice of legal loan-sharking and opposing usury and unfair lending practices. I urge my colleagues to take this opportunity to express their concern for the consumer rights of their constituents and support this resolution. This resolution goes to protect the most vulnerable in our society from some of the most unscrupulous practices in our society.

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

Mr. Speaker, today, the House takes up a bipartisan resolution, H. Con. Res. 312, that, with the cooperation of its sponsor, the gentleman from Florida (Mr. SHAW), we amend it in a way that I can support. This resolution, as amended, expresses the sense of Congress that the Federal Government and the States should work together to better oversee abuses and unscrupulous practices of title loan and title pawn lenders and that both levels of government should address the problem with effective legislation, where necessary.

The resolution also urges that any Federal effort in this area should preserve the ability of the States to enact stronger consumer protection in this area. In fact, the State of Florida recently enacted legislation sponsored by State Assemblyman Kendrick Meek of Miami whose mother, the gentlewoman from Florida (Mrs. MEEK), represents the 17th District of Florida and is a cosponsor of this resolution.

Mr. Speaker, I am pleased to support this resolution which puts the Congress on record as urging State and Federal

action to address the devastating consequences to consumers of the predatory practices of title loan and title pawn lenders.

Our Nation is progressively being segmented into two separate, unequal, financial service systems: one serving middle- and upper-income individuals through mainstream financial institutions, and another serving lower-income households through check-cashers and pawnshops. This resolution sends the right message that Congress and the States, as appropriate, must take action to protect the vulnerable segment of the population who are preyed upon by unscrupulous lenders.

In many parts of our country, we are seeing the growth of title loan and title pawn lenders as yet another class of fringe lenders who take advantage of the lower-income consumers strapped for cash. Through deceptive practices, title pawnshops and other title lenders too often lure unwary consumers into using the title to their automobile and trucks as security for loans equal to a fraction of the value of the vehicle. Such loans typically carry interest rates in triple digits, often around 300 percent on an annual basis. At such a high interest rate, many of these borrowers are unable to pay off their loan and their vehicles are repossessed. When these loans are structured as a title pawn transaction, the title pawn broker sells the automobile and retains transfer to the pawn broker. The consumer loses all of his or her equity in the automobile and typically has little or no recourse to regain the automobile.

As is the case for most Americans, these consumers depend on their automobiles and trucks for transportation to their jobs, vital medical appointments, and school for their children. So the loss of a vehicle through an unfair foreclosure often results in the loss of a job or other serious consequences.

Mr. Speaker, it is incumbent upon both Congress and the States to act cooperatively with their respective jurisdictions to curb predatory lending practices. The abuses in the title pawn and title loan industry are just one of the areas which merit immediate and aggressive legislative action. The Congress must take action to curb the abuses in the title pawn and title loan industry. As the Clinton administration's Task Force on Predatory Lending recently urged in its report, Congress should enact new legislation in the title pawn and title loan industry. Congress should begin to do that forthwith.

The joint HUD-Treasury Task Force also urged Congress to amend existing laws to give borrowers more timely and more precise information regarding the cost and terms of loans. I am hopeful that we can work in a bipartisan fashion to enact legislation that will wipe out predatory lending practices, regardless of where and how they occur.

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

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

This resolution expresses the sense of the Congress that the Federal government and the States should work together cooperatively to outlaw title pawn transactions and the imposition of excessive interest rates on title loans. In these types of transactions, the business takes the consumer's automobile title as collateral, often as part of a very small pawn transaction or title loan. Abuses in title loans and title pawn transactions often include excessively high interest rates and other exploitive lending practices.

I want to note, in light of what the gentleman from Pennsylvania (Mr. MASCARA) has stated and certainly what the author of this amendment has stated, I want to note that as the chairwoman of the Subcommittee on Financial Institutions and Consumer Credit, I want to make the point that we, on the committee, are continuing to study predatory lending. The Committee on Banking and Financial Services recently held a hearing on this very subject, and while title loan and title pawn transactions are certainly a component of the practices that are considered predatory, we are also considering what regulatory or legislative changes might be needed on a broader scale; and I think our colleague from Pennsylvania has referenced that possibility.

Clearly, cooperation among the Federal and State governments and Federal and State regulators and the financial services industry is critical and key. With respect to the abuses in the title pawn transactions and the title loans and the lack of meaningful regulation of this area in some States, the cooperation, as outlined and required in this concurrent resolution, H. Con. Res. 312, is absolutely necessary. A consistent set of rules must be applied and consumers should not be taken advantage of because of weak laws or regulations in a particular State.

Mr. Speaker, again, I want to thank the gentleman from Florida (Mr. SHAW) for his leadership on this issue.

Mr. MCCOLLUM. Mr. Speaker, I support H. Con. Res. 312, expressing the sense of the Congress that the States should more closely regulate title pawn transactions and outlaw the imposition of usurious interest rates on title loans to consumers.

As a Floridian, I am acutely aware of the struggles in which the citizens of Florida have engaged in order to rein in unscrupulous practices and usurious interest rates on title loans. I am pleased that the culmination of these efforts has lead to wise and judicious legislation. I praise the Floridian approach of title lending because it weighs both the importance of curbing the abuses that too often surround title loan transactions against the importance of providing otherwise ''un-lendable'' borrowers with access to credit. This emergency credit can keep a small businessman from going under, or cover immediate needs at the end of the month.

Starting October 1, 2000, the Florida Department of Banking and Finance will begin to license and regulate title lenders in the state of Florida. Among initial changes will be an annual interest rate cap of 30%. Other improvements include empowering the Department of Banking and Finance to impose fines and promulgate rules. For worst case offenders, the Florida legislation establishes criminal penalties.

Furthermore, the Florida legislation does not preclude local governments in the state of Florida from enacting more stringent restriction. I firmly believe that democracy is best served when state and local governments can exercise their informed judgement to serve their citizens. This Sense of the Congress reiterates my concern both for the abuses that have dogged title lending throughout several states across the nation, but also my sincere wish that states will take up this issue in their home legislative chambers.

I look forward to casting my vote for this excellent legislation, sponsored by fellow Floridian, CLAY SHAW, and I encourage my colleagues from all 50 states to do the same.

Mr. SMITH of Michigan. Mr. Speaker, H. Con. Res. 312 calls on states to more closely regulate certain types of loans and establish ceilings on the rates of interest that can be charged for them. I oppose H. Con., Res. 312 for two reasons.

The first is that regulation of lending markets, especially the establishment of ceilings on interest rates, can harm those who most need access to them. None of us can help but be appalled by unscrupulous lenders who take advantage of needy borrowers. However, the regulations encouraged by this resolution would most likely reduce the number and availability of lenders.

As a member of the Michigan legislature, I remember that we attempted to ''help'' people in a similar manner by restricting lending practices and interest rates to what we consider a ''fair'' rate. The result wasn't that interest rates were lowered. Instead, the borrowers came to us and asked us to remove the restrictions because they couldn't get loans any more. Mr. Speaker where there is competition, rates of interest are best left to the marketplace rather than to the notions of politicians.

Second, I find it odd that we in Washington need to tell the states how they should handle what are traditionally local measures. We certainly have no greater understanding of these issues than our counterparts at the state level.

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

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

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion offered by the gentlewoman from New Jersey (Mrs. ROUKEMA) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 312, as amended.

The question was taken.

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

The yeas and nays were ordered.

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

GENERAL LEAVE

Mrs. ROUKEMA. Mr. Speaker, I ask unanimous consent that all Members

may have 5 legislative days within which to revise and extend their remarks on H. Con. Res. 312, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New Jersey?

There was no objection.

EXPRESSING THE SENSE OF THE HOUSE OF REPRESENTATIVES THAT THE OHIO MOTTO IS CONSTITUTIONAL

Mr. CHABOT. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 494) expressing the sense of the House of Representatives that the Ohio State motto is constitutional and urging the courts to uphold its constitutionality.

The Clerk read as follows:

Whereas the official motto of the State of Ohio—''With God All Things Are Possible''—has been the State motto for 41 years, since October 1, 1959;

Whereas the motto is a powerful expression of hope and humility for all the people of Ohio;

Whereas the motto does not establish, promote, endorse, advance, or discriminate against any specific set of religious beliefs;

Whereas the motto is consistent with the American tradition of seeking spiritual guidance in matters of public affairs;

Whereas faith in God was a founding principle of the Nation and the State of Ohio;

Whereas the motto helps promote positive values and citizenship in the youth of Ohio;

Whereas several States or territories and the United States have mottoes or seals making explicit reference to God or Providence;

Whereas the Declaration of Independence and the constitutions or preambles of 45 States make explicit reference to a divine power;

Whereas since 1864, United States coins have borne the motto ''In God We Trust'', which Congress made mandatory on all gold and silver coins in 1908 (35 Stat. 164, Chap. 173) and on all United States coins and currency in 1955 (69 Stat. 290, Chap. 303);

Whereas in 1956, Congress declared the national motto of the United States to be ''In God we trust'' (70 Stat. 732, Chap. 795); and

Whereas Members of Congress take an oath to uphold the Constitution and vigilantly do so in the performance of their legislative duties: Now, therefore, be it

Resolved, That—

(1) it is the sense of the House of Representatives that—

(A) the Ohio State motto and other longstanding mottoes which make reference to God or Providence do so as long-accepted expressions consistent with American tradition and rooted in the sentiments of the American people;

(B) such mottoes are ''those references to God that we accept in ceremonial phrases or in other contexts that assure neutrality'', Lynch v. Donnelly, 465 U.S. 668, 717 (1984) (Brennan, J., dissenting), and State and Federal courts should uphold them as such; and

(C) the decision of a three-judge panel of the United States Court of Appeals for the Sixth Circuit striking down the Ohio State motto is a misinterpretation and misapplication of the United States Constitution; and

(2) the House of Representatives—

(A) finds repugnant all misinterpretations and misapplications of the Constitution by Federal courts which disregard those references to God which are well within the American tradition and within the Constitution;

(B) supports the decision of the Governor and the Attorney General of the State of Ohio to appeal the ruling; and

(C) affirms its support for the Ohio State motto and other State mottoes making reference to a divine power.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. CHABOT) and the gentleman from Massachusetts (Mr. FRANK) each will control 20 minutes.

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

GENERAL LEAVE

Mr. CHABOT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.Res. 494.

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

There was no objection.

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

I rise today in support of House Resolution 494, expressing the sense of the House of Representatives that the Ohio State motto is constitutional. I would like to thank the gentleman from Ohio (Mr. OXLEY), who will be speaking shortly, for introducing this legislation.

''With God, all things are possible.'' Those are the offending words, words that the Sixth Circuit Court of Appeals, in a 2 to 1 vote, held to be unconstitutional because, according to the majority judges, they constitute a government endorsement of religion.

Mr. Speaker, 41 years ago the State of Ohio was looking for a new motto, one that expressed both the unbending optimism and quiet humility of the people of our State. A 10-year-old schoolboy submitted his choice, a passage that said simply, with God, all things are possible. The selection was easy; and in 1959, the new Ohio motto was adopted.

Mr. Speaker, 38 years passed without controversy until 1997 when then Governor GEORGE VOINOVICH, decided to place the motto carved in stone in front of the State House, in Columbus, our capital. This apparently caused a great deal of alarm. The Sixth Circuit has ruled that this passage comes directly from the Gospel according to Matthew and therefore must be stricken as Ohio's creed. Other scholars in Ohio dispute this and have traced its non-Christian origins back to Homer's epic poem ''The Odyssey'' and point out its prevalence as an inspirational catch phrase throughout the history of Western literature, before Christ and after.

The official motto of the United States is, ''In God We Trust.'' We have it right up there in front of us. As I am looking here today it says, in very large letters, ''In God We Trust,'' here on the floor of the House of Representatives. The Supreme Court of the United States heralds the beginning of every session with the words, ''God save this honorable court.'' We in Congress pause each morning for a prayer that calls upon guidance from God.

Like these other reflections upon faith, the Ohio motto does not seek to promote a certain religion or endorse one set of religious beliefs over another.

□ 1115

Ohio's Secretary of State, J. Kenneth Blackwell, has said and I quote, ''The motto implies a challenge for self-betterment, and that solid ethics must be at the root of all our actions as individuals and communities. It inspires and instructs that with faith and hard work, any challenge can be met.'' That is what our Secretary of State, J. Kenneth Blackwell, said.

George Washington said, and I quote, ''Reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle.''

I am inclined to agree with the father of our country, the man who, against all odds, led an army of untrained farmers to victory against the most powerful army in the world. I am also inclined to think that he would certainly approve of our motto.

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

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself such time as I may consume.

Let me just note, Mr. Speaker, that I am here at the request of the ranking minority member. This particular resolution, while it was referred to the Committee on the Judiciary, was not acted on by the committee. I am here in the absence of the ranking minority member to express the fact that he has no objection to the bill.

Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. HALL).

Mr. HALL of Ohio. Mr. Speaker, I want to thank the gentleman for yielding time to me.

Mr. Speaker, I rise in strong support of this resolution. I am proud to be a cosponsor of this important legislation with the gentleman from Ohio (Mr. OXLEY) and others.

Mr. Speaker, this bill expresses the sense of the House of Representatives that the Ohio State motto is constitutional, and urges the courts to uphold its Constitutionality.

Earlier this year, a three-judge panel of the Sixth United States Circuit Court of Appeals ruled that Ohio's State motto ''With God all things are possible'' was unconstitutional. The two-to-one decision was based on a belief that that motto expressed a particular affinity towards Christianity.

I find it a real stretch to interpret the Ohio State motto as supporting a specific religion. In one instance the Koran reads, ''Know you not that God is able to do all things?'' Mr. Speaker, the United States has been using the

phrase ''In God we trust'' on all our coins since 1864, and Congress made this saying, which has been held constitutional which by the courts, mandatory on all gold and silver coins in 1908 and on all U.S. currency in 1955. Clearly, legal precedents in these cases support the conclusion that Ohio's State motto should be upheld.

On a personal note, God can do all things. I would urge all Member to support this resolution.

Mr. CHABOT. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. OXLEY), the principal sponsor of this resolution.

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

Mr. OXLEY. Mr. Speaker, while I am proud to join my good friend, the gentleman from Ohio (Mr. HALL), and 54 of our colleagues on both parties in supporting this resolution, I want to particularly thank my good friend, the gentleman from Cincinnati (Mr. CHABOT), for his work as well. I am troubled by the misinterpretation of the Constitution that has compelled us to introduce it and bring us here today.

Two months ago, with a 2-to-1 decision, a three-judge panel in the Sixth Circuit Court of Appeals struck down Ohio's official State motto, ''With God all things are possible.'' The court sided with the ACLU in declaring that the motto expresses a particular affinity towards Christianity and thus violates the establishment clause of the Constitution.

While the phrase does appear in the Gospel according to Matthew, it actually predates Christianity by almost 1,000 years. The line ''With the gods all things are possible'' appears in Homer's Odyssey. Similar lines appear throughout other ancient Greek works and in the writings of Cicero, all of which were written before Matthew's counsel. According to the Council on American-Islamic relations, a similar phrase appears throughout the Koran.

Mr. Speaker, certainly this simple phrase of optimism and faith is not offensive to anyone. These six words make no reference to Jesus Christ in this context, and cannot be said to promote the Christian faith in any way. The court's action is nothing more than political correctness run rampant.

Four other States and American Samoa mention God in their mottos. Ohio's expression of faith in God is no different from any of these references. Together with ''In God we trust,'' these mottos stand as a testament to the religious foundation of this great country.

While the courts have upheld the biblically-based ''In God we trust'' as the Nation's motto time and time again, the Sixth Circuit panel ignored precedent and struck down Ohio's similar expression of faith. In fact, the 10-year-old boy who suggested the phrase as Ohio's motto more than 40 years ago was not even aware of its Biblical origin. He said it was something his mother and grandmother would say to him all the time. Despite the ACLU's position, I doubt that this 10-year-old set out to establish Christianity as Ohio's official religion.

Mr. Speaker, I have received many letters on this issue from my constituents in Ohio and from all across the Nation, each one supporting Ohio's right to keep the motto as it is. People around the country are tired of having their religious freedom squelched by fringe groups in the name of separation of church and State.

As one of my constituents noted, ''Ours is a government of the people and by the people, not of the ACLU and by the ACLU.'' To paraphrase another of my constituents, ''We would be a very fortunate Nation if the biggest threat our society had to face was a saying attributed to Jesus Christ.''

I would urge my colleagues to vote for this bipartisan resolution supporting Ohio's appeal of the court ruling, and upholding the right of every State and Territory to affirm the Founders' faith that, with God, all things are, indeed, possible.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield 4 minutes to the gentleman from Ohio (Mr. TRAFICANT).

Mr. TRAFICANT. Something bothers me, Mr. Speaker. In America, the courts have ruled that we can burn our flag, communists can work in our defense plants, murderers are entitled to cable television, including the Playboy Channel, pornography has been ruled to be allowed not only on television but now on the Internet, because we just cannot prove that kids may watch it and adults may miss an opportunity to see such tangos.

What is next? Will the Supreme Court allow students to trade in their baseball cards for Playboy Magazines, Mr. Speaker? I think if these decisions are not enough to make the Founders pray, something is really wrong.

Think about it, the court ruled that school prayer is illegal. Prayer before a football game is unconstitutional. That is getting heavy. God is not even allowed to be mentioned on television. Some of the television shows that refer to God, Touched by Angels, they want to remove that. My God, America is talking about God.

Now we hear about the fact that the Ohio motto ''With God all things are possible'' is the real killer. That is unbelievable to me. The court allows students to learn about the devil, but not Jesus. The court allows students to study devil worship, but not religion.

This bunch of overeducated nincompoops on the courts have not interpreted the Constitution. They have become so politically correct they are street stupid and miss the whole point. The Constitution and the Founders designed the Constitution to make sure there was not one State-sponsored religion. They did want to separate church and State, but they never intended to separate God and the American people.

What is next? How about our currency, ''In God we trust''? Bring it all back and print it. How about the Chamber, ''In God we trust''? Our fine Speaker pro tempore, above him, ''In God we trust,'' that may be unconstitutional.

Mr. Speaker, I say let Ohio go, because with God, all things are possible. Would the court ban a motto that said ''With the devil there is a lot more fun''? I do not mean to be light on this, but we have a Supreme Court established in this country. They seem to be acting like some sort of supreme being.

I am going to ask Congress today a question that I think the American people are asking: When will Congress grow some anatomy and stand up for God and the principles on which our Founders initiated our great Nation? I yield back all these harebrained, convoluted, nincompoop, stupid rulings of the courts that have literally removed God from America.

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

As usual, the gentleman from Ohio makes imminent sense. I compliment him for his remarks.

Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from the Second District of Ohio (Mr. PORTMAN).

Mr. PORTMAN. Mr. Speaker, I thank my colleague from Cincinnati for yielding time to me. I also want to commend my friend, the gentleman from Ohio (Mr. OXLEY) for bringing this resolution to the floor.

As some have probably already heard in this debate, our State motto, ''With God all things are possible,'' was actually adopted in 1959 at the suggestion of a 10-year-old. This 10-year-old was from my hometown, STEVE's hometown, of Cincinnati, Ohio.

Jim Mastronardo found out that the State did not have a motto. There was no motto at all for Ohio. So this enterprising young man, and I have a 10-year-old son and I think that is interesting that a 10-year-old was that enterprising, came up with this motto.

Eventually the State adopted it. Then recently, during renovations to our historic State House in Columbus, our then Governor, now Senator, GEORGE VOINOVICH had this motto engraved in the granite plaza outside the building. I think that is probably what resulted in the controversy, and certainly what resulted in the specific complaint being filed.

I want to commend little Jimmy Mastronardo at 10 years old and Governor VOINOVICH for coming up with the idea, in one case, and then allowing more Ohioans to understand that this was our motto, and its significance.

I find the Sixth Circuit ruling to be headed in the wrong direction. I think it establishes a precedent that is troubling. In essence, I think what they are saying is that because ''With God all things are possible'' is attributed to the Gospel of Matthew, that therefore it is inappropriate.

As I look at it, and I know many other constitutional scholars other

than those on the court share this view, it is on its face a generic, nondenominational, and definitely a ceremonial reference to God. I think it is exactly an example of the kind of ceremonial deism that the courts have accepted over the years. Beyond that, as the gentleman from Ohio (Mr. TRAFICANT) and others have pointed out, it is something that is positive for our State and our country.

I find the court ruling troubling, and I think it is appropriate that Congress establish today, I hope through a strong bipartisan majority of the House, that we also believe that this is a troubling precedent. It does not advocate a particular religious stance. It does not promote the establishment of a particular religion. I think it is very similar to our national motto, In God we trust, which adorns this Chamber, which adorns our currency, which is an example of the faith with which our Founding Fathers created this great Nation over 200 years ago.

Instead of following the years of court precedent that upheld, again, the ceremonial use of the references, this court of the Sixth Circuit chose, I think, a very narrow First Amendment interpretation. As a result, not only is this motto in danger, but of course the mottos of other States. There are five other States and territories that have ''God'' in their motto. They are also endangered. In the end, the national motto ''In God we trust'' is endangered.

This was, incidentally, added to our Nation's paper currency in 1954 at the urging of a fellow named Matthew Rothert, another Ohio connection, because he was the father of our First Lady of Ohio, Hope Taft, and Hope has spoken out on this issue, as well. I think she has made a lot of sense in terms of her comments. Recently she summed it up with a statement, ''You knock one down, and you are on to the next one.''

I think both mottos, the national motto and the State motto, should stay just as they are. I agree with Hope Taft. Our Founding Fathers did envision a nation, Mr. Speaker, where there could be freedom of religion, not the absence of any form of religious expression.

I urge my colleagues on both sides of the aisle today to show their support for the State of Ohio's motto, and I think also in doing so show their support for our national motto, by voting in support of the measure today offered by the gentleman from Ohio (Mr. OXLEY).

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

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, because this resolution had not come through the Committee on the Judiciary process, I am at what I feel to be a disadvantage in commenting on the court opinion, since I have not read it. That may appear to me to be more of a disadvantage than some of my colleagues think it is.

As I said, not having read the opinion, I am somewhat reluctant to discuss it at great length, but I did want to say that I would disagree with my colleague, the gentleman from Ohio, in the suggestion that there is some danger that references to God will be removed from television. People would be understandably very unhappy about that. I want to allay their fears. The likelihood that there would be any governmental action removing references to God from television is zero. It would not be constitutional.

□ 1130

It would not be constitutional; it would not be appropriate. No official body is talking about it, whether that is people conducting the services on television or programs.

So I do hope people will not unduly fear that.

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

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

Mr. Speaker, just in concluding, I remember hearing this decision when it came over my car radio and just shaking my head and thinking of all the other people in my State that are out there hearing this same court decision. It is one of the things that I think makes people wonder about their government and what is going on here. It is just such a ludicrous decision. It is almost incomprehensible.

It is incomprehensible to me that every morning we can pray in this Chamber before we start business here; that we can have a visiting rabbi, a priest, a minister, people of many different religions who come in here and start in the People's House the first session every morning with prayer; that we can have on the wall in front of us right now, ''In God We Trust''; that we could have on our money, the currency that goes all around our country every day on behalf of our government and says ''In God We Trust,'' yet it is somehow unconstitutional for the State of Ohio to have a very similar phrase, ''In God All Things Are Possible''; that that is unconstitutional.

Mr. Speaker, I think that is just incomprehensible. It makes absolutely no sense. I certainly hope that the court's decision is overturned by the higher level in the court system. I feel very confident that it will be, but I think it is important that this House, the People's House, does express a sense of the House of Representatives that the Ohio State motto is constitutional. I think that is appropriate.

Mr. Speaker, I want to again thank the gentleman from Ohio (Mr. OXLEY) for proposing this particular resolution.

Mr. WATTS of Oklahoma. Mr. Speaker, today this body has the opportunity to speak out against a grave injustice that occurred in our country on April 25, 2000. For on April 25, 2000 the U.S. Court of Appeals of the Sixth Circuit ruled that the state motto of Ohio, ''With God all Things Are Possible'', is in violation of the Constitution.

Mr. Speaker, as we come to our Independence Day recess, I recall some 224 years ago we came together as a group to proclaim our independence from Britain. And in our Declaration of Independence we stated that all men ''are endowed by their Creator with certain unalienable Rights, that among these are life, Liberty, and the pursuit of happiness.'' From our nation's beginning we recognized the importance of God.

Mr. Speaker every day in this body before we begin our day we are led in a prayer, we ask God to bless and guide us in our proceedings. Before we begin our day we pledge allegiance to our country, and proclaim that we are one nation under God. Mr. Speaker look around these chambers at our ''lawgivers'' statues you will find two Popes and one Biblical figure, Moses. These are the men who laid the foundation of our American democracy.

Mr. Speaker for nearly 150 years our nation has lived under the motto ''In God We Trust.'' The mint places copies of this motto on every nickel, dime, quarter, and paper money. The people of Ohio lived under their motto for forty years. Now, the judicial system after 224 years of foundation in our religious beliefs are trying to strike this down.

Mr. Speaker our nation has a strong heritage in our religious beliefs. For the past 224 yeas, we as a nation have asked God for leadership, guidance, and His blessing. I urge every member to stand today and support Mr. OXLEY'S resolution H. Res. 494 and support the motto of Ohio.

Mr. EDWARDS. Mr. Speaker, I respect the right of every member of this House to take a stand of conscience on the subject of religion, but the process of this resolution, in my opinion, does a disservice to the Constitution and to this House.

If this is intended to be a serious resolution, then it subjects matter of religious freedom in state mottoes deserves a full and open debate in Judiciary Committee hearings and on this floor.

Let us be honest with our constituents. The Constitution in Article III makes it absolutely clear that the Supreme Court—not the Congress—has the power to determine what is or is not constitutional.

Let us be honest, the passage of this resolution will have absolutely no impact upon whether the Supreme Court determines the constitutionality of the motto, ''With God, all things are possible''. No press releases today will change that fact.

If some members of this House envision this Congress as an advisory body to the Supreme Court, I would suggest that declaring an action constitutional, without any consideration of hearings on related court cases, would make our advice so grievously superficial as to make it ignored at best and counterproductive at worst.

I would hope that the Leadership of this House would honestly say to the American people that only the Supreme Court—not Congress—ultimately decides the constitutionality of an issue.

The first 16 words of the Bill of Rights have protected American's religious liberty for over two hundred years. It is a shame the House Republican leadership seems more interested in sound bite politics than in respecting our Constitution.

Mr. HOBSON. Mr. Speaker, I rise in support of my home state of Ohio and its motto, ''With God All Things Are Possible.''

This motto was adopted by an act of the State Legislature in 1959 to express an optimistic and poignant view of what it means to be a resident of our great state. The motto embodies the belief that faith and Providence have played an important role in the development of the State of Ohio from pioneer times to the present day.

The 6th U.S. Circuit Court of Appeals has ruled that the motto is an unconstitutional endorsement of Christianity because the motto is derived from the Gospel of St. Matthew in the New Testament, yet followers of Islam have stated publicly that they have no objection to the motto since it simply references God.

The court's ruling is part of a disturbing trend to completely remove religious symbolism from public forums. This was never the intention of the Founding Fathers. The entire purpose behind the First Amendment was to prevent the establishment of an official state-endorsed religion like the Church of England and to protect the individual right to worship without fear of persecution by the government.

I'm sure that the authors of our Constitution would truly be perplexed at the way this straightforward constitutional matter has been interpreted to mean that the name of God or a supreme creator is never to be seen on a public document or inside a public building.

We have a state motto which states that the belief in God can inspire Ohioans to accomplish even greater achievements in the future. If the court's interpretation of the matter is allowed to stand we will soon be faced with the unpleasant task of striking the words ''In God We Trust'' from our currency, suspending prayer before the meetings of virtually every elected town council and state legislature in the nation, and eliminating the Prayer Room and the Office of the Chaplain from the U.S. Congress.

Is this the reality that we want to create? Must God only be praised in the voice of the individual and from private homes and established houses of worship? I truly hope not.

The First Amendment of the Constitution was created to protect religious freedoms, not to restrict the right of an individual state to determine its own motto. This ruling is a misguided attempt to negate the democratic process which allowed the motto to be established.

Mr. KIND. Mr. Speaker, I will vote ''present'' today on this bill, not because I do not personally believe in the motto adopted by the State of Ohio, but because to do otherwise would be a disservice to my elected office, the judicial branch of our federal government, and the Constitution upon which our government is based.

This body has no authority to act in an advisory capacity to the courts of this land. The separation of powers embodied in the Constitution establishes separate and co-equal branches of government each possessing a unique role in the governance of the nation. Congress is authorized to enact laws, and the courts—under Article III as administered by the Supreme Court—are authorized to determine the constitutionality of those laws.

Congress should not purport to advise the courts regarding the constitutionality of a ruling of a particular court involving a particular matter. Such action is well beyond the scope of our constitutional role. The bill brought today is a knee-jerk reaction to a court decision that many Members disagree with. While I respect their opinions and their right to express themselves, I cannot support their attempt to influence this nation's courts in this manner and by this process.

I am disturbed that a bill that claims to express this body's well-reasoned and deliberative judgment over the constitutionality of a state motto was brought to the floor using the suspension of the rules process. This bill was never fully researched and no committee hearing was held. Instead, it was rushed to the floor with no opportunity for amendment, scrutiny or serious discussion.

As a Member of this great body, I have sworn to uphold the Constitution of the United States. Accordingly, I must abstain from voting on this measure which was blatantly brought to the floor for the sole purpose of trying to score cheap political points during an election year.

Ms. PRYCE of Ohio. Mr. Speaker, I rise in strong support of the resolution.

''With God, all things are possible.'' If we could teach our children only one thing, it should be that with hard work, perseverance, and faith in themselves, all things are possible with God. I can think of no better message to send our future generations than to tell them that nothing is beyond their reach.

The Sixth Circuit Court of Appeals, by ruling that the motto of the state of Ohio is unconstitutional, is keeping the people of Ohio from sharing this message. No branch of government should strip Ohioans of this, their expression of hope and optimism.

Certainly, I believe strongly in the First Amendment, which protects individuals' freedom of religion but also prohibits government establishment of religion. I for one believe that we cannot be overzealous to the point of discouraging expression: historic, traditional, time-honored expression that has defined us as a state and nation for generations.

Let us be clear: The motto of the State of Ohio does not establish any particular religion nor does it express any religious belief. Rather, the Ohio motto simply represents an expression of American optimism—one that for over 200 years has served to help steer this great nation.

I urge you to support the people of my home state, and the people of our nation, by supporting the resolution.

Mr. KUCINICH. Mr. Speaker, I rise in support of H. Res. 494.

''With God All Things Are Possible.'' This phrase, the Ohio State motto, represents optimism in the human spirit.

The motto suggests that Ohioans should be optimistic and hopeful about the future. Although the motto is a Biblical reference, its meaning extends beyond the scope of religion. In fact this phrase was expressed in many ancient Greek texts such as The Odyssey.

Since the founding fathers of this great nation created a ''more perfect Union,'' the concepts of god and country have been deeply intertwined. Observe the Great Seal, which dates back to 1782, on the back of our dollar bill. The ''All Seeing Eye'' above the pyramid suggests the importance of divine guidance in favor of the American cause. A closer look on the back of the dollar reveals America's intimacy with spirituality: The Latin phrase ANNUIT COEPTIS, which is also inscribed in this very chamber, means ''He (God) has favored our undertakings,'' and refers to the many instances of Divine Providence during our Government's formation. Even our own Pledge of Allegience mentions that the United States is ''One Nation Under God,'' which is a prime example of America's relationship with spirituality.

My fellow colleagues, it's clear to me that the Ohio State motto is analogous to the beloved phrase ''In God We Trust''—our national motto, displayed prominently above the seat of our own Speaker of the House of Representatives. With God all things are possible, especially the United States of America.

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

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion offered by the gentleman from Ohio (Mr. CHABOT) that the House suspend the rules and agree to the resolution, H. Res. 494.

The question was taken.

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

The yeas and nays were ordered.

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

RADIATION EXPOSURE COMPENSATION ACT AMENDMENTS OF 2000

Mr. CANNON. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1515) to amend the Radiation Exposure Compensation Act, and for other purposes, as amended.

The Clerk read as follows:

S. 1515

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 ''Radiation Exposure Compensation Act Amendments of 2000''.

SEC. 2. FINDINGS.

Congress finds that—

(1) the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) recognized the responsibility of the Federal Government to compensate individuals who were harmed by the mining of radioactive materials or fallout from nuclear arms testing;

(2) a congressional oversight hearing conducted by the Committee on Labor and Human Resources of the Senate demonstrated that since enactment of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note), regulatory burdens have made it too difficult for some deserving individuals to be fairly and efficiently compensated;

(3) reports of the Atomic Energy Commission and the National Institute for Occupational Safety and Health testify to the need to extend eligibility to States in which the Federal Government sponsored uranium mining and milling from 1941 through 1971;

(4) scientific data resulting from the enactment of the Radiation Exposed Veterans Compensation Act of 1988 (38 U.S.C. 101 note), and obtained from the Committee on the Biological Effects of Ionizing Radiations, and the President's Advisory Committee on Human Radiation Experiments provide medical validation for the extension of compensable radiogenic pathologies;

(5) above-ground uranium miners, millers and individuals who transported ore should be fairly compensated, in a manner similar to that provided for underground uranium miners, in cases in which those individuals

suffered disease or resultant death, associated with radiation exposure, due to the failure of the Federal Government to warn and otherwise help protect citizens from the health hazards addressed by the Radiation Exposure Compensation Act of 1990 (42 U.S.C. 2210 note); and

(6) it should be the responsibility of the Federal Government in partnership with State and local governments and appropriate healthcare organizations, to initiate and support programs designed for the early detection, prevention and education on radiogenic diseases in approved States to aid the thousands of individuals adversely affected by the mining of uranium and the testing of nuclear weapons for the Nation's weapons arsenal.

SEC. 3. AMENDMENTS TO THE RADIATION EXPOSURE COMPENSATION ACT.

(a) CLAIMS RELATING TO ATMOSPHERIC NUCLEAR TESTING.—Section 4(a)(1) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) is amended to read as follows:

''(1) CLAIMS RELATING TO LEUKEMIA.—

''(A) IN GENERAL.—An individual described in this subparagraph shall receive an amount specified in subparagraph (B) if the conditions described in subparagraph (C) are met. An individual referred to in the preceding sentence is an individual who—

''(i)(I) was physically present in an affected area for a period of at least 1 year during the period beginning on January 21, 1951, and ending on October 31, 1958;

''(II) was physically present in the affected area for the period beginning on June 30, 1962, and ending on July 31, 1962; or

''(III) participated onsite in a test involving the atmospheric detonation of a nuclear device; and

''(ii) submits written documentation that such individual developed leukemia—

''(I) after the applicable period of physical presence described in subclause (I) or (II) of clause (i) or onsite participation described in clause (i)(III) (as the case may be); and

''(II) more that 2 years after first exposure to fallout.

''(B) AMOUNTS.—If the conditions described in subparagraph (C) are met, an individual—

''(i) who is described in subclause (I) or (II) of subparagraph (A)(i) shall receive $50,000; or

''(ii) who is described in subclause (III) of subparagraph (A)(i) shall receive $75,000.

''(C) CONDITIONS.—The conditions described in this subparagraph are as follows:

''(i) Initial exposure occurred prior to age 21.

''(ii) The claim for a payment under subparagraph (B) is filed with the Attorney General by or on behalf of the individual.

''(iii) The Attorney General determines, in accordance with section 6, that the claim meets the requirements of this Act.''.

(b) DEFINITIONS.—Section 4(b) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A) by inserting ''Wayne, San Juan,'' after ''Millard,''; and

(B) by amending subparagraph (C) to read as follows:

''(C) in the State of Arizona, the counties of Coconino, Yavapai, Navajo, Apache, and Gila; and''; and

(2) in paragraph (2)—

(A) by striking ''the onset of the disease was between 2 and 30 years of first exposure,'' and inserting ''the onset of the disease was at least 2 years after first exposure, lung cancer (other than in situ lung cancer that is discovered during or after a post-mortem exam),'';

(B) by striking ''(provided initial exposure occurred by the age of 20)'' after ''thyroid'';

(C) by inserting ''male or'' before ''female breast'';

(D) by striking ''(provided initial exposure occurred prior to age 40)'' after ''female breast'';

(E) by striking ''(provided low alcohol consumption and not a heavy smoker)'' after ''esophagus'';

(F) by striking ''(provided initial exposure occurred before age 30)'' after ''stomach'';

(G) by striking ''(provided not a heavy smoker)'' after ''pharynx'';

(H) by striking ''(provided not a heavy smoker and low coffee consumption)'' after ''pancreas''; and

(I) by inserting ''salivary gland, urinary bladder, brain, colon, ovary,'' after ''gall bladder,''.

(c) CLAIMS RELATING TO URANIUM MINING.—

(1) IN GENERAL.—Section 5(a) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) is amended to read as follows:

''(a) ELIGIBILITY OF INDIVIDUALS.—

''(1) IN GENERAL.—An individual shall receive $100,000 for a claim made under this Act if—

''(A) that individual—

''(i) was employed in a uranium mine or uranium mill (including any individual who was employed in the transport of uranium ore or vanadium-uranium ore from such mine or mill) located in Colorado, New Mexico, Arizona, Wyoming, South Dakota, Washington, Utah, Idaho, North Dakota, Oregon, and Texas at any time during the period beginning on January 1, 1942, and ending on December 31, 1971; and

''(ii)(I) was a miner exposed to 40 or more working level months of radiation and submits written medical documentation that the individual, after that exposure, developed lung cancer or a nonmalignant respiratory disease; or

''(II) was a miller or ore transporter who worked for at least 1 year during the period described under clause (i) and submits written medical documentation that the individual, after that exposure, developed lung cancer or a nonmalignant respiratory disease or renal cancers and other chronic renal disease including nephritis and kidney tubal tissue injury;

''(B) the claim for that payment is filed with the Attorney General by or on behalf of that individual; and

''(C) the Attorney General determines, in accordance with section 6, that the claim meets the requirements of this Act.

''(2) INCLUSION OF ADDITIONAL STATES.—Paragraph (1)(A)(i) shall apply to a State, in addition to the States named under such clause, if—

''(A) an Atomic Energy Commission uranium mine was operated in such State at any time during the period beginning on January 1, 1942, and ending on December 31, 1971;

''(B) the State submits an application to the Department of Justice to include such State; and

''(C) the Attorney General makes a determination to include such State.

''(3) PAYMENT REQUIREMENT.—Each payment under this section may be made only in accordance with section 6.''.

(2) DEFINITIONS.—Section 5(b) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) is amended—

(A) in paragraph (3)—

(i) by striking ''and'' before ''corpulmonale''; and

(ii) by striking ''; and if the claimant,'' and all that follows through the end of the paragraph and inserting '', silicosis, and pneumoconiosis;'';

(B) by striking the period at the end of paragraph (4) and inserting a semicolon; and

(C) by adding at the end the following:

''(5) the term 'written medical documentation' for purposes of proving a nonmalignant respiratory disease or lung cancer means, in any case in which the claimant is living—

''(A)(i) an arterial blood gas study; or

''(ii) a written diagnosis by a physician meeting the requirements of subsection (c)(1); and

''(B)(i) a chest x-ray administered in accordance with standard techniques and the interpretive reports of a maximum of 2 National Institute of Occupational Health and Safety certified 'B' readers classifying the existence of the nonmalignant respiratory disease of category 1/0 or higher according to a 1989 report of the International Labor Office (known as the 'ILO'), or subsequent revisions;

''(ii) high resolution computed tomography scans (commonly known as 'HRCT scans') (including computer assisted tomography scans (commonly known as 'CAT scans'), magnetic resonance imaging scans (commonly known as 'MRI scans'), and positron emission tomography scans (commonly known as 'PET scans')) and interpretive reports of such scans;

''(iii) pathology reports of tissue biopsies; or

''(iv) pulmonary function tests indicating restrictive lung function, as defined by the American Thoracic Society;

''(6) the term 'lung cancer'—

''(A) means any physiological condition of the lung, trachea, or bronchus that is recognized as lung cancer by the National Cancer Institute; and

''(B) includes in situ lung cancers;

''(7) the term 'uranium mine' means any underground excavation, including 'dog holes', as well as open pit, strip, rim, surface, or other aboveground mines, where uranium ore or vanadium-uranium ore was mined or otherwise extracted; and

''(8) the term 'uranium mill' includes milling operations involving the processing of uranium ore or vanadium-uranium ore, including both carbonate and acid leach plants.''.

(3) WRITTEN DOCUMENTATION.—Section 5 of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) is amended by adding at the end the following:

''(c) WRITTEN DOCUMENTATION.—

''(1) DIAGNOSIS ALTERNATIVE TO ARTERIAL BLOOD GAS STUDY.—

''(A) IN GENERAL.—For purposes of this Act, the written diagnosis and the accompanying interpretive reports described in subsection (b)(5)(A) shall—

''(i) be considered to be conclusive; and

''(ii) be subject to a fair and random audit procedure established by the Attorney General.

''(B) CERTAIN WRITTEN DIAGNOSES.—

''(i) IN GENERAL.—For purposes of this Act, a written diagnosis made by a physician described under clause (ii) of a nonmalignant pulmonary disease or lung cancer of a claimant that is accompanied by written documentation shall be considered to be conclusive evidence of that disease.

''(ii) DESCRIPTION OF PHYSICIANS.—A physician referred to under clause (i) is a physician who—

''(I) is employed by the Indian Health Service or the Department of Veterans Affairs; or

''(II) is a board certified physician; and

''(III) has a documented ongoing physician patient relationship with the claimant.

''(2) CHEST X-RAYS.—

''(A) IN GENERAL.—For purposes of this Act, a chest x-ray and the accompanying interpretive reports described in subsection (b)(5)(B) shall—

''(i) be considered to be conclusive; and

''(ii) be subject to a fair and random audit procedure established by the Attorney General.

''(B) CERTAIN WRITTEN DIAGNOSES.—

''(i) IN GENERAL.—For purposes of this Act, a written diagnosis made by a physician described in clause (ii) of a nonmalignant pulmonary disease or lung cancer of a claimant that is accompanied by written documentation that meets the definition of that term under subsection (b)(5) shall be considered to be conclusive evidence of that disease.

''(ii) DESCRIPTION OF PHYSICIANS.—A physician referred to under clause (i) is a physician who—

''(I) is employed by—

''(aa) the Indian Health Service; or

''(bb) the Department of Veterans Affairs; and

''(II) has a documented ongoing physician patient relationship with the claimant.''.

(d) DETERMINATION AND PAYMENT OF CLAIMS.—

(1) FILING PROCEDURES.—Section 6(a) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) is amended by adding at the end the following: ''In establishing procedures under this subsection, the Attorney General shall take into account and make allowances for the law, tradition, and customs of Indian tribes (as that term is defined in section 5(b)) and members of Indian tribes, to the maximum extent practicable.''.

(2) DETERMINATION AND PAYMENT OF CLAIMS, GENERALLY.—Section 6(b)(1) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) is amended by adding at the end the following: ''All reasonable doubt with regard to whether a claim meets the requirements of this Act shall be resolved in favor of the claimant.''.

(3) OFFSET FOR CERTAIN PAYMENTS.—Section 6(c)(2)(B) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) is amended—

(A) in clause (i), by inserting ''(other than a claim for workers' compensation)'' after ''claim''; and

(B) in clause (ii), by striking ''Federal Government'' and inserting ''Department of Veterans Affairs''.

(4) APPLICATION OF NATIVE AMERICAN LAW TO CLAIMS.—Section 6(c)(4) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) is amended by adding at the end the following:

''(D) APPLICATION OF NATIVE AMERICAN LAW.—In determining those individuals eligible to receive compensation by virtue of marriage, relationship, or survivorship, such determination shall take into consideration and give effect to established law, tradition, and custom of the particular affected Indian tribe.''.

(5) ACTION ON CLAIMS.—Section 6(d) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) is amended—

(A) by inserting ''(1) IN GENERAL.—'' before ''The Attorney General'';

(B) by inserting at the end the following: ''For purposes of determining when the 12-month period ends, a claim under this Act shall be deemed filed as of the date of its receipt by the Attorney General. In the event of the denial of a claim, the claimant shall be permitted a reasonable period in which to seek administrative review of the denial by the Attorney General. The Attorney General shall make a final determination with respect to any administrative review within 90 days after the receipt of the claimant's request for such review. In the event the Attorney General fails to render a determination within 12 months after the date of the receipt of such request, the claim shall be deemed awarded as a matter of law and paid.''; and

(C) by adding at the end the following:

''(2) ADDITIONAL INFORMATION.—The Attorney General may request from any claimant under this Act, or from any individual or entity on behalf of any such claimant, any reasonable additional information or documentation necessary to complete the determination on the claim in accordance with the procedures established under subsection (a).

''(3) TREATMENT OF PERIOD ASSOCIATED WITH REQUEST.—

''(A) IN GENERAL.—The period described in subparagraph (B) shall not apply to the 12-month limitation under paragraph (1).

''(B) PERIOD.—The period described in this subparagraph is the period—

''(i) beginning on the date on which the Attorney General makes a request for additional information or documentation under paragraph (2); and

''(ii) ending on the date on which the claimant or individual or entity acting on behalf of that claimant submits that information or documentation or informs the Attorney General that it is not possible to provide that information or that the claimant or individual or entity will not provide that information.

''(4) PAYMENT WITHIN 6 WEEKS.—The Attorney General shall ensure that an approved claim is paid not later than 6 weeks after the date on which such claim is approved.

''(5) NATIVE AMERICAN CONSIDERATIONS.—Any procedures under this subsection shall take into consideration and incorporate, to the fullest extent feasible, Native American law, tradition, and custom with respect to the submission and processing of claims by Native Americans.''.

(e) REGULATIONS.—

(1) IN GENERAL.—Section 6(i) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) is amended by adding at the end the following: ''Not later than 180 days after the date of enactment of the Radiation Exposure Compensation Act Amendments of 2000, the Attorney General shall issue revised regulations to carry out this Act.''.

(2) AFFIDAVITS.—

(A) IN GENERAL.—The Attorney General shall take such action as may be necessary to ensure that the procedures established by the Attorney General under section 6 of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) provide that, in addition to any other material that may be used to substantiate employment history for purposes of determining working level months, an individual filing a claim under those procedures may make such a substantiation by means of an affidavit described in subparagraph (B).

(B) AFFIDAVITS.—An affidavit referred to under subparagraph (A) is an affidavit—

(i) that meets such requirements as the Attorney General may establish; and

(ii) is made by a person other than the individual filing the claim that attests to the employment history of the claimant.

(f) LIMITATIONS ON CLAIMS.—Section 8 of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) is amended—

(1) by inserting ''(a) IN GENERAL.—'' before ''A claim''; and

(2) by adding at the end the following:

''(b) RESUBMITTAL OF CLAIMS.—After the date of enactment of the Radiation Exposure Compensation Act Amendments of 2000, any claimant who has been denied compensation under this Act may resubmit a claim for consideration by the Attorney General in accordance with this Act not more than 3 times. Any resubmittal made before the date of enactment of the Radiation Exposure Compensation Act Amendments of 2000 shall not be applied to the limitation under the preceding sentence.''.

(g) EXTENSION OF CLAIMS AND FUND.—

(1) EXTENSION OF CLAIMS.—Section 8 of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) is amended by striking ''20 years after the date of the enactment of this Act'' and inserting ''22 years after the date of enactment of the Radiation Exposure Compensation Act Amendments of 2000''.

(2) EXTENSION OF FUND.—Section 3(d) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) is amended in the first sentence by striking ''date of the enactment of this Act'' and inserting ''date of enactment of the Radiation Exposure Compensation Act Amendments of 2000''.

(h) ATTORNEY FEES LIMITATION.—Section 9 of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) is amended to read as follows:

''SEC. 9. ATTORNEY FEES.

''(a) GENERAL RULE.—Notwithstanding any contract, the representative of an individual may not receive, for services rendered in connection with the claim of an individual under this Act, more than that percentage specified in subsection (b) of a payment made under this Act on such claim.

''(b) APPLICABLE PERCENTAGE LIMITATIONS.—The percentage referred to in subsection (a) is—

''(1) 2 percent for the filing of an initial claim; and

''(2) 10 percent with respect to—

''(A) any claim with respect to which a representative has made a contract for services before the date of enactment of the Radiation Exposure Compensation Act Amendments of 2000; or

''(B) a resubmission of a denied claim.

''(c) PENALTY.—Any such representative who violates this section shall be fined not more than $5,000.''.

(i) GAO REPORTS.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, and every 18 months thereafter, the General Accounting Office shall submit a report to Congress containing a detailed accounting of the administration of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) by the Department of Justice.

(2) CONTENTS.—Each report submitted under this subsection shall include an analysis of—

(A) claims, awards, and administrative costs under the Radiation Exposure Compensation Act (42 U.S.C. 2210 note); and

(B) the budget of the Department of Justice relating to such Act.

SEC. 4. ESTABLISHMENT OF PROGRAM OF GRANTS TO STATES FOR EDUCATION, PREVENTION, AND EARLY DETECTION OF RADIOGENIC CANCERS AND DISEASES.

Subpart I of part C of title IV of the Public Health Service Act (42 U.S.C. 285 et seq.) is amended by adding at the end the following:

''SEC. 417C. GRANTS FOR EDUCATION, PREVENTION, AND EARLY DETECTION OF RADIOGENIC CANCERS AND DISEASES.

''(a) DEFINITION.—In this section the term 'entity' means any—

''(1) National Cancer Institute-designated cancer center;

''(2) Department of Veterans Affairs hospital or medical center;

''(3) Federally Qualified Health Center, community health center, or hospital;

''(4) agency of any State or local government, including any State department of health; or

''(5) nonprofit organization.

''(b) IN GENERAL.—The Secretary, acting through the Administrator of the Health Resources and Services Administration in consultation with the Director of the National Institutes of Health and the Director of the

Indian Health Service, may make competitive grants to any entity for the purpose of carrying out programs to—

''(1) screen individuals described under section 4(a)(1)(A)(i) or 5(a)(1)(A) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) for cancer as a preventative health measure;

''(2) provide appropriate referrals for medical treatment of individuals screened under paragraph (1) and to ensure, to the extent practicable, the provision of appropriate follow-up services;

''(3) develop and disseminate public information and education programs for the detection, prevention, and treatment of radiogenic cancers and diseases; and

''(4) facilitate putative applicants in the documentation of claims as described in section 5(a) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note).

''(c) INDIAN HEALTH SERVICE.—The programs under subsection (a) shall include programs provided through the Indian Health Service or through tribal contracts, compacts, grants, or cooperative agreements with the Indian Health Service and which are determined appropriate to raising the health status of Indians.

''(d) GRANT AND CONTRACT AUTHORITY.—Entities receiving a grant under subsection (b) may expend the grant to carry out the purpose described in such subsection.

''(e) HEALTH COVERAGE UNAFFECTED.—Nothing in this section shall be construed to affect any coverage obligation of a governmental or private health plan or program relating to an individual referred to under subsection (b)(1).

''(f) REPORT TO CONGRESS.—Beginning on October 1 of the year following the date on which amounts are first appropriated to carry out this section and annually on each October 1 thereafter, the Secretary shall submit a report to the Committee on the Judiciary and the Committee on Health, Education, Labor, and Pensions of the Senate and to the Committee on the Judiciary and the Committee on Commerce of the House of Representatives. Each report shall summarize the expenditures and programs funded under this section as the Secretary determines to be appropriate.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for the purpose of carrying out this section $20,000,000 for fiscal year 1999 and such sums as may be necessary for each of the fiscal years 2000 through 2009.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CANNON) and the gentleman from Massachusetts (Mr. FRANK) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. CANNON).

GENERAL LEAVE

Mr. CANNON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, Senate 1515, the Radiation Exposure Compensation Act Amendments of 2000 updates a similar 1990 law. The law now compensates individuals exposed to radiation from either being downwind of a nuclear test blast or engaged in the mining of uranium during the Cold War.

The legislation we are considering today increases the number of radiogenic and chronic diseases compensable under the 1990 act. This bill increases the number of individuals and States eligible for compensation in accordance with the scientific and medical information gathered over the past decade.

S. 1515 responds to concerns raised by exposed victims and their survivors, data from the scientific and medical communities, information gained from the Department of Justice administering the program, and the Government's responsibility to see that all individuals seeking just compensation are eligible. S. 1515 makes the needed changes in the existing law to give compensation to more individuals harmed by the Government's nuclear arms testing programs.

S. 1515 would amend the Radiation Exposure Compensation Act of 1990. The 1990 act provides payments to certain civilian individuals exposed to radiation between 1947 and 1971. Those individuals include underground uranium miners, individuals present at nuclear blast test sites, and individuals who experienced fallout from those blasts in certain geographical areas, known as downwinders.

Compensation is based on documented proof of the individual's presence in each location and on the occurrence of certain cancers and diseases associated with each type of exposure to radiation. In the case of uranium miners, they had to have experienced a certain level and length of radiation exposure as well.

S. 1515 would expand the number of individuals who could receive payment under the act to include aboveground uranium miners, uranium millers, and ore transporters. It would also make changes to the current law to address inadequacies in the program that have been apparent over time.

In 1995, the President's Advisory Committee on Human Radiation Experiments released its review of the history of radiation experiments and testing and made recommendations for appropriate government responses to their findings. S. 1515 addresses the concerns raised by the advisory committee.

Congress has a duty to revisit this act periodically to assure that all individuals who should be covered are included based on new science as it becomes available. This legislation revises the act to address those deficiencies that we now know exist due to information and scientific data recently gathered.

The bill before us today contains a manager's amendment which embodies language worked out between the majority and the minority of the Committee on the Judiciary concerning attorneys fees and technical and conforming changes. The attorneys fees provision has been changed from a 2 percent restriction on attorneys fees to 2 percent restriction on attorneys fees if only one application needs to be submitted under the act after enactment, a 10 percent restriction on attorneys fees if more than one application needs to be submitted under the act after enactment, and a 10 percent restriction on attorneys fees for any cases where a contract for services is already in place prior to enactment.

This legislation is supported by the Navajo RECA Reform Working Group, the Pueblo of Acoma, the Colorado Plateau Uranium Workers, and the Western States RECA Reform Coalition.

Mr. Speaker, I understand that the Radiation Exposure Compensation Act is an ongoing piece of legislation. It is likely that as we learn and document more of the effects of radiation exposure, we will once again revisit the issue. In particular, I recognize there are other counties where people believe they should be included. I am committed to helping these counties document the extent of their problems and amending the act again if we come to realize that they should be covered. I look forward to working with members of the other body, the gentleman from Illinois (Chairman HYDE) and others to continue to improve the Radiation Exposure Compensation Act.

This legislation will probably allow compensation to go to approximately 9,600 individuals who lost their health, and in many cases their lives, working to further this country's nuclear defense program. These people and their families need our help now.

Mr. Speaker, I urge my colleagues to support this legislation.

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

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as is often the case, I find myself in substantial agreement with what my colleague had just said. And in what is not often enough the case, for that reason I do not intend to repeat any of it. I realize this is a violation, if not of the rules of the House, of its norms. But I will nonetheless carry that out.

Mr. Speaker, I was particularly pleased that the committee agreed to a modification of the language involving legal fees. We have all agreed to try and send this back over to the other body and work together to get it enacted. The gentleman is correct that further work needs to be done, but this is a great improvement.

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

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

Mr. Speaker, I thank the gentleman from Massachusetts (Mr. FRANK) for his comments. Did the gentleman not have someone who wanted to speak on his side?

Mr. FRANK of Massachusetts. Mr. Speaker, if the gentleman would yield,

I appreciate his solicitude; but I do not have subpoena power and there is nobody here. There are some people who are going to submit statements. There were people who wanted to come, but they were called to votes elsewhere.

Mr. CANNON. Mr. Speaker, reclaiming my time, I received a communication from the gentleman from New Mexico (Mr. SKEEN), my friend and colleague and tireless worker on this bill. I would like to summarize some of his comments.

Mr. Speaker, the gentleman from New Mexico and I both want to thank several people for their involvement in this bill. First of all, Mr. Hicks and his wife, Mr. Paul Hicks and his wife, Delfina Hicks. I am confident that Paul, who has since passed away, is looking down on the floor of the House today and smiling on the fruits of his tireless efforts.

Paul, who was from Grants, New Mexico, was first a uranium miner, then a lead miner, a shift boss, and then finally a mine foreman. However, his most important work was saved for post-retirement when he began his tireless efforts to amend the Radiation Exposure Compensation Act, by serving as the president of the New Mexico Uranium Workers Council and sacrificing his time and finances to help others. Those efforts are directly reflected in the legislation before us today.

While Paul was a vocal and effective voice for the plight of the uranium miners and millers, he had lots of support from those on whose behalf he fought, numerous individuals in the private and political realm who worked towards the same goal.

Former Congressman Bill Redmond introduced the legislation on which much of S. 1515 is modeled and which resulted in the legislation the gentleman from New Mexico (Mr. SKEEN) introduced in this Congress, H.R. 1516.

Navajo Nation President Kelsey Begaye and Vice President Taylor McKenzie put the resources of the Nation to work for the countless Navajo miners and millers. In addition, Melton Martinez, Ben Shelley, Lori Goodman, and numerous others worked tirelessly to better the lives of miners and millers whose health suffered as a result of their time in the mines and mills.

Mr. Speaker, the bottom line is that this legislation, like all others, is the result of the efforts of many to obtain a common goal. I am confident that the changes in eligibility requirements, amount of working level exposure, medical documentation, addition of fallout compensation, consideration of Native American law, and addition of millers and transport workers to those eligible for compensation will make a real difference to those who quietly served their country in the uranium mines of the West.

Finally, I want to thank the gentleman from Illinois (Chairman HYDE), the gentleman from Texas (Mr. SMITH), the subcommittee chairman, and subcommittee staffer Cindy Blackstone for their support and assistance in moving this legislation.

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

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first, I join in the deserved accolades for Cindy Blackstone for her work, because there was a little glitch that she helped iron out. And I note that the gentleman from New Mexico (Mr. UDALL) had intended to make a statement. He was called to a committee vote, and I know under General Leave he will be submitting a statement.

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

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

Mr. Speaker, the gentleman from New Mexico (Mr. UDALL) was going to speak on the floor. I had hoped that we would have the opportunity to have a colloquy. TOM is the son of Stewart Udall, who was the visionary lawyer who brought the lawsuits in the first case for the downwinders and others and that resulted in the legislation that is before us.

I have always felt close to TOM in particular. He is a Westerner, but I had the great privilege of serving in my first legal job in Washington, DC, as a clerk to Mr. Stewart Udall on this very case. And so I take this back over 2 decades when I first began. I will say that having read all of the documentation of all the meetings that were held as it related to the downwinders and the potential injury that was caused by our efforts, often covert during the Cold War, to expand our knowledge and understanding and our stores of nuclear weapons, that we as a Nation have a serious obligation to the people who suffered, sometimes ignorantly, but nevertheless with serious disease and life-threatening, in fact, life-ending health problems; that we as a Nation owe those people what this bill allows for.

Mr. Speaker, it is people like Stewart Udall who saw the problem and worked tirelessly to move that problem forward.

□ 1145

So I think this bill and this amendment should be a tribute to Mr. Stewart Udall, the father of the gentleman from New Mexico (Mr. UDALL).

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

Mr. FRANK of Massachusetts. Mr. Speaker, just to once again agree with the gentleman from Utah (Mr. CANNON), and I can attest to Mr. Stewart Udall's continued vigor and use of the telephone from personal experience.

Mr. UDALL of New Mexico. Mr. Speaker, I speak today in support of S. 1515, the Radiation Exposure Compensation Act Amendments of 2000. This revision is an important step in improving the program to compensate uranium workers, atomic veterans, and those who were exposed to fallout from atmospheric testing of nuclear weapons.

In 1990, Congress first accepted responsibility for the cancers caused by exposure to radioactive materials from our nuclear programs. The Radiation Exposure Compensation Act (RECA) provided payments to individuals who suffered from diseases as a result of their exposure to radiation in connection with the federal government's nuclear weapons program. Although the original legislation was a good first step, the existing compensation program has proven to place an additional burden on the radiation victims. Progress on implementing RECA has been impeded by criteria for compensation that is far more stringent than for other groups for which compensation is provided.

These brave workers were essential to our national security efforts. The U.S. Atomic Energy Commission was the sole purchaser of the uranium ore and knew in the early 1950's that levels of radon and uranium dust in the mines were unhealthy. We also knew atmospheric fallout was dangerous. These brave people, the uranium miners, millers, and transporters, and the ''downwinders'' were used as atomic guinea pigs. The United States owes a debt of gratitude to the workers and their families who unknowingly sacrificed their health to help win the Cold War. I have listened to many of these victims, who have bravely fought their cancers and the U.S. Government for justice.

The Senate bill addresses some, not all, concerns with the current RECA program. Mr. HATCH's bill revises RECA in the following ways:

Includes residents of areas where atmospheric nuclear testing was conducted;

Streamlines current payments schedules by requiring the government to pay compensation to eligible victims within six weeks;

Authorizes a grant program to provide for the early detection, prevention, and education of diseases caused by radiation exposure;

Expands coverage to include uranium millers in addition to miners;

Expands current criteria for victims of radiation exposure to include a wider variety of covered cancers.

Although I support these improvements, the bill I introduced in the House last year would have done much more to provide justice for the victims of radiation-induced diseases. The bill we are voting on today must be accepted or rejected in total, without any amendments. As the Judiciary Committee stated at their markup of the bill, RECA is a work in progress. Therefore, in order to ensure immediate and badly needed improvements in the RECA program, I support the Senate bill. However, we all agree and recognize that improvements need to be made to the Radiation Exposure Compensation Act. I am especially concerned that uranium workers employed between 1971 to 1990 are not covered under this bill nor under current law and that the level of compensation remains at $100,000.

My bill would have increased compensation to $200,000, which more fairly covers the medical expenses, hardships, and lost income to the victims. My bill also contained provisions to address victims of experiments who were exposed to radiation without their consent, and would have shifted the burden of proof off the victims onto the Government. Other changes in my bill would have removed

the smoking distinction, and included workers exposed after 1971. Especially important was the requirement to take into consideration and incorporate, to the fullest extend feasible, the compensation claims process for Navajo claimants to conform to Navajo law, tradition, and customs. For example, claims should be based on traditional ties of family.

One of the champions in this fight was a man by the name of Paul Hicks. He passed away recently and is unable to be with us and witness this victory. I also want to thank the Navajo Nation, President Kelsey A. Begaye, Vice-President Taylor McKenzie, Speaker Edward T. Begay, Mr. Phillip Harrison, Mr. Gilbert Badoni, Mrs. Sarah Benally, and Mr. Melton Martinez and all the others who have worked so hard on this effort.

The Navajos are taught to respect, honor, and take care of their elders. We can do no less. Many of these workers are now dying. They desperately need justice. They cannot afford to wait for Congress to act. We need to pass this bill. Justice delayed is justice denied.

Mr. CONYERS. Mr. Speaker, I strongly support S. 1515, ''The Radiation Exposure Compensation Act Amendments of 2000,'' which updates the 1990 law that currently compensates individuals exposed to radiation by either being downwind of a nuclear test blast or by being involved in the mining of uranium ore during the Cold War.

Uranium is used by our Government in the production of nuclear weapons. This legislation increases the number of radiogenic and chronic diseases compensable under the Act. The bill also increases the number of individual and states eligible for compensation based on scientific and medical information gathered over the past decade.

I would like to address the issue of attorneys' fees in the bill. The original version of the bill reduces the 10% limitation on attorneys' fees to 2%. While I generally do not support limitations on attorneys' fees, I will not oppose the compromise language in the manager's amendment that was reached between Representatives FRANK, SMITH, and HYDE. The compromise language reduces the 10% limitation on attorneys' fees in the bill to 2%, but retains the 10% limitation in existing cases and in cases where there is a resubmission of a denied claim.

Ms. JACKSON-LEE of Texas. Mr. Speaker, the bill before us today is important because it relieves suffering and pain that is brought on by illness. Illness that was contracted due to activity by the United States government. S. 1515, the ''Radiation Exposure Compensation Act Amendments of 1999.'' On October 15, 1990, Congress passed the Radiation Exposure Compensation Act of 1990 (RECA), which provided for compassionate payments to individuals who suffered from specified diseases presumably as a result of exposure to radiation in connection with the federal government's nuclear weapons testing program. Among those eligible for compensation under the Act are individuals who were employed in underground uranium mines in Arizona, Colorado, New Mexico, Utah or Wyoming during the 1947 to 1971 time period, who were exposed to specified minimum levels of radon, and who contracted specified lung disorders. The Department of Justice administers the RECA through the Radiation Exposure Program.

The bill before us today, The Radiation Exposure Compensation Act Amendments of 1999, would reform and expand the 1990 law which was enacted to provide fair and swift compensation for those miners and downwinders who contracted certain radiation-related illnesses. Primary changes to RECA outlined in this bill include: expanding the list of compensable diseases to include new cancers, including leukemia, thyroid and brain cancer. It also includes certain non-cancer diseases, including pulmonary fibrosis. Medical science has been able to link these diseases to uranium mining in the 10 years since the enactment of the original RECA.

This bill is a positive step in the right direction. However, I do have several concerns. The first is to point out that the Congressional Budget Office has scored this at almost $1 billion over the course of five years. The CBO has estimated that this bill will cost $500 million in the next three years. If this bill is going to pass, then the appropriators must do their job to ensure that the RECA fund has enough money to administer these claims, and relieve the suffering of these claimants.

When RECA was initially passed in 1990, the principal authors of the legislation recognized that the federal government owed a special duty under RECA to the Navajo uranium miners due to the violation during the mining operations of the government's trust responsibilities. Thousands of men who were members of the Navajo nation who worked in these mines not only were uniformed of the extreme dangers of uranium (which is harmful if touched, inhaled, or digested), but were ordered into the mine by the American contractors immediately after blasting, when uranium dust was thick in the air. Headaches and nosebleeds resulted, and many of these Navajo miners still suffer the long term effects of their experience.

S. 1515 requires the Department of Justice to take Native American law and customs into account when deciding these claims. This legislation also directs the Justice Department to be more attuned to the culture and customs of American Indian claimants.

Since the RECA trust fund began making awards in 1992, the Justice Department has approved a total of 3,135 claims valued at nearly $232 million. In New Mexico, there have been 371 claims approved with a value of nearly $37 million. The Radiation Exposure Compensation Trust Fund is designed to compensate victims and their families who were affected by radiation fall-out from open air nuclear testing and radiation mining from the 1950s through the 1970s. This legislation extends the trust fund and establishes a grant program to states for education, prevention, and early detection of radiogenic cancers and diseases.

This is a good bill and I fully support its passage.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion offered by the gentleman from Utah (Mr. CANNON) that the House suspend the rules and pass the Senate bill, S. 1515, as amended.

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

A motion to reconsider was laid on the table.

CERTIFIED DEVELOPMENT COMPANY PROGRAM IMPROVEMENTS ACT OF 2000

Mrs. KELLY. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 533) providing for the concurrence by the House with an amendment in the amendment of the Senate to H.R. 2614.

The Clerk read as follows:

H. RES. 533

Resolved, That upon the adoption of this resolution the House shall be considered to have taken from the Speaker's table the bill H.R. 2614, with the amendment of the Senate thereto, and to have concurred in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed to be inserted by the amendment of the Senate, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Certified Development Company Program Improvements Act of 2000''.

SEC. 2. WOMEN-OWNED BUSINESSES.

Section 501(d)(3)(C) of the Small Business Investment Act of 1958 (15 U.S.C. 695(d)(3)(C)) is amended by inserting before the comma ''or women-owned business development''.

SEC. 3. MAXIMUM DEBENTURE SIZE.

Section 502(2) of the Small Business Investment Act of 1958 (15 U.S.C. 696(2)) is amended to read as follows:

''(2) LOAN LIMITS.—Loans made by the Administration under this section shall be limited to $1,000,000 for each such identifiable small business concern, other than loans meeting the criteria specified in section 501(d)(3), which shall be limited to $1,300,000 for each such identifiable small business concern.''.

SEC. 4. FEES.

Section 503(f) of the Small Business Investment Act of 1958 (15 U.S.C. 697(f)) is amended to read as follows:

''(f) EFFECTIVE DATE.—The fees authorized by subsections (b) and (d) shall apply to any financing approved by the Administration during the period beginning on October 1, 1996 and ending on September 30, 2003.''.

SEC. 5. PREMIER CERTIFIED LENDERS PROGRAM.

Section 217(b) of the Small Business Administration Reauthorization and Amendments Act of 1994 (15 U.S.C. 697e note) is repealed.

SEC. 6. SALE OF CERTAIN DEFAULTED LOANS.

Section 508 of the Small Business Investment Act of 1958 (15 U.S.C. 697e) is amended—

(1) in subsection (a), by striking ''On a pilot program basis, the'' and inserting ''The'';

(2) by redesignating subsections (d) though (i) as subsections (e) though (j), respectively;

(3) in subsection (f) (as redesignated by paragraph (2)), by striking ''subsection (f)'' and inserting ''subsection (g)'';

(4) in subsection (h) (as redesignated by paragraph (2)), by striking ''subsection (f)'' and inserting ''subsection (g)''; and

(5) by inserting after subsection (c) the following:

''(d) SALE OF CERTAIN DEFAULTED LOANS.—

''(1) NOTICE.—

''(A) IN GENERAL.—If, upon default in repayment, the Administration acquires a loan guaranteed under this section and identifies such loan for inclusion in a bulk asset sale of defaulted or repurchased loans or other financings, the Administration shall give prior notice thereof to any certified development company that has a contingent liability under this section.

''(B) TIMING.—The notice required by subparagraph (A) shall be given to the certified development company as soon as possible after the financing is identified, but not later than 90 days before the date on which the Administration first makes any record on such financing available for examination by prospective purchasers prior to its offering in a package of loans for bulk sale.

''(2) LIMITATIONS.—The Administration may not offer any loan described in paragraph (1)(A) as part of a bulk sale, unless the Administration—

''(A) provides prospective purchasers with the opportunity to examine the records of the Administration with respect to such loan; and

''(B) provides the notice required by paragraph (1).''.

SEC. 7. LOAN LIQUIDATION.

(a) LIQUIDATION AND FORECLOSURE.—Title V of the Small Business Investment Act of 1958 (15 U.S.C. 695 et seq.) is amended by adding at the end the following:

''SEC. 510. FORECLOSURE AND LIQUIDATION OF LOANS.

''(a) DELEGATION OF AUTHORITY.—In accordance with this section, the Administration shall delegate to any qualified State or local development company (as defined in section 503(e)) that meets the eligibility requirements of subsection (b)(1) of this section the authority to foreclose and liquidate, or to otherwise treat in accordance with this section, defaulted loans in its portfolio that are funded with the proceeds of debentures guaranteed by the Administration under section 503.

''(b) ELIGIBILITY FOR DELEGATION.—

''(1) REQUIREMENTS.—A qualified State or local development company shall be eligible for a delegation of authority under subsection (a) if—

''(A) the company—

''(i) has participated in the loan liquidation pilot program established by the Small Business Programs Improvement Act of 1996 (15 U.S.C. 695 note), as in effect on the day before the date of issuance of final regulations by the Administration implementing this section;

''(ii) is participating in the Premier Certified Lenders Program under section 508; or

''(iii) during the 3 fiscal years immediately prior to seeking such a delegation, has made an average of not fewer than 10 loans per year that are funded with the proceeds of debentures guaranteed under section 503; and

''(B) the company—

''(i) has 1 or more employees—

''(I) with not less than 2 years of substantive, decision-making experience in administering the liquidation and workout of problem loans secured in a manner substantially similar to loans funded with the proceeds of debentures guaranteed under section 503; and

''(II) who have completed a training program on loan liquidation developed by the Administration in conjunction with qualified State and local development companies that meet the requirements of this paragraph; or

''(ii) submits to the Administration documentation demonstrating that the company has contracted with a qualified third-party to perform any liquidation activities and secures the approval of the contract by the Administration with respect to the qualifications of the contractor and the terms and conditions of liquidation activities.

''(2) CONFIRMATION.—On request, the Administration shall examine the qualifications of any company described in subsection (a) to determine if such company is eligible for the delegation of authority under this section. If the Administration determines that a company is not eligible, the Administration shall provide the company with the reasons for such ineligibility.

''(c) SCOPE OF DELEGATED AUTHORITY.—

''(1) IN GENERAL.—Each qualified State or local development company to which the Administration delegates authority under subsection (a) may, with respect to any loan described in subsection (a)—

''(A) perform all liquidation and foreclosure functions, including the purchase in accordance with this subsection of any other indebtedness secured by the property securing the loan, in a reasonable and sound manner, according to commercially accepted practices, pursuant to a liquidation plan approved in advance by the Administration under paragraph (2)(A);

''(B) litigate any matter relating to the performance of the functions described in subparagraph (A), except that the Administration may—

''(i) defend or bring any claim if—

''(I) the outcome of the litigation may adversely affect management by the Administration of the loan program established under section 502; or

''(II) the Administration is entitled to legal remedies not available to a qualified State or local development company, and such remedies will benefit either the Administration or the qualified State or local development company; or

''(ii) oversee the conduct of any such litigation; and

''(C) take other appropriate actions to mitigate loan losses in lieu of total liquidation or foreclosure, including the restructuring of a loan in accordance with prudent loan servicing practices and pursuant to a workout plan approved in advance by the Administration under paragraph (2)(C).

''(2) ADMINISTRATION APPROVAL.—

''(A) LIQUIDATION PLAN.—

''(i) IN GENERAL.—Before carrying out functions described in paragraph (1)(A), a qualified State or local development company shall submit to the Administration a proposed liquidation plan.

''(ii) ADMINISTRATION ACTION ON PLAN.—

''(I) TIMING.—Not later than 15 business days after a liquidation plan is received by the Administration under clause (i), the Administration shall approve or reject the plan.

''(II) NOTICE OF NO DECISION.—With respect to any liquidation plan that cannot be approved or denied within the 15-day period required by subclause (I), the Administration shall, during such period, provide notice in accordance with subparagraph (E) to the company that submitted the plan.

''(iii) ROUTINE ACTIONS.—In carrying out functions described in paragraph (1)(A), a qualified State or local development company may undertake any routine action not addressed in a liquidation plan without obtaining additional approval from the Administration.

''(B) PURCHASE OF INDEBTEDNESS.—

''(i) IN GENERAL.—In carrying out functions described in paragraph (1)(A), a qualified State or local development company shall submit to the Administration a request for written approval before committing the Administration to the purchase of any other indebtedness secured by the property securing a defaulted loan.

''(ii) ADMINISTRATION ACTION ON REQUEST.—

''(I) TIMING.—Not later than 15 business days after receiving a request under clause (i), the Administration shall approve or deny the request.

''(II) NOTICE OF NO DECISION.—With respect to any request that cannot be approved or denied within the 15-day period required by subclause (I), the Administration shall, during such period, provide notice in accordance with subparagraph (E) to the company that submitted the request.

''(C) WORKOUT PLAN.—

''(i) IN GENERAL.—In carrying out functions described in paragraph (1)(C), a qualified State or local development company shall submit to the Administration a proposed workout plan.

''(ii) ADMINISTRATION ACTION ON PLAN.—

''(I) TIMING.—Not later than 15 business days after a workout plan is received by the Administration under clause (i), the Administration shall approve or reject the plan.

''(II) NOTICE OF NO DECISION.—With respect to any workout plan that cannot be approved or denied within the 15-day period required by subclause (I), the Administration shall, during such period, provide notice in accordance with subparagraph (E) to the company that submitted the plan.

''(D) COMPROMISE OF INDEBTEDNESS.—In carrying out functions described in paragraph (1)(A), a qualified State or local development company may—

''(i) consider an offer made by an obligor to compromise the debt for less than the full amount owing; and

''(ii) pursuant to such an offer, release any obligor or other party contingently liable, if the company secures the written approval of the Administration.

''(E) CONTENTS OF NOTICE OF NO DECISION.—Any notice provided by the Administration under subparagraph (A)(ii)(II), (B)(ii)(II), or (C)(ii)(II)—

''(i) shall be in writing;

''(ii) shall state the specific reason for the inability of the Administration to act on the subject plan or request;

''(iii) shall include an estimate of the additional time required by the Administration to act on the plan or request; and

''(iv) if the Administration cannot act because insufficient information or documentation was provided by the company submitting the plan or request, shall specify the nature of such additional information or documentation.

''(3) CONFLICT OF INTEREST.—In carrying out functions described in paragraph (1), a qualified State or local development company shall take no action that would result in an actual or apparent conflict of interest between the company (or any employee of the company) and any third party lender (or any associate of a third party lender) or any other person participating in a liquidation, foreclosure, or loss mitigation action.

''(d) SUSPENSION OR REVOCATION OF AUTHORITY.—The Administration may revoke or suspend a delegation of authority under this section to any qualified State or local development company, if the Administration determines that the company—

''(1) does not meet the requirements of subsection (b)(1);

''(2) has violated any applicable rule or regulation of the Administration or any other applicable provision of law; or

''(3) has failed to comply with any reporting requirement that may be established by the Administration relating to carrying out functions described in subsection (c)(1).

''(e) REPORT.—

''(1) IN GENERAL.—Based on information provided by qualified State and local development companies and the Administration, the Administration shall annually submit to the Committees on Small Business of the House of Representatives and the Senate a report on the results of delegation of authority under this section.

''(2) CONTENTS.—Each report submitted under paragraph (1) shall include—

''(A) with respect to each loan foreclosed or liquidated by a qualified State or local development company under this section, or for which losses were otherwise mitigated by the company pursuant to a workout plan under this section—

''(i) the total cost of the project financed with the loan;

''(ii) the total original dollar amount guaranteed by the Administration;

''(iii) the total dollar amount of the loan at the time of liquidation, foreclosure, or mitigation of loss;

''(iv) the total dollar losses resulting from the liquidation, foreclosure, or mitigation of loss; and

''(v) the total recoveries resulting from the liquidation, foreclosure, or mitigation of loss, both as a percentage of the amount guaranteed and the total cost of the project financed;

''(B) with respect to each qualified State or local development company to which authority is delegated under this section, the totals of each of the amounts described in clauses (i) through (v) of subparagraph (A);

''(C) with respect to all loans subject to foreclosure, liquidation, or mitigation under this section, the totals of each of the amounts described in clauses (i) through (v) of subparagraph (A);

''(D) a comparison between—

''(i) the information provided under subparagraph (C) with respect to the 12-month period preceding the date on which the report is submitted; and

''(ii) the same information with respect to loans foreclosed and liquidated, or otherwise treated, by the Administration during the same period; and

''(E) the number of times that the Administration has failed to approve or reject a liquidation plan in accordance with subsection (c)(2)(A) or a workout plan in accordance with subsection (c)(2)(C), or to approve or deny a request for purchase of indebtedness under subsection (c)(2)(B), including specific information regarding the reasons for the failure of the Administration and any delay that resulted.''.

(b) REGULATIONS.—

(1) IN GENERAL.—Not later than 150 days after the date of enactment of this Act, the Administrator shall issue such regulations as may be necessary to carry out section 510 of the Small Business Investment Act of 1958, as added by subsection (a) of this section.

(2) TERMINATION OF PILOT PROGRAM.—Effective on the date on which final regulations are issued under paragraph (1), section 204 of the Small Business Programs Improvement Act of 1996 (15 U.S.C. 695 note) shall cease to have legal effect.

SEC. 8. FUNDING LEVELS FOR CERTAIN FINANCINGS UNDER THE SMALL BUSINESS INVESTMENT ACT OF 1958.

Section 20 of the Small Business Act (15 U.S.C. 631 note) is amended by adding at the end the following:

''(g) PROGRAM LEVELS FOR CERTAIN SMALL BUSINESS INVESTMENT ACT OF 1958 FINANCINGS.—The following program levels are authorized for financings under section 504 of the Small Business Investment Act of 1958:

''(1) $4,000,000,000 for fiscal year 2001.

''(2) $5,000,000,000 for fiscal year 2002.

''(3) $6,000,000,000 for fiscal year 2003.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Mrs. KELLY) and the gentlewoman from New York (Ms. VELAZQUEZ) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York (Mrs. KELLY).

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

Mr. Speaker, the resolution before us returns H.R. 2614, the Certified Development Companies Improvement Act to the Senate. The House originally passed H.R. 2614 last August by a voice vote.

The resolution before us will accept one of the four Senate amendments added during Senate consideration of H.R. 2614 2 weeks ago. The amendment authorizes the 504 program for 3 more years, through fiscal 2003. The resolution rejects the other three Senate amendments.

The three rejected amendments includes language that the House cannot accept.

The first rejected amendment would transfer funds from the DELTA loan program and the guaranteed microloan program to the 7(a) loan program. While we understand the need for the transfer, the amendment violates the Committee on the Budget and the Committee on Appropriations rules since the funds have dissimilar outlay rates.

The second rejected amendment mandates that, if certain outstanding 504 license applications are not acted upon within 21 days, those licenses shall be deemed approved.

While we agree that the delay at the SBA is unconscionable, Congress should not be in the position of, whenever executive branch inaction arises, stepping in to do their jobs for them. It sets an unhealthy precedent and opens a Pandora's box.

The third rejected amendment changes certain eligibility standards for the HUBZone contracting program. Regardless of its merits, this amendment is best discussed as part of the larger reauthorization legislation. It has no bearing on H.R. 2614 and is best discussed with similar provisions in the reauthorization currently being negotiated with the Senate.

Mr. Speaker, I ask my colleagues to support the House version of H.R. 2614. It amends the Small Business Investment Act to make changes in the Small Business Administration's section 504 loan program without adding any unnecessary language or issues.

The 504 program guarantees small business loans for construction and renovation and provides nearly $3 billion of financial assistance every year. It is an important program that needs our unencumbered support.

H.R. 2614 makes five basic changes to the 504 program. It increases the maximum debenture size for section 504 loans from $750,000 to $1 million and the size of public policy debenture-backed loans from $1 million to $1.3 million. It adds women-owned businesses to the current list of businesses eligible for the larger public policy loans up to $1.3 million, continuing our efforts to increase assistance to women-owned businesses.

It will reauthorize the fees for the program which keep the 504 program at a zero subsidy rate, covering all the costs resulting in no cost to the taxpayer.

H.R. 2614 will also grant permanent status to the Preferred Certified Lender Program before it sunsets at the end of fiscal year 2000. Finally, to improve recovery rates on defaulting 504 loans, H.R. 2614 makes the Loan Liquidation Pilot Program a permanent program.

Mr. Speaker, I again want to urge my colleagues to support the House amendment to H.R. 2614. It would mean a significant improvement in services to their small business constituents.

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

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

Mr. Speaker, as a strong supporter of SBA 504 loan programs, I rise in support of House Resolution 533.

The 504 program is one of the most important small business loan programs administered by the Small Business Administration. It represents access to capital for countless entrepreneurs who might not otherwise have a chance to turn their dreams into reality. Since 1980, over 25,000 businesses have received more than $20 billion in fixed-asset financing through the 504 program.

Mr. Speaker, in August of last year, the House passed a clean bipartisan bill to reauthorize the 504 loan program. That original House bill, which passed under suspension of the rules, was supported by the administration as well as by small businesses and the participating lenders.

The changes made to the legislation streamlined the program, and they also recognized the role that women-owned businesses play in the economy by making lending to women owners a public policy priority. In addition, the bill increased the loan sizes from $750,000 to $1 million to keep the pace with inflation and allow more businesses the access to the critical capital they need to expand their business.

These changes in the program represent reasonable improvements to update the program, making it more responsive to the needs of lenders and small businesses alike.

Ten months later, we have received a bill from the other body that includes several nonrelated provisions, some that could potentially be harmful. These changes include reallocating funding to help the 7(a) program. While this is a critical need, the language will constitute appropriating on an authorizing bill. The legislation would also expand the HUBZone program to allow those businesses that no longer reside in low-income areas to continue in the program. This change is contrary to the intention of the HUBZone program and further dilutes its mission.

Finally, the legislation will remove decision-making power regarding certain program licenses from the regulators at SBA. This represents micromanaging at its worst.

Moreover, these changes divert us from the original purpose of the 504 program which must be reauthorized quickly to ensure that it continues to

provide access to critical capital for our Nation's small businesses.

Mr. Speaker, the 504 program serves as an engine of our economic development. I have seen its effect on a community. In my district, Les Fres Ford, a car dealership, is using a 504 loan to better serve its customers and to expand its business. It will also bring up to 50 new jobs to the community. These are good-paying jobs that will help families in the community I represent. This is just one example of the success that is taking place across this country, making the 504 program one of the SBA's bedrock programs.

Mr. Speaker, I urge my colleagues to support this legislation.

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

Mrs. KELLY. Mr. Speaker, I have no additional speakers, so I reserve my right to close.

Ms. VELAZQUEZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Speaker, first of all, I want to commend the gentleman from Missouri (Chairman TALENT) and the gentlewoman from New York (Ms. VELAZQUEZ), ranking member, as well as the gentlewoman from New York (Mrs. KELLY) and all of the other members of the Committee on Small Business for the outstanding bipartisan way in which this committee conducts its business. We can all see that, when people work together that way, there are results, and they are results which can be measured. So I rise in strong support of this resolution.

Over the past 20 years, the 504 program has clearly been one of the real success stories in business development. As many on the committee know, the 504 program is a completely fee-generated program and is not supported by any Federal funds. So we are not really talking about dipping into the Treasury. We are talking about making something work as part of business and economic development.

Due to the success of the program, this bill will extend the current fee system for the program until October 1, 2003. The bill will also increase the loan guarantee from $750,000 to $1 million.

Of course, Mr. Speaker, as we all know, it will benefit women-owned businesses, and women-owned businesses currently employ 18.5 million United States workers and contribute more than $3.38 trillion annually to the economy. As a result, the 504 program increases the amount of loan guarantee available to women-owned businesses.

But most importantly, I think this bill is affirmation and a testament to the idea that, when people come together and work for the common interests, it does not matter which party they come from, which area of the country, which city, what their real philosophies and ideas are, other than if they come to work together, they can arrive at a common direction and a common success. Of course that direction and success means providing capital and direct services to the businesses that need it.

So, once again, I want to commend the gentleman from Missouri (Chairman TALENT); the gentlewoman from New York (Ms. VELAZQUEZ), the ranking member; and all members of the Committee on Small Business for an outstanding job well done that will benefit businesses in America.

Ms. VELAZQUEZ. Mr. Speaker, I yield such time as she may consume to the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN).

Mrs. CHRISTENSEN. Mr. Speaker, I also want to join the gentleman from Illinois (Mr. DAVIS) in commending the gentleman from Missouri (Chairman TALENT) and the gentlewoman from New York (Ms. VELAZQUEZ), ranking member, for their leadership and the bipartisan way in which they guide our committee, and to also commend the gentlewoman from New York (Mrs. KELLY) for her leadership as well.

Mr. Speaker, today I rise in support of H.R. 2614 to reauthorize and improve upon the Small Business 504 program. This program is considered one of the premier small business loan programs administered by the Small Business Administration.

Mr. Speaker, the 504 program is a completely fee-generated program and is not supported by Federal funds. Its work is done through certified community development corporations.

I am particularly proud of the work that is done in my district by the St. Croix Foundation for Community Development, the Community Foundation for the Virgin Islands on St. Thomas, and the St. John Community Foundation, who are doing so much to stimulate economic development for my constituents.

Last year, through a strong bipartisan effort, the House passed H.R. 2614. Among the various improvements, it provided for the extension of the current fee system for the program until October 1, 2003, an increase of the government loan guarantee level from $750,000 to $1 million. Most importantly, Mr. Speaker, H.R. 2614 added women to the list of public policy goals for the 504 program. By doing so, the 504 program increased the amount of government loan guarantees available to women-owned businesses. This is very important as one out of five individuals are employed by women-owned businesses.

However, Mr. Speaker, the Senate included several unrelated and, in some cases, harmful provisions that would delay the passage of this legislation. These changes include, but are not limited to, the Senate language that would allow Congress to regulate the agency and decide who receives licenses under this program. Mr. Speaker, this is an ultimate form of micromanagement.

The Senate also included language that would expand the HUBZone program to allow businesses that move out of a low-income or underutilized area to continue to benefit, which is in clear contradiction to the original intent of that program.

Mr. Speaker, I urge my colleagues to vote to maintain the original intent of H.R. 2614, which will improve the 504 program and increase the access of this valuable loan program to more of our constituents.

□ 1200

Ms. VELAZQUEZ. Mr. Speaker, I yield 3 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 want to thank the ranking member, the gentlewoman from New York (Ms. VELAZQUEZ) and the gentlewoman from New York (Mrs. KELLY), who I know has been, along with Members of the Women's Caucus, very strong on the issues of small business, along with the chairman, the gentleman from Missouri (Mr. TALENT), for reauthorizing this legislation.

I came to the floor because I cannot think of a greater economic engine in this Nation than small businesses. The 504 loan program and the increase of loan opportunity from $750,000 to $1 million is going to take us leaps and bounds into the 21st century.

We have had some vigorous debates on the floor of the House over these past couple of months. A lot of them have involved the idea of trade and international business. My community is dominated by small businesses, minority-owned businesses and women-owned businesses, and one of their visions, as they have come to me, is the opportunity to reach beyond the boundaries of the United States. And as they are the economic engine of this Nation, I believe that their counterparts are in various places around the world. This opportunity of funding with a loan program that is reasonably responsive allows our small businesses to expand their vision and their opportunities to do international trade. At the same time, it continues to reaffirm their importance in our economy.

One of the things that small businesses ask for when I meet with them and dialogue with them on their issues is to be given the opportunity to be as small as they want to be, but also to be as big as they want to be. So this loan program allows small businesses to keep the familiarity of a small, a minority-owned, a women-owned business, but it also allows them to grow exponentially with respect to resources, finance, income, and revenue, and that I applaud.

Let me also say that I am very pleased to compliment the regional office, the local office of the Small Business Administration in my district, headed by Milton Wilson. That region and that locality has utilized its outreach efforts to ensure that small businesses in the one-stop office and the

general store that has been implemented in my district know how to reach out to resources. I am hoping this legislation will be well announced so that our small businesses are aware of the increase and the modifications that have been made in a positive way so that we can increase the participation of small businesses in this economy.

This is a good piece of legislation. I am looking forward to its movement and for it to be signed. I do understand that we have responded to some modifications that need to be made in order to improve the bill; so I, therefore, applaud its passage and I ask my colleagues to support the legislation.

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

Oftentimes in a debate the question is asked, are we giving taxpayers good value for their dollars. I would say to my colleagues that the 504 program, which is totally run on fees, with no cost to the taxpayers, is a perfect example of where the taxpayer clearly gets his money's worth. It is also a good example of how best to spur entrepreneurship, because we know that access to capital is access to opportunity.

With today's reauthorization we are ensuring that the 504 program will continue to be available to provide loans to the small businesses that are the driving force behind America's unprecedented economic growth.

Mr. Speaker, I want to thank the chairman of the committee, the gentleman from Missouri (Mr. TALENT), and the gentlewoman from New York (Mrs. KELLY) for their hard work on this bill. I would also like to thank the staff, Charles Roe and Harry Katrice of the majority, and Michael Day and Eric Edwards of my staff, as well as all the members of the Committee on Small Business for their bipartisan efforts to reauthorize this loan program. I urge my colleagues to support this bill.

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

Mrs. KELLY. Mr. Speaker, I yield myself such time as I may consume, and I wish to thank the chairman of the committee, the gentleman from Missouri (Mr. TALENT), for all his efforts; and I also want to thank very much the ranking Democratic member, the gentlewoman from New York (Ms. VELAZQUEZ), for her assistance and cooperation. It is a hallmark of our committee that we work in such a bipartisan way.

This is solid legislation that we, we the small business owners of America, need to have in place. This resolution supports a clear House position and accepts a reasonable Senate amendment, and I ask all the Members to support it.

Ms. MILLENDER-McDONALD. Mr. Speaker, I rise today in strong support of H. Res. 533. Earlier last year, we passed H.R. 2614 with overwhelming bipartisan support. The 504 Certified Development Company is considered one of the premier business loan programs administered by the Small Business Administration (SBA). Over the past 20 years, the 504 program has clearly been one of the greatest success stories in business development efforts made by the Small Business Administration. It is considered one of the "best values for the taxpayers." In that time, we have seen it mature into one of SBA's bedrock programs, by providing over $20 billion dollars in assistance to more than 25,000 businesses. Since 1980, the 290 CDC's nationwide have provided more than $20 billion in fixed asset financing to over 25,000 business concerns.

H.R. 2614 left the House as a good bill, however, the Senate included several unrelated, and in some way harmful provisions that will delay the passage of this legislation. The Senate language would have allowed Congress to regulate the agency and decide who receives licenses under the 504 program. This is the ultimate in micro-managing. Furthermore, the language reprogrammed critically needed money into the 7(a) program. This constitutes appropriating on an authorizing bill that will cause serious delays. I believe that the most damaging provision put forth by the Senate is the expansion of the HUBZone program to allow businesses that no longer reside in low-income areas to continue to enjoy the benefits of the program. This is a clear contrast and violation to the original intent of the program.

Colleagues, we cannot let these bad provisions spoil the good that is in H.R. 2614. The bill extends current fee system for the program until October 1, 2003. As a member of the Committee, I know that the 504 program is completely fee generated and is not currently supported by any federal funds. The "Premier Certified Lenders Program" was granted permanent status. PCLP is designed to allow established lenders to expedite the loan application process. This streamlines the process and provides immediate access to funds. I was proud to see that during Committee we raised the amount of loan guarantee available from $750,000 to $1,000,000.

One of the vital improvements was the addition of women to the list of public policy goals for the 504 program. By doing so, the 504 program increased the amount of government loan guarantee available to women-owned businesses. As we all know, women-owned business are the growth agents of the future. Presently they contribute more than $2.38 trillion dollars annually in revenues to the economy. This is more than the gross domestic product of most countries. In the United States, women-owned businesses employ one out of every five U.S. workers—a total of 18.5 million employees.

I urge my colleagues to support H. Res. 533 and continue to ensure that the 504 Certified Development Company is prepared to continue helping new small businesses, grow existing ones, and provide opportunities so that none are not left out of the changing marketplace.

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

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion offered by the gentlewoman from New York (Mrs. KELLY) that the House suspend the rules and agree to the resolution, House Resolution 533.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mrs. KELLY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Resolution 533, the resolution just agreed to.

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

There was no objection.

SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Ms. Wanda Evans, one of his secretaries.

JAMES H. QUILLEN UNITED STATES COURTHOUSE

Mr. LATOURETTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4608) to designate the United States courthouse located at 220 West Depot Street in Greeneville, Tennessee, as the "James H. Quillen United States Courthouse".

The Clerk read as follows:

H.R. 4608

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION.

The United States courthouse located at 220 West Depot Street in Greeneville, Tennessee, shall be known and designated as the "James H. Quillen United States Courthouse".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in section 1 shall be deemed to be a reference to the "James H. Quillen United States Courthouse".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATOURETTE) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

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

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

Mr. Speaker, H.R. 4608 designates the new courthouse in Greeneville, Tennessee, as the James H. Quillen United States Courthouse. This is a good bill.

Mr. Speaker, I yield such time as he may consume to the gentleman from Tennessee (Mr. JENKINS), so that rather than me standing here and telling my colleagues about it, the bill's primary sponsor and Mr. Quillen's successor to the Congress may do so.

Mr. JENKINS. Mr. Speaker, I thank the gentleman for yielding me this time, and as the gentleman has pointed out, this bill names our new Federal courthouse in Greeneville, Tennessee, for Jim Quillen.

Jim Quillen served in this House of Representatives for 34 years, longer than any other Tennesseean has ever served. He was, for many years, the ranking member of the Committee on Rules, and at the time of his retirement was chairman emeritus of the Committee on Rules.

Before he came to this Congress, he spent 6 years in the general assembly in the State of Tennessee and before that 4 years in the United States Navy in World War II.

Jim Quillen had a total of 44 years of dedicated service to his State and to his Nation, and along the way he was able to found several successful businesses, the first of which was a newspaper when he was 19 years of age. He went on to establish real estate, construction and insurance businesses that were very successful down through the years.

Jim Quillen fought hard for many things for the first district of Tennessee and for this country. I think his most notable achievement was the good work that he did in helping to create a medical school under the Teague-Cranston Act at the Veterans Administration Hospital in Johnson City, Tennessee. It is now in operation. It bears his name. It is the James H. Quillen College of Medicine, and it has been a very successful operation for not only the State of Tennessee but for this Nation in preparing physicians.

One of the last projects that Jim Quillen worked on in this House of Representatives was this new courthouse in Greeneville, Tennessee. Mr. Speaker, we outgrew a very beautiful historic old courthouse in downtown Greeneville, very near the home of Andrew Johnson, who was our 17th President. Jim Quillen got appropriations to purchase the land for a new courthouse and to design the new courthouse. And since his retirement, we have been able to get appropriations to complete that courthouse, and it is very near completion.

Jim Quillen's life and work are a great American success story, Mr. Speaker; and I believe that this would be a very fitting tribute to his lifetime of hard work for his constituents and the people of this country. I am proud of the fact that all nine of the House Members in the State of Tennessee, all of the Republicans and all the Democrats, are cosponsors of this legislation. I would ask that every Member of this House vote favorably for H.R. 4608.

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

Mr. Speaker, H.R. 4608 is a bill to designate the Federal Courthouse in Greeneville, Tennessee, as the James H. Quillen United States Courthouse. Jim Quillen served with distinction his constituents of the first district of Tennessee for 35 years and holds the record for having the longest continuous service of any Tennessee Member of the U.S. House of Representatives.

Jim was a member of the Committee on Rules and served as ranking minority member for many years. He was also chairman of the TVA Caucus and a member of the Republican Policy Committee. Jim was also conscious of needs of his constituents and worked very hard to secure funding for medical facilities in northeast Tennessee and was diligent in his work for farmers and veterans.

Jim Quillen has received numerous awards and honors, including having a medical facility named in his honor, Route 181 from Virginia to North Carolina is named in his honor, and a Chair of Excellence in Education was named for him at East Tennessee State University. It is with great pleasure that I support H.R. 4608 that designates the new Federal Courthouse in Greeneville, Tennessee, in Jim's honor.

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

Mr. LATOURETTE. Mr. Speaker, I yield such time as he may consume to the gentleman from Tennessee (Mr. DUNCAN), another great Member from the Volunteer State, and the chairman of the Subcommittee on Aviation, who is making air traffic cheaper and safer all across the country.

Mr. DUNCAN. Mr. Speaker, I thank the gentleman from Ohio for yielding me this time, and I thank him for those very kind words. I also want to express my appreciation to the gentleman from the first district of Tennessee (Mr. JENKINS) for his prime sponsorship of this very appropriate legislation naming the new Federal courthouse in Greeneville after Congressman James H. ''Jimmy'' Quillen.

As the gentleman from Tennessee (Mr. JENKINS) mentioned and as the gentlewoman from the District of Columbia (Ms. NORTON) mentioned, Congressman Quillen served the first district of Tennessee for 34 years in this House, longer continuous service than any Member of the House of Representatives in the history of the State of Tennessee. Congressman Quillen was very proud of that, and rightly so.

He was a very district-oriented, constituent service-type of Congressman. In fact, I think he was one of the first Members of this body to just routinely fly home each and every weekend. I think it is fair to say and proper to note that he probably spent more time at home in Tennessee than he did in Washington, D.C., and so he stayed in constant contact with his constituents and was always on top of the needs of his district.

As the gentleman from Tennessee (Mr. JENKINS) mentioned, probably his greatest accomplishment was the medical school at East Tennessee State University. There was tremendous opposition to that medical school, because some people thought that the State could not support two medical schools. But the other medical school is in Memphis, which is at the opposite end of the State, Tennessee is a very long State across, and that medical school would not have been opened, I do not believe, if it had not been for the strong support and determination that Congressman Quillen put behind it.

Congressman Quillen did rise to become the ranking Republican and chairman emeritus of the Committee on Rules, and served with great distinction on that committee. He also contributed to so many other things. There is a highway in his district named after him. I think the main building at the Methodist Children's Home is named after Congressman Quillen; and this courthouse, as the gentleman from Tennessee (Mr. JENKINS) noted, was the last major project that Congressman Quillen worked on for his district of many, many projects.

Congressman Quillen was born into what some people would call absolute poverty today, in Gate City, Virginia. He was born into a good family but a family of very little money, and one of 10 children. He came up surely the hard way. In fact, I would say that people on welfare today have much, much more than Congressman Quillen's family had. But he started the newspaper that the gentleman from Tennessee (Mr. JENKINS) mentioned at the age of 19, and then he became one of the biggest developers in the city of Kingsport, and then one of the leading insurers in that community and one of the most successful businessmen in that entire area.

Then, as the gentleman from Tennessee (Mr. JENKINS) noted, he served in the Navy for 4 years. He was very proud of that, a very patriotic man, very pro-military, and then he served 6 years in the legislature and 34 years in this House, for 44 years of public service.

Most of us will remember that Congressman Quillen always sat in the second seat in the second row, right below me here. In fact, many of us thought that we should have named that the James H. Quillen seat here in the House. I heard that NPR had on the news the other day that there were no seats designated in the House except the Speaker's chair and one that the gentleman from Pennsylvania (Mr. MURTHA) sits in on the other side. But everyone knew that that second seat in the second row was Congressman Quillen's seat in this House; and he was, I think, very proud of that too.

□ 1215

I am proud of the fact that, for 32 of the 34 years that Congressman Quillen spent in this House, he served with a Duncan. He served 12 terms with my father; and they were very, very close friends. And then I had the privilege and honor of serving with Congressman Quillen for 8 years. During that time, he was my mentor, he was my advisor, he took me under his wing.

I will say this, Mr. Speaker: Congressman James H. Quillen was one of the finest and is one the finest men that I have ever known in my lifetime. I am proud to support this legislation.

Ms. NORTON. Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts (Mr. MOAKLEY).

Mr. MOAKLEY. Mr. Speaker, I thank the gentlewoman from the District of Columbia for yielding me the time.

Mr. Speaker, I rise to congratulate the people of Greeneville, Tennessee, for their newly named James H. Quillen Courthouse.

Now that they will be naming this courthouse after Jimmy Quillen, Mr. Speaker, I think that every single building, medical school, and road in eastern Tennessee should be named after Jimmy Quillen.

Mr. Speaker, that is the way it should be.

I served with Jimmy in the House Committee on Rules for over 21 years, and I can tell my colleagues from first-hand experience that he deserves every accolade that comes his way.

Jimmy joined the Committee on Rules back in 1965 with another dear friend of mine, Claude Pepper, and he served until 1996, at which point he became the longest-serving Republican on the House Committee on Rules. He also served in Congress longer than any other representative from Tennessee, some 34 years.

Jimmy Quillen rose from a humble background to serve in the Navy in World War II. He served the Tennessee State House, where he became the minority leader. In 1963, he went on to represent the first district of Tennessee in the United States Congress.

Jimmy believed in old-fashioned, constituent-oriented representation. To prove his point, Jimmy even took his office door off its hinges to represent his open-door policy, and that open door served as an inspiration for many of us who followed him.

Jimmy was a true Southern gentlemen whose word was his bond. I can remember in the 1980's when we were working on the S&L bailout and someone proposed eliminating some of the benefits that were promised to the people who bought these failing S&L's and Jimmy Quillen stood up and fought that amendment tooth and nail, saying, ''a deal is a deal.'' And, Mr. Speaker, he was right. But every time after that we would look at Jimmy and say, ''a deal is a deal.''

What was important to Jimmy was comity and good faith above all else. He was a distinguished, hard-working, kind member of the Committee on Rules and a very worthy adversary.

Every once in a while, I catch myself looking for Jimmy in the second seat in the second row on the House floor. He is sorely missed here in the Congress.

Mr. Speaker, it was an honor to have served with Jimmy Quillen and even a greater honor to call him my friend.

Once again, Mr. Speaker, I congratulate the people of Greeneville on their newly named courthouse.

Mr. LATOURETTE. Mr. Speaker, I yield such time as he may consume to the gentleman from Tennessee (Mr. BRYANt).

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

Mr. BRYANT. Mr. Speaker, as I was sitting here listening to our good friend from Massachusetts (Mr. MOAKLEY) talk about some of the years involved here, I was thinking back to 1965 and how long ago that has been, and I was thinking that it has been so long that the gentleman from Tennessee (Mr. TANNER) was just finishing shooting jump shots in Union City back in those days. That was a long time. I think they were set shots back in those days. I know there were peach baskets up there. It has been a while.

I do want to thank my other colleague, the gentleman from Tennessee (Mr. JENKINS), for sponsoring this bill, introducing this legislation, which, as has been said, does designate the Federal courthouse there in Greeneville, Tennessee, as the James H. Quillen United States Courthouse.

I had an opportunity recently to go to Greeneville. I used to live there as a child myself. I do not have a lot of recollection about it, but I was able to go about the town and to not only visit the current courthouse there but also to see the newly constructed courthouse in progress. It certainly is going to be a wonderful facility there, and I know will be well used; and in that it carries Congress Quillen's name, I think it certainly has a distinctive honor.

There are a lot of things up in east Tennessee already named for Congressman Quillen, the medical school and highways and things, and certainly all well-deserved.

I, among others and many that have been in this body, have been privileged to serve with Mr. Quillen. There was an overlap when I came up in 1994 of about one or two terms there. And, as has been pointed out, I very quickly learned about the chair on the second row and not to sit there. Although, we did tend to gather around him and seek his wisdom and judgment that he always possessed.

Many of my colleagues do recall him as a Member who dedicated his entire career up here, as well as his life so far, and he is still very active back in east Tennessee today, but he dedicated his life to the pursuit of hard work and honesty and, particularly, love of family.

Going back just a minute, I know that the gentleman from Tennessee (Mr. DUNCAN) has talked a great deal about Mr. Quillen's background, but I wanted to share a couple of things that, as I went back and studied about Mr. Quillen, I was just tremendously impressed by those folks who served in World War II and the book that has been written about the greatest generation and the folks that saved the world and came back and built the economy and built America into the country it is today. Mr. Quillen was certainly a part of that great generation.

Back in 1942, he served on the aircraft carrier U.S.S. *Antietam* as an ensign; and after serving honorably his country, there he was discharged as a lieutenant in 1946 after the war. Although he was offered an opportunity to go to West Point and become an officer there and go through the Academy, he declined this in order to return to Tennessee and to his civilian life.

In 1954, he was persuaded to enter a race for the Tennessee State Legislature and was elected into the position that he held until 1962. And during his service in Tennessee in Nashville, he served as the minority leader and was nominated for the Speaker of the House.

In 1962, Mr. Quillen went on to be victorious in a race for the seat in this very House of Representatives. As a Member of Congress, Mr. Quillen quickly developed a reputation as a man dedicated to constituent services. All of us that serve in this body can really appreciate that and can look at people like Mr. Quillen and the job that he did representing the people in the first district of Tennessee that he came to represent up here, as well as taking care of their needs back in the district, and certainly envy that record.

In fact, as the gentleman from Massachusetts (Mr. MOAKLEY) said, on election night when he was first elected into this body, his supporters took the hinges off the campaign office to signify his promise that he was always going to be available to the people that he represented.

In 1965, he became a member of the House Committee on Rules and served as the ranking member for the committee for many years. He later served as Chairman Emeritus, an honor that is the first for any Member of Congress.

In addition to his service as chair and vice chairman of several committees, he holds the record for the longest continuous service by any Tennessee Member of the United States House of Representatives.

Over the years, he has received numerous awards and honors in recognition of his years of service to his constituents and to his State. On January 3, 1997, he retired in his position from the House of Representatives.

I am proud to have served with Mr. Quillen, and I am proud to cosponsor this bill. I urge its adoption. I urge my colleagues to adopt this bill.

Ms. NORTON. Mr. Speaker, I yield 3 minutes to the gentleman from Tennessee (Mr. CLEMENT).

Mr. CLEMENT. Mr. Speaker, I thank the gentlewoman for yielding me the time. I thank the gentleman from Tennessee (Mr. JENKINS) for introducing this legislation to designate the U.S. Federal Courthouse Building in

Greeneville, Tennessee, after a great man, James H. Quillen.

Mr. Speaker, I had the opportunity, like others did here, to serve with Mr. Quillen. Not only was he a friend of mine, but he was also a close personal friend of my late father, Frank G. Clement, who served as governor of Tennessee. While my father was serving as governor, Jimmy served in the Tennessee State Legislature, where their mutual friendship and admiration for one another blossomed.

Jimmy Quillen was a man of his word, he was a man of tremendous integrity, and he was a true patriot. There are a lot of accomplishments by his name, including those that have already been mentioned by my Tennessee colleagues and those also that knew him and loved him and admired him and respected him from across the country.

Among his list of accomplishments, also, he served in the U.S. Navy. And, no doubt, he was a savvy businessman, but he was a true public servant. He entered the political arena in 1955, serving in the Tennessee State House of Representatives.

In 1962, he was elected to serve in the 88th Congress and served honorably from January 3, 1963, to January 3, 1997. Jimmy was the kind of Member that brought people together. He worked for the greater good and always did what was in the best interest of the people of Tennessee, Democrats and Republicans alike. This great House misses Jimmy Quillen and misses his leadership. He was a role model and still today is one of the greatest statesmen that Tennessee has ever produced.

One thing I do remember about him, and I think all of my colleagues would remember this, as well, is that handshake. Now, when he put that hand out there and grabbed their hand, he would drag them about halfway across the room. I remember that because he did that to me and did that to many others. I do not know how many people's arms he pulled out of socket, but I will tell my colleagues one thing, it got their attention and the next time they shook hands with Mr. Quillen they were ready for him so he would not do it to them.

It is with great enthusiasm that I support this legislation, H.R. 4608, and encourage my other colleagues in the U.S. House of Representatives to support this meaningful legislation.

Mr. LATOURETTE. Mr. Speaker, it is my pleasure to yield such time as he may consume to the gentleman from Tennessee (Mr. HILLEARY), another member of the Tennessee delegation who represents many points of interest in Tennessee, but my most favorite, Lynchburg.

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

Mr. Speaker, I do represent a lot of interesting places in Tennessee, as we have talked about several times. But Mr. Quillen, who we are honoring here today, represents, I think, one of the most beautiful areas in the whole country.

I am proud to cosponsor this piece of legislation. I think it has been an honor for me to have at least 2 years to serve in this House with Mr. Quillen. As has been said, he served longer than any other Member in the history of the State of Tennessee in this House, 34 years.

The thing about him that I think I find the most interesting is that he was a role model for us as being a Member of Congress, and we learned a lot from him. He did not care for partisan politics one bit. He always put his district and his constituents first, without question. I think that those who have come on after Mr. Quillen's tenure really did not get that advantage of being able to kind of learn the ropes under his tutelage.

The thing that I find very impressive about him, as well, is that he is the stereotypical American dream in the sense that he was very much and is a self-made man. He was born into a pretty poor family in 1916 with 10 children, very little money; and he was, as one of my colleagues said, part of that greatest generation that Tom Brokaw talks about. He did join the U.S. Navy during World War II.

He is a family man. He married his lovely wife, Cecile in 1952; and through sickness as in health, as the vows go, he has stood by her all those many years.

I recently got married, 3 weeks ago almost to the day, 3 weeks ago Saturday, and I can only hope to follow in the footsteps of the model that he showed all of us as far as being a loving husband.

□ 1230

He was in the State House for 8 years. He has basically spent his entire life in service to others and in service to his State and Nation and this country. I think it is very appropriate that we honor him in this way. The James H. Quillen, Jimmy Quillen United States Courthouse in Greeneville will be just yet another structure in the first district that is named after Mr. Quillen.

We cannot go around a bend in that lovely First Congressional District without seeing a school or a highway or a building, something that was an accomplishment of Mr. Quillen's while he was in Congress, named in honor of him; and I think that is very appropriate.

Mr. Speaker, Mr. Quillen used to sit right there, the second seat over here from the aisleway in the second row. I often bring groups in here at night, and I say this was Mr. Quillen's seat; and even though we do not have assigned seats in this House, some of the Members who have been here for a while, as we all know, sort of pick one seat as their seat, and that is where they always sit, and out of respect for them and their tenure and their service, we do not sit there. Except for my first time I was in here, I made the mistake of sitting there and with that big yank of a handshake, he popped me up and sat down in it.

We have no problem with that, because we revered and respected Mr. Quillen so much. That seat, as far as I am concerned, will always be Mr. Quillen's seat, no matter who else sits there while I am here in this House. I am honored to be a part of this legislation. I certainly ask everybody to get behind this in an enthusiastic way, and I was proud to serve with Mr. Jimmy Quillen.

Ms. NORTON. Mr. Speaker, I yield 3 minutes to the gentleman from Tennessee (Mr. TANNER).

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

Mr. TANNER. Mr. Speaker, I would just reiterate and endorse what my friends from Tennessee have had to say about Mr. Jimmy Quillen. I want to thank my friend, the gentleman from Tennessee (Mr. JENKINS), for introducing this resolution. I came to the Tennessee Assembly in 1976; and for the longest time, it seems Mr. Quillen and I were the graduates, I guess we might say, of the Tennessee General Assembly. The gentleman from Tennessee (Mr. JENKINS) also served there.

Mr. Quillen not only was the king of East Tennessee, as we used to call him, I live over in West Tennessee and his service to our State transcended the First Congressional District. I live in the Eighth Congressional District, and Mr. Quillen journeys over there to one of the premier political events in the springtime every year, down in Covington, Tennessee, the Oney Naifeh political dinner and his service to our State is appreciated, not only by those citizens in the first district in East Tennessee, but it was appreciated throughout, across the width and breadth of Tennessee.

Many, many mutual friends from Joe Bewley, who was in the legislature and lives in Greeneville, to many others, Ralph Cole and others I have known through the years and all from up there in the first district had the same love and respect for Mr. Quillen that those of us who got to know him from other parts of the State developed.

Mr. Speaker, he truly has given a very large measure of his life to the service of others, and it is with a great deal of pleasure and pride that I think that almost every Member from the Tennessee delegation, Democratic and Republican alike, has been down here this morning to say a kind word for Mr. Jimmy Quillen and I would add with great appreciation for the opportunity, my thanks and my endorsement of this process.

Mr. LATOURETTE. Mr. Speaker, I reserve the balance of my time to close.

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

Mr. TRAFICANT. Mr. Speaker, Mr. Quillen was a friend of mine, and I can remember he and another dear friend, Walter Jones, sitting down with me on occasion, giving me sound advice to sit down and shut up. As a member of the Committee on Rules, he helped me bring to the floor many amendments that many people did not have a shot.

I just wanted to chime in and say, if there is any distinguishing element to his great career, he was fair. He treated everyone fairly, and he was always a consummate gentleman. So I think the naming of this courthouse in his honor is absolutely fitting, because he was a great American. I appreciated the times that he and I were able to speak, and he imparted much of that wisdom to me, as he did to other Members at that time who were young and just coming on; and his advice to shut up probably was the best I ever got. Mr. Quillen, God bless you and the family.

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

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

Mr. LATOURETTE. Mr. Speaker, this is a good bill. I urge its passage, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and pass the bill, H.R. 4608.

The question was taken.

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

The yeas and nays were ordered.

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

FEDERAL PROTECTIVE SERVICE REFORM ACT OF 2000

Mr. LATOURETTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 809) to amend the Act of June 1, 1948, to provide for reform of the Federal Protective Service, as amended.

The Clerk read as follows:

H.R. 809

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 Protective Service Reform Act of 2000''.

SEC. 2. DESIGNATION OF POLICE OFFICERS.

The Act of June 1, 1948 (40 U.S.C. 318–318d), is amended—

(1) in section 1 by striking the section heading and inserting the following:

''SECTION 1. POLICE OFFICERS.'';

(2) in sections 1 and 3 by striking ''special policemen'' each place it appears and inserting ''police officers'';

(3) in section 1(a) by striking ''uniformed guards'' and inserting ''certain employees''; and

(4) in section 1(b) by striking ''Special policemen'' and inserting the following:

''(1) IN GENERAL.—Police officers''.

SEC. 3. POWERS.

Section 1(b) of the Act of June 1, 1948 (40 U.S.C. 318(b)), is further amended—

(1) by adding at the end the following:

''(2) ADDITIONAL POWERS.—Subject to paragraph (3), a police officer appointed under this section is authorized while on duty—

''(A) to carry firearms in any State, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States;

''(B) to petition Federal courts for arrest and search warrants and to execute such warrants;

''(C) to arrest an individual without a warrant if the individual commits a crime in the officer's presence or if the officer has probable cause to believe that the individual has committed a crime or is committing a crime; and

''(D) to conduct investigations, on and off the property in question, of offenses that have been or may be committed against property under the charge and control of the Administrator or against persons on such property.

''(3) APPROVAL OF REGULATIONS BY ATTORNEY GENERAL.—The additional powers granted to police officers under paragraph (2) shall become effective only after the Commissioner of the Federal Protective Service issues regulations implementing paragraph (2) and the Attorney General of the United States approves such regulations.

''(4) AUTHORITY OUTSIDE FEDERAL PROPERTY.—The Administrator may enter into agreements with State and local governments to obtain authority for police officers appointed under this section to exercise, concurrently with State and local law enforcement authorities, the powers granted to such officers under this section in areas adjacent to property owned or occupied by the United States and under the charge and control of the Administrator.''; and

(2) by moving the left margin of paragraph (1), as designated by section 2(4) of this Act, so as to appropriately align with paragraphs (2), (3), and (4), as added by paragraph (1) of this subsection.

SEC. 4. PENALTIES.

Section 4(a) of the Act of June 1, 1948 (40 U.S.C. 318c(a)), is amended to read as follows:

''(a) IN GENERAL.—Except as provided in subsection (b), whoever violates any rule or regulation promulgated pursuant to section 2 shall be fined or imprisoned, or both, in an amount not to exceed the maximum amount provided for a Class C misdemeanor under sections 3571 and 3581 of title 18, United States Code.''.

SEC. 5. SPECIAL AGENTS.

Section 5 of the Act of June 1, 1948 (40 U.S.C. 318d), is amended—

(1) by striking ''nonuniformed special policemen'' each place it appears and inserting ''special agents'';

(2) by striking ''special policeman'' and inserting ''special agent''; and

(3) by adding at the end the following: ''Any such special agent while on duty shall have the same authority outside Federal property as police officers have under section 1(b)(4).''.

SEC. 6. ESTABLISHMENT OF FEDERAL PROTECTIVE SERVICE.

(a) IN GENERAL.—The Act of June 1, 1948 (40 U.S.C. 318–318d), is amended by adding at the end the following:

''SEC. 6. ESTABLISHMENT OF FEDERAL PROTECTIVE SERVICE.

''(a) IN GENERAL.—The Administrator of General Services shall establish the Federal Protective Service as a separate operating service of the General Services Administration.

''(b) APPOINTMENT OF COMMISSIONER.—

''(1) IN GENERAL.—The Federal Protective Service shall be headed by a Commissioner who shall be appointed by and report directly to the Administrator.

''(2) QUALIFICATIONS.—The Commissioner shall be appointed from among individuals who have at least 5 years of professional law enforcement experience in a command or supervisory position.

''(c) DUTIES OF THE COMMISSIONER.—The Commissioner shall—

''(1) assist the Administrator in carrying out the duties of the Administrator under this Act;

''(2) except as otherwise provided by law, serve as the law enforcement officer and security official of the United States with respect to the protection of Federal officers and employees in buildings and areas that are owned or occupied by the United States and under the charge and control of the Administrator (other than buildings and areas that are secured by the United States Secret Service);

''(3) render necessary assistance, as determined by the Administrator, to other Federal, State, and local law enforcement agencies upon request; and

''(4) coordinate the activities of the Commissioner with the activities of the Commissioner of the Public Buildings Service.

Nothing in this subsection may be construed to supersede or otherwise affect the duties and responsibilities of the United States Secret Service under sections 1752 and 3056 of title 18, United States Code.

''(d) APPOINTMENT OF REGIONAL DIRECTORS AND ASSISTANT COMMISSIONERS.—

''(1) IN GENERAL.—The Commissioner may appoint regional directors and assistant commissioners of the Federal Protective Service.

''(2) QUALIFICATIONS.—The Commissioner shall select individuals for appointments under paragraph (1) from among individuals who have at least 5 years of direct law enforcement experience, including at least 2 years in a supervisory position.''.

(b) PAY LEVEL OF COMMISSIONER.—Section 5316 of title 5, United States Code, is amended by inserting after the paragraph relating to the Commissioner of the Public Buildings Service the following:

''Commissioner, Federal Protective Service, General Services Administration.''.

SEC. 7. PAY AND BENEFITS.

(a) IN GENERAL.—The Act of June 1, 1948 (40 U.S.C. 318–318d), is further amended by adding at the end the following:

''SEC. 7. PAY AND BENEFITS.

''Notwithstanding any other provision of law or any other rule or regulation, the pay and benefits for any employee of the Federal Protective Service who maintains active law enforcement status under section 1 shall be determined in accordance with a pay and benefits package established and maintained by the Administrator of General Services that is equivalent to the pay scale and benefits package applicable to members of the United States Capitol Police. Such pay scale and benefits package shall be established by regulation, shall apply with respect to the pay period beginning January 1, 2001, and ending December 31, 2001 (and such other pay periods as may be authorized by law), and shall not result in a decrease in the pay or benefits of any individual for such pay period.''.

(b) CONFORMING AMENDMENT.—Section 1(a) of such Act (40 U.S.C. 318(a)), is amended by striking ''without additional compensation''.

SEC. 8. NUMBER OF POLICE OFFICERS.

(a) IN GENERAL.—The Act of June 1, 1948 (40 U.S.C. 318–318d), is further amended by adding at the end the following:

''SEC. 8. NUMBER OF POLICE OFFICERS.

''After the 1-year period beginning on the date of enactment of this section, there shall be at least 730 full-time equivalent police officers in the Federal Protective Service. This number shall not be reduced unless specifically authorized by law.''.

SEC. 9. EMPLOYMENT STANDARDS AND TRAINING.

The Act of June 1, 1948 (40 U.S.C. 318–318d), is further amended by adding at the end the following:

"SEC. 9. EMPLOYMENT STANDARDS AND TRAINING.

''The Commissioner of the Federal Protective Service shall prescribe minimum standards of suitability for employment to be applied in the contracting of security personnel for buildings and areas that are owned or occupied by the United States and under the control and charge of the Administrator of General Services.''.

SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

The Act of June 1, 1948 (40 U.S.C. 318–318d), is further amended by adding at the end the following:

"SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

''There is authorized to be appropriated from the Federal Buildings Fund established by section 210(f) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 490(f)) such sums as may be necessary to carry out this Act.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATOURETTE) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

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

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

Mr. Speaker, H.R. 809, as amended, the Federal Protective Service Reform Act of 2000, makes the Federal Protective Service a freestanding service within the General Services Administration and creates a Federal Protective Service commissioner with line authority over regional directors. Federal Protective Service is currently under the Public Buildings Service, a real estate function within the GSA.

The commissioner of the Public Building Service currently has no line authority over regional directors and can only recommend policies and procedures.

This structure leaves the Federal Protective Service with just disjointed authority and blurred accountability.

H.R. 809 establishes police and training experience standards for the new Federal Protective Service commissioner, including at least 5 years of professional law enforcement experience.

The bill clarifies and broadens authority for the officers regarding arrest and investigative powers and expands jurisdiction to areas adjacent to Federal property. All regulations implementing these expanded authorities are subject to the approval of the Attorney General.

The bill requires contract security guards to undergo more rigorous background checks and increases the number of full-time FPS officers to 730.

Mr. Speaker, I am pleased that our committee could work out a compromise with the Committee on Government Reform and Oversight, and section 7 on pay and benefits reflects that compromise. It has been modified to direct that the Office of Personnel Management conduct a study of the pay and benefits of all Federal police forces to determine whether there are disparities between the pay and benefits of such forces.

We expect this record will be transmitted to the Congress no later than 12 months following enactment of this legislation. The change to section 7 will reduce the costs of the legislation to those costs to hire additional officers.

This legislation enhances the FPS and will make Federal buildings more secure. It has no impact on the facilities secured by the Secret Service, Federal Bureau of Investigation, and the United States Marshal Service. I want to emphasize that this bill does not affect the statutory authority and responsibility of the Marshal Service to provide protection to the United States judges, U.S. attorneys and others connected with the functions of United States courthouses.

The law enforcement community strongly supports this measure. This legislation is long overdue, and I want to commend my colleague, the gentleman from the 17th District of Ohio (Mr. TRAFICANT), for his persistence and active involvement in bringing this measure to the floor. I support this bill and encourage its passage.

Mr. Speaker, I submit the following letter for the RECORD.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON GOVERNMENT REFORM,
Washington, DC, June 13, 2000.

Hon. BUD SHUSTER,
Chairman, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: In the interest of expediting Floor consideration of the bill, the Committee will not exercise its jurisdiction over H.R. 809. However, we have agreed that the following language is to replace the existing language in section 7 of the legislation.

''The Office of Personnel Management shall survey the pay and benefits of all federal police forces to determine whether there are disparities between the pay and benefits of such forces that are not commensurate with differences in duties or working conditions. The Office shall submit a report to the Congress within 12 months after the date of enactment of this Act, which shall contain the Office's findings and recommendations. In order for the Committees to properly evaluate granting law enforcement status, the Committees expect the report to be completed and submitted within the stated timeframe.''

As you know, House Rules grant the Committee on Government Reform wide jurisdiction over government management issues including matters related to Federal civil service. This action should not, however, be construed as waiving the Committee's jurisdiction over future legislation of a similar nature.

I look forward to working with you on this and other issues throughout the remainder of the 106th Congress.

Sincerely,

DAN BURTON,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, June 13, 2000.

Hon. DAN BURTON,
Chairman, Committee on Government Reform, Washington, DC.

DEAR MR. CHAIRMAN: Soon the House will consider H.R. 809, the Federal Protective Service Reform Act of 2000. While H.R. 809 primarily contains provisions related to matters solely in the jurisdiction of the Committee on Transportation and Infrastructure, I recognize that Section 7 of the bill regarding federal pay issues are under the jurisdiction of the Committee on Government Reform and agree to modify Section 7 to meet your concern.

I agree that allowing this bill to go forward in no way impairs upon your jurisdiction over these provisions, and I would be pleased to place this letter and your letter of June 13, 2000 in the Committee's Report. In addition, if a conference is necessary on this bill, I would support any request to have the Committee on Government Reform be represented on the conference with respect to the matters in question.

I look forward to passing this bill on the Floor soon and thank you for your assistance.

Sincerely,

BUD SHUSTER,
Chairman.

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

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

Mr. Speaker, I am a strong cosponsor of H.R. 809, a bill to provide a higher level of law enforcement professionalism in the Federal Protective Service, or FPS. The FPS is responsible for providing security not only in Federal buildings but also for the public who visit those buildings and the employees who work in them.

For over a year, the Subcommittee on Economic Development, Public Buildings, Hazardous Materials and Pipeline Transportation has reviewed and considered a bill to make the Federal Protective Service an independent entity within the General Services Administration. Through several Congresses, the subcommittee held hearings on the status of security in government-owned buildings. However, the nature of threats to Federal property changed forever with the bombing of the Murrah Federal Building in Oklahoma City.

In general, the subcommittee was concerned about the quality of Federal protection, including the use of contract guard services. The Members focused on the overall management of the FPS and received testimony from the General Accounting Office reporting how well the public building services was managing the protective function.

We became convinced that separating the Federal Protective Service from the real estate function in GSA would help achieve a higher level of professionalism we thought essential in Federal buildings today.

We received numerous letters in support from local law enforcement entities from across the country that supported strengthening the management of FPS by making it an independent entity within GSA. After reviewing testimony, the subcommittee determined that making the Federal Protective Service a separate entity within GSA makes sense. It makes good management sense.

This move makes operational sense as well. The commissioner of the FPS

will now have command and control over his own employees. The commissioner will be able to make immediate decisions and deploy police officers without having to check with the real estate arm of GSA.

It is not a decision the subcommittee made quickly or without extensive discussion and deliberations. The staff has had numerous discussions with GSA, managers from the Federal Protective Service, officials from the Department of Justice, and finally the officials of the United States Secret Service.

The time has come to move forward with legislation that will professionalize the Federal protective workforce. It is time to update and upgrade the quality of protection offered to the public who visits our public buildings and the employees who work in these buildings.

The bill will create a separate entity within GSA. The commissioner will have control over his own employees; and as important, he will have the authority to set the standards for hiring the contract guards who are so ubiquitous in Federal buildings today.

The bill accomplishes a great deal, but a great deal remains to be done to ensure higher level of security in Federal buildings and for Federal property.

Architectural design needs to incorporate security features, sufficient funding for technology needs to be identified, and our cop on the beat needs to be the best trained and knowledgeable employee.

Mr. Speaker, I very much support H.R. 809, as amended.

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

Mr. LATOURETTE. Mr. Speaker, I have no additional requests for time, and I reserve the balance of our time.

Ms. NORTON. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. TRAFICANT), the chief sponsor of the bill.

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

Mr. TRAFICANT. Mr. Speaker, I want to thank the gentlewoman from the District (Ms. NORTON) for yielding me the time and the former prosecutor, the gentleman from Northern Ohio (Mr. LATOURETTE), who understands that the best case that prosecutor may see or a sheriff may see is the one that we never see, because we may have prevented that particular deed which has caused the need for a prosecutor and sheriff to be involved.

I want to start out by saying that our Subcommittee on Economic Development, Public Buildings, Hazardous Materials and Pipeline Transportation is probably the best kept secret in the Congress. I want to commend the two directors of the staff, Rick Barnett and Susan Brita; they do a great job. They did a great job on this bill.

I want to compliment the gentleman from Pennsylvania (Mr. SHUSTER), the chairman; and the gentleman from Minnesota (Mr. OBERSTAR), our ranking member; the gentleman from New Jersey (Mr. FRANKS), the subcommittee chairman; and the gentleman from West Virginia (Mr. WISE), the ranking member; and Members like the gentleman from Ohio (Mr. LATOURETTE), with his extensive knowledge of law enforcement; and everybody else on that subcommittee who has passed such important legislation, and sometimes it goes unrelated in this Congress. There is always a bipartisanship that emanates from that behavior; and as a result, the legislation is effective and makes a difference.

I just wanted to start out talking about Oklahoma City. Mr. Speaker, we know that if we look at Oklahoma City, as I did as a sheriff, I can understand why Oklahoma City became that target, the Alfred P. Murrah building.

There were three Federal buildings guarded by one guard that day, and that guard was a contract guard. Now, I am not demeaning the contract guards that serve in the Federal Protective Service; many of them are former law enforcement officers that are working now and extending their career. I think they should be paid more. I think that the bill would be better had we made that particular type of adjustment, but I think the compromise made with the Committee on Government Reform and the gentleman from Indiana (Mr. BURTON), who has been very fair, is good. I would hope that in the future that all law enforcement and the parity for law enforcement would be a top priority of this body.

The bottom line remains that that contract guard as it existed did not go through the same type of background checks and training as do our regular officers and these men and women are underpaid, overworked. And the big beacon light that beams out there for terrorists targets is our great buildings.

□ 1245

It is easy to make international headlines and these terrorist groups can, in fact, compete with America, with our military might so their guerilla warfare tactics that center on terrorist activities must be recognized and must be dealt with. This bill does that.

The first thing it does is it makes a fundamental change absolutely necessary. The director of the Federal Protective Service right now answers to the director of the Public Building Service, who is a real estate expert. He is a good one, but he does not understand law enforcement. We want to make sure that that director of the law enforcement activities covering our Federal buildings reports directly to the General Services administrator. We want to make sure that those contract guards have the exact training, they have the background checks, they have expanded police powers.

So the bill is simplistic, it is common sense, but more importantly, it speaks to the fact that the Congress of the United States did not just grieve and hold hearings over Oklahoma City. The Congress of the United States promulgated a plan predicated on reasonable factors and brought forward a legislative remedy.

Mr. Speaker, understand that there are some people in GSA that are going to oppose this legislation. As the sponsor of this bill on the floor, I want to make this statement: the responsibility in the future for a terrorist act in one of our buildings now rests in their hands if, over turf battles, they hold back an excellent piece of legislative initiative brought before the Congress. So I want to echo the statements of the gentleman from Ohio (Mr. LATOURETTE) and his expertise in this field, and I want to thank again the staff.

Mr. Speaker, I ask all Members of Congress to support the bill.

Mr. Speaker, as the author of H.R. 809, the "Federal Protective Service Reform Act," I rise in strong support of the bill.

I have been working for the past six years to improve federal building security. This bill will make a big difference. It will put us in a position where we can reduce the likelihood of another Oklahoma City.

Good security starts and ends with good people. One of the keys to dramatically improving building security is having a well-trained FPS led by experienced law enforcement and security professionals—not real estate managers. Congress also needs to clearly establish, by statute, FPS's mission and jurisdiction.

H.R. 809 will achieve all of these goals.

I want to thank full committee chairman BUD SHUSTER, ranking member OBERSTAR, the subcommittee chair BOB FRANKS and the ranking member BOB WISE.

I also want to thank Chairman DAN BURTON of the Government Reform Committee for working with our committee on the issue of FPS pay. While I would have liked to have kept in the bill a provision increasing FPS pay, I believe that the OPM study provision, which was drafted in consultation with the Government Reform Committee, will ultimately result in FPS officers be fairly compensated.

I, for one, intend to keep working to pass separate legislation to ensure that all federal law enforcement officers—including FPS officers—are fairly and fully compensated.

Why is this legislation needed?

Low manpower levels, a flawed management structure, and the increasing use of unqualified contract guards are seriously compromising the ability of FPS to do its job.

For example, FPS is part of GSA's real estate management arm, the Public Building Service. As such, the head of FPS does not have command and control authority over FPS regional directors. Regional FPS directors report directly to Public Building Service regional administrators—individuals with no law enforcement experience.

In addition, the majority of FPS regional directors have no law enforcement or intelligence experience.

H.R. 809 embodies the FPS-related recommendations made in a 1995 Justice Department study conducted in the wake of the April 19, 1995 bombing of the Murrah building

in Oklahoma City. The study's recommendations, which included upgrading the position of FPS within GSA, were endorsed by the FBI, Marshals Service, Department of Defense, Secret Service, State Department and Administrative Office of the U.S. Courts.

I would also point out that a 1996 review conducted for GSA by Arthur Andersen strongly recommended that FPS be made a stand-alone service within GSA. Unfortunately, through four separate hearings conducted over the past two years by the Transportation and Infrastructure Committee, PBS never once mentioned this key study.

H.R. 809 has been strongly endorsed by every major law enforcement organization in the country, including the National Fraternal Order of Police, the Federal Law Enforcement Officers Association and the International Brotherhood of Police Officers.

The only issue that has been contentious, as far as the Public Building Service is concerned, is whether or not FPS should be a stand-alone service within GSA.

On this issue I side with the law enforcement community.

The fact is, the entire law enforcement community believes that making FPS a stand-alone service within GSA is essential to upgrading and improving federal building security.

Mr. Speaker, this bill is much needed and long overdue. The sad reality is that since Oklahoma City, the terrorist threat to federal buildings—foreign and domestic—has increased dramatically. Right now, we are still unprepared to deal with this threat.

H.R. 809 will give us a fighting chance to effectively combat terrorism. I urge its approval.

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

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

Mr. LATOURETTE. Mr. Speaker, a good bill deserves to be passed; I support it.

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

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and pass the bill, H.R. 809, as amended.

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

A motion to reconsider was laid on the table.

ADRIAN A. SPEARS JUDICIAL TRAINING CENTER

Mr. LATOURETTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1959) to designate the Federal building located at 743 East Durango Boulevard in San Antonio, Texas, as the ''Adrian A. Spears Judicial Training Center,'' as amended.

The Clerk read as follows:

H.R. 1959

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION.

The Federal building located at 643 East Durango Boulevard in San Antonio, Texas, shall be known and designated as the ''Adrian A. Spears Judicial Training Center''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in section 1 shall be deemed to be a reference to the ''Adrian A. Spears Judicial Training Center''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATOURETTE) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

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

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

Mr. Speaker, H.R. 1959, as amended, designates the Federal building located at 643 East Durango Boulevard in San Antonio, Texas as the ''Adrian A. Spears Judicial Training Center.''

Adrian Spears was born in Darlington, South Carolina, on July 8, 1910. He attended local schools, graduated from the University of North Carolina in 1929, and the South Carolina School of Law in 1934. After practicing law in South Carolina for 2 years, he moved to San Antonio in 1937 and practiced law there until his appointment by President Kennedy to the Federal bench in 1961.

The Senate confirmed his appointment in 1962, the same year that he became chief judge, a position that he held until 1979. He was the longest-serving chief judge and will hold that distinction indefinitely, since current law prohibits a judge from serving as chief judge for longer than 7 years. He assumed senior status in 1979 and retired from the Federal bench in 1982, when he became vice president of an oil company, a position that he held until his death in 1991.

Judge Spears was a member in good standing of the Texas State bar, a member of the Judicial Conference Committee on the Administration of Criminal Law, served on the Federal Judicial Center Board, and was the recipient of the Rosewood Gavel Award, St. Mary's School of Law.

This is a fitting honor to a dedicated public servant. I support this bill, and I encourage my colleagues to do the same.

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

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

I rise in support of H.R. 1959, a bill to designate the Judicial Training Center in San Antonio, Texas, in honor of Judge Adrian A. Spears.

President John Kennedy appointed Judge Spears to the Federal bench in 1961. Judge Spears distinguished himself for 22 years as the United States District Judge in the Western District of Texas; and for 17 of those years Judge Spears served as the Chief Judge. He was also a member of the Emergency Court of Appeals, the Judicial Conference of the United States Commission on Administration Justice, president of the 5th Circuit District Judges Association, and president of the San Antonio Bar Association.

Judge Spears was born in South Carolina and attended undergraduate school and law school at the University of North Carolina. In 1937 he moved to San Antonio and became an integral part of the community.

He was respected by his colleagues and admired for his dedication and diligence in attending to the needs of the Federal courts in the 5th circuit. In 1998 the San Antonio Bar Association passed a resolution to petition the local elected Federal officials to sponsor suitable legislation to name a facility in his honor. It is most fitting and proper to honor Judge Spears with this designation, and I strongly urge support for H.R. 1959.

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

Mr. LATOURETTE. Mr. Speaker, I have no additional requests for time, and I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. GONZALEZ).

Mr. GONZALEZ. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, I would like to thank the gentlewoman from the District of Columbia (Ms. NORTON), as well as members of the House Committee on Transportation and Infrastructure's Subcommittee on Economic Development, Public Buildings, Hazardous Materials and Pipeline Transportation, and the entire Committee on Transportation and Infrastructure for the action on this legislation.

This bill, which I introduced in May of last year, would designate the Federal Judicial Training Center located at 643 East Durango Boulevard in San Antonio, Texas, as the Adrian A. Spears Judicial Training Center.

Judge Spears was the epitome of an outstanding and truly dedicated United States district judge. As Chief Judge of the Western District of Texas, Judge Spears' career was highlighted by a commitment to ensuring fairness and justice in the courtrooms under his jurisdiction. To many of those who practiced in his courtroom, Judge Spears will forever be remembered for his desire to maintain a standard of professionalism second to none. He taught all of us that demanding our best effort in behalf of our individual client was the surest way of assuring justice for all, and he led by example. He felt he needed to take the extra steps to ensure that he was being fair, not only to the Government, but also to the defendant.

To that extent, he was meticulous about his preparation; and he paid particular attention to detail. In fact, I have heard that Judge Spears' secretary would often bring three or four briefcases filled with pretrial work for the next day's caseload for Judge Spears to review. Judge Spears would go through each document in the file,

reading everything, including probation reports, so that he would not have to rely solely on the attorneys' oral reports in open court.

Adrian Anthony Spears was born on July 8, 1910, in Darlington, South Carolina. After graduating from the University of North Carolina in 1929 and South Carolina Law School in 1934, he practiced law in Darlington until 1936. In 1937, Adrian Spears moved to San Antonio where he continued in private practice until President John F. Kennedy appointed him United States District Judge in 1961. It was an opportunity which came as the result of a 1961 congressional act creating a third judgeship for the Western District of Texas. Judge Spears became Chief Judge of the Western District in 1962 and served in that capacity until 1979, a record 17 years.

In addition to serving as U.S. District Judge for a total of 22 years, Judge Spears was also a member of the Board of Directors of the Federal Judicial Center, the temporary Emergency Court of Appeals, the Judicial Conference of the United States Mission on the Administration of Criminal Law, the Committee to Consider Standards for Admission to Practice in Federal Courts, and a member of the faculty of the Seminar for Newly Appointed Judges.

From 1959 to 1960, Judge Spears also served as president of the San Antonio Bar Association. Upon his retirement from Federal judicial service on December 31, 1982, Judge Spears joined the oil company Tetco as the vice president and served there in that capacity until his death on May 9, 1991.

While his judicial accomplishments alone are noteworthy, it is also his tireless efforts and commitment to improving and expanding the facilities of the Federal court system in San Antonio that merits this proper and long overdue recognition of Judge Spears' contributions to San Antonio. In fact, it was Judge Spears' guidance that the United States Pavilion, now the John H. Wood, Jr. United States Courthouse, was acquired and made part of the Federal Judicial Complex in San Antonio after Hemisfair in 1968.

Mr. Speaker, this is truly a fitting honor to bestow upon Judge Adrian Anthony Spears.

Finally, I want to take this opportunity to recognize his family, particularly his sons Monroe and Jimmy and his daughters, Sally and Carol. Without great elaboration I do need to tell my colleagues that two of his children are lawyers, one of his granddaughters is presently in law school, but many of his nephews and great nephews have distinguished themselves both as lawyers in the community and as jurists.

Mr. Speaker, I urge Congress to pass H.R. 1959, and I would like to offer special thanks to the gentleman from Texas (Mr. SANDLIN), my fellow Texan, for his assistance and that of his staff.

Ms. NORTON. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. RODRIGUEZ).

Mr. RODRIGUEZ. Mr. Speaker, I want to thank the gentlewoman from the District of Columbia for yielding me this time.

Mr. Speaker, I rise in support of H.R. 1959, which would rename a part of the San Antonio Federal Building as the Adrian A. Spears Judicial Training Center. Judge Spears was an outstanding and dedicated U.S. district judge. Judge Spears holds the record as the longest serving chief judge for the western district of Texas. He moved to San Antonio in the years before World War II and lived there until his death in 1991. He was appointed by President Kennedy and confirmed by the Senate in 1962; and he remained on the bench until 1979, after which he assumed senior status until 1982. Judge Spears was a highly respected jurist who is worthy of this permanent honor.

Mr. Speaker, I want to take this opportunity also to thank the gentleman from Texas (Mr. GONZALEZ) for his efforts on this particular piece of legislation, and I would indicate that Judge Spears should be honored for his tireless efforts for this country and the work that he accomplished. I encourage all of my colleagues to support the legislation as we move forward in memorializing Judge Spears.

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

Mr. LATOURETTE. Mr. Speaker, I urge passage of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and pass the bill, H.R. 1959, as amended.

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

The title of the bill was amended so as to read: ''A bill to designate the Federal building located at 643 East Durango Boulevard in San Antonio, Texas, as the 'Adrian A. Spears Judicial Training Center'.''.

A motion to reconsider was laid on the table.

FLOYD H. FLAKE FEDERAL BUILDING

Mr. LATOURETTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3323) to designate the Federal building located at 158–15 Liberty Avenue in Jamaica, Queens, New York, as the ''Floyd H. Flake Federal Building''.

The Clerk read as follows:

H.R. 3323

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION.

The Federal building located at 158–15 Liberty Avenue in Jamaica, Queens, New York, shall be known and designated as the ''Floyd H. Flake Federal Building''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in section 1 shall be deemed to be reference to the ''Floyd H. Flake Federal Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATOURETTE) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

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

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

Mr. Speaker, H.R. 3323 designates the FDA facility in Jamaica, Queens, New York, as the Floyd H. Flake Federal Building. This is a leased facility and the building owners have expressed their strong support for this action.

Floyd Flake was born in Los Angeles, California, one of 13 children to parents with elementary school educations. He grew up in Houston, attending local schools. Congressman Flake earned his Bachelor of Arts degree from Wilberforce University in Wilberforce, Ohio, the first black college in America, founded in 1856. This university was founded by the African Methodist Episcopal Church and was named for the English statesman and abolitionist James Wilberforce.

□ 1300

Dr. Flake went on to attend Payne Theological Seminary in Wilberforce before attending Northeastern University and St. Johns University in Queens, New York.

Reverend Dr. Flake has been the pastor of the Allen A.M.E. Church in Jamaica, New York, since 1976. He is the founder of the Allen Housing Development Fund Corporation, the Allen Christian School and Multi-purpose Center, the Allen Home Care Agency, Allen Housing Corporation, Allen Neighborhood Preservation and Development Corporation, and a member of the NAACP.

Dr. Flake was elected to the 100th Congress and served until his retirement in the 105th Congress. Dr. Flake retired from the Congress to return to his Church, which is 10,000 members strong.

When Dr. Flake was in Congress, he was a staunch advocate for policies to revitalize blighted urban and residential communities. His bipartisan nature commanded the respect from Members on both sides of the aisle of this House. He is certainly missed in the House.

This is a fitting tribute to a former Member of Congress. I support the bill, and encourage my colleagues to do the same.

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

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

Mr. Speaker, it is with special and personal pleasure that I rise in support

of this legislation. H.R. 3323 would designate the new FDA laboratory located in Jamaica, Queens, New York, in honor of our former colleague and Member, Floyd Flake.

This facility is the product of many years of hard work by our former colleague. He worked with the General Services Administration, the Food and Drug Administration, the city of New York, the State of New York, the New York City University system, and countless local officials to finally bring this idea to fruition. Reverend Flake is well known for his tenacity.

Floyd Flake is a firm and dedicated believer in the power of community and the benefits of community development. His legislative accomplishments, built on the principle of a positive Federal role in urban revitalization, include the Bank Enterprise Act of the Community Development Financial Institutions Act of 1993. This act provides incentives for financial institutions to make market-oriented investments in destabilized urban and rural communities.

Reverend Flake truly lives what he preaches, and has devoted himself to the Allen A.M.E. Church in New York. His works have made the church one of the most productive religious and social service organizations in the country. It is most fitting and proper to honor his work on the FDA lab by designating the facility as the Floyd H. Flake Federal Building.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I thank the gentlewoman for yielding time to me. Let me also thank the leaders of the committee for bringing forth this legislation, and the gentleman from New York (Mr. MEEKS) for sponsoring the bill to designate the Floyd Flake Federal Building in Jamaica, Queens, New York.

Throughout Reverend Flake's life, he has been the personification of the greatest traditions of America. He has consistently fought to empower each person in this country, and ensure that everyone had the tools to pursue the American dream. Designation of the Federal building in his former district as the Floyd H. Flake Federal Building would be a fitting tribute to his work in that area here in the House, and his tireless activism since he has returned home.

In Congress, Reverend Flake represented the Sixth Congressional District from 1986 until his retirement in 1997. He fought fearlessly to establish programs and craft legislation designed to revitalize urban areas. He was an innovator, frequently reaching across party lines to solve problems. One of his initiatives, the Bank Enterprise Act, has resulted in millions of dollars of investment for both urban and rural economies.

The language in the Bank Enterprise Act, which became law through the Community Development Financial Institutions Act, is the catalyst for investments which have led to residential development and commercial growth. It has also increased private sector commitment to aid the economies of traditionally neglected areas.

Through his work, Congressman Flake helped to make certain that all segments of our society feel the benefits of our unprecedented economic expansion.

Since his retirement, Reverend Flake has charted new territory regarding community activism and civic responsibility. As pastor of the Allen A.M.E. Church in Queens, he has led a revolution in church-based nonprofit activity. His $24 million operation is a national model and has helped to revitalize his community. Following his example, countless churches around the country have restructured their operations and reached new levels of efficiency and effectiveness.

As leader, he has directly and indirectly helped thousands of Americans have a legitimate chance to compete in our global marketplace.

Mr. Speaker, there is perhaps no other American as worthy of this honor as former Representative Reverend Floyd H. Flake. By bestowing this designation on the Queens Federal Building, this Congress will help to show the world that America places a premium on the values of leadership, determination, and innovation with high moral standards. I strongly support this resolution, and urge my colleagues to do the same.

Ms. NORTON. Mr. Speaker, I yield such time as she may consume 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, might I thank the distinguished gentlewoman from the District of Columbia (Ms. NORTON), both for her leadership and her guiding of this legislation, and likewise the gentleman from Ohio (Chairman LATOURETTE) for his guidance of some of the sometimes very special tributes made to individuals by way of acknowledging them in their community.

I would also like to commend the gentleman from New York (Mr. MEEKS) of the Sixth District of New York for spearheading this legislation as well.

Mr. Speaker, in the next couple of days thousands of members of the A.M.E. Church will gather in Cincinnati, Ohio. I would imagine that Dr. Flake will be joining them, as he is a well-respected Member of that august body, and one of their shining stars, he was one of the Congress' shining stars as well.

He wears many hats, and I am delighted to rise to the floor of the House to support this legislation to name the new FDA laboratory located in Jamaica, New York, after Dr. Floyd Flake, and to acknowledge his partner in life, Mrs. Flake, who stands alongside of him as a visionary that has provided great insight and opportunity for the citizens of the Sixth Congressional District and surrounding areas.

I have a special role in rising today because I happen to have the privilege of representing Dr. Flake's relatives in Acres Home, Texas, located in the 18th Congressional District in Houston, Texas. It has been a remarkable journey for Dr. Flake as he has traveled from Acres Home, Texas, of which he speaks fondly, of a very strong family upbringing, but yet, a very humble upbringing. He has been an inspiration for the young people of the Acres Home area and the Houston area, as well, as they have watched him ascend to the very high offices of government.

Yes, he is a graduate of the Wilberforce College, the Payne Theological Seminary, and attended St. Johns University, and, as well, the pastoral leader of the A.M.E. Church that has helped to promote housing and education in the community, but he also has been a mentor to many in the ministerial community and the religious community, because it was his vision that indicated or at least advocated for faith-based participation, to be able to collaborate with government where government was not taking over the church or the religious institution, but that they were working for the greater good.

Since his advocacy in this Congress, we have looked at ways that faith-based institutions can work on children's violence issues, can work on welfare-to-work, can work on education in the way that we have the separation of church and State.

Let me close by also acknowledging that he has made a great impact on individuals in Texas even though he is honored and claimed by New York, and has done great work there. I might note that State Representative Sylvester Turner, who grew up in Acres Home, who looked to Congressman Floyd Flake as a leader and role model for him, he now stands as one of the outstanding leaders in the State of Texas.

Dr. Flake practiced what he preached, so this is an appropriate honor for him. I am very proud to stand on the floor of the House and to have counted him as one of my colleagues, having served with him in the early part of my tenure in this Congress, and to thank him for his strong support of legislation such as the Community Reinvestment Act, that has made the lives of all Americans much better. Who better to deserve this honor?

I applaud him and his family and the great works he continues to do in the State of New York in the area of Jamaica, but as well, in the Nation that we call America. He is a great American and he is a national treasure.

Mr. Speaker, I rise in strong support of H.R. 3323, a bill that will designate the federal building located in Jamaica, Queens, New

York, as the ''Floyd H. Flake Federal Building.'' Sadly, it was not too long ago that Rev. Flake served along side this body, but undoubtedly he made a lasting impression on us all as well as the Nation.

Congressman Flake was born in Los Angeles on January 30, 1945, and came to my home district of Houston, TX, to attend public school. After growing up in the great State of Texas, he studied at Wilberforce University in Ohio, and earned his BA. He continued to broaden his education and graduated from Payne Theological Seminary and Northeastern University. In 1994, he earned his doctorate of ministry degree from the United Theological Seminary in Dayton, OH.

Congressman Flake evolved from student to educator, serving as dean of students and university chaplain at Boston University in 1976 and served as the director of the Martin Luther King, Jr. Afro-American Center at Boston University from 1973 to 1976. From 1970 to 1973, he served as the associate dean of students, director of student activities at Lincoln University. Thereafter, he moved to business, and served as a market analyst for Xerox and as a sales representative for Reynolds Tobacco Co. In addition, Rev. Flake served as a social worker for an early child development/Head Start program.

Mr. Speaker, Congressman Flake lent his talents and energy to other activities important to our Nation. Legislatively, he is remembered for his work on the Committee on Banking and Financial Services and increasing investment opportunities for underserved communities through the Bank Enterprise Act and the Reform of the Community Reinvestment Act. In addition, Rev. Flake is remembered by many of us for his initiatives to revitalize urban commercial and residential communities.

After retiring from Congress, Rev. Floyd has remained active by developing the Allen A.M.E. Church in Jamaica, Queens. During his 23 years as Pastor there, the church has grown to include some 12,000 members, an annual budget of $27 million, expansive commercial and residential development, a 500-student private school and is regarded as one of the Nation's foremost Christian churches and non-profit corporations. Also, the church has created local jobs, affordable homes, schools and multiservice centers that provide health care for the surrounding district.

Floyd Flake served in the House with honor, with sincerity, and with unwavering commitment to his district as well as our Nation. He was a model of excellence to all of us in this body, and for over a decade, he fulfilled a calling to public service with passion and nobility.

As a result, I can think of no better reason than to honor Floyd Flake by renaming the federal building in Jamaica, queens. Throughout, his service in his public, personal and congressional career Rev. Flake remained dedicated to improving the lives of the residents of Jamaica, Queens. Today, Rev. Flake continues to leave a lasting imprint on this community and our Nation.

In closing, again Mr. Speaker I urge all my colleagues to unanimously adopt this bill and rename this federal building in honor of a truly dedicated and great public servant, Reverend Floyd Flake.

Ms. NORTON. Mr. Speaker, it gives me special pleasure to yield such time as he may consume to the gentleman from New York (Mr. MEEKS), the primary sponsor of the bill before us.

Mr. MEEKS of New York. Mr. Speaker, I thank the gentlewoman for yielding time to me.

Mr. Speaker, let me also thank the gentleman from Pennsylvania (Chairman SHUSTER) and the ranking member, the gentleman from Minnesota (Mr. OBERSTAR) from the Committee on Transportation and Infrastructure for bringing this bill to the floor.

The consideration of this legislation is most timely, as Reverend Flake and I recently cut the ribbon to open the newly constructed Food and Drug Administration facility on the campus of York College in Jamaica, New York.

What can I say about my friend and predecessor, the Reverend Dr. Floyd H. Flake? His name has become synonymous with economic development in the Sixth Congressional District and throughout this country.

Congressman Flake ran for Congress in 1986 during a special election to replace the recently deceased, and a strong member of this body, Joseph P. Addabbo. Though he narrowly lost the special election in June, he continued campaigning with the exuberance and charisma that is his trademark and won an overwhelming victory in the fall.

Many new and previously disenfranchised individuals were attracted to Reverend Flake's campaign by the economic development projects that he had initiated since becoming the pastor of the Allen A.M.E. Episcopal Church in Jamaica, Queens, and through his ministry that emphasizes self-improvement and community development.

Since Floyd Flake became the pastor of Allen A.M.E. over 22 years ago, the church has developed a school with over 500 students, extensive commercial and residential development, including private homes and senior quarters, a multi-service facility, and a transportation company. The various enterprises at Allen A.M.E. comprise a workforce of over 800, people making it one of the largest private sector employers in the county of Queens.

As Congressman, Floyd H. Flake fulfilled the wishes of his constituents by bringing his community development expertise to Washington. He was a bipartisan legislator who focused on initiatives to revitalize urban neighborhoods.

One of his most notable legislative accomplishments included the provisions of the Community Development Financial Institutions Act of 1993, known as the Bank Enterprise Act. The Bank Enterprise Act provided incentives for financial institutions to make market-oriented investments in destabilized urban and rural economies. The Bank Enterprise Act has directly impacted the volume of residential mortgages and commercial lending in traditionally underserved areas in America.

The Sixth Congressional District benefited from his legislative and political acumen as Reverend Flake secured a one-stop capital shop to provide counseling for start-up and fledgling small businesses, funds for the improvement of National Gateway Park, and Hope 6 funds to greatly improve social and economic conditions in selected New York City public housing complexes and throughout America.

Consistent with his reputation for bricks and mortar development through his church, Floyd used his legislative position to deftly advocate to have the new sites for the Federal Aviation Administration and the Food and Drug Administration located in the Sixth Congressional District in Queens, which will create more jobs and economic spin-off for the district.

As the rest of the Sixth Congressional District in New York, I have benefited from Floyd's experience and his accomplishments. As the pastor of Allen A.M.E., he has also given spiritual upliftment to me, to my family, and to those within the Sixth Congressional District.

Let me finally say that too often we have great individuals in our midst and we wait until they are long gone, until they are dead and buried, before we acknowledge their accomplishments. They never know of the appreciation of the individuals who receive the benefits of their greatness.

I think that it is only appropriate that we allow one to smell the flowers, if you will, as they still walk on this great Earth. We surely want to give appreciation to the Dr. Reverend Floyd H. Flake for his continued support and commitment to making life better for his community and for all of Americans.

I want to thank the gentlewoman from the District of Columbia (Ms. NORTON) for supporting this measure.

Mr. WATTS of Oklahoma. Mr. Speaker, today, I rise to support H.R. 3323 and honor a former colleague and friend, Rev. Floyd Flake. Rev. Flake honorably served the people of the 6th District of New York for over a decade.

It was a great pleasure to meet Floyd Flake my first year in Congress and to learn of his abiding interest in community renewal. We began working together that year on the American Community Renewal Act—which will be reaching the House floor next month. During the drafting of the American Community Renewal Act and our subsequent tours of towns and cities across the nation to learn from local folks what works and what doesn't, I had the opportunity to visit Rev. Flake's church, the Allen African Methodist Episcopal Church in Jamaica, Queens, New York, and I can tell you that Floyd Flake walks the walk.

Under his inspired and inspiring leadership, that congregation had come together and built housing, small business opportunities, counseling centers, and a school where the children in the neighborhood actually got an education—a living thriving, vibrant community where neighbor cares about neighbor and God is part of your life.

Since the Constitution won't allow us to rename the entire city of Jamaica, New York, after my good friend Floyd Flake, I am delighted to rise in support of this measure to honor him in this meaningful way. I urge my colleagues to support H.R. 3323 and show our great respect for our former colleague Floyd Flake.

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

□ 1315

Mr. LATOURETTE. Mr. Speaker, I urge passage of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and pass the bill, H.R. 3323.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. LATOURETTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4608; H.R. 809, as amended; H.R. 1959, as amended; and H.R. 3323, the measures just considered by the House.

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

There was no objection.

RECESS

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

Accordingly (at 1 o'clock and 15 minutes p.m.), the House stood in recess until approximately 2 p.m.

□ 1400

AFTER RECESS

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

PERIODIC REPORT ON NATIONAL EMERGENCY WITH RESPECT TO IRAN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 106–261)

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

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), section 204(c) of the International Emergency Economic Powers Act (IEEPA), 50 U.S.C. 1703(c), and section 505(c) of the International Security and Development Cooperation Act of 1985, 22 U.S.C. 2349aa–9(c), I transmit herewith a 6-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12957 of March 15, 1995.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *June 27, 2000.*

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Debate has concluded on all motions to suspend the rules.

Pursuant to the provisions of clause 8, rule XX, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed in the order in which that motion was entertained.

Votes will be taken in the following order:

H. Con. Res. 312, by the yeas and nays;

H.R. 494, by the yeas and nays;

H.R. 4608, by the yeas and nays.

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

SENSE OF CONGRESS THAT STATES SHOULD MORE CLOSELY REGULATE TITLE PAWN TRANSACTIONS AND OUTLAW IMPOSITION OF USURIOUS INTEREST RATES ON TITLE LOANS TO CONSUMERS

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 312, as amended.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New Jersey (Mrs. ROUKEMA) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 312, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 420, nays 6, not voting 8, as follows:

[Roll No. 331]

YEAS—420

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
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)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
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
Dingell
Dixon
Doggett
Dooley
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
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)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott

Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
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
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (FL)

NAYS—6

Doolittle
Paul
Pombo
Rohrabacher
Sanford
Smith (MI)

NOT VOTING—8

Cook
Lazio
Linder
Markey
McIntosh
Tiahrt
Vento
Young (AK)

□ 1422

Ms. GRANGER and Mr. ADERHOLT changed their vote from ''nay'' to ''yea.''

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

The title of the concurrent resolution was amended so as to read:

''Concurrent resolution expressing the sense of the Congress that the Federal Government and the States should engage in greater oversight of title loan and title pawn transactions, work cooperatively to address the problem of abuses in title loan and title pawn transactions through effective legislation at both the Federal and State level, as necessary, and ensure that any Federal legislative effort preserves the ability of the States to enact stronger protections for consumers with respect to such transactions.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON). Pursuant to clause 8 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting on each additional motion to suspend the rules on which the Chair has postponed further proceedings.

EXPRESSING THE SENSE OF THE HOUSE OF REPRESENTATIVES THAT THE OHIO MOTTO IS CONSTITUTIONAL

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 494.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. CHABOT) that the House suspend the rules and agree to the resolution, H. Res. 494, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 333, nays 27, answered ''present'' 66, not voting 8, as follows:

[Roll No. 332]

YEAS—333

Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Cardin
Castle
Chabot
Chambliss
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cooksey
Costello
Cox
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jefferson
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Kaptur
Kasich
Kelly
Kildee
Kilpatrick
King (NY)
Kingston
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Martinez
Mascara
Matsui
McCarthy (NY)
McCollum
McCrery
McHugh
McInnis
McIntyre
McKeon
McNulty
Meek (FL)
Menendez
Metcalf
Mica
Miller (FL)
Miller, Gary
Moakley
Mollohan
Moore
Moran (KS)
Morella
Murtha
Myrick
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Ose
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Regula
Reyes
Reynolds
Riley
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Salmon
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Thune
Toomey
Towns
Traficant
Turner
Udall (NM)
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Wu
Wynn
Young (FL)

NAYS—27

Ackerman
Campbell
Chenoweth-Hage
Clay
Conyers
Davis (IL)
Edwards
Gejdenson
Gonzalez
Hastings (FL)
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Jones (OH)
Kanjorski
Lee
McDermott
McKinney
Nadler
Oberstar
Payne
Pickett
Scott
Stark
Thompson (CA)
Velazquez
Waters

ANSWERED ''PRESENT''—66

Abercrombie
Baird
Baldwin
Barrett (WI)
Becerra
Berman
Blumenauer
Boucher
Boyd
Capuano
Carson
Clayton
Coyne
DeFazio
DeGette
Delahunt
Dicks
Dingell
Doggett
Engel
Frank (MA)
Hilliard
Hinchey
Hooley
Hoyer
Inslee
Kennedy
Kind (WI)
Kleczka
Lantos
Larson
Levin
Lewis (GA)
Lofgren
Lowey
McCarthy (MO)
McGovern
Meehan
Meeks (NY)
Millender-McDonald
Miller, George
Minge
Mink
Moran (VA)
Neal
Obey
Olver
Owens
Pelosi
Rangel
Rivers
Sabo
Sanchez
Sanders
Schakowsky
Sisisky
Slaughter
Smith (WA)
Stupak
Tauscher
Thurman
Tierney
Udall (CO)
Watt (NC)
Waxman
Woolsey

NOT VOTING—8

Cook
Lazio
Linder
Markey
McIntosh
Tiahrt
Vento
Young (AK)

□ 1432

Ms. WATERS and Mr. STARK changed their vote from ''yea'' to ''nay.''

Mr. OSE and Mr. FORD changed their vote from ''nay'' to ''yea.''

Mr. DICKS changed his vote from ''nay'' to ''present.''

Messrs. DELAHUNT, HOYER, MORAN of Virginia and KENNEDY of Rhode Island changed their vote from ''yea'' to ''present.''

So (two-thirds having voted in favor thereof), the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. CHENOWETH-HAGE. Mr. Speaker, it was my intention to vote ''yea'' on rollcall vote No. 332 (H. Res. 494), but was recorded as voting ''nay.'' H. Res. 494 acknowledges the importance of God in our institutions and our lives.

JAMES H. QUILLEN UNITED STATES COURTHOUSE

The SPEAKER pro tempore (Mr. SIMPSON). The pending business is the question of suspending the rules and passing the bill, H.R. 4608.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and pass the bill, H.R. 4608, on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 421, nays 2, answered ''present'' 1, not voting 10, as follows:

[Roll No. 333]

YEAS—421

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
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)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
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
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
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)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
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
Sanders
Sandlin
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
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (FL)

NAYS—2

Hefley
Sanford

ANSWERED ''PRESENT''—1

Metcalf

NOT VOTING—10

Camp
Cook
Kilpatrick
Lazio
Markey
McIntosh
Sanchez
Tiahrt
Vento
Young (AK)

□ 1441

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. TIAHRT. Mr. Speaker, I was unavoidably detained and missed rollcall vote Nos. 331–333. Rollcall vote No. 331 was on passage of H. Con. Res. 312, Expressing the Sense of Congress that States Should More Closely Regulate Pawn and Title Loan Transactions; rollcall vote. No. 332 was on passage of H. Res. 494, Expressing the Sense of the House that the Ohio State Motto is Constitutional and Courts Should Uphold It; rollcall vote No. 333 was on passage of H.R. 4608, Designating the ''James H. Quillen United States Courthouse''. Had I been present, I would have voted ''yea'' on each of the three suspension bills.

PROVIDING FOR CONSIDERATION OF H.R. 4733, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2001

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 532 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 532

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4733) making appropriations for energy and water development for the fiscal year ending September 30, 2001, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 4 of rule XIII are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of orders against provisions in the bill for failure to comply with clause 2 or clause 5(a) of rule XXI are waived. The amendment printed in the report of the Committee on Rules accompanying this resolution may be offered only by a Member designated in the report and only at the appropriate point in the reading of the bill, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against the amendment printed in the report are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule

XVIII. Amendments so printed shall be considered as read. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

□ 1445

The SPEAKER pro tempore (Mr. SIMPSON). The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

Mr. HASTINGS of Washington. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, H. Res. 532 provides an open rule for consideration of H.R. 4733, the Energy and Water appropriations bill for fiscal year 2001. The resolution waives clause 4 of rule XIII, requiring a 3-day layover of the committee report and requiring a 3-day availability of printed hearings on a general appropriation bill against consideration of the bill.

The rule provides 1 hour of general debate to be equally divided between the chairman and ranking minority member of the Committee on Appropriations. The rule waives clause 2 of Rule XXI, prohibiting unauthorized or legislative provisions in an appropriations bill, and clause 5(1) of rule XXI, prohibiting a tax or tariff provision in a bill not reported by a committee with jurisdiction over revenue measures, against provisions in the bill.

The bill further provides that the amendment printed in the Committee on Rules may be offered only by a Member designated in the report and only at the appropriate time in the reading of the bill, shall be considered as read, shall be debatable for the time specified in the report, equally divided and controlled by a proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole.

The rule also waives all points of order against the amendment printed in the report, and authorizes the Chair to accord priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD. The rule allows the Chairman of the Committee of the Whole to postpone votes during consideration of the bill and to reduce voting time to 5 minutes on a postponed question if the vote follows a 15-minute vote. Finally, the rule provides on a motion to recommit with or without instructions.

Mr. Speaker, the gentleman from California (Mr. PACKARD), the chairman of the Subcommittee on Energy and Water Development, and the gentleman from Indiana (Mr. VISCLOSKY), the ranking member of the subcommittee, are to be commended for their efforts on this legislation. H.R. 4733 appropriates funds for civil projects of the Corps of Engineers, the Department of Interior's Bureau of Reclamation, most of the Department of Energy, and several independent agencies such as the Tennessee Valley Authority, the Bonneville Power Administration, and the Nuclear Regulatory Commission.

The bill appropriates $21.7 billion in new budget authority, which is $546 million more than fiscal year 2000, but $952 million less than the President's request. The vast majority of the bill's funding, $17.3 billion, goes to various programs run by the Department of Energy, such as cleanup of nuclear waste on a number of Federal facilities, including the Hanford Nuclear Reservation in my district.

The bill also allocates $4.1 billion for the Army Corps of Engineers and $770 million to the Department of the Interior. The funding in this bill is necessary to protect important investments in our Nation's water and energy infrastructure and to maintain and operate the wide range of facilities and programs within the subcommittee's jurisdiction.

As a Member of Congress from the West, I am particularly aware of the importance of these projects. Therefore, I commend the members of the Energy and Water subcommittee for their effort on this legislation, and I urge my colleagues to support both the rule and the underlying bill, H.R. 4733.

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

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman from Washington (Mr. HASTINGS), my colleague, for yielding me the customary ½ hour, and I yield myself such time as I may consume.

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

Ms. SLAUGHTER. Mr. Speaker, I rise in support of the open rule, but have several concerns regarding the underlying bill. Despite the best efforts of the Subcommittee on Energy and Water Development chairman and members to put together a bipartisan bill, the fiscal year 2001 Energy and Water Development appropriations bill is yet another spending bill that misses the boat.

On the one hand, the bill funds numerous projects of critical importance to many of our districts. At the same time, however, it leaves serious spending gaps that fail to address real-world concerns that will have to be dealt with before the bill is signed into law.

For instance, gas prices have topped $2 per gallon in many places. While the Federal Government has launched an investigation through the Federal Trade Commission in hopes of uncovering the answer to what is behind the soaring prices, the bill fails to adequately address the roots of the gasoline price problem.

When oil prices plunged to $8 to $10 a barrel in March of 1999, the current leadership took little action to protect domestic oil producers, and when gas prices across the Nation stood at $1 per gallon, the majority party leadership pushed to eliminate the Energy Department entirely. They ignored efforts by Members to replenish the Strategic Petroleum Reserve with oil from struggling domestic producers. Had they acted, the Strategic Petroleum Reserve could have 115 million barrels more of oil, and we might have a healthier domestic oil industry.

Fortunately, the rule will protect efforts in committee by the gentlewoman from Michigan (Ms. KILPATRICK) to amend the bill to reauthorize the Strategic Petroleum Reserve. Were it not for the gentlewoman from Michigan (Ms. KILPATRICK) offering this amendment adopted in the committee, the floor amendment proposed today would not be germane to the bill. The full House will also have an opportunity in the amendment process to establish a new regional home heating oil reserve in the Northeast, a program of critical importance to my district in Rochester and one I have long supported.

Nevertheless, the underlying bill is $100 million short of the President's request for solar and renewable energy research, stifling hope for developing marketable solutions to what promises to be a perennial problem. This makes little sense. The majority continues to criticize the administration for failing to have an energy policy, yet has systematically shut down administration initiatives to fund energy research efforts that could help in finding a solution to this problem.

During consideration of this bill at full committee, the gentlewoman from Ohio (Ms. KAPTUR) offered an amendment to restore the line for Solar and Renewable Energy Research to the level requested in the President's budget. The amendment was rejected by the committee on a party line vote.

This has been a continuing pattern throughout the appropriations process. The House has just passed the VA-HUD appropriations bill, which slashes the President's budget request for the National Science Foundation by half a billion dollars. Floor action on the Interior bill made a bad situation worse by leaving the bill $100 million below last year's level on energy efficiency.

The Congress does not have the ability or the desire to set fuel prices, but we should have the good sense to support research into ways to avoid the kinds of shocks high fuel prices can deliver to our economy and encourage the development of alternative energy sources and domestic energy production.

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

Mr. HASTINGS of Washington. Mr. Speaker, I would advise the gentlewoman from New York that I have no requests for time, and I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana (Mr. VISCLOSKY).

Mr. VISCLOSKY. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, I rise today to set the record straight as far as the rule that is before us. The Energy and Water bill, as reported out of subcommittee, includes only the language offered in committee by the gentlewoman from Michigan (Ms. KILPATRICK) that would deal with the critical issue of rising gasoline prices, and I want to make that very clear today.

Why is this the case? Perhaps it is because the appropriations bill that should have been dealt with on this issue was the Interior bill. That bill passed the House on June 15 after the House rejected a proposal by the gentleman from Vermont (Mr. SANDERS) to include funding for the Northeast home heating oil reserve, as requested by the President of the United States.

The majority's interior appropriation bill did nothing to address the rising gasoline prices in this country. After their refusal to do anything in the full Committee on Appropriations, the gentlewoman from Michigan (Ms. KILPATRICK) did seek a vehicle, that is this bill, the Energy and Water bill, to address the issue. I would also parenthetically add that she follows on other initiatives taken by many Members on our side of the aisle from New England, the State of Pennsylvania, and other areas, pursuant to negotiations and meetings with the President in January, in February, and other legislative initiatives.

The gentlewoman from Michigan did take the lead in full committee to add a simple reauthorization for the short-term extension of the strategic petroleum reserve. If it was not for her efforts in full committee and the efforts of her Democratic cosponsors, the amendment in order by this rule would not have been germane, and it would not have been allowed to be offered today in this Chamber. In fact, the Chairman of the authorizing committee, the gentleman from Virginia (Mr. BLILEY), wrote to the Committee on Rules asking that the Kilpatrick language not be protected from a point of order since it was authorizing in an appropriations bill. If the chairman of the Committee on Commerce objected so strongly to the Kilpatrick language, a simple 1-year reauthorization of the Strategic Petroleum Reserve just to get the process moving, then surely he must have even more vehemently objected to the language made in order by this rule, which goes much further.

Mr. Speaker, this rule makes in order an amendment by the gentleman from Pennsylvania (Mr. SHERWOOD) that basically duplicates language that was in the bill passed by the House a few weeks ago, the same language of the majority of the other body. So I do want to make one thing clear. We are today considering a bill with language put into it at full committee by the gentlewoman from Michigan (Ms. KILPATRICK).

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

Mr. FROST. Mr. Speaker, not only has there been a failure of leadership on the part of the Republican majority when it comes to energy independence, there has been a concerted effort to undercut the efforts of the administration to address energy issues. In fact, members of the Republican leadership have jeopardized our abilities to address our energy needs by attempting to abolish the Department of Energy, slashing energy efficiency programs, and selling off the strategic petroleum reserve.

In the past few weeks, as the price of gasoline has soared, the Republican majority has offered not one solution to America's consumers.

□ 1500

Instead, where American families see an energy crisis that jeopardizes their summer vacations, Republican leaders see an opportunity to score political points and cover up their 6-year record of negligence on energy independence.

The Republicans have cut crucial energy supply programs by 23 percent below the President's request, including $106 million less than requested for solar and renewable energy programs. They have even cut these programs by $61 million below the current appropriation.

The Republican bill also cuts research by $320 million, or 10 percent below the President's request.

Mr. Speaker, today the Congress is rightly taking action to reauthorize the President's ability to use the Strategic Petroleum Reserve, establish a Northeast Home Heating Reserve, and authorize the Department of Energy to purchase oil from stripper wells when the price drops below $15 a barrel, all measures Democrats have long been advocating, as indicated by the previous speaker, the ranking member on the subcommittee.

But the Republican budget continues to ignore many of the crucial long-term investments that are vital to America's future energy independence. I call on the Republican leadership to call a halt to the photo ops and press releases and stop attempting to abolish the Department of Energy, and finally work with Democrats to make investments in research and renewable energy sources that are vital to America's energy independence.

Ms. SLAUGHTER. Mr. Speaker, I yield 1½ minutes to the gentleman from Colorado (Mr. UDALL).

(Mr. UDALL of Colorado asked and was given permission to revise and extend his remarks.)

Mr. UDALL of Colorado. Mr. Speaker, I thank my colleague, the gentlewoman from New York (Ms. SLAUGHTER), for yielding time to me.

Mr. Speaker, I rise in support of the rule and in general support of the bill. The rule appropriately provides an opportunity for the House to consider germane amendments to this important appropriations measure.

On the bill, I am sure each of us might want it to be different one way or another. For example, I do not think it does enough for solar and renewable energy programs. That is why I will be joining many others in trying to improve that part of the bill. Overall, I think the committee has done a good job, especially considering the limits imposed by the budget resolution.

In particular, I want to express my appreciation for the fact the committee has included all the money that was requested for the nuclear facilities closure projects, an increase of more than $21.8 million over this year's amount for that purpose. This is crucial for my district because the Rocky Flats facility, located in my congressional district, is just a few miles from the center of our State's major population areas. Safe, effective, and timely clean-up and closure of the flats is a matter of highest priority for all Coloradans. I greatly appreciate the committee's inclusion of the requested funding for this purpose.

I also want to join the committee in urging the DOE to ensure that the complex-wide funding issues are addressed as they relate to closure for Rocky Flats. As the committee has correctly noted, if DOE is to keep on its timetable for closing Rocky Flats, important tasks must be completed at other sites, as well.

I urge support for the rule so the House can begin to consider this very important measure.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from New Jersey (Mr. FRELINGHUYSEN), a member of the subcommittee.

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

Mr. Speaker, I rise to support the rule, to make brief comments in support of the energy and water bill, and to make a few comments on security issues and the current oil crisis.

Mr. Speaker, our committee, under the leadership of the gentleman from California (Chairman PACKARD), rightly has addressed the critical issues of security at our Nation's nuclear labs by providing an additional $331 million

for the National Nuclear Security Administration, for a total of over $6 billion.

Mr. Speaker, the problem of security at our national labs is one of leadership, not of resources. The security at our national labs, or at least some of our labs, has not just been compromised, it has been violated. It is time for Secretary Richardson to accept the responsibility for the ongoing security violations and to take whatever actions are necessary to restore the faith of the American people in their ability to secure our Nation's nuclear secrets.

Furthermore, even with the strong congressional support from our committee, the leadership of the Department of Energy has been lacking, particularly in regard to developing a comprehensive energy strategy. Getting as much oil as we can for as little as we can is not energy policy. Recent oil prices clearly show that the Secretary has once again been negligent.

One of the core missions of the Department of Energy, and I quote, is ''to develop and implement a national energy policy.'' Congress has provided the necessary resources, and the increased funding for the Department contained in this bill needs to be spent wisely and with strict accountability so that a workable energy strategy can be developed to address exorbitant energy costs.

On the issue of national security, on the issue of an energy policy, the Secretary needs to do better.

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

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

Ms. KILPATRICK. Mr. Speaker, I rise in support of the rule today, and to thank our ranking member for the tenacity that he has shown and the leadership he has shown in protecting a very important amendment as we address the high gas prices in America today.

To the gentleman from California (Mr. PACKARD), I thank him for his work and for the product he has brought before us today. This, unlike some of the other bills, is a close call. We can support this bill. It is not perfect, it could be better, but we certainly are going to support the rule and the bill that will be before us.

I want to urge the Federal Trade Commission, who has been now assigned the task, to look at the high gasoline prices that Americans are facing today. In our State of Michigan, people who are on fixed incomes, who do work, who have to drive to work, find buying gas at over $2 a gallon is too much. It restricts their family resources, it restricts what they need for their housing, what they need for their children. We ought to take a look at that.

Additionally, truckers have advised me that the high gas prices really make it impossible for them to bring in revenues, bring in profits that they use to take care of their families. Many independent truckers find that the high gasoline prices, in Michigan anywhere from $2.19 to $2.39 a gallon, are not adequate. We have to look at it. I want to urge the Federal Trade Commission to take a good look.

In the State of Michigan, tourism is our third revenue producer for our State. With the high gas prices, many people are rethinking their travel plans. Many people are not going to be going as far or coming to our State because of the high gasoline prices.

I believe we have to do something, that we have to have the Trade Commission act on it soon and not take a long time, and at the same time, that we do not posture as Congressmen and Congresswomen to get credit. This is not a credit issue, this is an American issue.

I want to thank the Committee on Rules as well as the subcommittee for doing their work. It seems possible that in this great, prosperous time of ours, we can succeed as a nation.

Ms. SLAUGHTER. Mr. Speaker, I yield 2½ minutes to the gentleman from Maine (Mr. BALDACCI).

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

Mr. BALDACCI. Mr. Speaker, I thank the gentlewoman for yielding time to me.

Mr. Speaker, I would like to thank the ranking member, the gentleman from Indiana (Mr. VISCLOSKY), for doing outstanding work as the ranking member of the Subcommittee on Energy and Water Development of the Committee on Appropriations.

I am supporting the rule and I support the bill. It is completely unfortunate that the circumstances in relationship to the heating oil and petroleum and gasoline supplies in our country have taken this long to address.

There has been a delegation from the Northeast and New England that have worked together since early January meeting with the President, meeting with the Energy Secretary, trying to get this Congress to confront the issues. All we have been able to get from this Congress, the leadership of this Congress, is to cut and gut the weatherization conservation efforts, not to address fuel efficiency standards, not to do anything to lay the groundwork to having a comprehensive energy policy so we can become energy-independent and not energy-dependent.

It is easy to try to blame people, but it is a lot harder to work together and establish these policies. We have been working very hard in the Northeast and the Southeast and throughout the country to establish a comprehensive, bipartisan energy policy.

Many months ago, legislation was authored by the gentleman from Vermont (Mr. SANDERS), the gentleman from Massachusetts (Mr. MARKEY), and the gentleman from Michigan (Mr. BARTON) and many of us in the Northeast and across the aisle to try to get the heating oil reserve established, to try to lay the groundwork for the Strategic Petroleum Reserve reauthorization, to give the President the power to be able to do that.

Congress and the leadership in Congress, where have they been? It has been weeks since the last action was taken. We have the legislation in an amendment form before us that has been submitted, and it takes away the issue from the gentlewoman from Michigan (Ms. KILPATRICK) and others who have worked on this legislation. Nowhere do we see any credit being able to be given for all of the hard work they have done in regard to this legislation.

We must seek to have a bipartisan, comprehensive energy policy. It is way beyond time that any reasonable person would have taken action. Mr. Speaker, today we are considering an amendment that is identical to the legislation that this Congress should have sent to the President a long time ago.

Mr. Speaker, we must act on this legislation. We must get it to the President, or history is going to repeat itself again in the Northeast. That is not going to be pleasant for the people that we seek to represent.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BENTSEN).

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

Mr. BENTSEN. Mr. Speaker, I rise in support of the rule and in support of H.R. 4733, the fiscal year 2001 energy and water appropriations bill.

I would like to thank the gentleman from California (Chairman PACKARD) and the ranking member, the gentleman from Indiana (Mr. VISCLOSKY), for their hard work on this important legislation, as well as my good friend, the gentleman from Texas (Mr. EDWARDS) for all the help they have provided our constituents in the greater Houston area.

In particular, I want to highlight that the bill fully funds the request for important U.S. Army Corps of Engineers projects in the greater Houston area. In particular, the bill provides the second consecutive year full funding for the Brays Bayou project in southwest Houston at $6 million for fiscal year 2001.

This project is necessary to improve flood protection for an extensively developed residential area along the Brays Bayou in southwest Harris County. This project was originally authorized in the WRDA 1990 act as part of a $400 million local flood control project.

Subsequently, the Brays project was reauthorized as one of the original sites for a demonstration project for new Federal reimbursement program as part of the WRDA 1996 bill based upon legislation drafted by my colleague, the gentleman from Texas (Mr.

DELAY) and myself, which has strengthened the core and local sponsor role in giving the local sponsor a greater responsibility.

Recently, the local sponsor, the Harris County, Texas, Commissioners Court, approved the Brays redesign per the WRDA 1996 Act, and now this project can move forward with strong public support.

I am also gratified the subcommittee decided to fully fund the Sims Bayou project at $11.8 million. This is a project that also affects an area of southeastern Harris County that is heavily residential. This project is 2 years ahead of schedule. It is about midstream right now, scheduled to be completed in 2004. It is critically important to a number of my constituents who live in areas that are otherwise ravaged by continual flooding.

Finally, Mr. Speaker, I am gratified that the committee chose to fully fund the request for the Houston Ship Channel deepening and widening project. This is the largest deepening and widening project that the Corps of Engineers has been involved in since the Panama Canal. It is important to the local economy that I and my colleagues in the Houston area represent. It is also being done in a very environmentally sound manner in reestablishing natural habitat throughout the Galveston Bay.

I appreciate the fact that the committee has kept this project on track and fully funded the administration's request.

I urge my colleagues to support the bill.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut (Mr. LARSON).

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

Mr. LARSON. Mr. Speaker, I thank the gentlewoman for yielding time to me.

Mr. Speaker, I want to thank the gentleman from Indiana (Mr. VISCLOSKY) for his outstanding work, and the gentlewoman from New York (Ms. SLAUGHTER), as well.

I would note to my colleagues that victory has many fathers, and defeat, of course, is an orphan. But defeat is not an option, especially for those who are dependent upon home heating oil and have to make the awful choice between heating their homes, providing themselves with prescription drugs that they need, or in fact the food that they place on their table.

Mr. Speaker, I associate myself with the remarks of the gentleman from Maine (Mr. BALDACCI) who spoke eloquently about the coalition of those of us in the Northeast who have sought bipartisan support, especially in the area of the release of the Strategic Petroleum Reserve and the establishment of a strategic home heating oil fuel base for those who need this kind of relief.

I further concur with the gentlewoman from Michigan (Ms. KILPATRICK) about the need for the Federal Trade Commission to further pursue these companies with respect to what seems to be gouging at the gas lines.

Further, I would also note that there is an important need for an investment that is not addressed in this legislation. We currently import somewhere in the area of $5 billion worth of oil a month. That is $60 billion a year. We are making cuts in the very area of research and development, specifically in the area of fuel cells, that could benefit us and allow us to compete in a global economy, and get us to a point where we are not dependent upon foreign sources of oil, so we can provide ourselves with efficient home heating oil and the means to provide us with transportation to and from our jobs.

□ 1515

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

Mr. SANDERS. Mr. Speaker, I thank the gentlewoman from New York for yielding me this time.

Mr. Speaker, I rise in strong support of the specific rule to permit an amendment on the floor offered by the gentleman from Pennsylvania (Mr. SHERWOOD), the gentleman from Texas (Mr. BARTON), and the gentleman from Massachusetts (Mr. MARKEY) authorizing the establishment of a Northeast Home Heating Oil Reserve. Not only do we need to pass this rule, but what we really need to do is to appropriate funding for the creation of a Northeast Home Heating Oil Reserve.

Mr. Speaker, we are experiencing an energy crisis in this country. The price of gasoline is skyrocketing. In the Midwest and other parts of the country, the price of a gallon of gas is now over $2 a gallon. Throughout the rest of the country, including my State of Vermont, it is well over $1.50 a gallon, and that is unacceptable.

Mr. Speaker, the price of crude oil has more than tripled since last year and is the highest it has been since the Gulf War. The reason the prices are high is because the supply for gasoline is low. This can only mean one thing. If we do not adequately prepare for next winter, we will have a home heating oil disaster on our hands.

But my colleagues do not have to take my word for it. I quote from an article that appeared in USA Today just yesterday: ''Those who heat with oil will shiver this winter and pay a premium. Just 15.3 million barrels of heating oil are stockpiled for the East Coast, which uses 75 percent of the Nation's heating oil in the winter. That's well down from 41.3 million barrels on hand last June.''

Mr. Speaker, we all know what happened last year. Home heating oil prices were the highest they have ever been in history. And now we are faced with a home heating oil stockpile that is 37 percent lower than last year. It does not take a genius to figure out that we are setting ourselves up for a huge heating oil crisis next year unless Congress acts now.

According to Bill O'Grady, oil analyst at A.G. Edwards & Sons, ''If we have a cold winter early, we could end up seeing in heating oil what we're seeing in gas prices in spades.''

Mr. Speaker, we must not let this happen. We must make certain that the huge increase in home heating oil prices that we experienced last winter never happens again. Too many people were hurt by that huge increase in home heating oil prices. The astronomical prices that our constituents were forced to pay for home heating oil in order to stay warm last winter was unconscionable. Let us unite behind the creation of a Northeast Home Heating Oil Reserve, and let us make sure that we have adequate funding to guarantee that it is up and running as soon as possible.

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

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. PACKARD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill, H.R. 4733, and that I may be permitted to include tabular and extraneous material.

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

There was no objection.

ANNOUNCEMENT REGARDING LIMITATION OF AMENDMENTS DURING CONSIDERATION OF H.R. 4733, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2001

Mr. PACKARD. Mr. Speaker, I wish to advise all Members that we are working on a unanimous consent request to bring about a time agreement on all amendments to the bill. Any Members who have not yet contacted us regarding possible amendments should do so as soon as possible so that we can protect their right to offer amendments. Otherwise, we will be asking for unanimous consent that the amendments that have now been submitted will be the only amendments that will be considered.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2001

The SPEAKER pro tempore. Pursuant to House Resolution 532 and rule

XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4733.

□ 1520

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4733) making appropriations for energy and water development for the fiscal year ending September 30, 2001, and for other purposes, with Mr. BARRETT of Nebraska in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from California (Mr. PACKARD) and the gentleman from Indiana (Mr. VISCLOSKY) each will control 30 minutes.

The Chair recognizes the gentleman from California (Mr. PACKARD).

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

Mr. Chairman, it is a privilege for me to present to the Committee of the Whole for its consideration the bill, H.R. 4733, making appropriations for energy and water development for the fiscal year ending September 30, 2001.

Mr. Chairman, this bill provides annual funding for a wide array of Federal Government programs which include such diverse matters as national security, environmental cleanup, flood control, advanced scientific research, navigation, alternative energy sources, nuclear power regulations.

Programs funded by this bill affect multiple aspects of American life having significant implications for domestic security, commercial competitiveness, and the advance of science. I am proud of this bill as reported by the Committee on Appropriations, and I believe it merits the support of every Member of this body.

Total funding for H.R. 4733 is $21.7 billion. This is over $500 million more than the fiscal year 2000 for energy and water development programs, but almost a billion dollars below the President's budget request.

We were presented with an additional constraint in fiscal year 2001 because our 302(b) allocation consisted of two distinct parts: defense and nondefense. While the defense allocation in the bill is $12.9 billion, and that is about $755 million over the fiscal year 2000 and $191 million below the budget request, the nondefense portion of the allocation is significantly less. For the nondefense portion of our bill we received $8.8 billion, which is about $210 million below the last fiscal year.

Despite the bill's constrained funding levels for nondefense programs, it provides adequate funding for the continuation of high-priority programs, promising the greatest return on the investment of taxpayer dollars.

Title I of the bill provides funding for the civil works program of the Corps of Engineers. This includes, of course, projects for flood control, navigation, shoreline protection, and a variety of other things. The bill acknowledges the importance of water infrastructure by funding the civil works program at the same level as last year, a little over $4 billion.

Within the amount appropriated for the Corps of Engineers, $153 million is for general investigations and $1.38 billion is for the construction program, and about $1.8 billion for the operation and maintenance.

Mr. Chairman, funding for title II, most of which is for the Bureau of Reclamation, totals $770 million, a reduction of $35 million from last year's fiscal level. The bill also includes no funding for the CALFED Bay-Delta restoration program, a project which I have been greatly interested, in California. The reason for this is because we did not fund any unauthorized projects and the authorization for CALFED expired this year. Therefore, it was not funded, to my regret. But to be consistent with all of the Members, we followed that rule.

There are reductions in title III of the bill, which includes the budget of the Department of Energy, particularly the nondefense programs. Despite constrained funding levels, most DOE nondefense programs are funded at last year's level or slightly below. One exception to that policy is the Yucca Mountain program to site a permanent geologic repository for spent nuclear fuel, high-level nuclear fuel. This program was increased about $413 million to maintain its schedule which calls for the Department of Energy to issue a site recommendation during the fiscal year 2001. We wanted to keep that on schedule, and thus we funded it accordingly.

We sought to maintain the level of funding for science programs, and we increased that area over fiscal year 2000. We also recognized that there are delays in some ongoing projects such as the Spallation Neutron Source, and we were unable to fund several new science initiatives as proposed in the fiscal year 2001.

Funding for the energy supply programs of the Department totals $576 million. This includes about $350 million for research and development of renewable energy technologies. We recognize that this is a little bit short of what the administration requested, and we wished that we had the funds to beef that up; but we feel that it is adequate to fund the renewable research effort.

The bill provides $301 million for uranium facilities maintenance and remediation, a new account established to consolidate uranium programs that were spread through many other accounts.

The largest spending category for the Energy and Water bill is that of environmental restoration and waste management of the Department of Energy. Funding for cleanup activities at the variety of sites in title III of the bill exceeds $6.4 billion for defense and nondefense programs.

The bill also includes $6.1 billion for new National Nuclear Security Administration, a semiautonomous agency within the Department of Energy. Title IV of the bill provides $107 million reduction of $21 million in fiscal year 2000 for certain independent agencies of the Federal Government, including the Nuclear Regulatory Commission, the Appalachian Regional Commission, the Defense Nuclear Facilities Safety Board, and the Nuclear Waste Technical Review Board.

Mr. Chairman, I owe a great deal of gratitude to the hard-working members of my Subcommittee on Energy and Water Development. They have labored with difficult fiscal constraints to produce a bill that I think is fair and balanced. I particularly want to thank the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY), the chairman and ranking member of the full Committee on Appropriations, who helped us and cooperated with us in crafting the bill.

Perhaps more importantly than any, I thank the gentleman from Indiana (Mr. VISCLOSKY), the ranking minority member of the subcommittee. It has been a joy to work with him. He has been extremely helpful in crafting the bill. And then I certainly want to pay tribute to our staff on both sides of the aisle for their hard work in constructing an excellent bill.

Mr. Chairman, I have been pleased to hear during the debate in the Committee on Rules the willingness of virtually, well, not virtually, every Member that spoke of a willingness to support this bill. I would hope that every Member of the House would support this bill. We feel it is an excellent bill within the constraints that we had to live with, and I would encourage every Member to support it.

It is my privilege to present to the Committee of the Whole for its consideration H.R. 4733, making appropriations for energy and water development for the fiscal year ending September 30, 2001. Mr. Chairman, this bill provides annual funding for a wide array of Federal government programs which include such diverse matters as national security, environmental cleanup, flood control, advanced scientific research, navigation, alternative energy sources, and nuclear power regulation. Programs funded by this bill affect multiple aspects of American life, having significant implications for domestic security, commercial competitiveness, and the advance of science. I am proud of the bill reported by the Committee on Appropriations, and I believe it merits the support of the entire membership of this body.

Total funding for H.R. 4733 is $21.7 billion. This is $546 million more than fiscal year 2000 for energy and water development programs, but $951.8 million below the President's budget request.

We were presented with an additional constraint in fiscal year 2001 because our 302b allocation consisted of two distinct parts: defense and non-defense. While the defense allocation in the bill is $12.893 billion which is

$755.5 million over fiscal year 2000 and $191 million below the budget request, the non-defense portion of the allocation is significantly less. For the non-defense portion of our bill, we received $8.85 billion which is $209.5 million below fiscal year 2000 and $760.7 million below the budget request. This was a severe constraint on our ability to provide funding for many programs in this bill.

Despite the bill's constrained funding levels for non-defense programs, it provides adequate funding for the continuation of high-priority programs promising the greatest return on the investment of taxpayer dollars.

Title I of the bill provides funding for the civil works program of the Corps of Engineers. The Subcommittee on Energy and Water Development is unanimous in its belief that this program is among the most valuable within the Subcommittee's jurisdiction. The national benefits of projects for flood control, navigation and shoreline protection demonstrably exceed project costs. The bill acknowledges the importance of water infrastructure by funding the civil works programs at $4.1 billion, an increase of $59.9 million over the amount requested by the Administration, and level with fiscal year 2000.

Within the amount appropriated to the Corps of Engineers, $153.3 million is for general investigations, $1.38 billion is for the construction program, and $1.85 billion is for operation and maintenance. In addition, the bill includes $323.4 million for Flood Control, Mississippi River and Tributaries, project. The bill also fully funds the budget request of the regulatory program and the Formerly Utilized Sites Remedial Action Program.

Mr. Chairman, funding for Title II, most of which is for the Bureau of Reclamation, totals $770.5 million—a reduction of $35.3 million from the fiscal year 2000 level. The bill includes no funding for the CALFED Bay-Delta restoration program whose authorization expires in fiscal year 2000 and fully funds the budget request of $38.4 million for the Central Valley Project restoration fund.

There are reductions in Title III of the bill which includes the budget of the Department of Energy, particularly in the non-defense programs. Despite constrained funding levels, most DOE non-defense programs are funded at last year's level or slightly below. The one exception is the Yucca Mountain program to site a permanent geologic repository for spent nuclear fuel. This program was increased to $413 million to maintain its schedule which calls for the Department of Energy to issue a site recommendation in fiscal year 2001.

We sought to maintain level funding for science programs and provided $2.83 billion, an increase of $43.3 million over fiscal year 2000. However, there are delays in some ongoing projects such as the Spallation Neutron Source, and we were unable to fund several new science initiatives proposed in fiscal year 2001.

Funding for energy supply programs of the Department totals $576.5 million. This includes $350.5 million for research and development on renewable energy technologies. Although this falls short of the Administration's unrealistic budget request, it is a substantial and credible level of funding. The energy supply account also includes $231.8 million nuclear energy programs. The bill provides $22.5 million for the nuclear energy research initiative and $5 million, the full amount of the budget request, for the nuclear energy plant optimization program.

The bill provides $301.4 million for uranium facilities maintenance and remediation, a new account established to consolidate uranium programs that were spread throughout other accounts. These programs were merged to enhance coordination and eliminate duplication in the environmental remediation work performed at the uranium enrichment facilities in Tennessee, Kentucky, and Ohio.

The largest spending category in the Energy and Water Bill is that of environmental restoration and waste management at Department of Energy sites. Funding for cleanup activities in title III of the bill exceeds $6.4 billion for defense and non-defense programs. The Committee is dedicated to the environmental restoration of areas that participated in the development and maintenance of our nuclear security complex. This bill reflects the Committee's continued efforts to promote actual, physical site cleanups and to accelerate the completion of remediation work at DOE sites. Accordingly, the Committee has provided $1.08 billion, the full amount of the budget request, for defense facilities closure projects. This account concentrates funding on discrete sites that are on schedule for cleanup completion by the year 2006. The Committee has also directed the Department to establish a cleanup program for those sites and projects that can be completed by 2010.

The bill includes $6.16 billion for the new National Nuclear Security Administration, a semi-autonomous agency within the Department of Energy. The bill provides $4.6 billion for stewardship of the Nation's nuclear weapons stockpile, $861.5 million for defense nuclear nonproliferation programs, and $677.6 million for the naval reactors program.

Title IV of the bill provides $107.5 million, a reduction of $21 million from fiscal year 2000, for certain independent agencies of the Federal Government, including the Nuclear Regulatory Commission, the Appalachian Regional Commission, the Defense Nuclear Facilities Safety Board, and the Nuclear Waste Technical Review Board.

Mr. Chairman, I owe a debt of gratitude to the hard-working and dedicated Members of the Subcommittee on Energy and Water Development. They have labored under difficult fiscal constraints to produce a bill that is balanced and fair. I am especially grateful to the Ranking Minority Member, the Honorable PETE VISCLOSKY. It is in large part due to his efforts that we present a bill that merits the support of all Members of the House.

Mr. Chairman, I urge all Members to support H.R. 4733 as reported by the Committee on Appropriations, and I reserve the balance of my time.

ENERGY AND WATER APPROPRIATIONS BILL, 2001 (H.R. 4733)
(Amounts in thousands)

	FY 2000 Enacted	FY 2001 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF DEFENSE - CIVIL					
DEPARTMENT OF THE ARMY					
Corps of Engineers - Civil					
General investigations	161,994	137,700	153,327	-8,667	+15,627
Construction, general	1,385,032	1,346,000	1,378,430	-6,602	+32,430
Flood control, Mississippi River and tributaries, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee	309,416	309,000	323,350	+13,934	+14,350
Operation and maintenance, general	1,853,618	1,854,000	1,854,000	+382	.....
Regulatory program	117,000	125,000	125,000	+8,000	.....
FUSRAP	150,000	140,000	140,000	-10,000	.....
General expenses	149,500	152,000	149,500	.....	-2,500
Total, title I, Department of Defense - Civil	4,126,560	4,063,700	4,123,607	-2,953	+59,907
TITLE II - DEPARTMENT OF THE INTERIOR					
Central Utah Project Completion Account					
Central Utah project construction	22,436	19,566	19,566	-2,870	.....
Fish, wildlife, and recreation mitigation and conservation	10,476	14,158	14,158	+3,682	.....
Utah reclamation mitigation and conservation account	5,000	5,000	5,000	.....	.....
Subtotal	37,912	38,724	38,724	+812	.....
Program oversight and administration	1,321	1,216	1,216	-105	.....
Total, Central Utah project completion account	39,233	39,940	39,940	+707	.....
Bureau of Reclamation					
Water and related resources	605,992	643,058	635,777	+29,785	-7,281
Loan program	11,577	9,369	9,369	-2,208	.....
(Limitation on direct loans)	(43,000)	(27,000)	(27,000)	(-16,000)	.....
Central Valley project restoration fund	42,000	38,382	38,382	-3,618	.....
California Bay-Delta ecosystem restoration	60,000	60,000	.....	-60,000	-60,000
Policy and administration	47,000	50,224	47,000	.....	-3,224
Total, Bureau of Reclamation	766,569	801,033	730,528	-36,041	-70,505
Total, title II, Department of the Interior	805,802	840,973	770,468	-35,334	-70,505
TITLE III - DEPARTMENT OF ENERGY					
Energy supply	637,962	752,895	576,482	-61,480	-176,413
(By transfer)	(5,821)	.....	.....	(-5,821)	.....
Non-defense environmental management	332,350	286,001	281,001	-51,349	-5,000
Uranium enrichment decontamination and decommissioning fund	249,247	303,038	.....	-249,247	-303,038
Uranium facilities maintenance and remediation	.....	.....	301,400	+301,400	+301,400
Science	2,787,627	3,151,065	2,830,915	+43,288	-320,150
Nuclear Waste Disposal	239,601	325,500	213,000	-26,601	-112,500
Departmental administration	205,581	213,339	153,527	-52,054	-59,812
Miscellaneous revenues	-106,887	-128,762	-111,000	-4,113	+17,762
Net appropriation	98,694	84,577	42,527	-56,167	-42,050
Office of the Inspector General	29,500	33,000	31,500	+2,000	-1,500
Environmental restoration and waste management:					
Defense function	(5,716,037)	(6,148,824)	(5,864,004)	(+147,967)	(-284,820)
Non-defense function	(581,597)	(589,039)	(582,401)	(+804)	(-6,638)
Total	(6,297,634)	(6,737,863)	(6,446,405)	(+148,771)	(-291,458)
Atomic Energy Defense Activities					
National Nuclear Security Administration:					
Weapons activities	4,427,052	4,594,000	4,625,684	+198,632	+31,684
Defense nuclear nonproliferation	729,100	906,035	861,477	+132,377	-44,558
Naval reactors	677,600	677,600	677,600	.....	.....
Subtotal, National Nuclear Security Administration	5,833,752	6,177,635	6,164,761	+331,009	-12,874
Defense environmental restoration and waste management	4,467,308	4,551,527	4,522,707	+55,399	-28,820
Defense facilities closure projects	1,060,447	1,082,297	1,082,297	+21,850	.....
Defense environmental management privatization	188,282	515,000	259,000	+70,718	-256,000
Subtotal, Defense environmental management	5,716,037	6,148,824	5,864,004	+147,967	-284,820
Other defense activities	309,199	555,122	592,235	+283,036	+37,113
Defense nuclear waste disposal	111,574	112,000	200,000	+88,426	+88,000
Energy employees compensation initiative (proposal)	.....	17,000	.....	.....	-17,000
Total, Atomic Energy Defense Activities	11,970,562	13,010,581	12,821,000	+850,438	-189,581
Power Marketing Administrations					
Operation and maintenance, Southeastern Power Administration	39,579	3,900	3,900	-35,679	.....
Operation and maintenance, Southwestern Power Administration	27,891	28,100	28,100	+209	.....
(By transfer)	(773)	.....	.....	(-773)	.....
Construction, rehabilitation, operation and maintenance, Western Area Power Administration	192,602	164,916	160,930	-31,672	-3,986
Falcon and Amistad operating and maintenance fund	1,309	2,670	2,670	+1,361	.....
Total, Power Marketing Administrations	261,381	199,586	195,600	-65,781	-3,986

ENERGY AND WATER APPROPRIATIONS BILL, 2001 (H.R. 4733)—Continued
(Amounts in thousands)

	FY 2000 Enacted	FY 2001 Request	Bill	Bill vs. Enacted	Bill vs. Request
Federal Energy Regulatory Commission					
Salaries and expenses	174,950	175,200	175,200	+250	.....
Revenues applied	-174,950	-175,200	-175,200	-250	.....
Total, title III, Department of Energy	16,606,924	18,146,243	17,293,425	+686,501	-852,818
TITLE IV - INDEPENDENT AGENCIES					
Appalachian Regional Commission	66,149	71,400	63,000	-3,149	-8,400
Defense Nuclear Facilities Safety Board	16,935	18,500	17,000	+65	-1,500
Delta Regional Authority	.....	30,000	.....	.....	-30,000
Denali Commission	19,924	20,000	.....	-19,924	-20,000
Nuclear Regulatory Commission:					
Salaries and expenses	464,913	481,900	481,900	+16,987	.....
Revenues	-442,000	-447,958	-457,100	-15,100	-9,142
Subtotal	22,913	33,942	24,800	+1,887	-9,142
Office of Inspector General	5,000	6,200	5,500	+500	-700
Revenues	-5,000	-6,076	-5,500	-500	+576
Subtotal	.....	124	.....	.....	-124
Total	22,913	34,066	24,800	+1,887	-9,266
Nuclear Waste Technical Review Board	2,589	3,200	2,700	+111	-500
Total, title IV, Independent agencies	128,510	177,166	107,500	-21,010	-69,666
TITLE V - RESCISSIONS					
DEPARTMENT OF DEFENSE - CIVIL					
DEPARTMENT OF THE ARMY					
Corps of Engineers - Civil					
General investigations (rescission)	-930	.....	.....	+930	.....
Construction, general (rescission)	-12,819	.....	.....	+12,819	.....
Total, Corps of Engineers - Civil	-13,749	.....	.....	+13,749	.....
DEPARTMENT OF ENERGY					
Nuclear Waste Disposal (rescission)	-4,000	.....	.....	+4,000	.....
Defense nuclear waste disposal (rescission)	.....	-85,000	-85,000	-85,000	.....
Power Marketing Administrations					
Southeastern Power Administration:					
Purchase power and wheeling (rescission)	-3,000	.....	.....	+3,000	.....
Total, title V, Rescissions	-20,749	-85,000	-85,000	-64,251	.....
Grand total:					
New budget (obligational) authority	21,647,047	23,143,082	22,210,000	+562,953	-933,082
Appropriations	(21,667,796)	(23,228,082)	(22,295,000)	(+627,204)	(-933,082)
Rescissions	(-20,749)	(-85,000)	(-85,000)	(-64,251)	.....
(By transfer)	(6,594)	.....	.....	(-6,594)	.....

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

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

Mr. Chairman, I would begin by also commending the gentleman from California (Chairman PACKARD) and would point out to every Member of the body in this institution that this will be the last Energy and Water bill that the gentleman will bring to the House floor during his tenure as a Member of Congress, given the fact that he will now retire after the 106th Congress.

Mr. Chairman, the gentleman from California is a very decent man. He is a God-fearing man whose family is the most important thing in his life, his wife, Jean, as well as his seven children. Clearly as important to him is his country. And whether it was his service in defense of this country as a member of the United States Navy; whether it was his service as a member of a school board ensuring that the youth of his community receive the best education possible for their future; whether it be as the mayor and chief executive of his local community or his years of service in this Congress, I certainly respect the gentleman's three great passions in life.

□ 1530

But I would be remiss, as I would have been remiss in full committee, Mr. Chairman, if I did not mention for one moment the other great passion in life of the gentleman from California (Mr. PACKARD), and that is golf. For those who do not yet know the good work, the foursome of the gentleman from California (Mr. PACKARD) did win the recent Bob Michael's, Founder, Golf Tournament with the lowest team score.

I salute the gentleman from California (Mr. PACKARD). He has been a gentleman, a friend, and we will all miss him.

I also want to add my thanks, my deepest thanks as a former staff member myself, to all of the staff involved on both sides of the aisle, whether they be professional committee staff, detailees, or associate staff.

But today, because this is the last bill of the gentleman from California (Mr. PACKARD), I would also point out to the House, this is John McNutt's last bill. He is my associate staff member and has been for the last 7 years 6 months and 27 days, not that we are counting.

But as I pointed out in my previous remarks before the full committee, Mr. McNutt is moving on with his life. He is going to be attending the University of Virginia Law School and made the wise choice, from an academic consideration, when he had the option of going to either UVA or the University of Notre Dame, that he chose Virginia. I do wish him well in his endeavor.

I would advise all of the Members that I do support this bill. I do believe that the gentleman from California (Mr. PACKARD) has done the best job humanly possible with this bill given the allocations the subcommittee had.

But I would note that I for one did not vote for the budget resolution adopted by this institution, and I did not vote for the allocations adopted by the committee and have not agreed with the allocation we were given.

On the civilian side particularly of the legislation, it gives us great trouble. The fact is we are $210 million today under a freeze level for civilian purposes. Let me note for the Members of this Chamber several problems that it causes.

In the area of water projects, and there is hardly a Member in this institution who does not have a problem one way or the other with water in their district, the spending this year, while $60 million over the President's request, is $6 million under a freeze. Given the fact that the Corps today has responsibilities of over 400 multipurpose reservoirs, 12,000 miles of navigation channels, hundreds of ports, and 11.6 million acres of land, we fall woefully short.

It is anticipated just to fully fund authorized active construction projects, those projects that this Congress has authorized, that are economically justified, and are supported by a non-Federal entity, we would need an additional $30 billion.

It is further anticipated that if the shadows of the future are not unaltered, the backlog for critically deferred maintenance this coming fiscal year will amount to $450 million.

The Assistant Secretary of the Army, Mr. Westphal, has indicated that, to ensure that projects proceed on the most efficient schedule possible, we should probably be spending almost $700 million more a year.

People have noted in the past that there has been mission creep by the Corps, that, first, it is flood control projects, then it is navigation, then it is hydropower, shoreline protection, and recreation.

But I would point out to the body that those are all responsibilities we collectively have given to the Corps. We have also seen fit, both the legislative branch and the executive branch, to give them additional responsibilities as far as environmental restoration, water treatment facilities, sewer treatment facilities, and the clean up of contaminated sites.

Within the last couple of weeks, we had a very controversial debate and vote relative to trade with China. I would point out that global commerce is projected to double over the next 20 years, and the harbors and inland waterways that lead to them will have to be expanded and maintained for us to stay competitive, and that nearly half of the inland waterway locks and dams today are over 50 years old.

To put it in another perspective, in 1999 constant dollars, in the 1960s, we were spending nearly $5 billion on water construction projects. Today for inflation adjusted dollars, we are spending about $1.7 billion.

There is no money in the bill for a new recreation facility modernization initiative by the administration. There is no money for the Challenge 21 Riverine Restoration Program to move towards more nonstructural solutions to many of our flooding and water problems. They would also be looking to have greater coordination with environmental restoration. Given the fact that we have at least a two to one cost benefit ratio, I think it is a mistake not to further fund these programs.

In the arena of science, I would mention renewables. There was a debate during the rule about gas prices going up. Whether one blames OPEC, the oil companies, EPA, ethanol, the fact is they have gone up. Funding in this bill currently as we debate it has gone down $12 million from last year's level. It is my anticipation and I appreciate the fact that it would appear that later today that figure will go up.

Finally, I would point to an initiative that the administration asks for in the area of nanoscience and nanotechnology. In 1959, Richard Feynman delivered a famous lecture; and in it he challenged his audience to envision a time when materials could be manipulated and controlled on the smallest of scales. He said then in 1959 that, when they looked back at this age, they will wonder why it was not until 1960 that anybody began seriously to move in this direction, and here we are 40 years later.

Nanoscale science and synthesis would result in a number of benefits: significant improvements in solar energy conservation, more energy efficient lighting, stronger, lighter materials that would improve efficiency in transportation, greatly improved chemical and biological sensing, and others. Again, a new science initiative would not be funded.

I would simply close again by assuring Members that, within the allocations provided, the gentleman from California (Mr. PACKARD) has done a very good job. I do support the bills, but I would have been remiss in my remark for not pointing out the deficiencies given the allocations that we were given that I did not support.

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

Mr. PACKARD. Mr. Chairman, yield such time she may consume to the gentlewoman from New York (Mrs. KELLY) for purposes of a colloquy.

Mrs. KELLY. Mr. Chairman, I rise to enter into the colloquy with the gentleman from California (Mr. PACKARD), chairman of the Subcommittee on Energy and Water Development of the Committee on Appropriations.

Mr. Chairman, as the gentleman from California knows, I had intended to offer an amendment today on an issue of great importance to my district. I am not going to offer this amendment, however, with the understanding that the gentleman from California is willing to work with me on this matter.

I wish to bring to the gentleman's attention some serious concerns I have regarding the Indian Point 2 nuclear power facility in my district.

This plant was shut down in February after a steam generator started leaking radioactive material into the atmosphere. It goes without saying that this was a distressing situation for my community. What merits mentioning, and what brings me to the floor today, however, are the string of revelations in the months following this incident which have fundamentally undermined the community's confidence in the safety of the plant.

The Nuclear Regulatory Commission itself admitted in March that previous inspections of the plant were ''weak and incomplete.''

The NRC determined in May that operational deficiencies at the plant were serious enough to place it on the agency's watch list.

Then we learned that the conduct of the NRC staff responsible for plant safety is now the subject of an investigation by the Inspector General. Despite my repeated requests, the NRC will not postpone their decision on the restart of this plant at least until the investigation is complete, as they would have us believe that it is somehow irrelevant.

Just last week, an internal memo from the plant's operator was discovered revealing serious problems which occurred at the plant on the night of the leak. Mr. Chairman, it appears that the NRC saw this document only after stories were written about it in local newspapers.

Mr. Chairman, there is a problem here. These are legitimate concerns, and it is reasonable for me and my constituents to expect for them to be given full and fair deliberation before that plant is restarted. I would like to make it clear on this floor that this is not the case, that this issue is not being dealt with reasonably, and it is unsettling my community.

Mr. Chairman, I feel strongly that the NRC should postpone a decision on restart of Indian Point 2 until the serious and legitimate concerns that have arisen on this issue are addressed. At the very least, it would seem prudent to postpone the NRC's decision on restarting the plant until the final investigation report of the Inspector General's office is released and carefully reviewed by the NRC officials to ensure that the outstanding issues are identified and corrected.

Would the gentleman from California (Mr. PACKARD) agree to work with me in ensuring that the committee continue to provide strict oversight of this serious matter?

Mr. Chairman, I yield to the gentleman from California (Mr. PACKARD).

Mr. PACKARD. Mr. Chairman, I appreciate very much the gentlewoman from New York bringing this serious matter to the attention of the House, and I share her concerns over the serious nature of the problem at Indian Point 2 nuclear facility, and agree that the NRC inspector general should provide to the NRC all relevant information that its investigation developed prior to the decision and restart. Let me say to the gentlewoman that I will work closely with her to see that this issue is provided with continued congressional attention in the coming months.

Mrs. KELLY. Mr. Chairman, I thank the gentleman from California for his attention to this matter. I hope that this matter will be resolved in the interest of my constituents.

Mr. VISCLOSKY. Mr. Chairman, I am happy to yield such time as he may consume to the gentleman from Wisconsin (Mr. OBEY), the ranking minority member.

Mr. OBEY. Mr. Chairman, I rise, not so much to comment on the content of the legislation, as to take note, as has the gentleman from Indiana (Mr. VISCLOSKY) that the gentleman from California (Mr. PACKARD) is bringing this bill to the floor for the last time.

Without getting into the merits of the bill, which are considerably constricted because of the budget resolution, which I find to be ill-advised, I simply, Mr. Chairman, wanted to say that I think that the gentleman from California (Mr. PACKARD) is one of the people who have added to the decency of this institution.

In the years that he has been on the committee, I think he has been an extremely genial Member. I think he has been extremely fair-minded as chairman. I think he has worked very hard to try to produce a rational set of priorities in an irrational situation. I for one want to say that it has been a distinct pleasure for me to share our service in this institution.

What I admire about the gentleman from California most of all is that he does not, he is not one of those Members who is prone to cheapshot the institution. He recognizes that this institution is a precious asset to the American people and tries to remind others of that fact in virtually everything he does.

I simply want to congratulate him for the service he has provided to his district, to the country, to his State, to his party, and to this institution, and wish him good luck in whatever he does after he leaves this place.

Mr. PACKARD. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. GILMAN) on the same issue that the gentlewoman from New York (Mrs. KELLY) addressed.

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

Mr. GILMAN. Mr. Chairman, I would like to engage the gentleman from California (Mr. PACKARD) in a colloquy.

Mr. Chairman, for more than 25 years, along with my colleagues in my area, I have been working with the communities throughout our Hudson Valley region to ensure the safety of the Indian Point 2 nuclear power plant in Buchanan, New York. Over the past year, that plant has had to be shut down on two separate occasions. Prior thereto, over the past 25 years, this nuclear plant has had to be shut down on a number of occasions due to the failure of the plant's outmoded steam generators, insufficient emergency preparedness, and questions about the integrity of the nuclear plant.

The facility has been plagued with safety problems over the years. It is the only nuclear power reactor in the entire country which is still operating with the outmoded Westinghouse Model 44 steam generators. Nevertheless, the NRC is presently considering an application by Consolidated Edison to restart the plant.

During a recent public meeting, I joined with Senator SCHUMER, the gentlewoman from New York (Mrs. KELLY), and the gentlewoman from New York (Mrs. LOWEY), and the citizens of our Hudson Valley region in requesting that the application for restarting this plant not be approved until the existing steam generators have been replaced and emergency and safety deficiencies outlined in the NRC's inspection team's report are remedied.

Mr. Chairman, this nuclear facility is located only 35 miles from New York City and in the heart of our heavily populated Hudson Valley region. It is obvious that the replacement of these outmoded steam generators and the remediation of emergency and safety procedures at Indian Point 2 is vital to the safety and welfare of millions of our citizens.

□ 1545

Will the chairman be able to assist us in assuring the future safety of this nuclear facility?

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

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

Mr. PACKARD. I advise the gentleman from New York that I would be pleased to offer any assistance that I may be able to in monitoring this situation at Indian Point 2 and work with the gentleman to resolve the situation.

Mr. GILMAN. Reclaiming my time, Mr. Chairman, I thank our distinguished chairman for his time and attention on this pressing matter.

Mr. VISCLOSKY. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. GREEN).

Mr. GREEN of Texas. Mr. Chairman, I thank my colleague for yielding me this time. I also wish to thank our chairman, the gentleman from California (Mr. PACKARD), as well as our ranking member, the gentleman from Indiana (Mr. VISCLOSKY), for their support, and the whole committee's hard work, both the full committee and the subcommittee. I also want to thank my good friend and colleague, the gentleman from Texas (Mr. EDWARDS), for his dedication and hard work and especially for his advice.

Because of the committee's efforts, the Houston-Galveston Navigation Project is appropriated the full $53.5 million needed to maintain the optimal construction schedule for the deepening and widening of the Houston Ship Channel. This subcommittee had the foresight to maintain this construction schedule. By providing the necessary funds now, this project's return on investment will save taxpayers many millions of dollars in increased construction costs.

Also, the Port of Houston generates $300 million annual customs fees and $213 million annually in State and local taxes, which demonstrates that the Houston-Galveston Navigation Project will more than pay for itself in the long run, both for the local taxpayers but also for the Federal taxpayers of the United States.

The continued expansion of the Port of Houston is important on many levels. More than 7,000 vessels navigate the ship channel each year. The port provides 5.5 billion in annual business revenues and creates directly and indirectly 196,000 jobs.

It is anticipated that the number and size of vessels will only increase. Completing the widening and deepening of the ship channel in a timely manner will increase the safety and economic viability of the port and of the City of Houston.

In addition to the Houston Ship Channel, there are several flood control projects that the Corps of Engineers, in partnership with our Harris County Flood Control District, have undertaken. Hunting Bayou Flood Control Project, $337,000 in this bill. This project will affect 29 square miles of the Hunting Bayou watershed and benefit over 7,000 homes and businesses located within that watershed. The environmental evaluation and the General Reevaluation Report should be completed on that and submitted to the Corps by November of this year.

Another project of importance is the Greens Bayou Flood Control Project. This 213 square miles of watershed will provide important protection for hundreds of homes that are currently extremely vulnerable to flooding.

Mr. Chairman, I again thank the committee for their hard work.

Mr. PACKARD. Mr. Chairman, I yield such time as he may consume to the gentleman from Washington (Mr. HASTINGS), for the purpose of colloquy.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Chairman, I want to thank the distinguished gentleman from California (Mr. PACKARD) for yielding to me.

Mr. Chairman, as the gentleman is aware, the Office of River Protection at the Hanford site in my district is currently engaged in the world's largest and most pressing environmental cleanup project. The President's fiscal year 2001 budget request for the privatization account at Hanford was $450 million. However, due to recent developments, privatization is no longer a viable option at this time.

In light of these developments, the Department of Energy has identified a new path forward to ensure the timely cleanup of the waste. As a result of this new path forward, the Department identified an updated funding requirement of $370 million instead of the $450 million for FY 2001 to fully fund the necessary design and long-lead procurement to keep the project on schedule.

I would like to ask the gentleman if he will insist that the necessary $300 million of design and long-lead procurement needs for this project will be preserved during the conference with the other body.

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

Mr. HASTINGS of Washington. I yield to the gentleman from California.

Mr. PACKARD. Mr. Chairman, I would respond to the gentleman by saying, absolutely, we will continue to press for that figure and do all we can to make sure the amount of money is available for fiscal year 2001.

Mr. HASTINGS of Washington. Reclaiming my time, Mr. Chairman, I thank the gentleman for that commitment. The gentleman's assurance certainly gives me and my constituents in central Washington, and for that matter all of us in the Pacific Northwest, confidence that the final legislation will contain the full funding that has been identified for the work that is required this year.

Finally, I wish to thank the gentleman from California (Mr. PACKARD) personally for all the efforts the gentleman has given on behalf of me and my constituents in my district. I want to associate myself with the remarks of the gentleman from Wisconsin (Mr. OBEY) and wish the gentleman the very best in his retirement.

Mr. PACKARD. Mr. Chairman, I yield 4 minutes to the gentleman from New Jersey (Mr. FRELINGHUYSEN), a valuable member of the subcommittee.

(Mr. FRELINGHUYSEN. Mr. Speaker, asked and was given permission to revise and extend his remarks.)

Mr. FRELINGHUYSEN. Mr. Chairman, I thank the gentleman for yielding me this time, and I rise in support of our energy and water appropriation bill. I also wish to thank our chairman, the gentleman from California (Mr. PACKARD), and ranking member, the gentleman from Indiana (Mr. VISCLOSKY), for their bipartisan approach to our bill.

Unfortunately, this is our chairman's last year in Congress and his last energy and water bill. The gentleman from California has achieved many things during his tenure as chairman. He has been the driving force for reform of the Department of Energy. He has made sure that we honor our commitment to a balanced Federal budget and that we focus our scarce resources where they really need to go. I will miss the gentleman from California, as I am sure all of us will; and I want to thank him personally for his leadership, his friendship, and his very good nature.

I want to also say a word to the staff of the Subcommittee on Energy and Water Development for their tireless work on all our behalf.

Mr. Chairman, our bill addresses important national priorities at the same time it honors our commitment to a balanced Federal budget. As the chairman can attest, there are always more requests for funding than our budget allocation can provide for. The no new-start policy contained in this bill is difficult but necessary. We need to focus our dollars on ongoing projects that are on schedule and on budget. And even with this strict requirement, our bill provides funding for projects that will benefit virtually every congressional district in our Nation.

This is in stark contrast to the President's budget request for the Army Corps of Engineers, which was wholly inadequate. It is a poor reflection on the White House that each and every year this committee must add funds for our Nation's waterways and coastal areas.

This is particularly true for my home State of New Jersey, where we have 137 miles of ocean coast that we need to protect. In addition, New Jersey has experienced severe and devastating floods, and the only long-term solution is effective flood mitigation. Our State is also committed to the preservation of wetlands. All of these important priorities were shortchanged in the President's budget.

For over 170 years, the Army Corps of Engineers has provided solutions to flooding, dredging and environmental problems, as well as shore and beach protection. Our bill also maintains funding for flood safety, coastal protection, dredging, and environmental restoration. It restores funds for these vital projects in order to protect lives and property.

Our bill also provides funding for the Department of Energy. Most importantly, we have increased our commitment to scientific research, providing $2.8 billion for the Office of Science, a $43 million increase. With this funding, important scientific research will continue in the area of high energy and nuclear physics, technology, basic energy sciences, biological and environmental research.

I especially want to thank the chairman, the gentleman from California (Mr. PACKARD), for his support of $255 million for fusion research and $25 million for laser research. While I would have preferred more funding for this, we did increase fusion research above the current level. Fusion energy has the potential to be an unlimited and ultraclean source of energy for the world. And after a number of years of declining budgets for this program, and with the chairman's help, this is the second year of increased funding for fusion research.

The committee has also provided $19.6 million for the decommissioning of the Tokamak Fusion Test Reactor at Princeton University. This decommissioning must stay on schedule and on budget, and this funding will allow us to do so.

Mr. Chairman, I am pleased to support the bill. I thank the chairman, the gentleman from California (Mr. PACKARD), and the ranking member, the gentleman from Indiana (Mr. VISCLOSKY), for their support.

Mr. VISCLOSKY. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. FARR), a member of the committee.

Mr. FARR of California. Mr. Chairman, I thank the gentleman for yielding me this time.

I want to have a colloquy with the distinguished chairman of the committee, but I just noticed that both the chairman of the Whole House and the chairman of the subcommittee are both retiring this year, and I have to express my own personal regrets that they are retiring. They are both very distinguished gentlemen, and I have enjoyed serving with them.

I have really enjoyed serving with the chairman of the subcommittee, not only as a fellow Californian; but we have been engaged together in issues for the State, and I remember when I was in the State legislature his work with the supercollider, where I really got to know him well; and I have appreciated his leadership here in the Congress.

I want to thank him for the opportunity to discuss with him the funding for a critical project in my district, which is the central part of California. This is the second year I have sought appropriations to carry out a preconstruction engineering design of a flood control measure on the Pajaro River, which runs right through the City of Watsonville, California, as well as funding for the Pajaro River Basin Study. This is an area in my district with substantial flood control problems, which threatens homes and businesses in Santa Cruz and Monterey Counties. I have worked extensively with officials in both of these counties and the Corps of Engineers to resolve this problem in order to provide safety for the residents there.

I recognize that the Subcommittee on Energy and Water Development is under significant budgetary constraints this fiscal year and has thus adopted a policy to fund investigations at a level no higher than requested by the administration. The administration's request for investigations on the Pajaro River was $600,000, with an additional $50,000 request for the basin study. However, this request was prepared prior to the agreement between the Corps and the local sponsors, which subsequently set a higher level of funding for the project.

The Corps has revised their earlier estimates, and has developed a new work plan and budget that calls for a total of $1.95 million in fiscal year 2001. They have submitted a revised estimate on their ability to spend which reflects this new higher amount. I would like to request that my good friend, the chairman of the Subcommittee on Energy and Water Development of the Committee on Appropriations, amend the amount as we go along to allocate to the investigations on the Pajaro River to reflect this agreement with the Corps and the new estimate of their ability to pay.

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

Mr. FARR of California. I yield to the gentleman from California.

Mr. PACKARD. Mr. Chairman, I thank my colleague from California for yielding, and I want to state that I recognize the importance to his constituents to improve flood control on the Pajaro River. The Corps has demonstrated their ability to spend $1.95 million on the investigations of these two projects.

Given the revision of the Corps's estimates since the submission of the President's budget, I pledge to do everything I can to help the gentleman receive additional monies from the Corps for purposes of implementing these worthy projects.

Mr. FARR of California. Reclaiming my time, Mr. Chairman, I thank the gentleman for working on this matter; and I look forward to working with him in the future.

Mr. PACKARD. Mr. Chairman, may I inquire what time is remaining on each side.

The CHAIRMAN. The gentleman from California (Mr. PACKARD) has 8½ minutes remaining, and the gentleman from Indiana (Mr. VISCLOSKY) has 15 minutes remaining.

Mr. PACKARD. Mr. Chairman, I yield 2 minutes to the gentleman from Tennessee (Mr. WAMP), for the purposes of a colloquy.

Mr. WAMP. Mr. Chairman, I hope I can do it in 2 minutes.

Before I engage in a colloquy, I do want to associate myself quickly with all the outstanding comments that have been made about the brilliant political career, the public service, and especially the attitude of the gentleman from California (Mr. PACKARD). People from one end of this place to the other really appreciate the spirit of the gentleman from California. The gentleman from California has done a great job and brought so much to public service in this country. And I hope the gentleman enjoys the game of golf from this point on, because the gentleman deserves his retirement.

Mr. Chairman, the Spallation Neutron Source is one of the most important science initiatives of our generation and represents a $1.4 billion major construction project supported by the Department of Energy's Office of Science to build the world's's most powerful source of pulsed beams for scientific research and development.

□ 1600

With its advanced accelerator technology and world-class instrument design, SNS will be more than 12 times as powerful as the world's current leading neutron source in the U.K. and offer unprecedented research opportunities for up to 2,000 scientists each year. This research is crucial to supporting advances in biology, polymers, magnetic materials, superconductivity, and materials research that will continue to keep the U.S. economy strong and keep us at the forefront of scientific endeavors around the globe.

SNS has been subject to many technical and management reviews in the past 4 years, including review by the DOE, several external independent review teams, the GAO, and the House Committee on Science. These reviews have shown conclusively that the technical basis of the SNS is sound and that the SNS management is on a solid path to complete the project within budget by 2006 as planned. All conditions prescribed in the committee report on last year's Energy and Water appropriations bill have been satisfied, and the House Committee on Science has recommended full funding of the SNS in fiscal year 2001.

The SNS will fully obligate $190 million in this fiscal year, including the fiscal year 2000 appropriation of $100 million in construction funds and $17.9 in R&D, plus the fiscal year 1999 balances brought forward of about $71.4 million. Significant design and construction activity has taken place in the last year, with most title I design completed, approximately $75 million in procurements being awarded and major excavation and grading of the 100-acre site well underway.

Fully funding the fiscal year 2000 requested level is essential to maintain the current schedule to complete SNS in 2006 within the total project cost of $1.4 billion.

I know how hard the chairman and his staff have worked to get this project to where we are today, and I appreciate that. I acknowledge the budget constraints that we are currently under and that so far we have not been able to provide the necessary funding that this project needs to meet the necessary milestones over the next 12 months.

I am asking the commitment of the chairman that, as we work together during conference, we will do everything possible to significantly increase the funding for the Spallation Neutron Source.

Mr. Chairman, I yield to the gentleman from California (Mr. PACKARD) for his response.

Mr. PACKARD. Mr. Chairman, I appreciate the request of the gentleman. I will certainly work in conference to adequately fund the Spallation Neutron Source and, of course, additional funds if that will help.

Mr. VISCLOSKY. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. EDWARDS) a member of the

committee, as well as the subcommittee.

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

Mr. Chairman, I would like to engage the gentleman from California (Mr. PACKARD) in a short colloquy.

As the gentleman knows, the Nuclear Regulatory Commission now has before it certain legal issues relating to the off-site disposal of FUSRAP material.

My question to the chairman is, will the gentleman confirm that the Committee on Appropriations does not wish to influence the judgment of the Commission on those issues?

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

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

Mr. PACKARD. Mr. Chairman, the gentleman is correct. If any committee of Congress wishes to take action regarding the off-site disposal issue the Commission is now considering, it ought to be the relevant authorization committee of the House that does it.

I would have no objections to the authorizers of this body taking up such issues. But the Committee on Appropriations, appropriately, has chosen not to do so.

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

Mr. Chairman, even more importantly, I want to thank the gentleman from California (Mr. PACKARD) for a lifetime of service to his Nation. He served this country with great distinction in military uniform. And much like my mentor in politics, the late Olin E. ''Tiger'' Teague, who served this country in such a distinguished way for so many years, the gentleman from California (Mr. PACKARD) continued to serve his country after he took off the uniform and put on the civilian uniform of public servant.

As someone who worked with the chairman both when he was chairman of the Subcommittee on Military Construction of the Committee on Appropriations, now the Subcommittee on Energy and Water, I want to say it was an honor to work with him, to work under him, and to know him. He gives the name ''public service'' the very best of meaning because of his lifetime of service to our country. And there are military families living in better housing today, there are people in communities that are less prone to flood control today, there are millions of American citizens who, whether they know the name of the gentleman or not, are living a better life today and for many years to come for their families because of the service of the gentleman from California (Mr. PACKARD) to our country.

Mr. PACKARD. Mr. Chairman, I thank the gentleman for those kind remarks, and I yield 2 minutes to the gentleman from Michigan (Mr. KNOLLENBERG), a member of the subcommittee.

Mr. KNOLLENBERG. Mr. Chairman, I thank the chairman for yielding me the time, and I rise in very, very strong support of this bill.

I wish good luck to the gentleman from California (Mr. PACKARD). He has done a great job here. We salute him.

If the gentleman from Indiana (Mr. VISCLOSKY) is still about, we salute him. And the staff has done a remarkable job, as well.

The fiscal year 2001 Energy and Water appropriations bill is a balanced piece of legislation balancing the Corps of Engineers, the Department of Energy, along with important portions of the Department of Interior and other agencies. This is a good and fiscally responsible bill, with the non-defense portion of it being some $200 million below last area.

The Nation's energy policy is a prime focus of this bill. We have the opportunity here to improve what we can all agree is a lacking and flawed energy policy on the part of the Clinton-Gore administration.

The bill provides for a variety of important education funding for our universities, as well as research and development at our national labs which are related to the energy supply. This includes nuclear energy research under NERI, under NEPO, and under the NEER programs along with investment in the future energy source called fusion and the Advanced Scientific Computing Research initiative that will bridge the software gap, thereby substantially improving our scientific research capacity.

This bill also contains some fantastic work, I believe, on nuclear fuel supply, from the beginning of the fuel cycle involving mining, conversion and enrichment, to the end of the fuel cycle involving Yucca Mountain.

A new potential cancer cure is advanced in this bill.

One of the most successful on-time, on-budget programs at the Department of Energy is the fusion energy program. Fusion energy is treated fairly.

The cleanup, finally, of our World War II legacy, our nuclear waste sites, is another important priority in this bill. It contains some excellent work that will refocus the Department of Energy on its responsibilities with a new priority on accomplishments by 2010.

We have all the various interests of the American people at heart when we all have programs we hope will be strongly supported. If we have more money at some future time, I cannot say at that time or at this time that we will, but I am confident we will have an even better bill.

I urge support of this bill.

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

Mr. PACKARD. Mr. Chairman, I yield such time as he may consume to the gentleman from New York (Mr. GILMAN).

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

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

Mr. Chairman, I rise in strong support of the Energy and Water Development appropriations bill. I thank the distinguished chairman for recognizing the need for two flood projects in my area, the Elmsford Saw Mill River area and the Ramapo River area, and for providing adequate funding for these projects. We thank the distinguished chairman for his good work.

Mr. Chairman, I rise in strong support of H.R. 4733, the Energy and Water Development Appropriations bill, 2001 and want to thank the distinguished Committee chairman, the gentleman from California, Mr. PACKARD for his diligent work on producing this important bill.

The Energy and Water Appropriations bill provides funding for the Army Corps of Engineers to provide necessary flood control protection against the devastating impact of flooding on lives and property.

My constituents in Elmsford and Suffern, New York have and continue to suffer from the flooding of the Saw Mill River, as evidenced in 1999, when Hurricane Floyd dropped over 11 inches of rain on my congressional district, creating a devastating impact on human life and property. Included in Floyd's destruction were constituents who were faced with flood waters from both the Saw Mill River and the Ramapo River in southwestern N.Y.—destroying homes, businesses and creating severe financial stress. After witnessing the destruction in my district first-hand, I contacted the U.S. Army Corps and Chairman PACKARD for assistance.

Accordingly, Chairman PACKARD has provided the Army Corps with adequate funding to begin the phases necessary to prevent such destruction in the future.

I look forward to continuing my work with Chairman PACKARD as the flood control work proceeds in both Elmsford and Suffern.

I thank Chairman PACKARD for his efforts and I urge my colleagues to support this important measure.

Mr. PACKARD. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa (Mr. LATHAM), a member of the subcommittee.

Mr. LATHAM. Mr. Chairman, I thank the chairman very, very much. I rise today in support of this very excellent bill under tight budget constraints.

I would like to also extend my thanks to the chairman. This is my first term on this subcommittee, and he has done an outstanding job, being actually new to the subcommittee himself. But the learning curve that I have had on this committee has been quite steep; and, with his leadership, it has made it much easier.

And also, anyone who knows the chairman, much has been said about the golf, but he attacks his work the same way that he attacks the golf course and never stopping, and we have to be on our toes all the time. I just want to say how much I appreciate his friendship and really the honor of serving here with him.

This bill is something under the tight budget constraints, like I said before, with no new starts as far as projects. The chairman is very well aware, and I think the Congress is, that there are

scores of billions of dollars that are authorized in projects which are waiting to be started; and because of the tight constraints that we have, it was impossible to have any new starts.

I also want to emphasize how important this bill is for the upper Midwest, for the State of Iowa, as far as the Army Corps of Engineers, the projects that they have to deal with in my district as far as navigation on the rivers, and what an excellent job I think that they do and the constraints that we have.

If I have a disappointment in the bill, it is in the area of renewable energy and as far as biorenewable energy research that I think is so very, very important for the future.

Just in closing, again, I want to thank the chairman and extend my gratitude for the great job that he has done.

Mr. PACKARD. Mr. Chairman, I yield such time as he may consume to the gentleman from New York (Mr. FOSSELLA) for the purpose of a colloquy.

Mr. VISCLOSKY. Mr. Chairman, I yield such time as he may consume to the gentleman from New York (Mr. FOSSELLA).

Mr. FOSSELLA. Mr. Chairman, I thank the gentlemen for yielding me the time.

Mr. Chairman, let me add my words of praise to the gentleman from California (Chairman PACKARD) for his great service to this county. He is a great man and a friend. I am sure not only his constituents appreciate his service, but all his colleagues here and people of this great country.

Mr. Chairman, I would like to thank the chairman for giving me the opportunity to discuss a dredging project that is vital to the Port of New York and New Jersey. As the gentleman knows, the Arthur Kill channel serves the Howland Hook Marine Terminal on Staten Island, one of the United States Army's strategic seaports of embarkation. The present 35-foot depth of the Arthur Kill serves as a considerable obstacle to large commercial and military vessels that may forestall any future growth or endanger the existence of these seaport facilities.

The Port of New York and New Jersey, the Eastern Seaboard's largest, is an economic engine for the region and the entire Nation. Locally, Port commerce serves as a consumer market of 18 million Americans and is estimated to provide 165,000 jobs and $20 billion in economic activity.

As a result of its location, goods that enter the United States through the Port can reach the homes of 110 million Americans within 24 hours. The New York site of the Arthur Kill was for years an eyesore, however, vacant of any real activity.

Today, I am happy to note, that the New York-side is a vibrant and expanding area bursting at the seams with almost 1,000 good paying jobs and adding $20 million to the existing tax base. This new activity can all be predicated on the responsible measure to deepen the Arthur Kill channel, which will not only maintain the current business but will attract new businesses to the entire region, including New Jersey.

The modernization and dredging efforts of the Arthur Kill is one of the most important economic issues for the New York and New Jersey region, as well as the entire Eastern Seaboard.

In addition to the new jobs that will come with the adequate dredging, the completion of this project will help to ensure that the United States does not continue to lose more shipping business to Canadian shipping competitors in Halifax.

Last year, the two largest shippers on the New York City side nearly relocated their operations to Halifax and have indicated they will do so unless considerable harbor improvements are completed by the year 2009.

The chairman and the committee have done an excellent job in putting this bill together and crafting what I think is a fiscally responsible bill and has taken the key step in recognizing the importance of the Port of New York and New Jersey by providing funding to dredge the Kill Van Kull in Newark Bay. This is welcome news, Mr. Chairman, but it does not go far enough to ensure that the Port maintains its position to provide millions of consumers with low-cost goods in a timely fashion.

The Arthur Kill is a natural waterway and tributary to the Kill Van Kull. It is not only vital but common sense to begin construction to dredge the waterway since the Kill Van Kull is already being dredged today.

The Water Resources Development Act of 1999 authorized the deepening of the Arthur Kill channel from 35 to 41 feet. This is prudent. Construction to deepen the channel has been included in the President's fiscal year 2001 budget for $5 million.

The Army Corps and the Port Authority, which is the local partner in this project, estimate that they will be ready to begin construction in November. We have been waiting for years for this opportunity, and I think it would be a big mistake not to take action now.

The chairman has been a terrific leader in all of this, and I would like to thank him for allowing me, again, this opportunity to discuss with him this important project vital to my district.

I respectfully request that the gentleman from California (Mr. PACKARD), the gentleman from Florida (Chairman YOUNG) and other members of the Committee on Appropriations help to make this project a reality.

□ 1615

Before I hear from the gentleman from California (Mr. PACKARD), I respectfully yield to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Chairman, first let me join in the encomiums to the distinguished chairman of the subcommittee for his great work over the years and the decades, and we will miss him.

Let me say that it is true that part of the port of New York is now bustling again and part of it still needs major development. The channels we are talking about are in the district of the gentleman from New York (Mr. FOSSELLA), and I appreciate his leadership on this project.

I rise on this because I believe this project is vital not only to the district of the gentleman from New York (Mr. FOSSELLA) but to the entire port region of New York and New Jersey.

The Kill Van Kull is the boundary between Staten Island on the south and Bayonne on the north and leads from New York Harbor to New York Bay, and we are presently dredging that to achieve a depth of 45 feet, blasting through solid rock to get to 45 feet.

If achieved or when achieved, I should say, this will open up access to the ports of Newark and Elizabeth. The Arthur Kill is an extension of the Kill Van Kull where the shore of Staten Island turns a little south, and that has to be part of the same project. That will afford access to Howland Hook and Staten Island.

Without that part of it, the Kill Van Kull project helps New Jersey but does not help New York.

With that part, the Kill Van Kull project helps both States.

It was always anticipated and intended that the ports of New York and New Jersey would be for the benefit of both States, and the little added piece of the Arthur Kill is critical to enabling the New York as well as the New Jersey side of the port to be accessed by the existing Kill Van Kull project.

So this project has to be looked at as a unified whole, and the Arthur Kill as an extension of the existing Kill Van Kull project. When completed, the project together will afford the ability of bigger ships to get to New York, Elizabeth, and Howland Hook and will give us a leg up on retaining our port business in the United States as against the port of Halifax, Nova Scotia, which is not in the United States, obviously.

So I appreciate the cooperation of the gentleman in helping us to achieve this dual nature project.

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

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

Mr. PACKARD. Mr. Chairman, I want to thank the gentleman from New York (Mr. FOSSELLA), and I would like to say that I can see how a reasonable person would conclude that the Arthur Kill is an extension of the Kill Van Kull. I understand how the completion in totality of this project will benefit both New York and New Jersey.

I thank the gentleman much for his efforts to ensure that this project moves expeditiously forward. I will do what I can in conference to find the funds to fund the project.

Mr. MATSUI. Mr. Chairman, I would like to take this opportunity to thank Chairman PACKARD and the Ranking Member, Mr. VISCLOSKY, and the Members of the Committee, for their support of Sacramento flood control projects included in the FY 2001 Energy and Water Appropriations bill. Flooding remains the single greatest threat to the public safety of the Sacramento community, posing a constant risk to the lives of my constituents and to the regional economy. Thanks to your efforts and the efforts of this Committee, Sacramento can continue to work toward improved flood protection.

With a mere 85-year level of protection, Sacramento remains the metropolitan area in this nation most at risk to flooding. More than 400,000 people and $37 billion in property reside within the Sacramento flood plain, posing catastrophic consequences in the event of a flood. While Congress will continue to consider the best long-term solution to this threat, funding in this bill will provide much needed improvements to the existing flood control facilities throughout the region.

Specifically, this legislation will allow for the continuation of levee improvements and bank stabilization projects along the lower American and Sacramento Rivers, increasing levee reliability and stemming bank erosion. Additionally, I greatly appreciate the Committee's willingness to provide funding for projects—including the Strong Ranch and Chicken Ranch Sloughs, and Magpie Creek—aimed at preventing flooding from a series of smaller rivers and streams that present substantial threats separate from those posed by the major rivers in the region. Importantly, the Committee's willingness to include funding for the American River Comprehensive Plan will allow for ongoing Corps of Engineers general investigation work on all area flood control needs, including a permanent long-term solution.

As this legislation moves to a House and Senate conference committee, I also would like to ask conferees to support two ''new start'' projects of critical importance to the long-term safety of the Sacramento region that were included in the 1999 Water Resources Development Act. The first would make modifications to the outlet works on Folsom Dam, improving its flood control efficiency. The second would begin construction on the South Sacramento Streams, which will provide a 500-year level of protection for a portion of south Sacramento that has long been vulnerable to rising flood waters.

Mrs. TAUSCHER. Mr. Chairman, I have concerns about the impact of language in the House Energy and Water bill that requires competition for aspects of the Department of Energy's (DOE) nonproliferation programs. DOE serves a unique role in our nation's nonproliferation efforts, and these efforts could be threatened by micro-management that forces a piecemeal approach to nonproliferation. The DOE laboratories fulfill an essential role in developing and integrating advanced scientific techniques and equipment into large-scale prototype systems which are critically necessary for our nonproliferation efforts. Unlike the National Science Foundation (NSF) and the Department of Defense (DOD), the DOE selects lead laboratories to serve as overall coordinators to facilitate these large-scale development projects. The laboratories rely on universities and industry to provide their unique expertise to make these efforts successful. Lawrence Livermore National Laboratory (LLNL) out-sources approximately 20 percent of the funds it receives to universities and industry as appropriate with the sensitive nature of these projects. Many aspects of these projects are very sensitive and/or classified. Success requires a knowledge and focus on customer requirements, which may also be classified. They require a multi-disciplinary approach to accomplish deliverables to the intelligence and defense communities. DOE needs to maintain its flexibility in using universities and laboratories to meet its critical needs in this arena. This work is far too important to experiment with. Furthermore, we need to expeditiously pursue all possible advances to protect this nation against weapons of mass destruction. We need to empower the new National Nuclear Security Administration (NNSA) Administrator, General John Gordon, and give him the necessary flexibility and the resources to strengthen our atomic energy defense and nonproliferation activities. We must give General Gordon the freedom to make the decisions he needs to make.

Mr. DEFAZIO. Mr. Chairman, I rise to express my strong concerns about a provision inserted in House Report 106–693, the report to accompany H.R. 4733, the Fiscal Year Energy and Water Development Appropriations bill. This provision, which relates to the Army Corps of Engineers' hopper dredge fleet, was not in the report considered by the House Appropriations Committee and was inserted at the last minute without any public debate.

Although I plan to vote in favor of H.R. 4733, I am concerned about the Committee's statement of support for placing the hopper dredge *McFarland* in ready reserve, which was included in House Report 106–693. Placing the *McFarland* in ready reserve would be bad public policy and likely mean higher costs to taxpayers.

The Committee justifies its support for placing the *McFarland* in ready reserve on a report recently issued by the Corps touting the success of placing another hopper dredge, the *Wheeler*, home-ported in Louisiana, in ready reserve in 1996. However, I am dubious about the validity of this report. An earlier draft of the report, prepared at the working level in the New Orleans District, directly contradicts the final report, revised at Corps headquarters, by recommending that the *Wheeler* be put back in active status and that no other hopper dredge be placed in ready reserve.

The draft *Wheeler* report, authored by the New Orleans District office of the U.S. Army Corps of Engineers states, ''Based on the findings of this report, there is no other logical recommendation, except for the Secretary [of the Army] to report to Congress that the Dredge *Wheeler* is needed to be returned to active status and that no other Federal hopper dredges should be placed in ready reserve at this time.'' This is a compelling statement.

The earlier, more substantive draft, found that keeping the *Wheeler* in ready reserve resulted in insufficient response times to meet port dredging needs and higher costs to taxpayers because of a lack of capacity and competitive bids. The final draft makes no mention of any of these problems and makes conclusions and assertions without supplying any supporting data or analysis.

The final Corps report is seriously undermined by the substantive conclusions of the draft report. This raises serious questions that need to be fully investigated. The House Committee report should not rely on this final report as a basis for making further changes to the hopper dredge fleet.

To remain competitive in world markets, to meet domestic transportation needs, and to serve the fishing industry, Northwest ports and their customers rely on hopper dredges for low-cost and timely completion of dredging projects. Without the *McFarland* to do needed work on the East Coast, the Northwest dredges might be obligated to meet needs outside the region.

Timely availability of dredges to perform both planned and emergency dredging work remains a concern in the Pacific Northwest. Sufficient capacity must be available to conduct the necessary annual dredging at numerous ports during the short dredging season. In addition, emergency dredging is often needed to restore the federal navigation channel to allow commerce to pass. Shoaling can occur rapidly with potentially dangerous impact on export shipping and the sport and commercial fishing fleet. Shippers and ports cannot afford to wait several weeks or even months for dredging while private contractors are engaged and move their dredges to the site of the work, often from long distances. Trade commitments and vessel safety are at risk. At this time, it does not appear that the private dredge industry has sufficient capacity to conduct all the needed dredging work in the Pacific Northwest.

Even with expanded capacity, I am also concerned that the low number of private industry bids for work in the Northwest could force dredging costs higher without the availability of the federal dredges. In 1996, an Army's Audit Agency report raised serious questions about private dredge company bidding practices.

In 1997, the Corps itself released a study outlining eight options for the future of its hopper dredge fleet. Of these options, the one that showed the lowest cost to the U.S. taxpayers required full active status of the Corps hopper dredge fleet. All the other options, while providing more work for the private industry, meant higher costs to the taxpayer.

The federal dredges designed specifically for Corps navigation projects, are uniquely capable of performing the required maintenance dredging work at Northwest coastal ports. The experience of these ports is that when the private dredges have been contracted by the Corps, they have often not performed the work in a manner consistent with the navigation and operational needs of the local port authorities and port users. From reports that reach me from the field, the quality of the dredging work performed by the private dredges is not equal to the level of the federal dredges, resulting in disruption to navigation and port operations. In short, the private dredges have not shown that they can perform the work presently being performed by the federal dredges in the Northwest.

For these reasons, it would be imprudent to make changes in the operation of the Corps minimum dredge fleet at this time. I hope that the provisions in the House Report will not be endorsed in the final product of this Congress.

Mr. WELDON of Florida. Mr. Chairman, I rise today to thank the committee for providing $5 million for the Brevard County Beach Renourishment Project. This $5 million, when combined with the $5 million we approved last

year and the 37 percent local match will provide a total of $14 million in renourishment funding this year. Beginning in October, just a few short months from now, the contractor will move into place and begin placing sand on these beaches. This is a great accomplishment and everyone who has worked on this effort should be commended.

This $5 million appropriation matches last year's earmark of $5 million and moves the project forward. Last year's Water Resources and Development Act (WRDA) authorized more than 150 new projects; however, the bill before us does not provide funding for any of those new starts. This clearly demonstrates the difficulty in securing an appropriation for a new Corps project. We were successful in securing funding in the fiscal year 2000 budget and this additional funding builds on that success.

This will help us make significant progress on the north reach of the renourishment project. This 9.4 mile stretch reaches from Patrick Air Force Base north to Canaveral Inlet.

Clearly, a considerable amount of the erosion along Brevard's beaches south of Canaveral Inlet is due to the federal navigation inlet which has disrupted the natural southward flow of the sand. Corps studies as far back as the early 1960s have documented the severe loss of sand along Brevard's beaches. More recently, and with more years of measured losses available, the Jacksonville District Corps of Engineers concluded, in June 1989, that ''the net loss of littoral material from the shore line to the south of the harbor is estimated to be between 335,000 and 410,000 cubic yards a year.''

Consistent with Section 227(A)(2) of WRDA '96, this Project should receive preference based on the mitigation of damages attributable to the Federal Navigation Project. The bill before us recognizes this preference. Over the 40 year history of the inlet, we have lost approximately 18 million cubic yards of sand along Brevard's beaches, primarily as a result of the federal navigation channel. Houses that once stood great distances from the shore now literally have waves at their doorstep. This funding will help us take some significant steps toward addressing this concern and will add another 75 to 100 feet of beach along Brevard's coast.

Mr. BEREUTER. Mr. Chairman, this Member would like to commend the distinguished gentleman from California (Mr. PACKARD), the chairman of the Energy and Water Development Appropriations Subcommittee, and the distinguished gentleman from Indiana (Mr. VISCLOSKY), the ranking member of the subcommittee for their exceptional work in bringing this bill to the Floor.

This Member recognizes that extremely tight budgetary constraints made the job of the subcommittee much more difficult this year. Therefore, the subcommittee is to be commended for its diligence in creating such a fiscally responsible bill. In light of these budgetary pressures, this Member would like to express his appreciation to the subcommittee and formally recognize that the Energy and Water Development appropriations bill for fiscal year 2001 includes funding for several water projects that are of great importance to Nebraska.

This Member greatly appreciates the $12 million funding level provided for the four-state Missouri River Mitigation Project. The funding is needed to restore fish and wildlife habitat lost due to the federally sponsored channelization and stabilization projects of the Pick-Sloan era. The islands, wetlands, and flat floodplains needed to support the wildlife and waterfowl that once lived along the river are gone. An estimated 475,000 acres of habitat in Iowa, Nebraska, Missouri, and Kansas have been lost. Today's fishery resources are estimated to be only one-fifth of those which existed in predevelopment days.

In 1986, the Congress authorized over $50 million to fund the Missouri River Mitigation Project to restore fish and wildlife habitat lost due to the construction of structures to implement the Pick-Sloan plan.

In addition, this bill provides additional funding for flood-related projects of tremendous importance to residents of Nebraska's 1st Congressional District. Mr. Chairman, flooding in 1993 temporarily closed Interstate 80 and seriously threatened the Lincoln municipal water system which is located along the Platte River near Ashland, NE. Therefore, this Member is extremely pleased the committee agreed to continue funding for the Lower Platte River and Tributaries Flood Control Study. This study should help formulate and develop feasible solutions which will alleviate future flood problems along the Lower Platte River and tributaries.

This Member is also particularly pleased that this bill includes $220,000 for the planning, engineering and design phase of the Sand Creek Watershed project in Saunders County, NE.

Mr. Chairman, additionally, the bill provides $275,000 for the ongoing flood control project for Antelope Creek which runs through the heart of Nebraska's capital city, Lincoln. The funding is to be used for preconstruction engineering and design work. The purpose of the project is to implement solutions to multi-faceted problems involving the flood control and drainage problems in Antelope Creek as well as existing transportation and safety problems all within the context of broad land use issues. This Member continues to have a strong interest in the project since he was responsible for stimulating the city of Lincoln, the Lower Platte South Natural Resources District, and the University of Nebraska-Lincoln to work jointly and cooperatively with the Army Corps of Engineers to identify an effective flood control system for downtown Lincoln.

Antelope Creek, which was originally a small meandering stream, became a straightened urban drainage channel as the city of Lincoln grew and urbanized. Resulting erosion has deepened and widened the channel and created an unstable situation. A ten-foot by twenty-foot (height and width) closed underground conduit that was constructed between 1911 and 1916 now requires significant maintenance and major rehabilitation. The current situation represents a dangerous flood threat to adjacent public and private facilities.

The goals of the project are to construct a flood overflow conveyance channel which would narrow the flood plain from up to seven blocks wide to the 150-foot wide channel. The project will include trails and bridges and improve bikeway and pedestrian systems.

Finally, this Member is also pleased that the bill provides funding for the Missouri National Recreational River Project. This project addresses a serious problem by protecting the river banks from the extraordinary and excessive erosion rates caused by the sporadic and varying releases from the Gavins Point Dam. These erosion rates are a result of previous work on the river by the Federal Government.

Again Mr. Chairman, this Member commends the distinguished gentleman from California (Mr. PACKARD), the chairman of the Energy and Water Development Appropriations Subcommittee, and the distinguished gentleman from Indiana (Mr. VISCLOSKY), the ranking member of the subcommittee for their support of projects which are important to Nebraska and the 1st Congressional District, as well as to the people living in the Missouri River Basin.

To Chairman PACKARD, who is retiring from Congress at the end of this term, this Member wants you to know what your courteous and conscientious contact with this Member and all of our colleagues is very widely recognized. You and your contributions to the public interest through your service in the House will be greatly missed.

Mr. LIPINSKI. Mr. Chairman, I rise today in support of the FY 2001 Energy and Water Development Appropriations bill.

Once again, under the leadership of the chairman and the ranking member, we have before us a relatively well-balanced and bipartisan bill despite the restrictive allocations. I want to thank both of them for all of their hard work and time they have invested in this bill. I understand that they have not had an easy job, but they were able to do very well with what little they had. I also want to congratulate Chairman PACKARD for his years of public service and his leadership at the helm of the subcommittee during this Congress.

These budgetary constraints, as my colleague from Indiana has pointed out before, does not keep pace with the growing water infrastructure needs of this nation. The Army Corps of Engineers has tremendous responsibilities across this nation, and this funding bill shortchanges a number of Corps water projects when money is needed the most.

In my district, the Corps has a number of ongoing flood control projects. Unfortunately, this bill does not fully fund these important priorities. Ongoing flood control projects at Stoney Creek and Natalie Creek could provide meaningful and substantive protection from flooding to thousands of my constituents and save the communities from millions of dollars of potential damages. I believe that it is critical to ensure that these flood control projects proceed without unnecessary delays, and I will continue to work with the Corps of Engineers to make sure this happens.

I hope that as this bill goes to conference, we can all work toward a final bill that will more accurately reflect the funding needs for our nation's water infrastructure and fully fund the important Corps water projects in my district.

Again, I want to salute the chairman and ranking member for their dedication and hard work in bringing this bill to the floor. I look forward to working with them when this bill goes to conference.

Mr. BENTSEN. Mr. Chairman, I rise in support of H.R. 4733, the FY 2001 Energy and Water Appropriations bill. I would first like to thank Chairman PACKARD and Ranking Member VISCLOSKY for their hard work on this important legislation. I would also like to thank my good friend from Texas, Mr. EDWARDS, for

all the help he and his office have provided me.

I strongly support the decision of the Subcommittee on Energy & Water to ensure the U.S. Army Corps of Engineers receives adequate funding to continue their vital work in the areas of flood control and navigational improvement. I would also like to compliment the administration for their decision to fully fund the Corps' budget. This funding level recognizes the critical economic and public safety initiatives contained within the legislation. Because many flood and navigation projects located in my district are on accelerated construction schedules, full funding by the administration and the subcommittee will ensure the expedited completion at great savings to the taxpayers.

I am very pleased by the support this legislation provides for addressing the chronic flooding problems of Harris County, TX. H.R. 4733, includes vital funding for several flood control projects in the Houston area. These projects include Brays, Sims, Buffalo, Hunting, and White Oaks bayous.

I am most gratified that the subcommittee, for the second consecutive year, decided to fully fund the Brays Bayou project at $6 million for FY 2001. This project is necessary to improve flooding protection for an extensively developed residential area along Brays Bayou in southwest Harris County. The project consists of 3 miles of channel improvements, three flood detention basins, and 7 miles of stream diversion and will provide a 25-year level of flood protection. The project was originally authorized in the Water Resources Development Act of 1990, as part of a $400 million federal/local flood control project.

Subsequently, the Brays project as reauthorized was one of the original sites for a demonstration project for a new federal reimbursement program, as part of the Water Resources Development Act (WRDA) of 1996 based upon legislation drafted by Mr. DELAY and myself. This unique program has strengthened and enhanced the Corps/Local Sponsor role by giving the local sponsor a lead role and providing for reimbursement by the Federal Government to the local sponsor for the traditional Federal portion of work accomplished. Recently, the local sponsor, the Harris County Commissioners Court approved of the Brays redesign per WRDA '96 and now this project was moved forward with strong public support.

I am also gratified that the subcommittee decided to fund the Sims Bayou project at $11.8 million, the level requested by the administration. This project is necessary to improve flood protection for an extensively developed urban area along Sims Bayou in southern Harris County. This project, authorized as part of the 1988 WRDA bill, consists of 19.3 miles of channel enlargement, rectification, and erosion control beginning at the mouth of the bayou at the Houston Ship Channel and will provide a 25-year level of flood protection. This ongoing project is scheduled to be completed 2 years ahead of schedule in 2004.

Mr. Chairman, I am also pleased that this legislation provides $53.5 million to fully fund continuing construction on the Houston Ship Channel expansion project. Upon completion, this project will likely generate tremendous economic and environmental benefits to the Nation and will enhance one of our region's most important trade and economic centers.

The Houston Ship Channel, one of the world's most heavily trafficked ports, desperately needs expansion to meet the challenges of expanding global trade and to maintain its competitive edge as a major international port. Currently, the Port of Houston is the second largest port in the United States in total tonnage, and is a catalyst for the southeast Texas economy, contributing more than $5 billion annually and providing 200,000 jobs.

The Houston Ship Channel expansion project calls for deepening the channel from 40 to 45 feet and widening it from 400 to 530 feet. The ship channel modernization, considered the largest dredging project since the construction of the Panama Canal, will preserve the Port of Houston's status as one of the premier deep-channel gulf ports and one of the top transit points for cargo in the world.

Mr. Chairman, I am also pleased that H.R. 4733 also reauthorizes the operation and utilization of the Strategic Petroleum Reserve through the end of FY 2001 and restores the President's authority to release oil from the reserve. In light of today's rising oil prices, it is imperative that the President has the power to access oil reserves paid for with taxpayer dollars.

Again, I thank the chairman and ranking member for their support and I urge my colleagues to support this legislation.

Mr. VISCLOSKY. Mr. Chairman, I have no other requests for time, and I yield back the balance of my time.

Mr. PACKARD. Mr. Chairman, I have no further requests for time under general debate, and I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

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

The amendment printed in House Report 106–701 may be offered only by a Member designated in the report and only at the appropriate point in the reading of the bill, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

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

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

The Clerk will read.

The Clerk read as follows:

H.R. 4733

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2001, for energy and water development, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to rivers and harbors, flood control, beach erosion, and related purposes.

GENERAL INVESTIGATIONS

For expenses necessary for the collection and study of basic information pertaining to river and harbor, flood control, shore protection, and related projects, restudy of authorized projects, miscellaneous investigations, and, when authorized by laws, surveys and detailed studies and plans and specifications of projects prior to construction, $153,327,000, to remain available until expended: *Provided,* That in conducting the Southwest Valley Flood Damage Reduction, Albuquerque, New Mexico, study, the Secretary of the Army, acting through the Chief of Engineers, shall include an evaluation of flood damage reduction measures that would otherwise be excluded from feasibility analysis based on restrictive policies regarding the frequency of flooding, the drainage area, and the amount of runoff.

AMENDMENT NO. 5 OFFERED BY MR. HULSHOF

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. HULSHOF:

In title I of the bill, under the heading ''DEPARTMENT OF DEFENSE—CIVIL, DEPARTMENT OF THE ARMY—GENERAL INVESTIGATIONS'' insert after the first dollar amount ''(increased by $2,000,000)''.

In title I of the bill, under the heading ''DEPARTMENT OF DEFENSE—CIVIL, DEPARTMENT OF THE ARMY, GENERAL EXPENSES'' insert after the first dollar amount ''(decreased by $2,000,000)''.

Mr. HULSHOF. Mr. Chairman, let me commence by also commending the chairman of the appropriations subcommittee and add my kudos to those that have been mentioned previously and wish him well as he begins his next chapter.

Mr. Chairman, I rise today to offer an amendment to increase the U.S. Army Corps of Engineers' general investigations account by $2 million. Funding for this amendment would be offset by a $2 million decrease in the U.S. Army Corps of Engineers' general expense account.

The intent of this amendment is to provide the Corps with adequate funding to begin its initial study of the Upper Mississippi River Comprehensive Plan.

Now, Mr. Chairman, many Members who served this body back in 1993 and through 1995 remember the great flood, as we called it in the Midwest. The great flood of 1993 took 47 lives, left roughly 74,000 individuals homeless, and caused between $15 billion and $20 billion in damages. While existing flood control measures at the time did prevent nearly $19 billion in potential

damages along the Upper Mississippi River Basin, an integrated flood control policy could have prevented further loss of life and property.

The Upper Mississippi and Illinois River Valleys currently lack a coordinated approach to address navigation, flood control and environmental restoration. I would announce to the Chair that the comprehensive plan was authorized by section 459 of the Water Resources Development Act, otherwise known as WRDA 1999, and it would be the first to focus on developing and implementing a system for integrated river management.

Specifically, the comprehensive plan will call for systemic flood control and flood damage reduction; continued maintenance and improvement of navigation; improved management of nutrients and sediment, including bank erosion; environmental stewardship and increased recreation opportunities in the Upper Mississippi and Illinois River Basins.

The plan will be a collaborative effort among three core districts, specifically the St. Paul, Rock Island and Saint Louis Army Corps district offices; other Federal agencies, including the States of Minnesota, Wisconsin, Iowa, Illinois, and of course my home State of Missouri, and a host of other non-Federal organizations. A task force will be created to guide and coordinate development of the plan. The plan will identify future management actions and make recommendations for systemic improvement of the river basin again to provide multiple benefits.

Mr. Chairman, to comply with House rules, I again want to reiterate that the $2 million increase in the Corps' general investigations account should be used to fund this comprehensive plan. Recognizing that we were not trying to legislate on an appropriations bill, we crafted it such. It is my understanding that within the general investigations account that $2 million for the comprehensive plan should be designated under the Illinois subheading on page 13 of the committee report.

One other point I would like for this body to consider is that WRDA 1999 gave the Army Corps of Engineers 3 years from its enactment to submit a project study on the comprehensive plan, and to the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works.

Mr. Chairman, WRDA 1999 was signed into law last August without adopting this amendment, this bipartisan amendment, I might add, cosponsored by my colleague, the gentleman from Iowa (Mr. BOSWELL), and the gentleman from Illinois (Mr. SHIMKUS), with support from the gentleman from Wisconsin (Mr. KIND). Without adopting this amendment, the Corps will not have the financial resources to do as required by law.

To conclude, I do want to remind my colleagues that the comprehensive plan enjoys bipartisan support. This is not the locks and dams study, as some have asked. This is completely offset. I, along with the gentleman from Iowa (Mr. BOSWELL), the co-chair of the Mississippi River Caucus, proposed this amendment along with the gentleman from Illinois (Mr. SHIMKUS).

The Mississippi River Caucus was formed back in 1997 with the expectation that those Members whose districts include and depend on the Mississippi River could work together in a bipartisan manner to help the Corps and those river stakeholders improve the Mississippi River system as a whole. This is exactly what the comprehensive plan would do, and I urge my colleagues to support the amendment.

Mr. KIND. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I rise today in support of the Hulshof amendment to the energy and water appropriations bill. The amendment provides $2 million to the Corps of Engineers so they can begin implementation of The Comprehensive Plan for the Upper Mississippi River Basin. This is something that was already authorized in WRDA 1999; but it has received no funding, so the implementation has yet to take place.

The plan calls for the Corps to develop a coordinated basin-wide approach to flood control and flood damage reduction, and as a co-chair of the Upper Mississippi River Task Force, I have consistently worked to develop bipartisan support for Corps plans and projects that take a comprehensive and basin-wide approach and that support the vision of the Mississippi River as a complex, multiple-use resource. The Comprehensive Plan calls for the Corps to investigate the fullest range of flood control and damage reduction measures, including nonstructural approaches to flood control, management plans to reduce runoff from farm fields and city streets, and habitat restoration programs.

These nontraditional approaches to flood control are particularly beneficial and cost effective. They protect farmers and city dwellers from floods at the same time that they improve water quality and restore the aquatic wetland and floodplain habitats that are so highly valued by fisherman, hunters, and recreationalists. The comprehensive plan embodies an approach to planning that I think should become the norm for the Corps of Engineers in future years.

I would also like to take this opportunity to express my appreciation to the gentleman from California (Mr. PACKARD) and to the ranking member, the gentleman from Indiana (Mr. VISCLOSKY), for the work in increasing the funding levels for the Upper Mississippi River Environmental Management Program. The EMP is a cooperative effort among the U.S. Army Corps of Engineers, the U.S. Fish and Wildlife Service, the U.S. Geological Service and five Upper Mississippi River Basin States to ensure the coordinated development and enhancement of the Upper Mississippi River system.

The program widely cited as a model for inner-agency and interstate cooperation is designed to evaluate, restore and enhance riverine and wetland habitat along a 1,200 mile stretch of the Upper Mississippi and Illinois Rivers.

In WRDA 1999, the EMP received permanent reauthorization at an increased funding level of $33.2 million, and while the Upper Mississippi River Task Force had requested $25 million for the EMP for this fiscal year, I recognize that the House's inadequate 302(b) allocations impose considerable restraints on the subcommittee and that the $3 million increase over the administration's request represents a significant, if still insufficient, increase in funding.

Maintaining a proper balance between the economic growth and the environmental protection is essential to maintain the health of the Mississippi and Illinois Rivers and the communities within its watershed.

Achieving this balance requires the innovative and cooperative efforts of the Federal, State, local interests. The comprehensive plan and the EMP program are core programs that embody this spirit. It is important for this Congress to show our support for programs that will work proactively and cooperatively to reduce flood damage, maintain an appropriate navigation infrastructure, and enhance the environmental qualities of the Mississippi River system for generations to come.

Mr. Chairman, I for too long now have felt that the Mississippi River, America's river, has been the great natural resource cutting right through the heart of our country that has gone neglected as a national priority in this Congress. And working within the task force in a bipartisan fashion, we have been trying to coordinate our efforts between the north and south ends of the river to develop programs and to offer the support and resources we need to protect this very important natural resource.

Why is this important? It is important because it is North America's largest migratory route. It is also the primary drinking source for 22 million Americans, and for the Upper Mississippi region alone it has a $1.6 billion recreation impact as well as a $6.6 billion tourism impact for local communities. In fact, we have more visitors that come every year to visit the Upper Mississippi Wildlife Refuge than who visit the entire Yellowstone National Park system. So this is a very valuable resource that we need to do, as a body, a better job of providing resources.

The comprehensive plan that my friend, the gentleman from Missouri (Mr. HULSHOF), is trying to fund with this amendment is a step in the right direction, along with other efforts that we have taken on the task force to draw more attention to programs that affect the Mississippi River Basin.

So I would call upon my colleagues to look at this amendment and support it. I think the offset is something that is reasonable in working with the Corps of Engineers coming out of administrative expenses, and this is a step, a very important step, to developing the comprehensive plan on a basin-wide approach which is long overdue for the Mississippi River.

I thank the gentleman again for offering the amendment.

□ 1630

Mr. PACKARD. Mr. Chairman, it is with great reluctance that I rise to oppose the amendment of the gentleman from Missouri (Mr. HULSHOF). I have no problem with the project. In fact, if we would have had the funds, we would have liked to have funded the request of the gentleman, but because of a lack of funds, we treated every person's project equally in the bill.

There were literally hundreds of projects that were authorized in WRDA 1999; and if we open up one project to funding, then we have to give equal treatment to all applicants for funding as a result of WRDA 1999 authorizations, and it is for that reason, and that reason only, that I oppose the amendment.

In fact, if the gentleman from Missouri (Mr. HULSHOF) would withdraw his amendment, I will commit to do all I can to help find the funds as we go to conference. There is a hope that we might get additional funds before we go to conference, and if we do, we are hoping that we can fund some of the new starts.

We have not even funded all of the ongoing projects in the bill this year, those that are already under construction and to fund a new project and not have the funds to complete existing projects, I think would be irresponsible.

With that in mind, I would sincerely ask the gentleman to withdraw the amendment, with the assurance that I will do all I can to find the funds for him as we go to conference, otherwise I would have to oppose the amendment.

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

Mr. PACKARD. I yield to the gentleman from Missouri.

Mr. HULSHOF. Again, with all the great respect for the gentleman from California (Mr. PACKARD), I consider him just that, a gentleman, in this body, were it not for the time limit on the authorization, and that is the clock is running on this authorized project and the fact that the Corps of Engineers is expected to report back in about a year and a half, I would accept the invitation of the gentleman, otherwise, I am afraid I am going to have to insist on my amendment.

Mr. PACKARD. Mr. Chairman, if I can reclaim my time, I would simply like to ask Members then under the circumstances to vote against the amendment. Certainly it is at the expense of all other WRDA 1999 authorized projects, if we fund one. It would not be fair to the rest of the Members of Congress that have asked for funding for authorized projects in WRDA 1999. I think it is imperative that we are fair to all Members.

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

Mr. Chairman, I rise in favor of the Hulshof amendment. In fact, the gentleman from Illinois (Mr. SHIMKUS) and I have worked very closely with him on a number of things, and my good friend from Missouri, my neighbor, my good friend from Illinois, just across the river, ''kattywompus'' as we say down our way, has a lot of concerns.

I would say to the gentleman from California (Chairman PACKARD), we respect the gentleman's work on this very, very much, but this is not really a project in the sense that we think of projects. This involves the Mississippi. This involves the Illinois. This involves a great expanse, involving much more than any of us would have in an individual project, and our joint interest in this is for a number of reasons.

We have worked very hard to get folks along the river to realize what a great resource it is in many, many ways. I think that the gentleman from California (Chairman PACKARD) recognizes and appreciates that. I have no doubt about that, but there is a lot of interest groups out there that have different opinions.

Part of our process with our Mississippi River Caucus that the gentleman from Missouri (Mr. HULSHOF) and I have cosponsored is to bring those folks together to see if we cannot work out how to take care of the navigation needs, the commerce needs, the things to do with recreation, the environment and so on, and we feel like we are making some progress.

We feel good about it. Now, this plan is needed so we can proceed, so we can go forth. It has been authorized by WRDA, and we would like now to put the resource with it to make this happen. In fact, I say to the gentleman from California (Chairman PACKARD) this very respectfully, we had hoped that if this would pass today that the gentleman would carry forth with the enthusiasm to conference to maybe restore that offset to keep things going.

We would not want to put an idea in the gentleman's mind, but I will take that opportunity. So thanks so much for listening, but different things have been said about how people depend on that river for commerce. They depend on the river for recreation. They are concerned about preserving the environment and all these things, and we are, too.

We are going forward with the premise with this study and what would bring to bear that we can put those kinds of folks together in the same room, so to speak, and we can work these things out. That is really what we are trying to do. It is not a project for me. It is not a project for the gentleman from Missouri (Congressman HULSHOF) or the gentleman from Illinois (Congressman SHIMKUS) or anybody else, it is for the entire resource of the Mississippi and the Illinois. I think actually it will go on to be even beyond that.

PARLIAMENTARY INQUIRY

Mr. PACKARD. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his inquiry.

Mr. PACKARD. Mr. Chairman, did the rule provide for a rolling of the votes to a later date if a vote is called for on any amendment?

The CHAIRMAN. The Chair has the authority to postpone requests for recorded votes.

Mr. PACKARD. I thank the Chair.

Mr. SHIMKUS. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. SHIMKUS. Mr. Chairman, with reluctance I come to the floor also making an appeal to the gentleman from California (Chairman PACKARD) to be supportive of this amendment, I do that with great respect to my friend, the gentleman from Iowa (Mr. BOSWELL), the gentleman from Missouri (Mr. HULSHOF), myself, the gentleman from Wisconsin (Mr. KIND) who just spoke earlier.

In our short 4 years of being Members of Congress, we have tried to marry the interests of a great diverse group of people who want to preserve this great national asset that we have, which is the Mississippi River, and preserve it for a lot of activities, a lot of things, from the transportation needs of our agricultural sector to get our goods south to take advantage of the world markets, to environmental stewardship of some of the greatest hunting and fishing locations in the country.

In fact, in my district, Pike County, Illinois has the largest white tail deer population; and hunters come from all over which helps the farmers meet their ends in low commodity prices. We know of the problem in the Gulf of Mexico, and having a good plan to address the runoff issues is a good way to be environment stewards, increased recreational activities on the Mississippi.

A lot of these groups that we have been dealing with for 4 years would not like to see any other group exist, but if we work with a plan, if we go in a manner to bring people at the table and work on a plan for the stewardship of this great national resource, then we have something that we cannot only benefit from, but that we can pass down to our families and our grandchildren.

The Mississippi River Caucus' members stretch from Minnesota all the way down to Louisiana. We are concerned about the river. I think that the Hulshof amendment, which takes funds from just the core staffing to focus on the time-sensitive issue of getting this plan developed, is to be commended.

Mr. Chairman, I urge all of my colleagues who are concerned about our ability to compete in the world market, the agricultural sector of the world, environmental stewardship and creating recreational opportunities up and down the Mississippi to be in support of this amendment.

Mr. VISCLOSKY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I appreciate what the gentleman is attempting to do with his amendment. I appreciate the need, and I also appreciate the comments of the Members who spoke before me. I would associate myself with the remarks of the gentleman from California (Mr. PACKARD) and rise in opposition to the Hulshof amendment for three key reasons.

One is we have worked very hard to wisely spend every penny of water money available in as fair a fashion as possible, and in making that money go as far as possible, we did not, in this bill, fund any new starts, any new reimbursements, any new studies. That is an arbitrary decision, but it is one that both sides have stuck to with a great deal of scrupulous care. I think at this late moment, understanding the need, coming from a Great Lakes State myself and the intercontinental United States, I would oppose, first of all, for that reason.

Secondly, I am concerned that because we are taking money from one Army Corps account and moving it to another, we are simply obligating the Corps with an additional responsibility that we are not paying for with new money. The fact is, the account that the gentleman is taking the money from is at current level, there is no increase. It is $2½ million below the administration's request, and we would cut it by an additional $2 million.

Finally, the obvious point, and that is that this would also then require a reduction in force at the very time when we are asking the Corps to assume greater responsibilities than ever before across the Nation.

Again, it is out of no disrespect for the Member or the need of the constituents he represents or the other speakers, but I am adamantly opposed to his amendment.

The CHAIRMAN. Is there further discussion on the amendment?

The question is on the amendment offered by the gentleman from Missouri (Mr. HULSHOF).

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

Mr. PACKARD. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 532, further proceedings on the amendment offered by the gentleman from Missouri (Mr. HULSHOF) will be postponed.

The point of no quorum is considered withdrawn.

AMENDMENT OFFERED BY MR. GILCHREST

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

The Clerk read as follows:

Amendment offered by Mr. GILCHREST:

Page 2, line 18, after the dollar amount insert ''(decreased by $100,000)''.

Mr. GILCHREST. Mr. Chairman, my amendment would reduce the Corps of Engineer's General Investigation Account by $100,000, the amount provided to continue the study to deepen the C&D Canal in my district.

Mr. Chairman, I would like to inform the Members that this is a project that has been ongoing for most of the 1990s. And in 1996, in a meeting I had at the Corps of Engineers headquarters in Washington, with the Philadelphia Corps in my district in Chestertown, Maryland, we went over all of the numbers, the math and came to a very, very clear determination that the benefit-to-cost ration on this particular project in Maryland did not meet the threshold in order to be funded by the Federal Government because there was no benefit to the taxpayers.

It is 4 years later. Every year since 1996, the Philadelphia district has come up with a benefit-to-cost ratio. Under scrutiny from the headquarters in Washington, it has always failed muster. We are not going to close the C&D Canal, there will be no decrease in commerce, but there is two things that we have seen very clearly, that to continue studying this issue that the Corps of Engineers has not been able to justify for most of the 1990s is a waste of the taxpayers dollars, so therefore we would like to cut $100,000 from any more study in this particular area.

It does not reduce commerce in the C&D Canal. I want to make that very clear, that is in the Corps' own document. The Corps says if we deepen it, there will be no increase in commerce to the Port of Baltimore. The Port of Baltimore has a 50-foot deep channel right now to the Port down the Bay out into the ocean. It is not a matter of not being able to accommodate the number of ships that are necessary.

In these studies, if we looked at it from an environmental perspective, deepening the canal will bring in more salty, polluted water from the Delaware River, into the sensitive spawning areas in the upper Chesapeake Bay.

□ 1645

But even more interesting than that, the environmental study has not been concluded. Even though the Washington Corps asked it to go along with the feasibility study, the Philadelphia district did not do that. But there is something that we found out just a few months ago, which was rather astounding, in the study to determine whether there was going to be a change of water flow from the Delaware River or from the Chesapeake Bay.

There is an organization in the Corps in Mississippi called the Water Environmental Studies, or WES. WES gave to the State of Delaware an environmental water flow study that showed the water flowing from Delaware to Maryland, and then WES gave a study to Maryland showing that the water, as a result of the deepening, would go from the Chesapeake Bay to the Delaware River. When we confronted them with this rather minor conflict, they said, well, we have to redo the study.

Mr. Chairman, one other comment about the environmental aspect of this. The northern route, which is not necessary to increase commerce by deepening it, if it is deepened, will result in 18 million cubic yards of dredge material being dumped overboard into the Chesapeake Bay. Now, to use the Corps' own words, what does that mean as far as nutrients are concerned, and nutrients is really another word for pollution. By dumping 18 million cubic yards of dredge material directly into the Chesapeake Bay, a stone's throw north of the Chesapeake Bay Bridge, it means the equivalent of adding a sewage treatment plant the size of the City of Annapolis, dumping in an uncontrolled amount of 2 million pounds of ammonia, some people call that nitrogen, they are the same thing, and 700,000 pounds of phosphorous.

Now, the average farmer in my congressional district is taking great pains to reduce the amount of silt or nutrients that they let into the Chesapeake Bay or its tributaries. A homeowner, if he wants to build a driveway has to put up a silt fence. The whole State of Maryland is going to great lengths to try to figure out how they can reduce the number of nutrients going into the Chesapeake Bay. All we want to do with this amendment, Mr. Chairman, is because the Corps has not been able to, in the decade of the 1990s, financially justify to the taxpayers of the United States this project and time and time and time again, every time it came up for scrutiny, the project was not justified, we want to save the taxpayers' dollars and cut $100,000 from this study.

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

Mr. Chairman, I first heard about this amendment about 4 hours ago.

Let me first put this in context for the Members. I believe that five Members of the Maryland delegation will rise in strong opposition to this amendment. Furthermore, while I have great respect for my colleague, we all adjoin the Chesapeake Bay, as a number of other districts adjoin parts of other waterways. We are talking about the waterways of Maryland. No particular one of us owns the waterways; they are common to all of us.

The gentleman says this has been a controversy in the 1990s and that throughout the decade of the 1990s, the Corps has been unable to justify the costs of this project. Now, the gentleman has another amendment and we will be talking about it as well; but I want to call to the attention of the House of Representatives, my colleagues, a letter dated April 30, 1996. That letter was sent to the gentleman

from Pennsylvania (Mr. SHUSTER), chairman of the Committee on Transportation and Infrastructure. In it, the Maryland delegation, all eight Members, all 4 Republicans and all 4 Democrats, wrote to the committee stating: ''We write to ask your committee's favorable consideration of 3 important channel dredging projects affecting the welfare of the Port of Baltimore and the State of Maryland.''

We went on to say in the next paragraph, ''We cannot stress enough the importance of these projects in maintaining the vitality of the port. In fact, the competitive position of the port could turn, in large measure, on their implementation.''

That letter was signed by the gentleman from Maryland (Mr. CARDIN), the gentlewoman from Maryland (Mrs. MORELLA) the gentleman from Maryland (Mr. BARTLETT), the gentleman from Maryland (Mr. EHRLICH), the gentleman from Maryland (Mr. CUMMINGS), the gentleman from Maryland (Mr. WYNN), myself, and the gentleman from Maryland (Mr. GILCHREST). Why? Because we felt this was a vital project to our State and to the economic viability of our port on which thousands of persons rely. Now, my two colleagues from Baltimore will speak, I think, more pointedly to that.

Mr. Chairman, I oppose the amendment offered by the gentleman from Maryland (Mr. GILCHREST). The deepening of the C&D Canal is absolutely essential for the viability of Maryland's port. The Port of Baltimore operates in an increasingly competitive environment. Anybody who represents a port knows that to be the case. The C&D Canal is a major access route between the Port of Baltimore and the North Atlantic coast ports. Use of the canal saves shipping lines time and money, which means competitive positions. The size of ships entering North Atlantic coast ports, including Baltimore, are already outgrowing the depth of the C&D Canal.

That is why this study is being conducted, and this $100,000 is absolutely essential to complete this study before this project can proceed. As container vessels outgrow their ability to safely use the C&D Canal because of sailing draft constraints, they will be forced to sale substantially greater distances, via Cape Henry between the Port of Baltimore and North Atlantic coast ports, or use another port. That is why we wrote this letter. All eight Members of the Maryland delegation signed this letter.

The transfer of cargo jobs and taxes to other States will have an absolutely deleterious effect on the citizens of the State of Maryland. Moreover, although vessel services and cargo may be lost due to a failure to maintain competitive access channel depth, the substantial fixed costs of the port do not change for the smaller volume of remaining cargo. This will result in reduced port efficiency, increased Corps' costs of port improvements for the remaining users and, therefore, put us in an increasingly uncompetitive status.

Mr. Chairman, I would say to the gentleman from California (Mr. PACKARD) that I would hope that he and the ranking member would oppose this amendment. The gentleman from California (Mr. PACKARD) and I have talked about this amendment; the gentleman from Indiana (Mr. VISCLOSKY) and I have talked about this amendment.

I understand the gentleman's concern. The gentleman's concern is the dredging and where we put the spoil. That is a very significant issue that all of us are engaged in trying to figure out so that we do that correctly. But I would urge this body to reject this amendment, which stops the study. This does not deal with the dredging. The gentleman is correct, if we go ahead with a project, at some point in time we have to figure out where to put the spoil. I understand the gentleman's concern. Perhaps he did not have that concern in 1996 when he signed this letter.

The CHAIRMAN. The time of the gentleman from Maryland (Mr. HOYER) has expired.

(By unanimous consent, Mr. HOYER was allowed to proceed for 30 additional seconds.)

Mr. HOYER. Mr. Chairman, the argument as to where to dump the spoil will have to be debated at some point in time. I would suggest to my friend, for whom I have a great deal of respect, that now is not the time to join it. I know the gentleman wants to stop this project and other projects; the gentleman has had, presumably, a change of heart since the 1996 letter, but we have moved ahead as a united delegation on this. I cannot speak for our two colleagues in the Senate, but I know they support this project as well.

Mr. Chairman, I would urge my colleagues in the Congress to reject this amendment and not stop the study from being completed. We will argue the issue of dredging at some later time.

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

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

Mr. BOEHLERT. Mr. Chairman, I rise in support of the Gilchrest amendment. I hate to see time limited on a discussion of this very important amendment. I am supporting the amendment because I think the gentleman from Maryland (Mr. GILCHREST) has made a compelling case in support of his amendment. This is his congressional district. I do not think there is anyone in this Chamber that knows more about this project than the gentleman from Maryland.

Mr. Chairman, I would like to hear more from him about the amendment, so I yield to the gentleman from Maryland (Mr. GILCHREST) at this time.

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

We do many things up here as Members of Congress that cause us to take awhile to begin to investigate and look deeper into a particular process. I certainly would like to continue the work in harmony with the Maryland delegation on numerous other projects. However, having spent literally years looking into the details of this particular issue, I have come full circle in realizing that not only is this project bad environmentally, not only because of the dredge material and where it is going to be disposed of, but because of the ground water and the aquifers when we deepen this canal and the problems that that will cause.

Also, the reason the cost-benefit analysis, the reason we are here today, and the feasibility study did not go through in December of 1996 was because we are spending money, Federal taxpayers' dollars, and we are getting no benefit. The argument that the Port of Baltimore desperately needs this goes counter to the records of the Corps of Engineers' evaluation that there will be no increase in commerce as a result of the deepening. Not only will there be no increase in commerce, there has been a steady decline of container cargo moving through the canal over the past 4 or 5 or 6 years.

Mr. Chairman, most of the ships, 60 percent of the ships that can use the C&D Canal right now choose not to use it. Why do they choose not to use the C&D Canal if it is available to them right now? Well, number one, it saves them no time. Going through the canal saves no time as opposed to going around Cape Henry and up the Chesapeake Bay. Number two, it costs more to use the C&D Canal as opposed to going around through the Chesapeake Bay where there is a 50-foot deep channel. It costs more because of the pilotage fees. The third reason many captains on board these ships choose not to use the C&D Canal, whether it is deeper or not, is that it is a narrow channel and they simply prefer the wide expanse of the Chesapeake Bay than moving through the narrow channel.

Now, I want to urge my colleagues to vote for this amendment because the Port of Baltimore is not at risk. No one will lose any jobs as a result of this measure. We are not closing the C&D Canal; it will remain open. Marsk and Sealand, if that issue comes up with their huge ships, could never, under any circumstances, no matter how deep it is, use the C&D Canal.

The C&D Canal is a vital link for commerce. It is used by ships that have roll-on, roll-off trucks and tractors; it is used by bulk cargo; it is used by any one of a number of ships. The deepening of the C&D Canal is simply not necessary.

Mr. Chairman, I urge my colleagues to vote for fiscal responsibility. Here is the interesting thing: this project, since it has been turned down by Corps' headquarters time after time because it does not meet the cost-benefit analysis, this project is probably never going to be approved by the Corps of

Engineers through their own process, so there is no need to spend $100,000 again for a new study.

Mr. BOEHLERT. Mr. Chairman, reclaiming my time, I thank my colleague for that explanation. As usual, he has done his homework, and he presents compelling evidence to support his position.

Mr. CARDIN. Mr. Chairman, I move to strike the requisite number of words.

I rise in opposition to the amendment.

Mr. Chairman, my colleague from the Eastern Shore might represent the area around the C&D Canal, whereas I represent, along with the gentleman from Maryland (Mr. EHRLICH) and the gentleman from Maryland (Mr. CUMMINGS), the Port of Baltimore. Although none of us can judge what the Army Corps will or will not do in their studies, we all acknowledge, those of us who represent the Port of Baltimore, how important it is to maintain and strengthen the entry into the Baltimore port.

□ 1700

The Baltimore port is unique. It is more inland than the East Coast ports, but because of that, it takes more time to get to the Port of Baltimore. The fact that we have two days to enter and exit the port is one of the key advantages to the Port of Baltimore.

The maintenance of the C&D Canal is absolutely essential to the health of the Port of Baltimore. The Port of Baltimore represents 18,000 direct jobs, 87,000 port-related jobs, 69,000 indirect jobs in our region, and $1.3 billion annually to Maryland. Business revenues are affected by the Port of Baltimore, $40 million in U.S. custom receipts.

So, Mr. Chairman, the majority of our delegation, the overwhelming majority of our delegation, is going to ask this body to reject the Gilchrest amendment because it could jeopardize very much the health of the Port of Baltimore.

As my friend, the gentleman from Maryland (Mr. HOYER) pointed out, we authorized this project several years ago by unanimous support within our delegation. Democrats, Republicans, support the maintenance of our channels.

My colleague, the gentleman from Maryland (Mr. GILCHREST) mentioned the environmental issues, the Chesapeake Bay. We are all working very hard on the Chesapeake Bay, Mr. Chairman. I am proud of the work that my constituents are doing on the streams that lead into the Bay. We have worked very hard at the State level and the national level to deal with the Bay.

But to raise the issue of maintaining decent entry or exits to our ports as compromising the Bay is an insult to the Army Corps, an insult to those of us who worked very hard on this issue.

The Army Corps is going to release its report, the gentleman from Maryland (Mr. HOYER) is absolutely correct. My colleague is more concerned, I think, about where the dredge materials are being placed than the actual dredging within the C&D Canal. All of us in our delegation strongly support the independence of the Army Corps in reaching the right decision as to the environmental risks involved.

We also believe it is the Army Corps' responsibility to go through the economics of it and come out with the right conclusion. We set up the Army Corps as our agents in this matter, and now the gentleman from Maryland (Mr. GILCHREST) is saying we cannot trust the Army Corps. Let us at least let the process move forward.

This is not a local project that affects one congressional district in this country, this is a project that affects the health of our region. That is why we are going to find that the overwhelming majority, Democrats and Republicans, in our region, in our State, are going to oppose the Gilchrest amendment.

We ask Members to respect our delegation's point of view, respect the fact that we need to maintain a healthy and competitive and safe port. Safety is very much at issue here. We will do nothing to compromise our environment. We are all committed to it. I urge my colleagues to reject the amendment.

Mr. EHLERS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to support the amendment, and I yield to the gentleman from Maryland (Mr. GILCHREST).

Mr. GILCHREST. I thank the gentleman from Michigan for yielding to me.

Mr. Chairman, there are two other Republican Members in the Maryland delegation at this time that, as a result of new information, also now oppose this particular amendment.

I would like to say that this entire project is in my congressional district, which gives me plenty of time when I go home to look into the details of the process. I am not about to insult the Corps of Engineers, I am not about to insult anybody. But we as Members of Congress have the responsibility of oversight of all Federal agencies. When we see some peculiar numbers in Federal agencies that are not correct, we investigate. That is what we have done.

So the cost-benefit analysis in 1996, no; it was redone in 1997 and it was turned down; it was redone in 1998 and turned down by the Washington Corps; and it was redone in 1999 and also turned down. That is one of the oversight responsibilities that we have.

We are not stopping maintenance of these channels to the Port of Baltimore. None of the maintenance will be stopped. The Corps says, and other agencies, but the Corps, who we are talking about here now, their numbers show, and we have checked them out, that there will be no jobs lost in the Port of Baltimore if we do not deepen the C&D Canal because there will be no commerce lost in the C&D Canal if it is not deepened because more than half, 60 to 70 percent of the ships that use that canal right now, with plenty of draft, choose not to use it.

Mr. Chairman, let us go back to the Corps of Engineers. Why should we have oversight of the Corps of Engineers? One of my colleagues mentioned that I was concerned about where the dredge material is dumped. Yes, I am concerned about where the dredge material is dumped, because there is a little community in Cecil County, in the northern part of my district. No one in that community, no one in that town, can drink their water now. They all have wells and they cannot drink the water because the Maryland Department of the Environment says the dredge disposal site is leaching acid into the groundwater so they cannot drink their water.

What does the Corps of Engineers say after the Maryland Department of the Environment says that any elementary school child that looked at the analysis of that dredge disposal site would say, yes, that is causing acidity in the ground water, so those people cannot drink their water?

What does the Corps say to that? ''It is not our fault. We do not think that dredge disposal site is causing that problem.'' So what did the Maryland Department of the Environment say to the Corps of Engineers? You cannot dump that material here anymore. Should we have oversight of what the Corps does? Absolutely, yes.

Now, there is another dredge disposal site a little further up the C&D Canal that we investigated, and we have found that the Corps did not put enough lime in the layers of that disposal site, either, so that is leaching acidity into the water of the C&D Canal, which has an impact on the fish.

The other thing, the Corps, when they finally finished with that dredge disposal site, they put material on the top of that from sewage treatment plants. Well, there is some question about that. But if we deal with that correctly, and when we dump sludge from sewage treatment plants, there are a lot of heavy metals in that sludge.

We found out that after they dumped the sludge on that dredge disposal site, they did not do anything to it. Half of the heavy metals from that sludge dumping leached into the C&D Canal where my constituents catch and eat fish. If we look on the Delaware side, Delaware has said, do not eat any fish in the C&D Canal.

So is it our responsibility to have oversight over the Corps of Engineers and uncover some of these things. Whether they are innocent mistakes, whether it is incompetence, it is our responsibility as elected officials to conduct that oversight.

One other thing with the Corps of Engineers. We have great respect for the

Corps of Engineers because they do good work. But when there is a problem, I think we should deal with that problem. When they deepened the canal the last time more than 25 years ago, they cut the line, the sewer line.

If we look at the C&D Canal, there is a little town there called Chesapeake City. Chesapeake City is divided by the C&D Canal. When they deepened the project the last time, Chesapeake City had one sewage treatment plant and one drinking water plant. Well, they cut those lines. Now, almost 30 years later, the Corps has never compensated that little town. That little town had to build another sewage treatment system. The people in that little town pay high rent for that.

I urge support for the amendment.

Mr. CUMMINGS. Mr. Chairman, I move to strike the requisite number of words in opposition to the amendment.

Mr. Chairman, as I sit here and I listen to the discussion, it just reminds me of why we need to study. My good friend, the gentleman from Maryland (Mr. GILCHREST), who I have the utmost respect for, and I know that this is a major, major issue for him, has stated a number of things just now. I do respect what he has said.

He has talked quite extensively about the Corps of Engineers. But one of the things that he said just a moment ago is that the Corps does a good job. It is one of the last things he said. The fact is that the Corps should be allowed to continue its work with regard to this matter.

I think the gentlemen from Maryland, Mr. CARDIN and Mr. HOYER, laid it out quite succinctly. While this may be an issue, and the issue arises out of the district of the gentleman from Maryland (Mr. GILCHREST), it affects all of us in one way or another. That is why we all joined together not very long ago asking for the study, so we could move forward in a way that was very careful, in a way that we felt was prudent.

Of course, our good friend, the gentleman from Maryland (Mr. GILCHREST), joined us on that occasion. We want to thank him for doing that. But there is something that is very important to all of us. That is, and we agree with the gentleman on the point that we want our tax dollars to be spent in a cost-efficient and effective manner, a cost-efficient and effective manner. We are talking about $100,000 here. We are talking about a study. We are not talking about the end result, we are talking about a study.

We have been going back and forth here about what the study may show. The gentleman from Maryland (Mr. GILCHREST) just spent the majority of the time that he just spent talking about the end result as far as the sludge material, where it would go. We are not at that point right now. I just think, in fairness to all of us from the State of Maryland, that we should be allowed to proceed with the study that all of us asked for.

Some people may have changed their minds since then, Mr. Chairman, but the fact is that we have asked for this. I think we should proceed so that whatever we do, it is based upon some good, sound knowledge.

I do not think that one day the Corps of Engineers are some of the worst people in the world and the next day they do good work. The fact is that I think we have all depended on them throughout these United States, and we have relied on them extensively. I would hope that we would let this study proceed.

Mr. ANDREWS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Maryland (Mr. GILCHREST), and in respect to my colleagues from Maryland, who will be the experts in dealing with the Maryland problem, but I rise in support of the principle that we all have an obligation and responsibility to defend the interests of our own district. I have great respect for my friend, the gentleman from Maryland, who is doing that I think very eloquently.

Mr. Chairman, I yield to the gentleman from Maryland (Mr. GILCHREST).

Mr. GILCHREST. I thank the gentleman from New Jersey for yielding to me, Mr. Chairman.

Mr. Chairman, my colleague, the gentleman from Baltimore, Maryland (Mr. CUMMINGS), made some good comments about the importance of research and study. But I feel there is a point at which the study finally does come to an end, because it cannot be proven.

For example, the cost-benefit analysis which justifies the Corps continuing the project must show that there is a benefit to the taxpayers of the United States. It did not show that in 1996. The cost-benefit analysis failed the Corps' own scrutiny in 1996. It failed the Corps' scrutiny in 1997. It failed again in 1998. It failed again in the spring of 1999.

The Corps has spent hundreds and hundreds of thousands of dollars studying this issue. When do we say, there is no benefit to the taxpayers, no benefit to the Port of Baltimore, and the study comes to an end? I would say that that point of time is now.

Mr. PACKARD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, we do not have a dog in this fight. This is a squabble within the Maryland delegation. However, generally we as a committee like to finish projects that have been started.

The project does meet the cost-sharing responsibilities. That is economically favorable. It has been authorized. Under those conditions, we generally like to see the project funded. It is funded at the level that the administration has requested. I would hope that the debate can conclude and that we can move on and have a vote on this.

Mr. EHRLICH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, real briefly, with great respect to the gentleman from Maryland (Mr. GILCHREST), the author of the amendment, and our personal friendship, I am going to have a lot to say about the gentleman's next amendment, but for present purposes I will adopt the comments given by my colleagues, the gentlemen from Maryland, Mr. HOYER, Mr. CARDIN, and Mr. CUMMINGS.

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

Mr. EHRLICH. I yield to the gentleman from Maryland.

Mr. HOYER. I thank the gentleman for yielding, Mr. Chairman. I appreciate his comments.

Mr. Chairman, I would remind my colleagues, in listening to the debate of my friend, the gentleman from Maryland (Mr. GILCHREST), what he is particularly animated about and what we all share his concern about is pollution, not only in the Chesapeake Bay but in its tributaries as well, that obviously run to and from the Bay, irrespective of studies that tell me it is running both ways.

□ 1715

That is a little perverse, and I share the gentleman's skepticism at this finding. But he is very concerned. And he has talked about the pollution in Chesapeake City, the pollution in other areas, the results of dredging, the results of spoil. That is the gentleman's issue. The issue is he does not want dredging. I understand that.

Now, the gentleman has offered very frankly some comments about the studies: that the studies that he believes were done in 1997 and 1998 are not accurate; that the Corps has asked for new studies, and that they are trying to complete this study.

The gentleman wants to, in effect, preliminarily cut the head off of this item. And his staffer is shaking his head very vigorously, yes. That is what the gentleman wants to do. He wants to kill this project. I understand that.

He did not want to kill it in 1996, when he signed a MD delegation support letter. Now, why do we have a joint letter? We had a delegation letter because we thought it was a State issue and all eight of us signed the letter. All eight of us, including the gentleman from Maryland (Mr. BARTLETT) whose district does not touch the Chesapeake Bay, although his district does touch on the Potomac River, which does come into the Chesapeake Bay, the gentlewoman from Maryland (Mrs. MORELLA), whose district touches the Potomac River which connects to the Chesapeake Bay; myself and every other Member in the delegation signed the letter.

The gentleman's concern is well understood in the delegation. He is very well-schooled on this and works hard on it, and I have the utmost respect for

the work that he does and the work he expresses. But as the gentleman from Baltimore, Maryland (Mr. CARDIN), pointed out, we are all concerned about that. All of us are very concerned about this issue.

Mr. Chairman, I frankly will tell the gentleman that I have been involved in trying to clean up the Chesapeake Bay and support Chesapeake Bay cleanup programs since long before he was in office, when I was in the State Senate, as has the gentleman from Maryland (Mr. CARDIN). The fact of the matter is that he is concerned about that.

Now, we should allow the Army Corps of Engineers to complete this study. Then we can have the debate, because it will take money to dredge. Then we can have the debate. At this point in time I would assure my colleagues that this is a State issue, not a local issue. This is a State issue.

Mr. Chairman, I thank the gentleman from Baltimore County, Maryland (Mr. EHRLICH), who represents parts around Baltimore City, County and Anne Arundel County as well and Hartford County that all border the Chesapeake Bay and its tributaries who himself has an interest in the Port of Baltimore, for yielding me this time.

Mr. EHRLICH. Mr. Chairman, reclaiming my time, I would state that we pay these folks to do a job. If we do not trust them, we should not hire them. We should let them finish their job.

However, I think the gentleman from Maryland (Mr. HOYER) puts it very succinctly. Our respected colleague has a different view. In the interest of fairness, I will yield to the gentleman from Maryland (Mr. GILCHREST).

Mr. GILCHREST. Mr. Chairman, I thank the gentleman for yielding to me.

Mr. Chairman, I am not only concerned about the Chesapeake Bay; I want to get involved in doing something about the Chesapeake Bay. Just speaking words does not have an impact on the ground.

And as far as that letter was concerned, once we evaluated the process after we supported it in the beginning, we saw some oversight problems.

I would rather be right than be consistent. And Abraham Lincoln said, ''The foolish and the dead alone never change their mind.''

Now, we all have disagreements on this, and I respect those disagreements. But not only is my issue dredging, and not only is my issue where to dispose of it and the environmental vulnerability of the Chesapeake Bay and its estuaries, but I am also concerned about jobs; and I would do nothing that would eliminate jobs in the City of Baltimore.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maryland (Mr. GILCHREST).

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

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

The CHAIRMAN. Pursuant to House Resolution 532, further proceedings on the amendment offered by the gentleman from Maryland (Mr. GILCHREST) will be postponed.

Mr. BARR of Georgia. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to enter into a colloquy with the distinguished gentleman from California (Mr. PACKARD), chairman of the Subcommittee on Energy and Water Development Appropriations.

Mr. Chairman, I have closely monitored the progress of the Alabama-Coosa-Tallapoosa, or ACT, and the Apalachicola-Chattahoochee-Flint, or ACF, Tri-State Water Compact negotiations over the last 3 years. I am most concerned with a proposal that has recently and repeatedly surfaced concerning a major interbasin transfer of water from Lake Allatoona in northwest Georgia in the ACT river basin to Lake Lanier, which is in a completely different river basin, the ACF. The proposal calls for an authorization of up to 200 million gallons per day transfer of water from Lake Allatoona to Lake Lanier.

Not only is this a strong point of contention in negotiations between Alabama and Georgia, but it is also causing a great deal of concern among Federal stakeholders and the many elected officials, local governments, water authorities, and other stakeholders within the ACT, and in particular the Coosa and Tallapoosa regions.

Mr. Chairman, I strongly oppose any consideration of an interbasin transfer. It would seem, though, at a minimum, before such a proposal would be even considered as an option, this proposal should be both reviewed and studied by the authorizing and appropriations committees and subcommittees in the Congress.

An interbasin transfer would have a major detrimental effect on the environment and the economic growth of Northwest Georgia.

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

Mr. BARR of Georgia. I yield to the gentleman from California.

Mr. PACKARD. Mr. Chairman, I thank the gentleman for yielding to me, and I want to thank the distinguished gentleman from Georgia for bringing this issue to the attention of the committee.

I understand the idea of an interbasin transfer has been discussed in Northwest Georgia, and I assure the gentleman from Georgia the subcommittee understands the serious nature of any interbasin transfer of this magnitude and would be very concerned should such proposals be considered precipitously or without full and exhaustive public study, consistent with all the Federal and State laws and regulations.

Mr. BARR of Georgia. Mr. Chairman, I reclaim my time only to thank the gentleman from California.

AMENDMENT OFFERED BY MR. EHLERS

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

The Clerk read as follows:

Amendment offered by Mr. EHLERS:

Page 2, line 18, after ''$153,327,000'' insert ''(increased by $100,000)''.

Page 5, line 11, after ''$323,350,000'' insert ''(reduced by $100,000)''.

Mr. EHLERS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. EHLERS. Mr. Chairman, last year we passed the Water Resources Development Act of 1999, which included a provision directing the Corps of Engineers to inventory and report to Congress on the existing information base for the Great Lakes biohydrological system. The intent of this provision is that the Corps compile the information existing within the Federal Government, including other agencies, which is relevant to sustainable water use management.

This information will be needed to make decisions about the appropriate sustainable use of Great Lakes waters. Building a comprehensive database, and identifying gaps in our knowledge, is especially critical at this time when the binational community in the Great Lakes Basin is taking a close look at water diversions and other consumptive use.

And on that latter point, I also have legislation pending which would deal with the issue of diversions of water from the Great Lakes, not just within the 48 States, but also international diversions. I think everyone is aware that we had a situation last year where a ship was initially granted permission to load on water for transport to a faraway country to be used as fresh water supply there. In an effort to prevent those diversions, we need studies and the legislation I am preparing.

This particular amendment would allocate $100,000, with an appropriate offset, to allow the Corps to begin what is authorized in the legislation we passed last year, that is, to provide an information base for the Great Lakes biohydrological system.

This has been brought to the fore by an announcement just made yesterday that the Great Lakes governors have allocated from the Great Lakes Protection Fund $745,000 for the Great Lakes Commission to study and improve the amount and quality of information available to decision-makers and the general public regarding water resources of the Great Lakes. That program fits in directly with what we have asked the Corps to do.

Now I do regret and apologize to the gentleman from California (Chairman PACKARD) for rushing to the floor at the last moment with this amendment, but it is because we have just received the information that the Great Lakes

governors have released this funding. I would like to pursue the amendment; but out of consideration for the gentleman, I am quite willing to withdraw it if he can give me assurances that he will seek to address this funding matter in conference.

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

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

Mr. PACKARD. Mr. Chairman, we certainly do wish and we hope that we could take care of the gentleman's problem in conference, and I assure him that we will make every effort to do so. The $100,000 is not a great deal of money; and if we get additional funds, we may be able to take care of it.

Mr. EHLERS. Mr. Chairman, reclaiming my time, I thank the gentleman for his reassurances.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

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

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CONSTRUCTION, GENERAL

For the prosecution of river and harbor, flood control, shore protection, and related projects authorized by laws; and detailed studies, and plans and specifications, of projects (including those for development with participation or under consideration for participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such studies shall not constitute a commitment of the Government to construction), $1,378,430,000, to remain available until expended, of which such sums as are necessary for the Federal share of construction costs for facilities under the Dredged Material Disposal Facilities program shall be derived from the Harbor Maintenance Trust Fund, as authorized by Public Law 104–303; and of which such sums as are necessary pursuant to Public Law 99–662 shall be derived from the Inland Waterways Trust Fund, for one-half of the costs of construction and rehabilitation of inland waterways projects, including rehabilitation costs for the Lock and Dam 12, Mississippi River, Iowa; Lock and Dam 24, Mississippi River, Illinois and Missouri; Lock and Dam 3, Mississippi River, Minnesota; and London Locks and Dam, and Kanawha River, West Virginia, projects; and of which funds are provided for the following projects in the amounts specified:

San Timoteo Creek (Santa Ana River Mainstem), California, $5,000,000;

Indianapolis Central Waterfront, Indiana, $7,000,000;

Southern and Eastern Kentucky, Kentucky, $4,000,000;

Clover Fork, Middlesboro, Town of Martin, Pike County (including Levisa Fork and Tug Fork Tributaries), Bell County, Martin County, and Harlan County, Kentucky, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River, Kentucky, $19,000,000: *Provided,* That the Secretary of the Army, acting through the Chief of Engineers, is directed to proceed with planning, engineering, design and construction of the Town of Martin, Kentucky, element, in accordance with Plan A as set forth in the preliminary draft Detailed Project Report, Appendix T of the General Plan of the Huntington District Commander: *Provided further,* That using $900,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to undertake the Bowie County Levee project, which is defined as Alternative B Local Sponsor Option, in the Corps of Engineers document entitled Bowie County Local Flood Protection, Red River, Texas, Project Design Memorandum No. 1, Bowie County Levee, dated April 1997.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

For expenses necessary for prosecuting work of flood control, and rescue work, repair, restoration, or maintenance of flood control projects threatened or destroyed by flood, as authorized by law (33 U.S.C. 702a and 702g–1), $323,350,000, to remain available until expended.

OPERATION AND MAINTENANCE, GENERAL

For expenses necessary for the preservation, operation, maintenance, and care of existing river and harbor, flood control, and related works, including such sums as may be necessary for the maintenance of harbor channels provided by a State, municipality or other public agency, outside of harbor lines, and serving essential needs of general commerce and navigation; surveys and charting of northern and northwestern lakes and connecting waters; clearing and straightening channels; and removal of obstructions to navigation, $1,854,000,000, to remain available until expended, of which such sums as become available in the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662, may be derived from that Fund, and of which such sums as become available from the special account established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l), may be derived from that account for construction, operation, and maintenance of outdoor recreation facilities.

AMENDMENT OFFERED BY MR. GILCHREST

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

The Clerk read as follows:

Amendment offered by Mr. GILCHREST:

Page 5, line 22, after the dollar amount insert ''(reduced by $6,801,000)''.

Mr. GILCHREST. Mr. Chairman, my amendment would decrease the Corps of Engineers' operations and maintenance account by $6,801,000 for the Tolchester S-turn straightening project in my district.

Mr. Chairman, similar to the amendment that we debated just a few minutes ago, this particular project, this straightening of a natural channel, would cost the taxpayers $13 million. Now, as the Corps has run through its process to analyze the cost benefit to the taxpayers in this country, this particular project in the First Congressional District of Maryland dealing with the Tolchester Channel does not meet the Corps' own justification to do. The Corps of Engineers has not met the threshold to benefit the taxpayers in the United States.

So my colleagues have come to Congress to get this project, I guess I would say, pushed through. This project, the Tolchester S-turn, does not meet the cost-benefit analysis to benefit the taxpayers anywhere, including Baltimore City. The project, therefore, is not necessary.

Let us take a look at the environmental impact of this particular project. The channel right now is a natural channel. It is the old Susquehanna Riverbed that flows from Pennsylvania out to the Chesapeake Bay. This is a natural-flowing channel. There is a natural scouring in this particular area, so very little dredging is necessary. If we straighten the Tolchester Channel, the likelihood of an increased cost for dredging is there.

Now, when the channel is straightened, it will change the direction of the flow of water. And when the direction of the flow of water is changed, great damage will be done to one of the largest oyster bars in the Chesapeake Bay. This oyster bar just off Tolchester is 300 acres, and it is a very active site.

□ 1730

When one changes the flow of the water, one will slow the water down over the oyster bed. That means it will silt up. Now, if one straightens the channel and ships can flow faster through this channel, which they will do, one will increase the wake. When one increases the wake, one will do several things.

One, it will cause more erosion on the shore. It has already caused significant damage to people's property, whether it is a garage, cars, docks, you name it. But the third thing, which is really a safety hazard, the wake will increase the danger of children playing on the beach that have already found it difficult to play on the beach. When one of the ships goes by, these young people could be washed into the Chesapeake Bay and potentially drown.

Now, the question will arise that we are dredging this new channel for safety purposes that has been asked for by the Coast Guard, the Corps of Engineers. When that issue comes up, let me say this, I had a direct face-to-face conversation with the Corps of Engineers, the District Engineer in the City of Baltimore. I asked them that question: Does this rise to the threshold of a safety hazard for shipping through the Tolchester Channel. The answer, Mr. Chairman, was no, it does not rise to a safety hazard through the Tolchester Channel.

The only reason we are dredging the Tolchester Channel is because we are dredging the whole northern route, the Brewerton Extension, the Tolchester Channel, the C&D Canal.

We have already talked about the C&D Canal, and we know that is not necessary to dredge. So if it is not necessary to dredge the northern route, if it is not a safety hazard, which the Corps of Engineers in Baltimore said it is not a safety hazard, and the Coast Guard if you ask them direct, the Coast Guard will say that the Tolchester S-turn, since over 6,000 ships have passed through there in the last 6 years with no incident, that the Tolchester S-turn does not rise to the level of a safety hazard with their office.

Now, can one make it safer? Sure. Can one dredge the Tolchester S-turn and make it a straight channel? Sure. Would it be safer if it were straight? Sure. But what damage will be done if one does that if it is not a safety hazard? The damage that will be done as a result of that S-turn is great.

I ask my colleagues to support my amendment.

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

Mr. Chairman, very quickly, this is about dredging. It is contrary to the letter that all of us signed receiving it as a State project in 1986. No doubt about it. This was not perceived by any of the delegation to be a local project. It was a Statewide project, which is why all eight Members of the delegation signed.

In the letter that I reference, we also strongly supported and urged the inclusion of the straightening of the S-turn, the Tolchester Channel. Why did we do that? July 14, 1998, the gentleman from Maryland (Mr. GILCHREST) says he has talked to the Coast Guard. Now, with all due respect to the gentleman, until 4 hours ago, I did not know of any of this. My office was not talked to. I got no information. I did not know about his conversations with the Coast Guard. I do not think the committee knew about his conversations with the Coast Guard. Maybe they did.

But at any event, let me read a letter, 26 August 1994, signed by Rear Admiral Eckart of the United States Coast Guard, Commander of the Fifth Coast Guard District. I quote a part of that, Mr. Chairman. ''The S-turn in Tolchester Channel presents one of the most difficult navigational challenges to a large ship within the Fifth Coast Guard District, not just within Maryland, not just within the Chesapeake Bay, but within the entire district.'' Yes safety is going to be raised.

Now, July 14, 1998, some 2 years later, this is a Vice Admiral, United States Coast Guard, then Commander, I am not sure whether he is still Commander of the Fifth Coast Guard District. A letter referring to the Tolchester Channel. ''With increases to vessel size, the severity of the turns have caused difficulty with maneuvering. The Coast Guard would prefer to be proactive in preventing any potential serious mishaps. The removal of the S-curve in the Tolchester Channel would be a significant step.''

Now, I do not have a subsequent letter from the Coast Guard saying, no, we did not mean that. Apparently they have had a personal conversation with the gentleman from Maryland (Mr. GILCHREST) who claims this is in his district. Technically I suppose, if one surrounds waterways, they are in one's district, but the fact of the matter is I would again reiterate this is perceived by the State legislature, by the governor, and by the majority of our delegation as an issue of our State and of our port.

Mr. Chairman, the 1996 water bill directs the Corps to expedite review of potential straightening of the channel, Tolchester Channel S-turn. It came out of a committee of which the gentleman from Maryland (Mr. GILCHREST) was a member.

If determined to be feasible and necessary for safe and efficient navigation, and I have just read my colleagues two letters of the Coast Guard that indicated it was necessary for the safe and efficient movement of vessels through this channel, to implement such straightening as part of the project maintenance.

Now, earlier the gentleman said he was not opposed to maintenance dredging. Now, I am not sure what maintenance dredging he refers to, but the fact of the matter is he tried by saying that, if we had ships going through, then children were going to drown. I do not know that any children had drowned, and that would be a serious problem we would have to protect against, apparently in anticipation of the safety argument that somehow making the water flow faster could be dangerous. I have not heard the oyster problem before, but we ought to look at that problem as well.

But the fact of the matter is this is essential. In two letters from the Coast Guard, I do not have a more recent letter telling me they were wrong, the 1994 and 1998 letters say it is a safety issue. It is a problem. It is not only a problem, it is the worst problem in the Fifth Coast Guard District. That is why they believe this project is absolutely critical.

I know the gentleman from Maryland (Mr. EHRLICH) is going to speak on this. We have a bipartisan position on this issue, I think. In fact, the committee has included this money at the request of the administration, this is not an add-on project, this has been a planned project that is moving ahead to provide for safer navigation. It is essential.

We would ask our colleagues to reject this amendment which, again, is designed to stop dredging. I understand that that is the objective of the gentleman from Maryland (Mr. GILCHREST). I agree with him to stop dredging if it is entirely harmful. But until that finding is made, then we need to proceed to make sure, A, the economic viability of the port and, B, directly related to that the safety of the vessels using the channels that access and egresses the port of Baltimore.

Mr. BOEHLERT. Mr. Chairman, I rise in support of the amendment of the gentleman from Maryland (Mr. GILCHREST), and I would like to ask him a question, and then I would like to have him expound a little bit more on that.

I ask the gentleman from Maryland (Mr. GILCHREST), is there an environmental impact statement on this project, because that is something that should concern us all.

Mr. Chairman, I yield to the gentleman from Maryland (Mr. GILCHREST) for a response to that question.

Mr. GILCHREST. Mr. Chairman, I thank the gentleman from New York (Mr. BOEHLERT) for yielding to me.

There has been no environmental impact statement done on this particular project. I have talked to the Corps of Engineers from Baltimore City, along with the Coast Guard, along with numerous other people involved in this in Chestertown, Maryland once again, and the Corps cannot tell us how high the wake will be when it hits the shore except that it is going to be higher.

The Corps cannot tell us whether or not that slow down in the current will have an impact on those oysters because they have not done the study.

I would like to, if I may, just respond to some of my colleague's comments. This is not a maintenance project. We do maintain the Tolchester Channel. The Tolchester Channel is maintained on a regular basis. This amendment has no impact on normal maintenance of the Tolchester Channel. This is considered new work.

Now, the Corps of Engineers has stated that this is not appropriate nor proper when considering it as a safety project. Because since 1994, there has been 6,700 ships pass through the Tolchester S-turn without an incident. There has been some groundings north of the Tolchester S-turn and there has been some groundings south of the Tolchester S-turn, but there has been no groundings in the Tolchester S-turn.

Now, as far as the Coast Guard saying that this is the biggest navigation challenge in this particular Coast Guard district, well, that is correct. This is a challenge. But apparently the pilots and the captains have met that challenge, and they have not had an incident in the Tolchester S-turn.

So since they have not had an incident, a safety hazard incident in the Tolchester S-turn, what are we talking about here? We are talking about straightening the channel where there has been no incidents of safety problems reported.

Then we are creating a safety hazard for people on the banks that are less than 1,000 feet from these huge ships that pass by that cause major wakes and potential problems with young children on the shore. Plus the fact we are then going to increase the cost to homeowners' property. Remembering now there is no safety hazard in the S-turn, there is a challenge to the pilots, they pass through there all the time. But a safety hazard, has it risen to the legality of a safety hazard by the Coast Guard or Corps of Engineers? The answer is no in their documents.

So I would urge the Members of this House to think two ways, to think fiscally, conservative, as to why we do not want to throw good money down a sink hole when a project is not necessary; and when a project is not necessary, why do we do it to create another safety hazard and another environmental hazard?

So I would urge my colleagues in the House to vote for this amendment.

Mr. EHRLICH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, again, with great deference and respect to the gentleman from Maryland, Mr. Speaker, countries probably watching, tuning in today are saying ''S-turn, what S-turn?''

This S-turn is important in Tolchester Channel because it is part of the approach to the Canal, the C&D Canal. Ships change course five times within 3 miles, often beginning a new turn sometimes in the opposite direction before completing the previous turn. With ships approaching 1,000 feet in length, it is becoming increasingly difficult to navigate the channel, especially in winter, especially in poor weather with the wind and tide conditions.

The gentleman from Maryland talked about pilots and the pilots association. Well, the pilots association is on record. It has urged for a number of years that this channel S-turn be modified as soon as possible to avoid potential ship groundings.

As my friend from southern Maryland has stated on numerous occasions in this year's Energy and Water Appropriations Bill, Congress appropriated $6 million for the S-turn.

The project was also authorized in 1999 as part of the operations and maintenance program. In order to complete the job, we need $6.8 million dollars. The project is totally 100 percent Federally funded.

Now, we have talked about safety, and that is the primary reason to get this job done. We can reduce the likelihood of an accident. But the project also produces economic benefits, many economic benefits.

The economic consequences of a serious accident, for instance, were one to occur, would be significant, something we certainly do not want to visit. Accordingly, the avoidance of such an accident, while not easily quantifiable, contains economic benefits.

Moreover, Mr. Chairman, since this project was approved by the Corps and authorized by this Congress, the Corps has reserved the environmental assessment. In fact, the Corps is finishing the environmental assessment for the project. It will be circulated in July and approved in settlement or October at or near the beginning of fiscal year 2001.

□ 1745

My friend and colleague from Maryland is someone for whom I have great respect on these issues. We disagree from time to time when it comes to dredging issues. But the majority of the Maryland delegation is letting this House know that this is an important project for the economic engine, which is the Port of Baltimore, the economic engine that drives the State of Maryland.

Congress recognized this fact by appropriating these funds last year, and all we are asking this House to do is to complete the job. Accordingly, I urge all of my colleagues to oppose the Gilchrest amendment.

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

Mr. EHRLICH. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Chairman, I have a map here, and the gentleman represents, am I correct, Baltimore County?

Mr. EHRLICH. That is correct.

Mr. HOYER. And the Tolchester Channel is essentially southeast of the gentleman's congressional district and northeast of the district of the gentleman from Maryland (Mr. GILCHREST)?

Mr. EHRLICH. That is correct.

Mr. HOYER. Whose district is it in? It is in the middle of the water; is that correct?

Mr. EHRLICH. That is correct.

Mr. HOYER. So because it borders the district of the gentleman from Maryland (Mr. EHRLICH) and it borders his district, both gentleman can equally claim it; am I correct?

Mr. EHRLICH. I certainly claim economic benefits to be derived from this project.

Mr. HOYER. I just wanted to make sure that we understood.

Mr. EHRLICH. In fact, the map is up.

Mr. HOYER. Good. We have all got maps.

Mr. QUINN. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. QUINN. I yield to the gentleman from Maryland.

Mr. GILCHREST. Mr. Chairman, I thank the gentleman from New York for yielding. I just wanted to make a couple of points very quickly, if I can.

The last comment: Whose district is the Tolchester Channel in? I do not think it really makes a difference whose district the Tolchester Channel is in. It happens to be in my district, though, and I will show my colleagues on the map. Not the district of the gentleman from Maryland (Mr. EHRLICH) and not the district of the gentleman from Maryland (Mr. HOYER).

If my colleagues will look at this map, it is a little busy, a little hard to see, but if we look at the map, the C&D Canal channel comes down the eastern side of the Chesapeake Bay along the Eastern Shore, and the area we are talking about is Kent County on the Eastern Shore. Following this line coming down here, we can see the C&D Canal approach the channel. Down in this area, what do we have right here, less than a thousand feet off the shores of Kent County, in a pretty little place called Tolchester? The Tolchester Channel.

Now, in the Tolchester Channel is the Tolchester S-turn, which we have already concluded is not classified as a hazard but a challenge. So just a quick clarification. The Tolchester Channel, the Tolchester S-turn is contained within the first congressional district.

Now, since we are reading letters, I want to read something from the report of the Corps of Engineers that was recently put out about the Tolchester S-turn. Here is what it says. ''The benefit for straightening the Tolchester S-turn is based solely on transit time savings.'' It might be a challenge to get through the Tolchester S-turn, but well over 6,000 ships have done it since 1994 without one incident in the Tolchester S-turn.

What are the hazards for straightening the Tolchester S-turn? As we can see right along here, the shores of Kent County in the first congressional district, the hazards apply to the people on the shore. The hazards apply to those watermen who want to catch the few remaining oysters in the Chesapeake Bay that will be silted over, which is about the largest oyster bar in the Chesapeake Bay, well over 300 acres.

One last comment. The only reason they would straighten the Tolchester Channel, the Corps of Engineers, is if it was a benefit to the taxpayers; and they have concluded that it is not a benefit to the taxpayers. There is no financial justification for it. And the other one, is it really a safety hazard? And we have concluded that it is a challenge. The safety hazard lies with those residents on the shoreline.

Mr. CARDIN. Mr. Chairman, I move to strike the requisite number of words.

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

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

Mr. PACKARD. Mr. Chairman, I ask unanimous consent that the debate time on this amendment and all amendments thereto be limited to 10 minutes, equally divided.

Mr. VISCLOSKY. Mr. Chairman, is that 10 minutes per side, proponents and opponents? Mr. Chairman, there was 20 minutes total on this amendment.

Mr. PACKARD. I adjust the unanimous consent request to 10 minutes each side.

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

There was no objection.

The CHAIRMAN. The gentleman from Maryland (Mr. GILCHREST) and the gentleman from Maryland (Mr. CARDIN) each will control 10 minutes.

PARLIAMENTARY INQUIRY

Mr. GILCHREST. Mr. Chairman, parliamentary inquiry.

The CHAIRMAN. The gentleman will state his inquiry.

Mr. GILCHREST. Mr. Chairman, who controls the time in support of the amendment?

The CHAIRMAN. The gentleman from Maryland (Mr. GILCHREST).

Mr. GILCHREST. I thank the gentleman.

The CHAIRMAN. Who seeks time in opposition?

Mr. CARDIN. I seek time in opposition, Mr. Chairman.

The CHAIRMAN. The gentleman from Maryland (Mr. CARDIN) is recognized for 10 minutes.

Mr. CARDIN. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, first let me say to my friend, the gentleman from Maryland (Mr. GILCHREST), if we get a ship that is moving through the S-turn that happens to go aground and starts spilling oil, I think then all of us are going to say why did we let this happen.

I am thinking about what I can say to my colleagues who are listening to this debate to try to impress upon them why they should reject this amendment. Sure, I can go through the safety considerations, and we have gone through that. I can read to them a letter signed by the gentleman from Maryland (Mr. GILCHREST) that says the Tolchester project involves safety-related modifications of the existing channel which makes five course changes within 3 miles. The Corps of Engineers is completing a safety-related study of the project. We request that the committee indicate support for the execution of the project as a safety improvement using operation and maintenance funding authority. This was signed by our entire delegation, including the gentleman from Maryland (Mr. GILCHREST).

I could tell my colleagues that this does meet the standards to be funded, otherwise the distinguished chairman and ranking member would not have included it in the bill they brought forward. The administration would not have included it in its funding. This is not an add-on. This is authorized funding and has met all of the standards.

I could talk about the need, about the pilots, the bay pilots that have been in my office that tell us of the safety hazards and the time delays that are caused because of the S-turn and how this change should be made from the point of view of the efficiency and safety of our port.

I could tell my colleagues about the environmental issues; that all of us are very concerned about the environment and we have worked very hard. Our entire delegation will stand by the Army Corps' findings. And if this is not consistent with the environmental standards, that we are not going to support any type of activity that jeopardizes the progress that we have made in the last 25 years for the Port of Baltimore.

I could tell my colleagues all these things, but let me just maybe make one point. This has followed the orderly process. And if my colleagues believe there should be a process in approving these projects, reject the gentleman's amendment. We have four Members of our delegation on the floor that represent this area, two Democrats, one Republican, opposing the gentleman's amendment.

We all are concerned about the area; but we recognize that in order to make progress, in order for safety, in order for the efficiency of this port and in order for the environment of our area, we must reject the gentleman's amendment. As well intended as it is, the gentleman is opposed to dredging. He is opposed to any new dump sites. I understand his position, but it is not the orderly process that we followed.

We have complied with all of the requests that have been asked of us. Allow the study to go forward. Let the Army Corps reach its judgment. We are all satisfied to be controlled by how the Army Corps reaches that decision.

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

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

Let me just make some comments. The gentleman from Maryland (Mr. CARDIN) said we stand by the Corps' findings. The Corps found that the benefit for the straightening is based solely upon time saving. It is not economically justified. And the Corps' findings go on to say, ''Based on our information, general funding for this purpose,'' straightening the Tolchester S-turn, ''is not considered feasible or appropriate.'' That is what the Corps of Engineers said.

Now, the gentleman is saying that we did not follow an orderly process. Well, we did follow an orderly process. The orderly process rejected the widening and the straightening of the Tolchester S-turn by the Corps of Engineers. What we are doing here is interrupting, we are bypassing, we are leapfrogging the orderly process with this appropriation of $6 million for what the Corps of Engineers said was not a necessary project.

Now, at this point I would like to wax a little bit philosophical with Justice Felix Frankfurter's statement, which goes and I quote, and this has to do with the letter that I signed approving this project some years ago. And after some investigation and a closer look at the project, I would like to quote Justice Felix Frankfurter. Here is what he said: ''Wisdom so often never comes. When it does, we ought not to reject it merely because it's late.'' And in this particular situation, I think that is appropriate.

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

Mr. CARDIN. Mr. Chairman, I yield 3 minutes to the gentleman from Maryland (Mr. CUMMINGS), my colleague from Baltimore.

Mr. CUMMINGS. Mr. Chairman, I want to thank the gentleman for yielding me this time, and I rise to strongly oppose the gentleman's amendment to strike the funding to straighten the S-turn in the Tolchester Channel leading to the Port of Baltimore.

The straightening of the Tolchester S-turn is critical to maintaining navigational safety and economic viability of the Port of Baltimore. Nearly 8,000 Baltimore City residents are directly employed by port businesses and as many as 30,000 additional city residents have jobs related to port activities.

The S-turn poses a serious problem with regard to safety risks, as my colleagues on this side stated a little bit earlier. Ships often have to change course five times within 3 miles to navigate the turn. With vessels nearly a thousand feet in length, it is difficult to safely navigate the channel, particularly in poor weather conditions.

The straightening of the turn has been recommended and supported by the State of Maryland, the Maryland Port Administration, the Fifth U.S. Coast Guard District, and the Maryland Pilots Association.

And speaking of the Maryland Pilots Association, in a letter dated April 26, 2000, written by Captain Michael Watson to Colonel Berwick of the Army Corps of Engineers, and I quote this because this is a very interesting statement and it goes to that whole issue of safety, and we are talking about the pilots who are out there every day, it says: ''Tolchester Channel was originally designed to utilize deep water in order to minimize dredging costs and allow for increases in vessel loads. This resulted in the creation of the S-turn at the northern end of the channel. As vessel size has increased, the S-turn has become more difficult and groundings have resulted. Subsequent modifications and additional buoys have addressed the problem, but only in part. Pilots,'' and I emphasize pilots, ''continue to report close calls and near misses, especially during periods of reduced visibility during winter ice. A straightened channel will have many advantages, increasing navigational safety, reducing the protection for maritime accidents, and thereby helping to protect the Chesapeake Bay environment.''

With that, Mr. Chairman, I oppose the amendment.

□ 1800

Mr. GILCHREST. Mr. Chairman, could the Chair tell me how much time I have remaining.

The CHAIRMAN. The gentleman from Maryland (Mr. GILCHREST) has 8 minutes remaining. The gentleman from Maryland (Mr. CARDIN) has 4½ minutes remaining.

Mr. GILCHREST. Mr. Chairman, who has the right to close?

The CHAIRMAN. The gentleman from Maryland (Mr. GILCHREST) has the right to close.

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

Mr. Chairman, I would like to make a comment about the S-turn and the pilots. The S-turn was not made to accommodate ship traffic. The S-turn is a natural channel, as the old Susquehanna River bed that is a natural channel. It is naturally deep.

Now, when we straighten out that S-turn, we are going to do a number of things, one of which is to increase the cost of dredging because many of those areas will be filled in.

Now, we are talking about $6 million, $13 million dollars, to complete a project that we asked the Corps to look

into. When the Corps looked into this project, their answer to do this project was no. It is written down no. I have talked to Colonel Berwick that the gentleman from Maryland (Mr. CUMMINGS) has referred to, and Colonel Berwick, from the Baltimore district, said, number one, it does not rise to a safety hazard, it is a challenge to get through there, but it is not a safety hazard for ships to pass through and this particular channel is an environmental problem if we dredge this channel.

So the Corps of Engineers said no. So what does Congress say if this amendment fails? The Corps of Engineers, through their study that we say we ought to trust, we hold on to their study, the Corps says no, for sound fundamental reasons. Congress says yes.

I strongly urge my colleagues in the House to be fiscally responsible, environmentally smart, and consider the safety hazard of the people on the shore because of the increasing wake that will result from these bigger ships that will go faster through this straightened Tolchester channel.

One other quick comment. There is at this point in time no Environmental Impact Statement that has been concluded by the Corps of Engineers on this project.

Mr. HOYER. Mr. Chairman, will my friend, the gentleman from Maryland (Mr. GILCHREST), yield on that issue?

Mr. GILCHREST. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Chairman, I thank the gentleman for yielding. I know he has mentioned that a couple of times.

As I think he knows, that is not a unique situation of this project, but that statement is applicable to a number of the safety-related projects in this bill as well as previous bills.

Mr. GILCHREST. Mr. Chairman, reclaiming my time, and I will close with this comment, the other problem with this, it is a much broader issue than the Sandy Canal or a safety concern for the Tolchester area.

The whole northern route that would be dredged by my colleagues would involve 18 million cubic yards of dredge material being dumped overboard in the middle of the Chesapeake Bay just north of the Chesapeake Bay Bridge.

I guess we could get into a dispute whether or not that is actually in my district or in the district of the gentleman from Maryland (Mr. CUMMINGS) or anybody else's district. It does not matter. That 18 million cubic yards is 2 million pounds of ammonia, 700,000 pounds of phosphorus. It is the equivalent of putting a sewage treatment plant the size of the city of Annapolis right there in the middle of the Chesapeake Bay, and I do not think that is what we want to do.

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

Mr. CARDIN. Mr. Chairman, I yield 1½ minutes to the gentleman from California (Mr. PACKARD), the distinguished chairman of the subcommittee.

Mr. PACKARD. Mr. Chairman, the Gilchrest amendment seeks to zero out funding for the Baltimore Channel and Channels navigation channel maintenance and straightening project. This is an ongoing project which was funded in the current fiscal year, and the proposed funding is to complete the project in fiscal year 2001.

The committee included report language to address the apparent concerns of the gentleman which involves environmental analysis and effects of proposed dredged-material disposal sites.

On this point, we have stated in our report our expectation that the Corps of Engineers will comprehensively consider alternative disposal sites in its ongoing Environmental Impact Statement which is to be released as a revised document later this year.

It is inappropriate to pre-judge the outcome of that analysis as being unsatisfactory; and, therefore, I reluctantly oppose the amendment of the gentleman from Maryland (Mr. GILCHREST).

Mr. CARDIN. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. WYNN).

Mr. WYNN. Mr. Chairman, I thank my colleague from Maryland for yielding me the time.

Mr. Chairman, I would like to join most of my Maryland colleagues certainly in strongly opposing this amendment. We have looked at this issue thoroughly and, as has been indicated through today's testimony, we are near unanimous agreement that this amendment is inappropriate.

We have here fundamental safety issues with respect to Tolchester, and we ought to acknowledge that fact and then act upon it and not implement this amendment, which would, in effect, overturn a lot of the work that has already been done.

This is a channel that has many shifts and turns in order to accommodate the traffic and, also, to accommodate safety concerns. Straightening the channel is a desirable objective. That is an objective that we are pursuing through, I say, the majority of the Maryland delegation. We have studied this issue thoroughly. As was indicated, Environmental Impact Studies are underway and we certainly cannot pre-judge them to be in the negative.

Under the circumstances, I think it is both prudent and sound that we proceed with the position that the delegation has taken and reject this amendment. I would urge the membership to do so.

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

Mr. Chairman, this project was approved by Congress even though the Corps said in their analysis it did not rise to the cost benefit analysis that was necessary to do a project like this. But, nevertheless, this has been approved by Congress. But we have not started this project. We continue the maintenance of the Tolchester Channel, but we have not started this new work project which I am so adamantly opposed to.

Now, I do want to sincerely thank the chairman of this committee, the gentleman from California (Mr. PACKARD), for working with me on this issue and many other dredging issues in the past dealing with the Chesapeake Bay.

I wish the gentleman from California (Mr. PACKARD) a long, successful, joyous retirement. And at this particular point, I am thinking about that myself. So if I am ever out in San Diego, Mr. Chairman, I would like to do a little kayaking in the Pacific Ocean out there. But I do want to thank the chairman for being a gentleman with all these various issues.

Now, as far as the delegation is concerned, the delegation is not united on this. There is no unanimous agreement on this particular issue. The gentlewoman from Maryland (Mrs. MORELLA), the gentleman from Maryland (Mr. BARTLETT), and myself are all opposed to this particular project. We are going forward with the maintenance of the Tolchester Channel, but we do not want to deal at this point, because all the evidence points against it, with the widening of the Tolchester S-turn; and we do not want to do that because there is no need to dredge the northern route at this point because it is not a safety hazard, it is not necessary for increasing commerce, it has nothing to do with jobs in the city of Baltimore.

This has everything to do with spending the taxpayers' dollars unwisely. This has everything to do with an environmental project that is not wise to do and all the environmental groups are opposed to it.

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

Mr. Chairman, let me say that I ask my colleagues to support the chairman of the subcommittee, to support the majority of the Maryland delegation, and to support common sense and fair play and allow this project to move forward and reject the Gilchrest amendment.

Mr. Chairman, I yield the balance of the time to the gentleman from Maryland (Mr. HOYER), the dean of the Maryland delegation.

Mr. HOYER. Mr. Chairman, this is an issue on which Maryland is not divided. The Governor of Maryland opposes this amendment. The State Legislature opposes this amendment, not because they voted on this particular amendment, but because they support the Tolchester Channel straightening.

Why? Because it is a safety issue.

The pilots have been lobbying this very heavily. The Coast Guard, in two letters I read to my colleagues, said this is a significant safety issue, it needs to be resolved.

The gentleman says we have not had any accidents. Well, the Exxon Valdez

had an accident where there had been no accident. Very frankly, we have a pipeline down on the Patuxent River which for 40 years carried oil without an accident. But there is going to be an accident here, and the consequences may be very significant.

The chairman of the committee and the ranking member of the committee have heard this issue, they have gone the regular process, and they have approved this project. The majority of the Maryland delegation opposes the amendment of the gentleman.

One of our former colleagues has worked very hard on this issue, Helen Bentley, a Republican; and I, as a Democrat, have worked hard on this issue. I share absolutely the concern of the gentleman about the environmental impact of dredging. We ought not to dredge if we cannot do so environmentally safely, period. That is a given.

But we ought not to by this amendment with, and I reiterate, 4 hours' notice to the Maryland delegation that this amendment was going to be offered, defeat this project, which has been worked on since 1996, actually before that, with the participation of the gentleman from Maryland (Mr. GILCHREST).

Now he has changed his mind. Let us not change our minds. Oppose the Gilchrest amendment. Support the Maryland delegation, the bipartisan Maryland delegation.

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

Mr. Chairman, in our closing comments, when we look at each issue of dredging or straightening or deepening one at a time, it is not an environmental problem. When we take the cumulative impact of all of these projects throughout the Chesapeake Bay, it is an environmental problem.

And, no, there are many people throughout the State of Maryland that oppose this particular issue. Every environmental group in the State of Maryland opposes this widening. My constituents, especially those that have property on the shoreline, oppose this widening and straightening of the Tolchester S-turn. And, believe it or not, my colleagues, the Corps of Engineers opposes this straightening with their cost benefit analysis because it does not rise to the threshold necessary to benefit taxpayers.

The Environmental Impact Statement is not complete and there are many environmental hazards that we are considering.

The gentleman from Maryland (Mr. HOYER) mentioned the problem with the oil tanker, the *Exxon Valdez*. 6,700 ships have passed through here in the last 6 years without one incident. And there are no rocks here. One of the reasons the Corps of Engineers said it was not necessary and one of the reasons the Coast Guard says it is a challenge but it is not a safety hazard is because there is nothing but sand here, nothing but sand and mud.

If anything runs aground, and they have not, they will slowly move into the sand bar and it is probably because the tide is down and when the tide comes up, they will move along.

This is not about safety, my colleagues. This is about convenience. This is about convenience.

The Corps of Engineers, in their statement, said this is about time saving. And so, we have not paid enough attention as Members of Congress, as our oversight responsibility, to some of these issues.

So I urge my colleagues to vote for fiscal responsibility, to vote for an environmentally sound amendment, and to vote for the average constituent that needs a voice in the U.S. House of Representatives.

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

□ 1815

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maryland (Mr. GILCHREST).

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

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

The CHAIRMAN. Pursuant to House Resolution 532, further proceedings on the amendment offered by the gentleman from Maryland (Mr. GILCHREST) will be postponed.

The Clerk will read.

The Clerk read as follows:

REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, $125,000,000, to remain available until expended: *Provided*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use funds appropriated herein to: (1) by March 1, 2001, revise the report, Cost Analysis For the 1999 Proposal to Issue and Modify Nationwide Permits, to reflect the Nationwide Permits actually issued on March 9, 2000, including changes in the acreage limits, preconstruction notification requirements and general conditions between the proposed rule and the rule promulgated and published in the Federal Register; (2) by September 30, 2001, prepare, submit to Congress and publish in the Federal Register a Permit Processing Management Plan by which the Corps of Engineers will handle the additional work associated with all projected increases in the number of individual permit applications and preconstruction notifications related to the new and replacement permits and general conditions so that within two years the number of pending individual permits shall not be greater than the number of said permits pending at the end of fiscal year 1999. The Permit Processing Management Plan shall include specific objective criteria by which the Corps of Engineers progress towards reducing any permit backlog can be measured; (3) beginning on December 31, 2001, and at the end of each quarter thereafter, report to Congress and publish in the Federal Register, an analysis of the performance of its program as measured against the criteria set out in the Permit Processing Management Plan; (4) implement a one-year pilot program to publish quarterly on the U.S. Army Corps of Engineer's Regulatory Program website all Regulatory Analysis and Management Systems (RAMS) data for the South Pacific Division beginning within 30 days of enactment of this Act; and (5) publish in Division Office websites all findings, rulings, and decisions rendered under the administrative appeals process for the Corps of Engineers Regulatory Program as established in Public Law 106–60: *Provided further*, That Corps shall allow any appellant to keep a verbatim record of the proceedings of the appeals conference under the aforementioned administrative appeals process: *Provided further*, That within 30 days of enactment of this Act, the Secretary of the Army, acting through the Chief of Engineers, shall require all U.S. Army Corps of Engineers Divisions and Districts to record the date on which a Section 404 individual permit application or nationwide permit notification is filed with the Corps of Engineers: *Provided further*, That ''filed'' shall mean the date an applicant first submits its application or notification to the Corps and not the date the application or notification is deemed complete.

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.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 31 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 0329

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DREIER) at 3 o'clock and 29 minutes a.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4461, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 106–704) on the resolution (H. Res. 538) providing for consideration of the bill (H.R. 4461) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2001, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4680, MEDICARE RX 2000 ACT

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 106–705) on the resolution (H. Res. 539) providing for consideration of the bill (H.R. 4680) to amend title XVIII of the Social Security Act to provide for a voluntary program for prescription drug coverage under the Medicare Program, to modernize the Medicare Program, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MARKEY (at the request of Mr. GEPHARDT) for today on account of family illness.

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. MCNULTY) to revise and extend their remarks and include extraneous material:)

Mr. PALLONE, for 5 minutes, today.

Ms. STABENOW, for 5 minutes, today.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1309. An act to amend title I of the Employee Retirement Income Security Act of 1974 to provide for the preemption of State law in certain cases relating to certain church plans.

BILLS 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, bills of the House of the following titles:

The Committee on House Administration reports that on June 27, 2000 they presented to the President of the United States, for his approval, the following bills:

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''.

H.R. 643. To redesignate the Federal building located at 10301 South Compton Avenue, in Los Angeles, California, and known as the Watts Finance Office, as the ''Augustus F. Hawkins Post Office Building''.

H.R. 2460. To designate the United States Post Office located at 125 Border Avenue West in Wiggins, Mississippi, as the ''Jay Hanna 'Dizzy' Dean Post Office''.

H.R. 2357. To designate the United States Post Office located at 3675 Warrensville Center Road in Shaker Heights, Ohio, as the ''Louise Stokes Post Office''.

H.R. 2307. To designate the building of the United States Postal Service located at 5 Cedar Street in Hopkinton, Massachusetts, as the ''Thomas J. Brown Post Office Building''.

H.R. 1666. To designate the facility of the United States Postal Service at 200 East Pinckney Street in Madison, Florida, as the ''Captain Colin P. Kelly, Jr. Post Office''.

H.R. 2591. To designate the United States Post Office located at 713 Elm Street in Wakefield, Kansas, as the ''William H. Avery Post Office''.

H.R. 2952. To redesignate the facility of the United States Post Office located at 100 Orchard Park Drive in Greenville, South Carolina, as the ''Keith D. Oglesby Station''.

H.R. 3018. To designate certain facilities of the United States Postal Service in South Carolina.

H.R. 3699. To designate the facility of the United States Postal Service located at 8409 Lee Highway in Merrifield, Virginia, as the ''Joel T. Broyhill Postal Building''.

H.R. 3701. To designate the facility of the United States Postal Service located at 3118 Washington Boulevard in Arlington, Virginia, as the ''Joseph L. Fisher Post Office Building''.

H.R. 3903. To deem the vessel M/V MIST COVE to be less than 100 gross tons, as measured under chapter 145 of title 46, United States Code.

H.R. 4241. To designate the facility of the United States Postal Service located at 1818 Milton Avenue in Janesville, Wisconsin, as the ''Les Aspin Post Office Building''.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 3 clock and 30 minutes a.m.), the House adjourned until today, Wednesday, June 28, 2000, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

8373. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Mancozeb; Reestablishment of Tolerance for Emergency Exemptions [OPP–301001; FRL–6556–9] (RIN: 2070–AB78) received May 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8374. A letter from the Secretary of Defense, transmitting notification of munitions disposal, pursuant to 50 U.S.C. 1512(4); to the Committee on Armed Services.

8375. A letter from the Assistant Secretary, Health Affairs, Department of Defense, transmitting the TRICARE Program Effectiveness Interim Evaluation Report for March 2000; to the Committee on Armed Services.

8376. A letter from the Assistant Secretary, Department of Education, transmitting the Department's final rule—National Institute on Disability and Rehabilitation Research—received May 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

8377. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Revisions to the California State Implementation Plan, Monterey Bay Unified Air Pollution Control District [CA 240–0237a; FRL–6602–2] received May 9, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8378. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, Antelope Valley Air Pollution Control District [CA 226–0186a; FRL–6606–3] received May 9, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8379. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Acquisition Regulation: To amend the EPA Acquisition Regulation Clause 1552.216–70, Award fee [FRL–6606–6] (RIN: 2030–AA74) received May 9, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8380. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Approval and Promulgation of State Implementation Plan; South Dakota; New Source Performance Standards [SD–001–0010 & SD–001–0011; FRL–6603–1] received May 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8381. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Iowa; Correction [IA 104–1104; FRL–6702–9] received May 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8382. A letter from the Acting Director, Defense Security Cooperation Agency, Department of Defense, transmitting notification concerning the Department of the Navy's Proposed Letter(s) of Offer and Acceptance (LOA) to Greece for defense articles and services (Transmittal No. 00–36), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

8383. A letter from the Acting Director, Defense Security Cooperation Agency, Department of Defense, transmitting a report of enhancement or upgrade of sensitivity of technology or capability for the Taipei Economic and Cultural Representative Office [Transmittal No. 0A–00], pursuant to 22 U.S.C. 2776(b)(5)(A); to the Committee on International Relations.

8384. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of defense articles or defense services sold commercially to Italy, Sweden, Norway, Germany, Australia, UAE (Transmittal No. DTC 008–00), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

8385. A letter from the Assistant General Counsel for Regulatory Law, Office of Arms Control and Nonproliferation, Department of Energy, transmitting the Department's final rule—Assistance to Foreign Atomic Energy Activities (RIN: 1992–AA24) received March 29, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

8386. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the 1999 Report on IAEA Activities in Countries Described in Section 307 (a) of the Foreign Assistance Act, pursuant to Public Law 105—277; to the Committee on International Relations.

8387. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Procurement List: Addition—received May 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

8388. A letter from the Assistant Attorney General for Administration, Justice Management Division, Department of Justice, transmitting the Department's final rule—Privacy Act of 1974; Implementation [AAG/A Order No. 196–2000] received May 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

8389. A letter from the Chairman, International Trade Commission, transmitting the semiannual report on the activities of the Office of Inspector General ending October 1, 1999 through March 31, 2000, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

8390. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Prevailing Rate Systems; Definition of Napa County, CA, to a Nonappropriated Fund Wage Area (RIN: 3206–AI86) received May 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

8391. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Prevailing Rate Systems; Abolishment of the Washington, MD, Nonappropriated Fund Wage Area (RIN: 3206–AI97) received May 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

8392. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Prevailing Rate Systemsl Abolishment of the Dubuque, IA, Appropriated Fund Wage Area (RIN: 3206–AI90) received May 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

8393. A letter from the Chairman, Federal Election Commission, transmitting the Commission's final rule—Administrative Fines [Notice 2000–10] received May 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on House Administration.

8394. A letter from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries off the West Coast States and in the Western Pacific; West Coast Salmon Fisheries; 2000 Management Measures [Docket No. 0005–0119–01; I.D. 042400J] (RIN: 0648–AN81) received May 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8395. A letter from the Assistant Administrator for Fisheries, National Marine Fisherie's Service, National Oceanic and Atmospheric Administration, transmitting the Administratition's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; License Limitation Program [Docket No. 00424110–0110–01; I.D. 040600A] (RIN: 0648–AO01) received May 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8396. A letter from the Assistant Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Prohibitation of Nonpelagic Trawl Gear in the Bering Sea and Aleutian Islands Pollock Fishery [Docket No. 991221345–0108–02; I.D. 113099B] (RIN: 0648–AL30) received May 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8397. A letter from the Assistant Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Catch Specifications for Gulf Group King and Spanish MACKerel [Docket No. 991112303–0069–02; I.D. 100499A] (RIN: 0648–AM01) received May 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8398. A letter from the Assistant Secretary of the Army, Civil Works, Department of the Army, transmitting the Department's final rule—St. Marys Falls Canal and Locks, Michigan; Use, Administration and Navigation—received May 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8399. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Allocation of Fiscal Year 2000 Youth and the Environment Training and Employment Program Funds—received May 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8400. A letter from the the Board of Trustees, Federal Hospital Insurance Trust Fund, the Department of Health and Human Services, transmitting the Amended 2000 Annual Report of the Board of Trustees of the Federal Hospital Insurance Trust Fund, pursuant to 42 U.S.C. 401(c)(2), 1395i(b)(2), and 1395t(b)(2); (H. Doc. No. 106—262); to the Committee on Ways and Means and ordered to be printed.

8401. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—June 2000 Applicable Federal Rates [Rev. Rul. 2000–28] received May 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8402. A letter from the Legislative Liaison, Trade and Development Agency, transmitting a prospective funding obligation which requires special notification under section 520 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000; jointly to the Committees on Appropriations and International Relations.

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. ARCHER: Committee on Ways and Means. H.R. 4717. A bill to amend the Internal Revenue Code of 1986 to require 527 organizations and certain other tax-exempt organizations to disclose their political activities; with an amendment (Rept. 106–702). Referred to the Committee of the Whole House on the State of the Union.

Mr. ARCHER: Committee on Ways and Means. H.R. 4680. A bill to amend title XVIII of the Social Security Act to provide for a voluntary program for prescription drug coverage under the Medicare Program, to modernize the Medicare Program, and for other purposes; with an amendment (Rept. 106–703 Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. DIAZ-BALART: Committee on Rules. House Resolution 538. Resolution providing for consideration of the bill (H.R. 4461) making appropriations for Agriculture, rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2001, and for other purposes (Rept. 106–704). Referred to the House Calendar.

Mr. GOSS: Committee on Rules. House Resolution 539. Resolution providing for consideration of the bill (H.R. 4680) to amend title XVIII of the Social Security Act to provide for a voluntary program for prescription drug coverage under the Medicare Program, to modernize the Medicare Program, and for other purposes (Rept. 106–705). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 5 of rule X the Committee on Commerce discharged. H.R. 4680 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. 4680. Referral to the Committee on Commerce extended for a period ending not later than June 27, 2000.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. HOUGHTON:

H.R. 4762. A bill to amend the Internal Revenue Code of 1986 to require 527 organizations to disclose their political activities; to the Committee on Ways and Means.

By Mr. CONDIT:

H.R. 4763. A bill to establish a 3-year pilot project for the General Accounting Office to report to Congress on economically significant rules of Federal agencies, and for other purposes; to the Committee on Government Reform.

By Mr. EWING (for himself, Mr. MCCRERY, and Mr. THOMAS):

H.R. 4764. A bill to require the United States Trade Representative to enter into negotiations to eliminate price controls imposed by certain foreign countries on prescription drugs; to the Committee on Ways and Means.

By Mr. QUINN (for himself, Mr. FILNER, Mr. STUMP, and Mr. EVANS):

H.R. 4765. A bill to amend title 38, United States Code, to improve employment and training services provided to veterans and disabled veterans by requiring the use of measurable performance outcomes in an era of electronic-based self services and one-stop career service centers; to the Committee on Veterans' Affairs.

By Mr. GOODLING (for himself, Mr. ISAKSON, Mr. CASTLE, Mr. MCKEON, Mr. PETRI, Mr. UPTON, and Mr. FLETCHER):

H.R. 4766. A bill to amend the Elementary and Secondary Education Act of 1965 to authorize the appropriation of funds to assist States and local educational agencies with the expenses of Federal education statutory requirements and priorities relating to infrastructure, technology, and equipment; to the Committee on Education and the Workforce.

By Mr. GREENWOOD:

H.R. 4767. A bill to suspend temporarily the duty on Exisulind; to the Committee on Ways and Means.

By Mr. HERGER:

H.R. 4768. A bill to provide compensation to individuals who are injured by an escaped prescribed fire and to amend the tort procedure provisions of title 28, United States Code, relating to claims for such fires, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Resources, and 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. MARKEY:

H.R. 4769. A bill to amend the Communications Act of 1934 to prohibit the imposition of time-based access charges on Internet telephony; to the Committee on Commerce.

By Mr. GEPHARDT (for himself, Mr. HOEFFEL, Mr. BONIOR, Mr. RANGEL, Mr. DINGELL, Mr. STARK, Mr. BROWN of Ohio, Mr. MATSUI, Mr. COYNE, Mr. LEVIN, Mr. CARDIN, Mr. MCDERMOTT, Mr. KLECZKA, Mr. LEWIS of Georgia, Mr. NEAL of Massachusetts, Mr. MCNULTY, Mr. JEFFERSON, Mr. TANNER, Mr. BECERRA, Mrs. THURMAN, Mr. DOGGETT, Mr. WAXMAN, Mr. MARKEY, Mr. BOUCHER, Mr. PALLONE, Mr. STUPAK, Mr. ENGEL, Mr. GREEN of Texas, Mr. ALLEN, Mr. BACA, Mr. BENTSEN, Ms. BERKLEY, Mr. BISHOP, Mrs. CAPPS, Mr. BLAGOJEVICH, Mr. BLUMENAUER, Mr. BRADY of Pennsylvania, Ms. BROWN of Florida, Mr. CAPUANO, Mr. CLAY, Mrs. CLAYTON, Mr. CLEMENT, Mr. CONYERS, Mr. COSTELLO, Mr. CUMMINGS, Ms. DANNER, Mr. DAVIS of Illinois, Ms. DEGETTE, Mr. DELAHUNT, Ms. DELAURO, Mr. DIXON, Mr. DOYLE, Mr. EDWARDS, Mr. EVANS, Mr. FARR of California, Mr. FORBES, Mr. FRANK of Massachusetts, Mr. FROST, Mr. GONZALEZ, Mr. GUTIERREZ, Mr. HILLIARD, Ms. NORTON, Mr. HOYER, Mr. INSLEE, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KENNEDY of Rhode Island, Mr. KILDEE, Ms. KILPATRICK, Mr. KUCINICH, Mr. LAMPSON, Mr. LANTOS, Ms. LEE, Mrs. LOWEY, Mr. MCGOVERN, Mrs. MALONEY of New York, Mr. MEEHAN, Mr. MENENDEZ, Ms. MILLENDER-MCDONALD, Mr. MOAKLEY, Mrs. NAPOLITANO, Mr. OBERSTAR, Mr. OLVER, Mr. ORTIZ, Mr. PASCRELL, Mr. PASTOR, Ms. PELOSI, Mr. PHELPS, Mr. POMEROY, Mr. REYES, Mr. RODRIGUEZ, Ms. ROYBAL-ALLARD, Ms. SANCHEZ, Mr. SANDLIN, Mr. SKELTON, Ms. SLAUGHTER, Mr. SNYDER, Mr. SPRATT, Ms. STABENOW, Mrs. JONES of Ohio, Mr. TURNER, Mr. UDALL of New Mexico, Mr. UNDERWOOD, Mr. WEYGAND, Mr. WEXLER, and Ms. WOOLSEY):

H.R. 4770. A bill to amend title XVIII of the Social Security Act to provide a prescription medicine benefit under the Medicare Program, to enhance the preventive benefits covered under such program, 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 Mr. MCHUGH:

H.R. 4771. A bill to amend title XVIII of the Social Security Act to provide increased access to health care for Medicare beneficiaries through telemedicine; to the Committee on Commerce, 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. OWENS:

H.R. 4772. A bill to provide for prices of pharmaceutical products that are fair to the producer and the consumer, 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. SAXTON:

H.R. 4773. A bill to provide for the conservation and rebuilding of overfished stocks of Atlantic highly migratory species of fish, and for other purposes; to the Committee on Resources.

By Mr. WALDEN of Oregon:

H.R. 4774. A bill to authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other National Forest System land in the State of Oregon and use the proceeds derived from the sale or exchange for National Forest System purposes; to the Committee on Resources.

By Mr. WELDON of Florida:

H.R. 4775. A bill to direct the Secretary of the Army to mitigate the adverse impacts of shoreline erosion in Brevard County, Florida, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. TALENT:

H. Res. 533. A resolution providing for the concurrence by the House with an amendment in the amendment of the Senate to H.R. 2614; considered and agreed to.

By Mr. SPENCE (for himself, Mr. SKELTON, Mr. HUNTER, Mr. SISISKY, Mr. WELDON of Pennsylvania, Mr. THORNBERRY, and Mrs. TAUSCHER):

H. Res. 534. A resolution expressing the sense of the House of Representatives that the recent nuclear weapons security failures at Los Alamos National Laboratory demonstrate that security policy and security procedures within the National Nuclear Security Administration remain inadequate, that the individuals responsible for such policy and procedures must be held accountable for their performance, and that immediate action must be taken to correct security deficiencies; to the Committee on Armed Services.

By Mr. BILBRAY (for himself and Mrs. WILSON):

H. Res. 535. A resolution expressing the sense of the House of Representatives concerning use of additional projected surplus funds to supplement Medicare funding, previously reduced under the Balanced Budget Act of 1997; 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. BALDACCI (for himself, Mr. FROST, Mr. HINCHEY, Mr. KILDEE, Mr. JACKSON of Illinois, Mr. HILLIARD, Mr. BOSWELL, Mr. GREEN of Texas, Mr. BRADY of Pennsylvania, Mr. CAPUANO, Mr. PASCRELL, Mr. DOYLE, Mr. HOLDEN, and Mr. GEORGE MILLER of California):

H. Res. 536. A resolution expressing the sense of the House of Representatives that the Board of Governors of the Federal Reserve System should take action to reduce interest rates; to the Committee on Banking and Financial Services.

By Mrs. THURMAN (for herself and Mr. SHAW):

H. Res. 537. A resolution expressing the sense of the House of Representatives with respect to the serious national problems associated with polycystic kidney disease; to the Committee on Commerce.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 61: Mr. BONIOR.

H.R. 141: Mr. EVANS, Mr. SAXTON, and Mr. TIERNEY.

H.R. 303: Mr. ORTIZ and Mr. WALSH.

H.R. 363: Mr. OWENS, Mr. COOK, Mr. ROMERO-BARCELO, and Mr. GOODE.

H.R. 372: Mr. BACA, Mr. BRADY of Pennsylvania, Mrs. CAPPS, Mr. LANTOS, and Mr. PETERSON of Minnesota.

H.R. 460: Mr. DOOLITTLE, Ms. BROWN of Florida, and Ms. LEE.

H.R. 531: Ms. SCHAKOWSKY and Mr. DOYLE.

H.R. 583: Mr. CANADY of Florida and Ms. BROWN of Florida.

H.R. 783: Mr. TIERNEY and Mr. BOSWELL.

H.R. 904: Mr. OLVER and Mr. BAIRD.

H.R. 960: Mr. FRANKS of New Jersey.

H.R. 1116: Mr. HUTCHINSON.

H.R. 1122: Mr. BENTSEN.

H.R. 1146: Mr. SALMON.

H.R. 1311: Mr. ISAKSON.

H.R. 1560: Mr. HERGER.

H.R. 1824: Mr. HINOJOSA and Mr. FOLEY.

H.R. 1870: Ms. BROWN of Florida.

H.R. 1976: Mr. BARRETT of Wisconsin and Mr. ANDREWS.

H.R. 2273: Mrs. MYRICK.

H.R. 2308: Mr. CALVERT.

H.R. 2451: Mr. DOYLE.

H.R. 2457: Mr. JEFFERSON, Ms. BERKLEY, and Mr. BENTSEN.

H.R. 2538: Ms. MCCARTHY of Missouri.

H.R. 2624: Mr. SMITH of Washington.

H.R. 2738: Mr. DAVIS of Florida.

H.R. 2814: Mr. HILLEARY.

H.R. 2882: Ms. SCHAKOWSKY.

H.R. 2892: Mr. JEFFERSON.

H.R. 3003: Ms. LEE, Mr. BONIOR, and Mr. CANADY of Florida.

H.R. 3032: Mr. COSTELLO.

H.R. 3144: Ms. BROWN of Florida.

H.R. 3250: Mr. DICKEY.

H.R. 3433: Mr. PRICE of North Carolina, Mr. BOEHLERT, and Mr. KILDEE.

H.R. 3453: Mr. VISCLOSKY.

H.R. 3517: Mr. HOLT, Mr. NETHERCUTT, Mr. COSTELLO, Mr. ETHERIDGE, Mr. DOYLE, Mr. HUTCHINSON, and Mr. SCHAFFER.

H.R. 3561: Ms. PELOSI and Mr. WEXLER.

H.R. 3580: Mr. NEY, Mr. STENHOLM, Mr. HINOJOSA, Mr. INSLEE, Mr. HOUGHTON, Mr. SABO, Mrs. NORTHUP, Mr. HANSEN, and Mr. HASTINGS of Washington.

H.R. 3590: Mr. HILLEARY.

H.R. 3610: Ms. WOOLSEY and Mr. TIERNEY.

H.R. 3625: Mr. SMITH of Washington, Mr. WISE, and Mr. COMBEST.

H.R. 3634: Mr. MCDERMOTT.

H.R. 3676: Mr. ANDREWS, Mr. EHRLICH, Mr. MANZULLO, Mr. GOODLATTE, Mr. YOUNG of Florida, Mr. QUINN, Mr. SPENCE, Ms. MILLENDER-MCDONALD, Mr. CANNON, Mr. BACHUS, Mr. CANADY of Florida, Mr. HAYES, Mr. MOAKLEY, Ms. SCHAKOWSKY, Mr. EWING, Mr. JACKSON of Illinois, Mrs. KELLY, Mr. NETHERCUTT, Mrs. CAPPS, Mr. DOOLEY of California, Mr. HORN, Mr. SAXTON, Mr. STEARNS, Mr. COX, Mr. DIAZ-BALART, and Mrs. CUBIN.

H.R. 3677: Mr. LOBIONDO, Mr. DUNCAN, and Mr. MCKEON.

H.R. 3798: Ms. LEE.

H.R. 3800: Mr. SANDLIN.

H.R. 3825: Ms. WOOLSEY.

H.R. 3844: Mr. THORNBERRY.

H.R. 3850: Mr. SAWYER.

H.R. 3880: Mr. HILLEARY.

H.R. 4033: Mr. YOUNG of Alaska and Ms. KILPATRICK.

H.R. 4046: Ms. WOOLSEY.

H.R. 4049: Mr. ISAKSON and Mr. SHIMKUS.

H.R. 4066: Mr. BLUMENAUER and Mr. BORSKI.

H.R. 4100: Mrs. CHRISTENSEN.

H.R. 4157: Mr. FARR of California, Mr. DOOLEY of California, Mrs. CAPPS, and Ms. MILLENDER-MCDONALD.

H.R. 4211: Ms. BROWN of Florida.

H.R. 4219: Mr. ENGEL, Mr. RADANOVICH, Mr. UDALL of Colorado, Mr. WEINER, Mr. WHITFIELD, and Mr. ROMERO-BARCELO.

H.R. 4290: Mr. GEJDENSON.

H.R. 4292: Mr. SHADEGG and Mr. WELDON of Florida.

H.R. 4320: Mr. SAXTON.

H.R. 4328: Mr. KOLBE.

H.R. 4362: Mr. WYNN.

H.R. 4383: Mr. MATSUI.

H.R. 4410: Mr. DELAHUNT, Mr. ROMERO-BARCELO, Mr. KENNEDY of Rhode Island, and Mr. ALLEN.

H.R. 4412: Ms. LEE.

H.R. 4467: Mr. HILL of Indiana.

H.R. 4487: Ms. MCCARTHY of Missouri.

H.R. 4492: Mr. BOYD, Mr. FRANK of Massachusetts, Mr. MASCARA, Mr. TAYLOR of North Carolina, Mr. HOBSON, Ms. LEE, and Mr. SPENCE.

H.R. 4502: Mr. BAKER, Mr. BLUNT, Mr. MCINTOSH, Mr. MCINNIS, Mr. BUYER, Mr. BOSWELL, Mr. NUSSLE, Mr. ENGLISH, Mr. HILLIARD, Mr. THUNE, Mr. PHELPS, Mr. PICKETT, and Mrs. CHENOWETH-HAGE.

H.R. 4508: Mr. ALLEN and Mr. COYNE.

H.R. 4539: Mr. WEXLER and Mr. BERMAN.

H.R. 4547: Mr. BUYER and Mr. HOEKSTRA.

H.R. 4548: Mr. QUINN.

H.R. 4565: Mr. GEORGE MILLER of California, Mrs. MCCARTHY of New York, Ms. WOOLSEY, Ms. RIVERS, Mr. DEFAZIO, Mrs. TAUSCHER, Mr. TANNER, Mr. FORBES, Ms. STABENOW, Mr. BOSWELL, Mrs. EMERSON, Ms. KILPATRICK, and Mr. LANTOS.

H.R. 4566: Mr. SAWYER, Mr. FILNER, and Mr. MOLLOHAN.

H.R. 4596: Mr. CLAY and Ms. BROWN of Florida.

H.R. 4607: Mr. FARR of California.

H.R. 4651: Mr. MCDERMOTT.

H.R. 4652: Mr. SANDERS and Mr. HINCHEY.

H.R. 4659: Ms. MCKINNEY, Ms. ROS-LEHTINEN, and Mrs. MYRICK.

H.R. 4660: Mr. HOSTETTLER and Mr. MCINNIS.

H.R. 4687: Mr. NADLER, Ms. PELOSI, Mr. HINCHEY, Mr. STARK, Mr. BONIOR, Mr. ANDREWS, Mrs. MINK of Hawaii, Mr. FARR of California, Ms. MCCARTHY of Missouri, Mr. SAWYER, Mr. KUCINICH, and Mr. WATT of North Carolina.

H.R. 4711: Mr. WATT of North Carolina.

H.R. 4712: Mr. BRYANT.

H.R. 4722: Mr. ABERCROMBIE.

H.R. 4727: Mr. SMITH of Washington, Mr. RODRIGUEZ, Mr. RAHALL, Mr. MCNULTY, Mr. BALDACCI, Mr. NEY, Mr. TOWNS, Mr. PETERSON of Minnesota, Mr. TIERNEY, and Mrs. CHRISTENSEN.

H.R. 4734: Mr. METCALF.

H.R. 4742: Mr. HILL of Indiana.

H.R. 4750: Mrs. MCCARTHY of New York.

H.J. Res. 102: Mr. HUTCHINSON, Mr. SWEENEY, and Mr. RYAN of Wisconsin.

H. Con. Res. 62: Mr. MEEHAN.

H. Con. Res. 276: Mr. MCHUGH.

H. Con. Res. 322: Mr. BEREUTER and Mr. HASTINGS of Florida.

H. Con. Res. 327: Mr. EHRLICH, Ms. MCKINNEY, Mr. STUMP, and Mr. LANTOS.

H. Con. Res. 348: Ms. WATERS, Mrs. MALONEY of New York, Ms. SCHAKOWSKY, Mr. DEFAZIO, Mr. GUTIERREZ, Mr. GEJDENSON, and Mr. BLUMENAUER.

H. Con. Res. 350: Ms. WATERS and Mr. INSLEE.

H. Res. 347: Mr. BONIOR.

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. 1598: Mr. MCCOLLUM.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 4461

OFFERED BY: MR. BROWN OF OHIO

AMENDMENT NO. 37: Insert before the short title the following title:

TITLE IX—ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the amounts made available in this Act for the Food and Drug Administration may be expended to approve any application for a new drug submitted by an entity that does not agree to publicly disclose, on a quarterly basis during the patent life of the drug, the average price charged by the manufacturer for the most common dosage of the drug (expressed as total revenues divided by total units sold) in each country that is a member of the Organisation for Economic Co-operation and Development.

H.R. 4461

OFFERED BY: MR. BROWN OF OHIO

AMENDMENT NO. 38: Page 58, line 4, insert after the colon the following: ''*Provided further,* That $3,000,000 may be for activities carried out pursuant to section 512 of the Federal Food, Drug, and Cosmetic Act with respect to new animal drugs, in addition to the amounts otherwise available under this heading for such activities:''.

H.R. 4461

OFFERED BY: MR. DEFAZIO

AMENDMENT NO. 39: Insert before the short title the following:

TITLE IX—ADDITIONAL GENERAL PROVISIONS

SEC. 901. Notwithstanding any other provision of this Act, not more than $28,684,000 of the funds made available in this Act may be used for Wildlife Services Program operations under the heading ''ANIMAL AND PLANT HEALTH INSPECTION SERVICE'', and none of the funds appropriated or otherwise made available by this Act for Wildlife Services Program operations to carry out the first section of the Act of March 2, 1931 (7 U.S.C. 426), may be used to conduct campaigns for the destruction of wild animals for the purpose of protecting stock.

H.R. 4461

OFFERED BY: MR. DEFAZIO

AMENDMENT NO. 40: Insert before the short title the following:

TITLE IX—ADDITIONAL GENERAL PROVISIONS

SEC. 901. Notwithstanding any other provision of this Act, not more than $35,636,999 of the funds made available in this Act may be used for Wildlife Services Program operations under the heading ''ANIMAL AND PLANT HEALTH INSPECTION SERVICE'', and none of the funds appropriated or otherwise made available by this Act for Wildlife Services Program operations to carry out the first section of the Act of March 2, 1931 (7 U.S.C. 426), may be used to conduct campaigns for the destruction of wild animals for the purpose of protecting stock.

H.R. 4461

OFFERED BY: MR. KNOLLENBERG

AMENDMENT NO. 41: Strike Section 734 and insert as Section 734:

None of the funds appropriated by this Act shall be used to propose or issue rules, regulations, decrees, or orders for the purpose of implementation, or in preparation for implementation, of the Kyoto Protocol which was adopted on December 11, 1997, in Kyoto, Japan, at the Third Conference of the Parties to the United Nations Framework Convention on Climate Change, which has not been submitted to the Senate for advice and consent to ratification pursuant to article II, section 2, clause 2, of the United States Constitution, and which has not entered into force pursuant to article 25 of the Protocol; Provided further, the limitation established in this section shall not apply to any activity otherwise specifically authorized by law.

H.R. 4461

OFFERED BY: MR. KUCINICH

AMENDMENT NO. 42: Page 58, line 4, insert after the colon the following: ''*Provided further,* That $500,000 is available for the purpose of drafting guidance for industry on how to assess genetically engineered food products for allergenicity until a predictive testing methodology is developed, and reporting to the Congress on the status of the guidance by September 1, 2001; for the purpose of making it a high agency priority to develop a predictive testing methodology for potential food allergens in genetically engineered foods; and for the purpose of reporting to the Congress by April 30, 2001, on research being conducted by the Food and Drug Administration and other Federal agencies concerning both the basic science of food allergy and testing methodology for food allergens, including a prioritized description of research needed to develop a predictive testing methodology for the allergenicity of proteins added to foods via genetic engineering and what steps the Food and Drug Administration is taking or plans to take to address these needs:''.

H.R. 4461

OFFERED BY: MR. MILLER OF FLORIDA

AMENDMENT NO. 43: Page 31, after line 5, insert the following:

PURCHASES OF RAW OR REFINED SUGAR

For fiscal year 2001, the Commodity Credit Corporation shall not expend more than

$54,000,000 for purchases of raw or refined sugar from sugarcane or sugar beets.

H.R. 4461

OFFERED BY: MR. MILLER OF FLORIDA

AMENDMENT NO. 44: Page 10, line 23, insert ''(reduced by $54,000,000)'' after ''$850,384,000''.

Page 19, line 4, insert ''(increased by $20,000,000)'' after ''$470,000,000''.

Page 32, line 8, insert ''(increased by $5,000,000)'' after ''$676,812,000''.

Page 34, line 8, insert ''(increased by $3,500,000)'' after ''$83,423,000''.

Page 36, line 13, insert ''(increased by $10,000,000)'' after ''$41,015,000''.

Page 37, line 10, insert ''(increased by $5,000,000)'' after ''$775,837,000''.

Page 37, line 11, insert ''(increased by $5,000,000)'' after ''$33,150,000''.

Page 50, line 11, insert ''(increased by $1,000,000)'' after ''$4,067,000,000''.

Page 51, line 2, insert ''(increased by $5,000,000)'' after ''$6,000,000''.

Page 51, line 21, insert ''(increased by $1,500,000)'' after ''$21,231,933,000''.

H.R. 4461

OFFERED BY: MR. MILLER OF FLORIDA

AMENDMENT NO. 45: Insert before the short title the following:

TITLE IX—ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds appropriated or otherwise made available by this Act to the Department of Agriculture may be used to pay the salaries and expenses of personnel who issue, under section 156 of the Agricultural Market Transition Act (7 U.S.C. 7272), any nonrecourse loans to sugar beet or sugar cane processors.

H.R. 4461

OFFERED BY: MR. MILLER OF FLORIDA

AMENDMENT NO. 46: Insert before the short title the following:

TITLE IX—ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds appropriated or otherwise made available by this Act to the Department of Agriculture may be used to pay the salaries and expenses of personnel in fiscal year 2001 to store, maintain, market, transport, donate, or otherwise dispose of raw or refined sugar that has been purchased by the Secretary of Agriculture or the Commodity Credit Corporation in excess of quantity of raw or refined sugar so purchased during fiscal year 1999.

H.R. 4461

OFFERED BY: MR. ROYCE

AMENDMENT NO. 47: Page 96, after line 7, insert the following:

TITLE IX—ADDITIONAL GENERAL PROVISIONS

SEC. 901. ACROSS-THE-BOARD PERCENTAGE REDUCTION.

Each amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by one percent.

H.R. 4461

OFFERED BY: MR. SANFORD

AMENDMENT NO. 48: Insert before the short title the following:

TITLE IX—ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds appropriated or otherwise made available by this Act to the Department of Agriculture may be used to pay the salaries and expenses of personnel who make payments to producers of wool and mohair under section 204(d) of the Agricultural Risk Protection Act of 2000.

H.R. 4461

OFFERED BY: MR. SANFORD

AMENDMENT NO. 49: Page 13, line 17, insert after the dollar amount the following: ''(reduced by $14,406,000)''.

Page 13, line 24, insert after the dollar amount the following: ''(reduced by $14,406,000)''.

H.R. 4733

OFFERED BY: MS. BROWN OF FLORIDA

AMENDMENT NO. 13: Page 33, after line 2, insert the following new section:

SEC. 311. The Secretary of Energy shall expeditiously conduct a program of research into alternative energy resources capable of mitigating United States dependence on foreign oil, and shall promote the use by the Federal Government, and the development and use by the private sector, of any alternative energy resource the Secretary considers a proven resource that is not cost-prohibitive.

H.R. 4733

OFFERED BY: MR. CAMP

AMENDMENT NO. 14: Page 33, after line 2, insert the following new section;

SEC. 311. Upon the requests of an oil company incorporated in the United States, or at the discretion of the Secretary of Energy, the Secretary may enter into an arrangement with such company under which the company receives petroleum product from the Strategic Petroleum Reserve in exchange for a commitment to replace an equal amount of petroleum product into the Strategic Petroleum within 1 year after the date of withdrawal.

H.R. 4733

OFFERED BY: MR. HANSEN

AMENDMENT NO. 15: Page 39, after line 19, insert the following new section:

SEC. 607. No funds appropriated under this Act shall be expended for the purpose of processing, granting, or otherwise moving forward a license, permit, or other authorization or permission for the interim storage of spent nuclear fuel, low-level radioactive waste, or high-level radioactive waste on any reservation lands of the Skull Valley Band of Goshute Indians.

H.R. 4733

OFFERED BY: MR. NEY

AMENDMENT NO. 16: Page 20, line 8, after the dollar amount insert ''(reduced by $3,000,000)''.

Page 20, line 5, after the dollar amount insert ''(reduced by $3,000,000)''.

Page 33, line 13, after the dollar amount insert ''(increased by $3,000,000)''.

H.R. 4733

OFFERED BY: MR. STEARNS

AMENDMENT NO. 17: Page 39, after line 19, insert the following new section:

SEC. 607. None of the funds provided by this Act may be used for travel expenses incurred by the Secretary of Energy or the Deputy Secretary of Energy before January 20, 2001, other than for official business conducted before the Congress.