United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 105th CONGRESS, SECOND SESSION

Vol. 144 WASHINGTON, MONDAY, JUNE 22, 1998 No. 82

House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
June 22, 1998.

I hereby designate the Honorable THOMAS E. PETRI to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate passed a bill and a concurrent resolution of the following titles, in which concurrence of the House is requested:

S. 1379. An act to amend section 552 of title 5, United States Code, and the National Security Act of 1947 to require disclosure under the Freedom of Information Act regarding certain persons, disclose Nazi war criminal records without impairing any investigation or prosecution conducted by the Department of Justice or certain intelligence matters, and for other purposes.

S. Con. Res. 104. Concurrent resolution commemorating the 50th anniversary of the integration of the Armed Forces.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 21, 1997, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to 5 minutes.

The Chair recognizes the gentleman from West Virginia (Mr. WISE) for 5 minutes.

HAZARDOUS MATERIALS TRANSPORTATION ON RAILROADS

Mr. WISE. Mr. Speaker, this weekend was quite an eventful one in West Virginia in the Cabell County area where we had another hazardous materials derailment. This is the second one in a little over a year in that area.

Happily there were no fatalities. A limited number of people were hospitalized briefly. A hundred families will have to be evacuated and most of them will be back today.

Beginning yesterday, I was in personal contact with the National Transportation Safety Board team in the area, as well as the FRA. I have just spoken personally this morning with the National Transportation Safety Board team. At this point, the cause of this accident is still unknown. Of the roughly 150 railcars, 34 of them derailed, a couple of chemical tanker cars punctured, and formaldehyde and chlorine were released.

Their focus is presently looking at one hopper car to see whether it could have had some problems, and the track is yet to be inspected in that area. The mechanical problems, to the extent there might have been some, are still to be examined.

The good news is that the emergency response teams that arrived did exactly the right things. They made the decisions that needed to be made and evacuated the families that needed to be evacuated. Of course, we will continue to dig out from this for a period of time. The immediate concern is what happens to the groundwater. Most of the homes in that area are on wells and that will have to be evaluated closely.

Mr. Speaker, it is important that this Congress deal with the problem of hazardous materials transportation on railroads. Indeed, legislation that I have introduced and that we have been trying to move I believe will do that, particularly in setting up regional response teams.

Mr. Speaker, in light of the fact that this is the second hazardous materials accident in almost a year, I have today requested the Federal Railroad Administrator to perform a comprehensive review of hazardous materials transportation in this particular area of West Virginia.

Mr. Speaker, we are a hazardous materials transportation corridor. We have a large concentration of our own chemical industry and also we are transporting large amounts of hazardous materials from other States and other regions through this area. So, it is important that we undertake every possible action to make sure that these railway lines are as safe as possible.

There was one fatality last year in Scary, which was not anywhere near the same cause that caused this one. But the fact of the matter is that when transporting hazardous materials, we have to make sure that these rail lines are absolutely as safe as possible and that the emergency responders are as well trained as possible.

In my request today to the Federal Railroad Administrator, I have asked several things. I have asked that there be a comprehensive review, working with CSX and the others involved. A comprehensive review of the safety of hazardous materials transportation in this area of West Virginia.

Second, I have asked some specific questions. Is there adequate inspection of the cars, the tank cars, at the plant when they are being loaded and before they roll out, versus being transported into the yards and being inspected there?

Is there adequate inspection of the track? Because if hazardous materials are rolling over these tracks on a regular basis, we have to make sure that the safest standards are maintained.

Printed on recycled paper containing 100% post consumer waste

Are the personnel adequate and are they trained that need to do these inspections? Are we taking extra effort when we are dealing with hazardous materials?

Mr. Speaker, I have also asked the FRA and the National Transportation Safety Board to look at the adequacy of emergency response. The emergency responders did an excellent job this weekend. There is no doubt about it. But do they need more resources? Do they need more training? Do they need more equipment? Did Operation Respond function as we hoped that it would when we had it installed just last year?

It seems clear that whenever there is hazardous materials transportation along the rails that we must work together, the FRA, the National Transportation Safety Board, the railroad companies themselves, the emergency responders themselves, all work together to make sure that the emergency responders have the resources they need along that railroad right of way.

They are the ones that get called out at noon on Saturday when nobody else is around to handle 34 cars that have just derailed.

Mr. Speaker, we have made progress. Last year following the Scary tragedy, CSX working with FRA undertook a comprehensive wall-to-wall safety audit. I met in April, along with Jolene Molitoris the administrator of the FRA, with CSX personnel and we came away feeling good about some of the improvements that clearly have been made. But clearly we must all continue working even more, because hazardous materials transportation challenges us all to the highest possible safety standards.

So today I have written a letter to the administrator of the FRA. I have been in personal contact with the NTSB teams on the ground in West Virginia. We are going to request that there be a comprehensive review of safety measures in place along this hazardous materials corridor, and we want to make sure that this cleanup is undertaken in as quick a manner and safe a manner as possible.

CARDIAC ARREST SURVIVAL ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Florida (Mr. STEARNS) is recognized during morning hour debates for 5 minutes.

Mr. STEARNS. Mr. Speaker, last week, Senator SLADE GORTON joined with me in sponsoring the Cardiac Arrest Survival Act. This legislation was developed with the assistance of the American Heart Association and the American Red Cross. I will be introducing this bill this week and I urge my colleagues to join me as original cosponsors.

What is the purpose of this bill? I think that could best be told by retelling a personal experience that I heard last week during our press conference on this legislation.

A Mr. Bob Adams provides us with one of the most compelling reasons to pass the Cardiac Arrest Survival Act. Mr. Speaker, he is still alive today because of an automatic external defibrillator, an AED. Let me explain.

On July 3, 1997, Bob Adams, who was 42 years old at the time, was walking through Grand Central Station in New York City when his heart stopped and he collapsed. He is a lawyer in a firm with 450 people, a husband, a father of three children.

He was in perfect health and in fact he had always experienced good health. In fact, Bob would tell that he was the least likely person in his firm of 450 employees to have an experience such as this. He was captain of his college basketball team, played professional basketball in Europe, and today is a nationally known college basketball referee.

Despite being in perfect health with no history of heart disease, this young man went into cardiac arrest the day before a holiday weekend in a place where half a million people pass through every day.

Mr. Speaker, timing was everything for Bob Adams. On July 2, the day before he collapsed, the automatic external defibrillator that the Metro North Commuter Railroad had ordered for use in Grand Central Station had just arrived. Luckily, the staff had also been well trained, not knowing they would have to test their skills so soon.

Bob's heart was stopped for approximately 5 minutes before the AED was unpacked from its shipping box and everyone hoped that it came with charged batteries. Thanks to the trained staff at the station, and an emergency medical technician who happened to be present, Bob's life was saved.

Doctors have never determined why Bob suffered a cardiac arrest. It simply stopped. Bob and his wife and three children are grateful that there was an AED in Grand Central Station on that particular day.

While Mr. Adams' story is more dramatic than most, my colleagues might be surprised to learn that more than 350,000 Americans suffer a sudden cardiac arrest every year. Fewer than 10 percent will be discharged from a hospital alive. The key to survival is timely initiation of a series of events, easily communicated as the ''chain of survival.''

The chain includes early activation of the emergency medical service, CPR, rapid defibrillation, and early advanced cardiac life support. Weakness in any link lessens the chance of survival and condemns the efforts of an emergency medical system to poor results. After as little as 10 minutes, very few resuscitation attempts are successful.

Mr. Speaker, the Cardiac Arrest Survival Act would require the development of: One, a model State training program for first responders and bystanders in lifesaving interventions.

Two, model State legislation to ensure access to emergency medical services, including consideration of the very necessary training for use of lifesaving equipment.

Three, directs the coordination of a national database in conjunction with existing databases relating to the incidents of cardiac arrest and whether interventions, including bystanders or first responders, improved the rate of survival.

Mr. Speaker, we need to pass this type of bill. It is not expensive. It encourages joint partnership between the commercial and the private industry. This bill will ensure that all Americans will have the same protection available to them should they ever be caught in such a life-threatening position as Bob Adams.

PLIGHT OF ALEXANDER NIKITIN HAS BROAD INTERNATIONAL IMPLICATIONS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Colorado (Mr. SKAGGS) is recognized during morning hour debates for 5 minutes.

Mr. SKAGGS. Mr. Speaker, I rise today to bring to my colleagues' attention the case of Alexander Nikitin, a case that has broad implications for the future of democracy, free speech, and the rule of law in Russia.

Nikitin is a retired Russian Navy captain who coauthored this report, ''The Russian Northern Fleet: Sources of Radioactive Contamination,'' published by the environmental group Bellona. The report outlines a potential Chernobyl in slow motion from the release of radioactivity in the Russian northern fleet's nuclear submarines and storage facilities for nuclear waste.

The report describes an environmental disaster waiting to happen with retired and rusting nuclear-powered submarines still containing highly radioactive fuel docked at the Kola Peninsula in the Arctic Circle. Unprotected nuclear waste reportedly is also stored at bases and shipyards near Murmansk.

Mr. Speaker, if such a report were released about the U.S. fleet, it would be a national scandal. Clearly, this report, if published during the Communist rule of the Soviet Union, would have been repressed and its author charged with treason.

Unfortunately, that is exactly what has happened in Russia today. The report is banned and Nikitin has been charged with treason and releasing State secrets. This despite the fact that all the information in the report was taken from open, documented sources.

The saga of Nikitin's legal trouble is a sorry one. He was arrested and jailed for almost a year. Then he was released as the various investigations proceeded, but not allowed to travel outside of St. Petersburg. He was charged incredibly on six separation occasions

for violating six different sets of secret decrees.

Most recently on May 8, Russia's General Prosecutor charged Nikitin with treason, for the first time, and for releasing state secrets for the seventh time, but is no longer basing the charges on secret decrees. Rather than a victory for the rule of law, however, this new development is an even more egregious abuse because the charges are now based on exactly nothing. There were no public decrees defining secrets at time Nikitin allegedly revealed them, so the prosecutor has now violated the most fundamental principle of the rule of law: that one cannot be charged for a crime that was not defined at the time it happened.

□ 1245

These charges represent a very disturbing return to the old Soviet ways of prosecuting someone to repress and intimidate them.

One might ask, why should we care about this? There are many reasons. The world's environment belongs to all of us and a Chernobyl in slow motion should be of grave concern to the whole world. More specifically, for the U.S. Congress, we should be concerned because the United States is assisting Russia in building a facility in Murmansk for processing nuclear waste.

But it is what this case says about Russia today that should be of equal concern. Will Russian citizens really have the right to free speech? Will they be able to publish reports critical of the government without being arrested and prosecuted? Can Russia possibly face up to its massive environmental problems if it does not even want to hear about them? Will the rule of law emerge in Russia?

I ask my colleagues to join me in speaking out about this case, as many already have, sending letters to President Yeltsin as well as to Vice President GORE and Secretary of State Albright. I will be seeking an appointment with Russia's Ambassador to the United States to discuss the case, and I hope some colleagues will join me there as well.

There is too much at stake here—Russia's continuing progress as a free market, democratic country with the rule of law as its basis—too much at stake to ignore this critical case.

NATIONAL DEFENSE

The SPEAKER pro tempore (Mr. PETRI). Under the Speaker's announced policy of January 21, 1997, the gentleman from North Carolina (Mr. JONES) is recognized during morning hour debates for 5 minutes.

Mr. JONES. Mr. Speaker, over the last recess, while attending several Memorial Day services, I spent time focusing on the state of our dwindling national defense. By failing to maintain a strong military, we are dishonoring those who have served and died for our freedom. Unfortunately, the next century will not be as peaceful as once envisioned.

Surprising the U.S. intelligence community, India and Pakistan have conducted nuclear weapons tests. It has been reported that Iraq has enough deadly biological weapons to kill every human being on earth. Just last week North Korea threatened the United States that they would not cease the production of nuclear weapons unless they were compensated. Despite administration claims that no nuclear missiles are aimed at American children, a CIA report reveals that 13 of China's 18 long-range strategic missiles have nuclear warheads aimed at U.S. cities.

Mr. Speaker, we do not live in a safe world. America faces new threats and dangers each and every day, and yet we continue to take risks with our military capabilities that would have been unthinkable a generation ago.

Our forces today are 32 percent smaller than they were just 10 years ago. In 1992 we had 18 Army divisions; we now have 10. In 1992 we had 24 fighter wings; we now have 13. In 1992 we had 546 Navy ships; we now have less than 300. In the last year the Navy has cut the Arsenal Ship, delayed the development of the next generation aircraft carrier, and cut its near term purchase of tactical aircraft by 45 percent.

This month the Army announced that it would downsize 6 divisions, cutting troop level 13 percent. Today I just read that the Marine Corps' entire procurement budget is now less than 1 week's worth of sales at Wal-Mart.

Mr. Speaker, I want to repeat that. The Marine Corps' entire procurement budget is now less than 1 week's worth of sales at Wal-Mart.

Our forces are dwindling and yet new threats to our freedoms are ever increasing. Quite frankly, we are taking our freedom for granted. The American family feels protected and safe. Mom and dad tell their children that they live in a peaceful world. They rest easy, hoping their government is adequately defending America.

But what they do not know is that right now, while nuclear missiles are aimed at U.S. cities, our troops do not even have the basic ammunition they need. The Army is $1.7 billion short of basic ammunition, and the Marine Corps has a shortfall in ammunition of over $193 million.

Mr. Speaker, I want to repeat that also. The Army is $1.7 billion short of basic ammunition, and the Marine Corps has a shortfall in ammunition of over $193 million. What they do not know is that in May, a Navy fighter squadron commander informed his superiors that only two of his squadron's 14 Tomcat fighter jets are mission capable because of a lack of spare parts.

He said in his official report, and I quote, I strongly believe that it is my duty to protect my aircrews. Living at the end of the parts food chain can present difficult challenges and obstacles that may be unmanageable. We no longer have the tools to do our job. We must provide aircrews with the necessary flights to get them combat ready for the safety of this Nation.

We are not telling the American people about the state of our military, Mr. Speaker. I and many of my colleagues in Congress have called upon the administration, senior military and the press to tell the hard truth to the American people.

While the President has cut defense nearly in half, he has deployed our troops 25 times during his tenure. In fact, the President has deployed U.S. troops more often than any other President in peacetime since World War II. These peacekeeping deployments have cost the taxpayers over $13 billion and have bled our forces. The reality is our troops are learning peacekeeping and forgetting war fighting.

These peacekeeping deployments have also kept our men and women in uniform away from their homes and families for lengthy periods of time and have thereby decreased their morale.

We cannot continue to ask our military to do more with less. In the name of those who have fought and who have died for this country, we must continue to maintain our military readiness. I urge my colleagues to help preserve our freedom and security. We must support our armed forces.

May God bless America.

RECESS

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

Accordingly (at 12 o'clock and 51 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

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

PRAYER

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

We pray with the Psalmist who said, ''We give thanks to Thee, O God; we give thanks. We call on Thy name and recount Thy wondrous deeds.''

We remember Your marvelous deeds, O God, and we celebrate the wonders of Your creation, for You have created this place where we live and learn, where there is work and play, where there is laughter and there are tears. You have given us a free will to choose the right over the wrong, the good over evil, and the honorable over the shameful.

While we praise Your name, O God, for the majesty of what You have given us, so we pray that we will be good stewards of the opportunities we have

to ''do justice, love mercy, and ever walk humbly with You.'' Amen.

THE JOURNAL

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

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

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

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

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

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

The SPEAKER pro tempore. Pursuant to clause 5, rule I, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

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

Mr. TRAFICANT 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.

BUILDING A NATIONAL MISSILE DEFENSE SYSTEM

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

Mr. BALLENGER. Mr. Speaker, there are a few issues which separate liberals and conservatives in dramatic fashion. Taxes, of course, is one, and crime is another. But defense and national security issues also illustrate two sharply different visions, different world views, which distinguish conservatives from liberals.

Liberals just love arms control agreements. They put almost boundless faith in a piece of paper between America and countries which are hostile to everything we hold dear, and they take great comfort in the ability of these agreements to keep America safe. Conservatives, on the other hand, look at all human history and are skeptical of such agreements, instead placing greater faith in a strong and secure defense.

Given these two world views, it is time to reexamine our current vulnerability to ballistic missile attack.

There is a piece of paper that exists to assure us that America is safe from ballistic attack. But this deliberate policy of vulnerability to ballistic missile attack is foolish, and dangerous. It is time that conservatives act with prudence and demand that Americans be protected by building a national missile defense system.

GOING FROM ''SPEAK SOFTLY AND CARRY A BIG STICK'' TO ''TAKE THE FIFTH AND CARRY A TOOTHPICK''

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

Mr. TRAFICANT. Mr. Speaker, China blocks access to our products, sells missiles to our enemies, and, if that is not enough to tax your migraine, the President now wants to reward them with permanent most-favored-nation trade status.

I think it is time to tell it like it is. When it comes to China, we have gone from ''speak softly and carry a big stick'' to ''take the Fifth and carry a toothpick.''

Beam me up.

I yield back now all of the new trucks that General Motors will be building in China.

Unbelievable.

ESTABLISH PROGRAM TO REDUCE VIOLENCE AND SUBSTANCE ABUSE AMONG YOUTH

(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, as a Nation we can no longer sit idly by and watch while the violence in our schools continues to rise. That is why I will be holding a town forum on school violence in my district on July 7th, 1998.

Recently, acts of school violence have taken place all across this country, such as the nationally publicized incidents in Arkansas, Ohio, Pennsylvania and Oregon. Our children's lives and their promising future are at stake.

It is important to realize that this battle will not be won from Washington, but from the streets, neighborhoods and schools in the communities where our children live.

I encourage all Members to hold a town forum on school violence in their districts, and establish a program that supports and encourages local communities to create a comprehensive, long-term plan that will reduce violence and substance abuse among our youth.

This is the only way we are going to get to save our children from a growing deadly cycle of drugs and violence in our schools and communities.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule I, 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 4 of rule XV.

Such rollcall votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules, but not before 5 p.m. today.

DEPARTMENT OF JUSTICE APPROPRIATION AUTHORIZATION ACT, FISCAL YEAR 1999, 2000, AND 2001

Mr. HYDE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3303) to authorize appropriations for the Department of Justice for fiscal years 1999, 2000 and 2001; to authorize appropriations for fiscal years 1999 and 2000 to carry out certain programs administered by the Department of Justice, to amend title 28 of the United States Code with respect to the use of funds available to the Department of Justice; and for other purposes, as amended.

The Clerk read as follows:

H.R. 3303

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Department of Justice Appropriation Authorization Act, Fiscal Year 1999, 2000, and 2001''.

TITLE I—AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEARS 1999, 2000, AND 2001

Subtitle A—Specific Provisions

SEC. 101. SUMS AUTHORIZED TO BE APPROPRIATED.

There are authorized to be appropriated for fiscal years 1999, 2000, and 2001, to carry out the activities of the Department of Justice (including any bureau, office, board, division, commission, or subdivision thereof), the following sums:

(1) For General Administration, salaries and expenses: $238,085,000 for fiscal year 1999, $249,989,000 for fiscal year 2000, and $262,489,000 for fiscal year 2001.

(2) For Administrative Review and Appeals: $144,863,000 for fiscal year 1999, $152,106,000 for fiscal year 2000, and $159,712,000 for fiscal year 2001, for administration of pardon and clemency petitions and for immigration related activities.

(3) For the Office of Inspector General: $34,610,000 for fiscal year 1999, $36,341,000 for fiscal year 2000, and $38,158,000 for fiscal year 2001, which shall include—

(A) not to exceed $10,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of the Attorney General, and to be accounted for solely on the certificate of the Attorney General; and

(B) funds for the purchase, lease, maintenance, and operation of motor vehicles without regard to the general purchase price limitation.

(4) For General Legal Activities: $485,506,000 for fiscal year 1999, $509,781,000 for fiscal year 2000, and $535,270,000 for fiscal year 2001, which shall include—

(A) not less than $4,000,000 for each fiscal year for the investigation and prosecution of denaturalization and deportation cases involving alleged Nazi war criminals; and

(B) not to exceed $20,000 for each fiscal year to meet unforeseen emergencies of a

confidential character to be expended under the direction of the Attorney General and to be accounted for solely on the certificate of the Attorney General.

(5) For the Antitrust Division: $102,845,000 for fiscal year 1999, $107,987,000 for fiscal year 2000, and $113,386,000 for fiscal year 2001.

(6) For United States Attorneys: $1,106,993,000 for fiscal year 1999, $1,162,343,000 for fiscal year 2000, and $1,220,460,000 for fiscal year 2001.

(7) For the Federal Bureau of Investigation: $3,014,654,000 for fiscal year 1999, $3,164,679,000 for fiscal year 2000, and $3,322,913,000 for fiscal year 2001, which shall include—

(A) not to exceed $14,146,000 for each fiscal year—

(i) for construction, acquisition, or renovation of buildings (including equipment for such buildings) and sites, by purchase or as otherwise authorized by law;

(ii) for conversion or extension of federally owned buildings; and

(iii) for preliminary planning and design of projects;

to remain available until expended; and

(B) not to exceed $70,000 for each fiscal year to meet unforeseen emergencies of a confidential character to be expended under the direction of the Attorney General and to be accounted for solely on the certificate of the Attorney General.

(8) For the United States Marshals Service: $529,143,000 for fiscal year 1999, $554,785,000 for fiscal year 2000, and $582,525,000 for fiscal year 2001, which shall include—

(A) not to exceed $6,300,000 for each fiscal year—

(i) for construction, acquisition, or renovation of buildings (including equipment for such buildings) and sites, by purchase or as otherwise authorized by law;

(ii) for conversion or extension of federally owned buildings; and

(iii) for preliminary planning and design of projects;

to remain available until expended; and

(B) $10,000,000 for each fiscal year for administrative expenses of the Justice Prisoner and Alien Transportation System to remain available until expended.

(9) For the Drug Enforcement Administration: $1,193,102,000 for fiscal year 1999, $1,252,358,000 for fiscal year 2000, and $1,314,994,000 for fiscal year 2001, which shall include—

(A) not to exceed $8,000,000 for each fiscal year—

(i) for construction, acquisition, or renovation of buildings (including equipment for such buildings) and sites, by purchase or as otherwise authorized by law;

(ii) for conversion or extension of federally owned buildings; and

(iii) for preliminary planning and design of projects;

to remain available until expended;

(B) not to exceed $70,000 for each fiscal year to meet unforeseen emergencies of a confidential character to be expended under the direction of the Attorney General and to be accounted for solely on the certificate of the Attorney General or the Deputy Attorney General; and

(C) not to exceed $15,000,000 for each fiscal year for diversion control.

(10) For the Immigration and Naturalization Service: $2,727,490,000 for fiscal year 1999, $2,839,756,000 for fiscal year 2000, and $2,981,544,000 for fiscal year 2001, which shall include—

(A) not to exceed $118,170,000 for each fiscal year—

(i) for construction, acquisition, or renovation of buildings (including equipment for such buildings) and sites, by purchase or as otherwise authorized by law;

(ii) for conversion or extension of federally owned buildings; and

(iii) for preliminary planning and design of projects;

to remain available until expended;

(B) not to exceed $50,000 for each fiscal year to meet unforeseen emergencies of a confidential character to be expended under the direction of the Attorney General and to be accounted for solely on the certificate of the Attorney General; and

(C) not to exceed $4,000,000 for each fiscal year to establish and operate—

(i) a district office in Memphis, Tennessee, for the States of Tennessee, Arkansas, and Kentucky, and the portion of the State of Mississippi north of the city of Jackson;

(ii) a district office in San Jose, California, for the counties of Monterey, Santa Clara, San Benito, and Santa Cruz of the State of California;

(iii) a suboffice in Nashville, Tennessee, for the counties of Anderson, Blount, Campbell, Cannon, Carter, Cheatham, Claiborne, Clay, Cocke, Cumberland, Davidson, DeKalb, Dickson, Fentress, Grainger, Greene, Hamblen, Hancock, Hawkins, Houston, Humphreys, Jackson, Jefferson, Johnson, Knox, Loudon, Macon, Monroe, Montgomery, Morgan, Overton, Pickett, Putnam, Roane, Robertson, Rutherford, Scott, Sevier, Smith, Stewart, Sullivan, Sumner, Trousdale, Unicoi, Union, Washington, White, Williamson, and Wilson of the State of Tennessee; and

(iv) a district office in Charlotte, North Carolina, for the States of North Carolina and South Carolina.

(11) For Fees and Expenses of Witnesses: $95,000,000 for fiscal year 1999, $99,750,000 for fiscal year 2000, and $104,738,000 for fiscal year 2001, which shall remain available until expended and which shall include not to exceed $6,000,000 for each fiscal year for planning, construction, renovation, maintenance, remodeling, and repair of buildings, and the purchase of equipment incidental thereto, for protected witness safesites.

(12) For Interagency Crime and Drug Enforcement: $304,014,000 for fiscal year 1999, $319,215,000 for fiscal year 2000, and $335,176,000 for fiscal year 2001, for expenses not otherwise provided for, for the investigation and prosecution of individuals involved in organized crime drug trafficking, except that any funds obligated from appropriations authorized by this paragraph may be used under authorities available to the organizations reimbursed from such funds.

(13) For the Federal Prison System, including the National Institute of Corrections: $4,508,480,000 for fiscal year 1999, $4,733,900,000 for fiscal year 2000, and $4,970,595,000 for fiscal year 2001.

(14) For the Foreign Claims Settlement Commission: $1,335,000 for fiscal year 1999, $1,402,000 for fiscal year 2000, and $1,472,000 for fiscal year 2001.

(15) For the Community Relations Service: $8,899,000 for fiscal year 1999, $9,344,000 for fiscal year 2000, and $9,812,000 for fiscal year 2001.

(16) For the Assets Forfeiture Fund: $23,000,000 for fiscal year 1999, $24,150,000 for fiscal year 2000, and $25,358,000 for fiscal year 2001, as may be necessary for the payment of expenses as authorized by section 524 of title 28, United States Code.

(17) For Support of United States Prisoners in Non-Federal Institutions: $450,858,000 for fiscal year 1999, $473,401,000 for fiscal year 2000, and $497,072,000 for fiscal year 2001, which shall remain available until expended. Such sums may be expended to reimburse appropriate health care providers for the care, diagnosis, and treatment of United States prisoners and individuals adjudicated in Federal courts as not guilty by reason of insanity, but only at rates that do not exceed the actual cost of such care, diagnosis, and treatment. Not to exceed $20,000,000 for each fiscal year shall remain available until expended for the purpose of entering into contracts for only the reasonable and actual cost to assist the government of any State, territory, or political subdivision thereof for purposes of renovating, constructing, and equipping any facility that confines Federal detainees, in accordance with regulations to be issued by the Attorney General comparable to the regulations issued under section 4006 of title 18, United States Code.

(18) For the United States Parole Commission: $7,621,000 for fiscal year 1999, $8,002,000 for fiscal year 2000, and $8,402,000 for fiscal year 2001.

SEC. 102. FEDERAL PRISON INDUSTRIES.

Notwithstanding section 4129 of title 18, United States Code, not to exceed $3,266,000 for fiscal year 1999, and not to exceed $3,429,000 for fiscal year 2000, and not to exceed $3,601,000 for fiscal year 2001, of the funds available to Federal Prison Industries may be used for—

(1) administrative expenses; and

(2) services authorized by section 3109 of title 5, United States Code;

to be computed on an accrual basis in accordance with the current prescribed accounting system of Federal Prison Industries. Such funds shall be exclusive of depreciation, payment of claims, and expenditures that such accounting system requires to be capitalized or charged to the cost of commodities acquired or produced (including selling and shipping expenses) and expenses incurred in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property of Federal Prison Industries.

Subtitle B—General Provisions

SEC. 151. APPOINTMENT OF ADDITIONAL ASSISTANT UNITED STATES ATTORNEYS; REDUCTION OF CERTAIN LITIGATION POSITIONS.

(a) APPOINTMENTS REQUIRED.—Not later than September 30, 2000, the Attorney General may exercise authority under section 542 of title 28, United States Code, to appoint 200 assistant United States attorneys in addition to the number of assistant United States attorneys serving on the date of the enactment of this Act.

(b) SELECTION OF APPOINTEES.—Individuals first appointed under subsection (a) shall be appointed from among attorneys who are incumbents of 200 full-time litigation positions in divisions of the Department of Justice and whose official duty station is at the seat of Government.

(c) TERMINATION OF POSITIONS.—Each of the 200 litigation positions that become vacant by reason of an appointment made in accordance with subsections (a) and (b) shall be terminated at the time the vacancy arises.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for fiscal years 1999 and 2000 to carry out this section.

TITLE II—AUTHORIZATIONS OF APPROPRIATIONS FOR PROGRAMS

SEC. 201. AMENDMENTS TO THE CRIME CONTROL AND LAW ENFORCEMENT ACT OF 1994.

(a) EXPEDITIOUS DEPORTATION FOR DENIED ASYLUM APPLICANTS.—Section 130005(c) of the Violent Crime Control and Law Enforcement Act of 1994 (8 U.S.C. 1158 note) is amended—

(1) in paragraph (3) by striking ''and'' at the end,

(2) in paragraph (4) by striking the period at the end and inserting a semicolon, and

(3) by adding at the end the following:

''(5) $90,000,000 for fiscal year 1999; and

''(6) $90,000,000 for fiscal year 2000.''.

(b) AMENDMENTS TO VIOLENCE AGAINST WOMEN ACT OF 1994.—*Section 40114 of the Violence Against Women Act of 1994 (Public Law 103–322; 108 Stat 1910) is amended*—

(1) in paragraph (2) by striking ''and'' at the end,

(2) in paragraph (3) by striking the period at the end and inserting a semicolon, and

(3) by adding at the end the following:

''(4) $500,000 for fiscal year 1999; and

''(5) $500,000 for fiscal year 2000.''.

(c) IMPROVING BORDER CONTROLS.—Section 130006(a) of the Violent Crime Control and Law Enforcement Act of 1994 (8 U.S.C. 1101 note) is amended—

(1) in paragraph (3) by striking ''and'' at the end,

(2) in paragraph (4) by striking the period at the end and inserting a semicolon, and

(3) by adding at the end the following:

''(5) $200,000,000 for fiscal year 1999; and

''(6) $200,000,000 for fiscal year 2000.''.

(d) EXPANDED SPECIAL DEPORTATION PROCEEDINGS.—Section 130007(d) of the Violent Crime Control and Law Enforcement Act of 1994 (8 U.S.C. 1252 note) is amended—

(1) in paragraph (3) by striking ''and'' at the end.

(2) in paragraph (4) by striking the period at the end and inserting a semicolon, and

(3) by adding at the end the following:

''(5) $2,000,000 for fiscal year 1999; and

''(6) $2,000,000 for fiscal year 2000.''.

(e) TRAINING PROGRAMS.—Section 40152(c) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13941(c)) is amended by striking paragraphs (1) and (2), and inserting the following:

''(1) $1,000,000 for fiscal year 1999; and

''(2) $1,000,000 for fiscal year 2000.''.

(f) MISSING ALZHEIMER'S DISEASE PATIENT ALERT PROGRAM.—Section 240001(d) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14181(d)) is amended—

(1) in paragraph (2) by striking ''and'' at the end,

(2) in paragraph (3) by striking the period at the end and inserting a semicolon, and

(3) by adding at the end the following:

''(4) $900,000 for fiscal year 1999; and

''(5) $900,000 for fiscal year 2000.''.

(g) MOTOR VEHICLE THEFT PREVENTION PROGRAM.—Section 220002(h) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14171(h)) is amended—

(1) in paragraph (2) by striking ''and'' at the end,

(2) in paragraph (3) by striking the period at the end and inserting a semicolon, and

(3) by adding at the end the following:

''(4) $750,000 for fiscal year 1999; and

''(5) $750,000 for fiscal year 2000.''.

(h) RURAL DOMESTIC VIOLENCE AND CHILD ABUSE ENFORCEMENT ASSISTANCE ACT.—Section 40295(c)(1) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13971(c)(1)) is amended—

(1) in subparagraph (B) by striking ''and'' at the end,

(2) in subparagraph (C) by striking the period at the end and inserting a semicolon, and

(3) by adding at the end the following:

''(D) $15,000,000 for fiscal year 1999; and

''(E) $15,000,000 for fiscal year 2000.''.

SEC. 202. AMENDMENTS TO THE ANTITERRORISM AND EFFECTIVE DEATH PENALTY ACT OF 1996.

The Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104–132; 110 Stat. 1214) is amended—

(1) in section 819(b) by striking ''for fiscal'' and all that follows through ''section'', and inserting ''to carry out this section $5,000,000 for fiscal year 1999 and $5,000,000 for fiscal year 2000'', and

(2) in section 821 by striking ''not more than $10,000,000 for fiscal year 1997'' and inserting ''$10,000,000 for fiscal year 1999 and $10,000,000 for fiscal year 2000''.

SEC. 203. AUTHORITY TO TRANSFER PROPERTY OF MARGINAL VALUE.

Section 524(c)(9)(B) of title 28, United States Code, is amended—

(1) by striking ''year 1997'' and inserting ''years 1999 and 2000''; and

(2) by adding at the end the following:

''Such transfer shall be subject to satisfaction by the recipient involved of any outstanding lien against the property transferred.''.

SEC. 204. COMMUNICATIONS ASSISTANCE.

The Communications Assistance for Law Enforcement Act (47 U.S.C. 1001–1021) is amended—

(1) in section 108(c)(3) by striking ''on or before January 1, 1995'' and inserting ''before October 1, 2000'',

(2) in section 109—

(A) in subsection (a)—

(i) in the heading by striking ''JANUARY 1, 1995'' and inserting ''OCTOBER 1, 2000'', and

(ii) by striking ''January 1, 1995'' and inserting ''October 1, 2000'',

(B) in subsection (b)—

(i) in the heading by striking ''JANUARY 1, 1995'' and inserting ''OCTOBER 1, 2000'',

(ii) in paragraph (1)—

(I) in the matter preceding subparagraph (A) by striking ''January 1, 1995'' and inserting ''October 1, 2000'', and

(II) in subparagraph (J) by striking ''January 1, 1995'' and inserting ''October 1, 2000'', and

(iii) in paragraph (2) by striking ''January 1, 1995'' and inserting ''October 1, 2000'', and

(C) in subsection (d)—

(i) in the heading by striking ''JANUARY 1, 1995'' and inserting ''OCTOBER 1, 2000'', and

(ii) by striking ''January 1, 1995'' and inserting ''October 1, 2000'',

(3) in section 110 by striking ''and 1998'' and inserting ''1998, 1999, and 2000'', and

(4) in section 111(b) by striking ''on the date that is 4 years after the date of enactment of this Act'' and inserting ''October 1, 2000''.

SEC. 205. CRIMINAL ALIEN ASSISTANCE.

Section 241(i)(5) of the Immigration and Nationality Act (8 U.S.C. 1231(i)(5)) is amended by striking subparagraphs (A) through (F) and inserting the following:

''(A) $750,000,000 for fiscal year 1999;

''(B) $800,000,000 for fiscal year 2000; and

''(C) $850,000,000 for fiscal year 2001.''.

TITLE III—PERMANENT ENABLING PROVISIONS

SEC. 301. PERMANENT AUTHORITY.

(a) AMENDMENT.—Chapter 31 of title 28, United States Code, is amended by adding at the end the following:

''§ 530B. Authority to use available funds

''(a) PERMITTED USES.—Except to the extent provided otherwise by law applicable to funds available to carry out the activities of the Department of Justice (including any bureau, office, board, division, commission, or subdivision thereof) and in addition to authority provided in subsections (a) and (b) of section 524 of this title, the Attorney General may use such funds as follows:

''(1) GENERAL PERMITTED USES.—Such funds may be used for the following:

''(A) The purchase, lease, maintenance, and operation of passenger motor vehicles, or police-type motor vehicles for law enforcement purposes, without regard to general purchase price limitation for the then current fiscal year.

''(B) The purchase of insurance for motor vehicles, boats, and aircraft operated in official Government business in foreign countries.

''(C) Services of experts and consultants, including private counsel, as authorized by section 3109 of title 5, and at rates of pay for individuals not to exceed the maximum daily rate payable from time to time under section 5332 of title 5.

''(D) Not to exceed $200,000 for each fiscal year for official receptions and representation expenses, in accordance with distributions, procedures, and regulations established by the Attorney General.

''(E) Unforeseen emergencies of a confidential character, to be expended under the direction of the Attorney General and accounted for solely on the certificate of the Attorney General.

''(F) Miscellaneous and emergency expenses authorized or approved by the Attorney General, the Deputy Attorney General, the Associate Attorney General, or the Assistant Attorney General for Administration.

''(G) In accordance with procedures established and regulations issued by the Attorney General—

''(i) attendance at meetings and seminars;

''(ii) conferences and training; and

''(iii) advances of public moneys under section 3324 of title 31.

Travel advances of such funds to law enforcement personnel engaged in undercover activity shall be considered to be public money for purposes of section 3527 of title 31.

''(H) For the conduct of its activities, including for contracting with individuals for personal services abroad, except that such individuals shall not be regarded as employees of the United States for the purpose of any law administered by the Office of Personnel Management.

''(I) Payment of interpreters and translators who are not citizens of the United States, in accordance with procedures established and regulations issued by the Attorney General.

''(2) SPECIFIC PERMITTED USES.—

''(A) AIRCRAFT AND BOATS.—Funds available for United States Attorneys, for the Federal Bureau of Investigation, for the United States Marshals Service, for the Drug Enforcement Administration, and for the Immigration and Naturalization Service may be used for the purchase, lease, maintenance, and operation of aircraft and boats, for law enforcement purposes.

''(B) PAYMENT OF REWARDS; PURCHASE OF EVIDENCE.—Funds available for the Federal Bureau of Investigation, for the Drug Enforcement Administration, for the Immigration and Naturalization Service, and for the Federal Prison System may be used for the payment of rewards, for the purchase of evidence, and for payment for information in connection with law enforcement.

''(C) PURCHASE OF AMMUNITION AND FIREARMS; FIREARMS COMPETITIONS.—Funds available for United States Attorneys, for the Federal Bureau of Investigation, for the United States Marshals Service, for the Drug Enforcement Administration, and for the Immigration and Naturalization Service may be used for—

''(i) the purchase of ammunition and firearms; and

''(ii) participation in firearms competitions.

''(3) UNIFORMS.—Funds available for the Immigration and Naturalization Service and for the Federal Prison System may be used for expenses or allowances for uniforms as authorized by section 5901 of title 5 but without regard to the general purchase price limitation for the then current fiscal year.

''(4) FEES AND EXPENSES OF WITNESSES.—Funds available for Fees and Expenses of Witnesses may be used for expenses, mileage, compensation, and per diem in lieu of subsistence, of witnesses as authorized by law (including advances of public money), but no witness may be paid more than 1 attendance fee for any 1 calendar day.

''(5) FEDERAL BUREAU OF INVESTIGATION.—(A) Funds available to the Federal Bureau of Investigation may be used for the conduct of its activities, including for—

''(i) expenses necessary for the detection and prosecution of crimes against the United States;

''(ii) protection of the person of the Attorney General;

''(iii) investigations regarding official matters under the control of the Department of Justice and the Department of State, as may be directed by the Attorney General;

''(iv) the confidential lease of surveillance sites for law enforcement purposes; and

''(v) acquisition, collection, classification, and preservation of identification and other records and their exchange with, and for the official use of, the duly authorized officials of the Federal Government, of States, of cities, and of such other institutions, as authorized by law, such exchange to be subject to cancellation if dissemination is made outside the receiving departments or related agencies.

''(B)(i) The Federal Bureau of Investigation may establish and collect fees for the processing of noncriminal employment and licensing fingerprint records. Such fees shall represent the full cost of furnishing the service.

''(ii) Such fees collected shall be credited to the Salaries and Expenses, Federal Bureau of Investigation appropriation without regard to section 3302(b) of title 31 and, to the extent specified in appropriations Acts, shall be available until expended for salaries and other expenses incurred in processing such records.

''(iii) No fee shall be assessed in connection with the processing of requests for criminal history records by criminal justice agencies for criminal justice purposes or for employment in criminal justice agencies.

''(6) IMMIGRATION AND NATURALIZATION SERVICE.—Funds available for the Immigration and Naturalization Service may be used for the administration and enforcement of laws relating to immigration, naturalization, and alien registration, including for—

''(A) acquisition of land as sites for enforcement fences, and construction incidental to such fences;

''(B) cash advances to aliens for meals and lodging en route;

''(C) refunds of maintenance bills, immigration fines, and other items properly returnable, except deposits of aliens who become public charges and deposits to secure payment of fines and passage money; and

''(D) expenses and allowances incurred in tracking lost persons, as required by public exigencies, in aid of State or local law enforcement agencies.

''(7) FEDERAL PRISON SYSTEM.—Funds available for the Federal Prison System may be used for the conduct of its activities, including for—

''(A) the administration, operation, and maintenance of Federal penal and correctional institutions, including inmate medical services and inmate legal services, within the Federal prison system;

''(B) planning, acquisition of sites, and construction of new facilities, including—

''(i) the purchase and acquisition of facilities, and remodeling and equipping of such facilities, for penal and correctional institutions; and

''(ii) the payment of United States prisoners for work performed in the activities described in this subparagraph;

which shall remain available until expended;

''(C) construction of buildings at prison camps and acquisition of land as authorized by section 4010 of title 18;

''(D) the labor of the United States prisoners performed in the construction, remodeling, renovating, converting, expanding, planning, designing, maintaining, or equipping of prison buildings or facilities; and

''(E) the purchase and exchange of farm products and livestock.

''(b) RELATED PROVISIONS.—

''(1) LIMITATION OF COMPENSATION OF INDIVIDUALS EMPLOYED AS ATTORNEYS.—None of the funds available to the Attorney General may be used to pay compensation for services provided by an individual employed as an attorney (other than an individual employed to provide services as a foreign attorney in special cases) unless such individual is duly licensed and authorized to practice as an attorney under the law of a State, a territory of the United States, or the District of Columbia.

''(2) REIMBURSEMENTS PAID TO GOVERNMENTAL ENTITIES.—Funds available to the Attorney General that are paid as a reimbursement to a governmental unit in the Department of Justice, to another Federal entity, or to a unit of State or local government may be used under the authority applicable to such unit or such entity that receives such reimbursement.''.

(b) TECHNICAL AMENDMENT.—The table of sections for chapter 31 of title 28, United States Code, is amended by adding at the end the following:

''530B. Authority to use available funds.''.

SEC. 302. PERMANENT AUTHORITY RELATING TO ENFORCEMENT OF LAWS.

(a) AMENDMENT.—Chapter 31 of title 28, United States Code, as amended by section 301, is amended by adding at the end the following:

''§ 530C. Report on enforcement of laws

''(a) REPORT REQUIRED.—The Attorney General shall transmit a report to each House of the Congress in any case in which the Attorney General—

''(1) establishes a policy to refrain from enforcing any provision of any Federal statute whose enforcement is the responsibility of the Department of Justice, because of the position of the Attorney General that such provision is not constitutional; or

''(2) determines that the Department of Justice will contest, or will refrain from defending, in any judicial, administrative, or other proceeding, any provision of any Federal statute, because of the position of the Attorney General that such provision is not constitutional.

''(b) DEADLINE FOR REPORT.—Any report required by subsection (a) shall be transmitted not later than 30 days after the Attorney General establishes the policy specified in subsection (a)(1) or makes the determination specified in subsection (a)(2). Each such report shall—

''(1) specify the provision of the Federal statute involved:

''(2) include a detailed statement of the reasons for the position of the Attorney General; and

''(3) in the case of a determination specified in subsection (a)(2), indicate the nature of the proceeding involved.

''(c) DECLARATION.—In the case of a determination specified in subsection (a)(2), the representative of the Department of Justice participating in the proceeding shall make a declaration in such proceeding that the position of the Attorney General on the constitutionality of the provision of the Federal statute involved is the position of the executive branch of the Federal Government.''.

''(b) TECHNICAL AMENDMENT.—The table of sections for chapter 31 of title 28, United States Code, as amended by section 301, is amended by adding at the end the following:

''530C. Report on enforcement of laws.''.

SEC. 303. PROTECTION OF THE ATTORNEY GENERAL.

Section 533(2) of title 28, United States Code, is amended by inserting ''or the person of the Attorney General'' before the semicolon at the end.

TITLE IV—MISCELLANEOUS

SEC. 401. REPEALERS.

(a) OPEN-ENDED AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL INSTITUTE OF CORRECTIONS—Chapter 319 of title 18, United States Code, is amended—

(1) by striking section 4353; and

(2) in the table of sections for such chapter by striking the item relating to section 4353.

(b) OPEN-ENDED AUTHORIZATION OF APPROPRIATIONS FOR UNITED STATES MARSHALS SERVICE.—Section 561 of title 28, United States Code, is amended by striking subsection (i).

SEC. 402. TECHNICAL AMENDMENT.

Section 542(c)(5) of title 28, United States Code, is amended by striking ''Fund'' the 2nd place it appears and inserting ''Fund,''.

SEC. 403. APPLICABILITY OF TITLE III.

The amendments made by title III shall not apply with respect to funds available for any fiscal year ending before fiscal year 1999.

SEC. 404. RULE OF CONSTRUCTION.

Nothing in this Act or the amendments made by this Act shall be construed to modify or supersede the application or operation of the Public Buildings Act of 1959 (40 U.S.C. 601–619).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. HYDE) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois (Mr. HYDE).

GENERAL LEAVE

Mr. HYDE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3303.

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

There was no objection.

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

Mr. Speaker, I rise today to urge my colleagues to support H.R. 3303, the Department of Justice Appropriation Authorization Act for fiscal years 1999, 2000 and 2001. This important bipartisan legislation, which I introduced with the gentleman from Michigan (Mr. CONYERS) in March, is a comprehensive 3-year authorization of the Justice Department's activities and programs.

On April 29, 1998, the Committee on the Judiciary reported the bill as amended by voice vote.

As you know, authorization is the process by which Congress creates, amends and extends programs in response to national needs. It is perhaps the most important oversight tool that Congress can employ. Through authorization, legislative committees establish program objectives and they set

ceilings on the amounts that may be appropriated for them. Once a Federal program has been authorized, the Committee on Appropriations recommends the actual budget authority, which allows Federal agencies to enter into obligations and actually spend the money that is authorized.

With respect to the Department of Justice, the law requires that all money appropriated must first be authorized by an act of Congress. Notwithstanding this obligation to authorize, Congress has not properly reauthorized the department's activities since 1979. Since that time, several attempts have failed, either because of bad timing or because the reauthorization bills were loaded with controversial amendments.

This 19-year failure to properly reauthorize the department has forced the appropriations committees in both houses to reauthorize and appropriate money. This reauthorization money endeavor is both an attempt to improve the efficiency of the department and an opportunity to reaffirm the authority and responsibility of the Committee on the Judiciary.

Let me say, the passage of this bill today does not mean the end of the Committee on the Judiciary's oversight of the department. To the contrary, it is my intention that, with the assistance of recently approved additional staff and resources, the committee will take an even closer look at the operations and policies of the department in the coming months.

Let me briefly summarize H.R. 3303. The bill contains four titles.

Title I authorizes appropriations to carry out the work of the various components of the department for fiscal years 1999, 2000 and 2001. Title I largely adheres to the department's budget request for fiscal year 1999 by providing nearly $15.5 billion, and it would authorize a 5 percent increase for fiscal years 2000 and 2001.

The proposed increases for fiscal years 2000 and 2001, though an approximation of the department's actual budgetary requirements, are the result of consultations with the department and an analysis of the historical trend. I have a high degree of confidence that the H.R. 3303 appropriation authorizations for fiscal years 2000 and 2001 are accurate.

Section 151 of title I would authorize, but not require, the Attorney General to transfer 200 lawyers from among the six litigating divisions at Justice Department headquarters in Washington, D.C. to the U.S. Attorneys. The provision is intended to raise the productivity of Washington-based lawyers who litigate criminal and civil cases for the department across the Nation by moving them to the field.

Title II reauthorizes for two additional years a number of successful programs whose authorizations will expire at the end of fiscal year 1998. These reauthorized programs will, for example, expedite the deportation of aliens who have been denied asylum, combat violence against women, and fund specialized training for and equipment to enhance the capability of metropolitan fire and emergency service departments to respond to terrorist attacks.

Section 204 of title II would amend the Communications Assistance for Law Enforcement Act, also known as CALEA, by changing the effective date for purposes of compliance enforcement and the grandfathering of telecommunications carrier equipment facilities and services. This amendment does not alter the substance or effect of CALEA, and it enjoys widespread bipartisan support.

Title III would grant permanent authorization for certain inherent and non-controversial functions of the department. The department has requested permanent authorizing authority in the past, and proposed authority has appeared in several reauthorization bills since the last reauthorization in 1979.

Title III largely mirrors the language of these earlier bills, except to the extent it has been updated to meet the changing needs of Federal law enforcement in the 1990s. I believe the department should have, for example, permanent authority to purchase aircraft and police-type motor vehicles, as well as firearms, ammunition and uniforms, for its employees. This permanent authority would be subject to available appropriations.

Title IV would, among other things, repeal the permanent open-ended authorization of the United States Marshals Service. The service's permanent authorization is an anomaly among the department's components that immunizes it from congressional scrutiny. It should be subject to the same oversight that other department components of the departments are.

H.R. 3303 would grant the Marshals Service narrower permanent authority in line with the permanent authority to be granted the rest of the department.

Mr. Speaker, H.R. 3303 reaffirms the role of Congress in the oversight of the Justice Department. Through this reauthorization endeavor and our continuing oversight, we will enhance the department's efficiency and increase public confidence in all of its many missions. I urge my colleagues to support the passage of this important legislation.

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

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

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

Mr. FALEOMAVAEGA. Mr. Speaker, I want to commend the gentleman from Illinois (Mr. HYDE), the chairman of the Committee on the Judiciary, for bringing this legislation to the floor. I do want to state that the gentleman from Michigan (Mr. CONYERS), the ranking Democrat of the committee, is necessarily not here with us because of transportation problems from his home district.

Mr. Speaker, this bill marks the first time in 19 years that the Committee on the Judiciary has sought to reauthorize the Department of Justice. In putting this legislation together, the gentleman from Illinois (Mr. HYDE) and I principally relied on the recommendations of the Department of Justice. It was a rare opportunity for bipartisan participation, and the bill was voted on out of committee by voice vote.

The responsibilities of the Department of Justice are wide-ranging and the department, by and large, has done a good job in enforcing laws to protect American citizens.

□ 1415

Not only does the department have the responsibilities of apprehending, prosecuting, and incarcerating criminal offenders, it must also uphold the civil rights of all Americans, enforce the laws to protect the environment, ensure competition of business in the private sector by fighting potential monopolies, fight against fraud, terrorism, and drug trafficking, and enforce the immigration and naturalization laws.

Mr. Speaker, the department has been extremely successful in reducing the incidence of violent crime, particularly in the area of hate crimes, in reducing juvenile violence, and enforcing our laws at the border to prevent migrant trafficking.

Mr. Speaker, this legislation is an important piece of legislation, and certainly deserves the full support of the Members of this House. Again, I thank the chairman, the gentleman from Illinois, for his leadership on this bill, and I urge my colleagues to support H.R. 3303.

Mr. Speaker, yield 6 minutes to the distinguished gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, I thank our friend from American Samoa for stepping in when the Committee on the Judiciary was, on our side, temporarily absent. I appreciate his doing this and yielding me this time.

Mr. Speaker, I am not going to oppose this bill. I am not going to support it very enthusiastically, but I do not expect my lack of enthusiasm seriously to disturb anybody at this point. But I do take the floor to make the point that I am disappointed that we are making so little progress on the reform of the prison industry system.

We have a paradox in this country. We have strong laws against the importation of goods that are made by prison labor overseas, and many of the Members who are concerned about human rights point to prison labor as an example of a violation of human rights.

But for some reason that principle appears to dissolve when it hits salt

water. It is a very important principle for us overseas, but for reasons I have not been able to discover, because no one who supports the policy will tell me, we ignore it domestically. We employ prison labor.

I am in favor of prisoners being usefully employed. I am in favor of whatever rehabilitative effects come from prison labor. But I do not understand that part of the rehabilitation of prisoners is sending them out to take orders. Prisoners do not do a great deal of marketing. Indeed, there have even been concerns to the extent to which they have been able to do some telemarketing.

I say that because I am very much in favor of inmates being given useful work, but it does not seem to me that we should be selling their product in competition with things made by citizens and others working in the free market.

The current prison labor system not only sends some things out into competition, but reserves certain areas of that market for prison labor and does not even allow the free market to compete. That seems to me wholly inappropriate. We would object if this was done internationally.

An insistence on reforming these sets of rules which lock out free enterprise from the prison labor system in fact unites the National Federation of Independent Businesses and the AFL-CIO.

I have worked with the gentleman from Michigan (Mr. HOEKSTRA), the gentleman from North Carolina (Mr. COBLE), and others to try to reform that system. I believe we could have a system in which prisoners are employed, but in which they do not get this competitive advantage over others.

Indeed, I believe we should be exploring the extent to which we can have prisoners make things and give them away, donate them to various groups that are insufficiently funded to be in the market. That is, I think there is a demand in day care centers, in homeless shelters and in other places so that furniture, clothing, curtains, things that are made in prison industries could in fact be distributed. I hope we will look at this.

Many of us have been frustrated, and I and others have been pushing for a look at this. When this bill came up in committee we raised the issue, and offered an amendment tentatively, and withdrew it because we were assured by the chairman of the subcommittee there would be some progress.

The progress has been very slow. I am pleased that we now have a hearing set up for this week on alternatives. There is a bill that the subcommittee chairman has drafted that many of us who have been trying to change the system do not like. We have our own version.

I hope that we will, after this hearing, be able to proceed to some committee consideration of this, ultimately getting it to the floor. We are late in the year. I do not have high hopes that we are going to pass a bill this year, but why should this bill be any different? We are not passing a lot of anything this year.

On the other hand, I would hope we would get a fair enough start in this process so we could assure people who are concerned that we are serious about that and that, frankly, realistically, early next year we would be dealing on the floor with some legislation.

I see the chairman there. Mr. Speaker, I ask the subcommittee chairman, who I see approaching the microphone. I hope he would give me some assurance.

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

Mr. FRANK of Massachusetts. I yield to the gentleman from Florida.

Mr. MCCOLLUM. Mr. Speaker, the gentleman has very cordially been involved with us in trying to move a product towards the floor and ultimately get a chance for it.

Mr. FRANK of Massachusetts. Reclaiming my time, Mr. Speaker, I am reaching the point where I am behaving more cordially than I feel.

Mr. MCCOLLUM. If the gentleman will continue to yield, Mr. Speaker, we always understand that, I say to the gentleman from Massachusetts (Mr. FRANK).

At any rate, as the gentleman well stated, we do have a hearing set this Thursday. It would be my hope that when we get back from the recess that we will have at least one more hearing, and then mark the bill up in subcommittee. I, as the gentleman, do not know the progress that will be made all the way through, but it would be nice to have that bill through the Committee on the Judiciary, and maybe the whole House would be able to vote on a product with the gentleman.

I share with him, and want to put it on the record, I share with the gentleman that the current structure of the Federal prison industries is not appropriate. I do not think the mandatory source rule is a good idea to continue. I do think we may differ on some of the details, but we need to find a way to have prisoners not only meaningfully engaged in work, but find some way where labor and small business can participate.

Mr. FRANK of Massachusetts. I thank the gentleman. I wonder if the chairman of the full committee might indicate what his view is on what the chairman of subcommittee has just said.

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

Mr. FRANK of Massachusetts. I yield to the gentleman from Illinois.

Mr. HYDE. I thank the gentleman for yielding.

Mr. Speaker, I associate myself completely with the remarks of the gentleman from Florida.

Mr. FRANK of Massachusetts. I thank the chairman of the full committee.

Mr. Speaker, given the importance of this and the fact that we are making some progress, I thank my friend from American Samoa. I look forward to our being able to begin the serious process of making some changes in the prison system.

Mr. GOODLATTE. Mr. Speaker, I rise today in support of H.R. 3303, the Department of Justice Authorization Act. I would like to comment briefly on provisions in Section 204 (Communications Assistance).

The original purpose of the Communications Assistance for Law Enforcement Act of 1994 (CALEA) was to preserve the government's ability, pursuant to a court order, to intercept communications which utilized advanced telecommunications technology, while protecting the privacy of communications and without impeding the introduction of new technology, features, and services. CALEA was intended to refine the telecommunication's industry's existing duty to cooperate in the conduct of electronic surveillance and to establish procedures based on public accountability and industry standard-setting.

CALEA permitted the telecommunications industry itself to develop technical standards to implement the requirements of the Act, and established a process for the Attorney General to identify law enforcement's capacity requirements for electronic surveillance. Unfortunately, these standards have been delayed due to a dispute over their breadth and scope, and are now under review by the Federal Communications Commission (FCC). CALEA also required the FBI, on behalf of the Attorney General, to issue its notice of electronic surveillance capacity in 1995. However, this notice was not provided to the industry until March, 1998.

The Act requires the federal government to reimburse telecommunications carriers for their just and reasonable costs to develop and implement the assistance capability requirements of CALEA. Existing carrier networks were to be ''grandfathered'' unless the government agreed to pay for their retrofitting. Increases in carrier network capacity to accommodate law enforcement's electronic surveillance needs were to be paid for by the government. To date, however, virtually no funds have been expended to implement CALEA.

Mr. Speaker, delays in the implementation of CALEA have prevented the telecommunications industry and law enforcement from complying with its provisions. It is appropriate to recognize the effect of the delays of the implementation of CALEA by moving both its effective and ''grandfather'' dates. H.R. 3303 recognizes the reality of the delays of implementing this important crime-fighting legislation and gives both the telecommunications industry and law enforcement additional time to prepare for CALEA's implementation.

Mr. BLILEY. Mr. Speaker, section 204 of H.R. 3303 contains an amendment to the Communications Assistance for Law Enforcement Act (Public Law 103–414), commonly referred to as ''CALEA.'' Specifically, the provisions would extend the authorization for the Attorney General to provide reimbursements to certain telecommunications carriers that comply with the provisions of CALEA.

CALEA was enacted into law at the end of the 103rd Congress. The purpose of the law is sound: prevent the curtailment of legal wiretaps by our nation's law enforcement community as communications technology advances.

The digital age and digitalization of the telecommunications industry makes legal interception of communications more difficult and time consuming. In addition, making digital telecommunications equipment capable of wiretapping is costly and complex as much of the equipment must be altered or modified. CALEA was intended to set up a mechanism whereby the Federal government would reimburse telecommunications carriers for certain qualifying equipment costs caused by complying with the provisions of CALEA.

It is clear that there has been significant disagreement between portions of the U.S. Government and the telecommunications industry regarding the implementation of CALEA. I am hopeful that all parties can work out any differences. I ask that everyone involved redouble their efforts to come to an acceptable resolution. I am hopeful that Congress does not have to revisit this issue again, but we will if necessary.

Section 204 is a simple extension of the authorization of the Attorney General to provide payments to telecommunications carriers with certain qualifications beyond the original statutory deadline. Without this provision, much of the initial $500,000 provided for under the bill would not be authorized to be disbursed. To date, only about $100,000 has been disbursed by the Attorney General. It is important that all of the tools designed to foster telecommunications equipment compliance with the goals of CALEA be available to the relevant parties.

Under an agreement worked out in the 103rd Congress, jurisdiction over issues contained in CALEA are split between the House Committees on the Judiciary and Commerce. While title II of CALEA contains provisions relating to jurisdiction common to the House Judiciary Committee and title III of the law contains provisions common to the Commerce Committee's jurisdiction, title I contains provisions that are traditionally shared between the two committees. As section 204 is an amendment to title I of CALEA, specifically section 110, it falls within the shared jurisdiction category.

I will not object to section 204 of H.R. 3303 and I will not seek a referral of the bill to the Commerce Committee because this important provision should move forward as quickly as possible. However, I plan to continue to closely monitor the implementation of the CALEA provisions. Further, the Commerce Committee intends to fully exercise its rights and jurisdiction over CALEA matters in the future, especially if this issue or other CALEA-related matters need further Congressional attention.

Ms. JACKSON-LEE of Texas. Mr. Speaker, the United States Department of Justice is the premier law enforcement institution in the world. With more than 108,000 employees, the Department has primary responsibility for protecting American citizens from crime, ensuring the healthy competition of businesses in our free enterprise system, safeguarding the consumer, and for enforcing our nation's drug, immigration and naturalization laws.

The Justice Department does an outstanding job in carrying out its mission. DOJ's accomplishments are impressive. They have taken us one step closer to answering the concerns of all Americans—to make our streets safer, eliminate the scourge of drugs, reduce youth violence, strengthen our borders against illegal immigration, protect our environment, ensure our civil rights, combat violence against women, and ensure equal justice for all.

Last year, the national violent crime rate dropped for the fifth year in a row, marking the longest period of decline in 25 years.

Between 1994 and 1995, violent crime dropped 12.4 percent—the largest drop since the Department's survey of such statistics began in 1973.

The juvenile violent crime arrest rate increased 69 percent between 1987 and 1994. Between 1994 and 1996, the violent crime rate decreased by 11.9 percent.

The COPS program has awarded grants to increase the number of police on the streets by 57,500, more than halfway to the goal of 100,000 community police officers by the year 2000.

The Department of Justice awarded grants totalling $184.6 million for Violence Against Women programs and $46 million to 336 communities to help make police organizations more responsive to domestic violence.

The Department of Justice has deported criminal aliens in record numbers. Last year, over 37,000 criminal aliens were deported.

DOJ continues to play a lead role in the enforcement of the nation's civil rights laws, which define and prohibit unlawful discrimination in a wide rage of areas, including employment, housing, voting, and education.

I am pleased that Chairman HYDE has sought to rekindle the relationship between this Committee and the Justice Department and I congratulate him on the efforts he has made to work in cooperation with DOJ in drafting H.R. 3003, the legislation reauthorizing the Department of Justice.

As I review this legislation there are two points upon which I would like to comment. The first is funding for the Department over the next three years. The Department of Justice has expanded rapidly over the last 15 years. In 1981, DOJ had a budget of $2.3 billion. In response to DOJ's growing responsibilities in enforcing the nation's criminal and civil laws, the Department's budget request for Fiscal Year 1999 has increased exceeds $20 billion.

H.R. 3303 reflects that request and authorizes a 5 percent increase in each of the Fiscal Years 2000 and 2001. This will allow the Department to expand as necessary to fulfill its role as the nation's premier law enforcement agency.

Secondly, I was pleased to see the reauthorization of the Rural Domestic Violence and Child Adult Enforcement Assistance Act. As an advocate for women's and children's issues, I strongly support reauthorization of these important programs.

Domestic violence is a horror and tragedy that should have no place in our society, but instead it is an all too common reality. Domestic violence is a public and personal health problem that affects the lives of millions of women and their families. Two million to four million women each year become victims of violence at the hands of an intimate—a husband, ex-husband, boyfriend, or ex-boyfriend. There is a 20–30% lifetime risk for a woman to be battered.

In 1995, almost 1 million children—2,700 a day—were abused or neglected. This number was up almost 25 percent since 1990. The number of children seriously injured by abuse nearly quadrupled between 1986 and 1993, according to interviews with child-serving professionals.

Reauthorizing the Rural Domestic Violence and Child Adult Enforcement Assistance Act is critical in our nation's battle to stamp out the abuse of these most vulnerable of its citizens.

Ms. LOFGREN. Mr. Speaker, I am extremely pleased that we were able to work in a bipartisan manner to include my amendment to this legislation to extend some of the deadlines for telecommunications carriers to comply with requirements under the Communications Assistance for Law Enforcement Act (CALEA). I offered this amendment at full Judiciary Committee markup, where it garnered support from Members on both sides of the aisle, but withdrew it with assurances from Crime Subcommittee Chairman MCCOLLUM that he would introduce and push for enactment of legislation to address these and other issues related to CALEA. We have yet to see action on CALEA-related legislation, so it is necessary to address the matter in this bill.

Mr. Speaker, the CALEA implementation process has not gone as Congress had expected when CALEA was enacted in 1994. While all parties—the Administration, the telecommunications industry, and privacy and civil liberties organizations—have negotiated in good faith, clearly a resolution is not close at hand.

In fact, the parties have now petitioned the Federal Communications Commission (FCC) to break the impasse.

Certainly, all involved can share some of the blame, but I do not think that the telecommunications industry and our civil liberties should be made to suffer for the lack of an agreement. My amendment merely creates a ''safety valve'' to remove the pressure from the impending October 1 deadline, and recognizes the reality of the delays in the negotiating process. The Justice Department has already admitted that CALEA-compliant solutions will not be ''available'' from manufacturers until 1999–2001, regardless of what transpires. It is not fair to punish industry for failing to provide this technology faster than even the Justice Department has deemed possible.

Therefore, like Congressman BARR's bill (H.R. 3321), my amendment postpones deadline for compliance with CALEA from this October until October 1, 2000. This should provide the parties and the FCC time to come to an agreement, and to test and deploy agreed-upon solutions.

It is also unfair to force industry to pay for recent upgrades made to their ''embedded base'' that do not conform to nonexistent CALEA standards. The original Act provided that all upgrades made after January 1, 1995 would be the responsibility of telecommunications carriers, and they would bear the cost of modifying their equipment to conform with CALEA after that date. It has obviously been necessary for industry to upgrade their equipment in the last three and a half years, and no one in Congress believed that so much time would be necessary to complete this process. Therefore, it is not appropriate to place the cost burden of anticipated equipment modifications on telecommunications companies and their customers.

My amendment, also like the Barr bill, would grandfather in all equipment deployed and installed before October 1, 2000. Industry would be responsible for retrofitting noncompliant equipment installed after that date.

This is a narrow fix to an immediate and critical problem. If an agreement is not

reached by October 1, industry would be liable for fines and for the costs of upgrading much of their equipment. The FBI has been using this as a bargaining tool in their discussions with industry and civil liberties groups, but this is not the atmosphere in which these discussions were supposed to take place.

This amendment will merely give a reprieve to the negotiators, and allow for a full and deliberate resolution of this critical issue. Congress will have greater leeway to monitor the FCC's attempts to break the impasse and to ratify or alter any proposed compromise. Even with enactment of this provision, many other contentious issues will remain, but this legislation is not the proper vehicle for resolving those issues.

Mr. Speaker, I am glad that we were able to include my amendment in this important legislation, and I look forward to working with my colleagues on continued efforts to implement CALEA.

Mr. BARR of Georgia. Mr. Speaker, I rise today in support of the Department of Justice Appropriation Authorization Act for Fiscal Years, 1999, 2000, and 2001. As the original author of the CALEA Implementation Amendment of 1998, H.R. 3321, the Department of Justice Appropriation Authorization Act, H.R. 3003, contains language in Section 204 which embodied the principles of my bill. I believe it is incumbent on us in Congress to recognize the delays that have occurred in the implementing of the Communications Assistance to Law Enforcement Act of 1994 (CALEA), by extending the time for compliance, and to clarify the ''grandfathered'' status of existing telecommunication network equipment facilities and services during the time period the CALEA-compliant technology is developed.

The purpose of CALEA is to preserve the federal government's ability, pursuant to a court order or other lawful authorization, to intercept communications involving advanced telecommunication technologies, while protecting the privacy of communications and without impeding the introduction of new technologies, features, and services. CALEA further defined the telecommunication industry's duty to cooperate in the conduct of electronic surveillance, and to establish procedures based on public accountability and industry standard setting.

CALEA necessarily involved a balancing of interests of the telecommunications industry, law enforcement, and privacy groups. The law allowed the telecommunication industry to develop standards to implement the requirements of CALEA and establish a process for the U.S. Attorney General to identify capacity requirements for electronic surveillance. The law required the federal government to reimburse carriers their just and reasonable costs incurred in modifying existing equipment, services or features necessary to comply with the assistance capability requirements of the law. The CALEA law also required the federal government pay for delays in the implementation of the law that have prevented the telecommunication industry and law enforcement from complying with its provisions.

The development and adoption of industry technical standards have been delayed, and these standards are now being challenged before the Federal Communications Commission by both law enforcement and privacy groups. The release of the federal government's capacity notice for electronic surveillance needs was over two and a half years late. It is clear form the telecommunication's equipment manufacturers that no CALEA-compliant technology will be available for purchase and implementation by telecommunication carriers by the effective date, currently set for October 25, 1998. Further, since the enactment of CALEA, substantial changes have occurred in the telecommunication industry, such as the enactment of the Telecommunication Act of 1996, which resulted in many new entrants in the industry and other changes in the competitive marketplace. Finally, during the four year, ''transition period'' initially contemplated by Congress for the implementation of CALEA, the telecommunication industry has installed and continued to deploy technology and equipment which is not compliant with assistance capacity requirements of CALEA, since ''CALEA technology'' has not been fully developed or designed into such equipment.

Mr. Speaker, House of Representatives Report No. 103–827 makes it clear the Federal Government intended to bear the costs of CALEA implementation during the four-year transition period between the enactment and the effective dates. Congress recognized it was much more economical to design new telecommunications switching equipment, features, and services the necessary assistance capability requirements, rather than to retrofit such equipment, features, and services after the fact. Congress recognized some retrofitting would nonetheless be necessary, provided that carriers would be in compliance with CALEA absent a commitment by law enforcement to reimburse the full and reasonable costs of carriers for such modifications to their existing equipment.

The Department of Justice Appropriation Authorization Act recognizes during the four year transition virtually no federal government funds have been expended to reimburse the telecommunication industry for its implementation costs of CALEA. During the first year transition period, virtually all telecommunications carrier equipment which has been installed or deployed is based on pre-CALEA technology and does not include those features necessary to implement the assistance capacity requirements of CALEA.

It is therefore necessary to extend the time of compliance to enable the industry to complete the standard setting and development processes required to implement CALEA in an economical and efficient fashion, and to recognize existing telecommunications carrier equipment, features, and services should be grandfathered during the interim.

On the completion of the development of CALEA compliant-technology, the federal government can decide which carrier equipment it chooses to retrofit at Federal Government expense and the manufacturers can then design CALEA capabilities and services to be deployed in carrier networks in the future.

Thus, it is necessary to move both the effective and the ''grandfather'' dates of CALEA to recognize the delays in CALEA implementation and to ensure its implementation continues as intended by Congress.

Mr. Speaker, it is also necessary to clarify the meaning of several terms in the cost reimbursement provisions of CALEA. The use of the terms ''installed'' and ''deployed'' in CALEA are intended to make clear Congress intended separate and distinct meanings of these terms as they are used in CALEA. The term, ''installed,'' refers to equipment actually in place and operable to the network of carriers. The term, ''deployed,'' relates to equipment, facilities or services that are commercially available within the telecommunication industry, to be utilized by a carrier whether or not equipment, facilities or services were actually installed or utilized within the network of the carrier. The term, ''deployed,'' is also intended to refer to technology available to the industry.

The use of these terms recognizes Congress clearly intended to retrofit the federal government expenses, or grandfather the existing networks of carriers to the extent they were installed or deployed prior to the development of CALEA-compliant technology based on industry standards developed to meet assistance capacity requirements of CALEA. The terms, ''significantly upgraded'' or ''otherwise undergoes major modifications,'' were intended to mean the carriers' obligations to assume the costs of implementing CALEA technology in a particular network switch, is not triggered until a particular network switch is fundamentally altered, such as by upgrading or replacing it with a new fundamentally altered switch technology. For example, changing from digital to asynchronous transfer mode (ATM) switching technology.

Thus, once CALEA-compliant technology is developed and can be designed into switches deployed in carrier networks, the costs of such deployment shift to the industry. Prior to that time, however, existing carrier networks are ''grandfathered'' unless retrofitted at federal government expense as intended by Congress. In addition, switch upgrades or modifications performed by carriers to meet federal or state regulatory mandates or other requirements, such as number portability requirements, are not to be considered a ''significant upgrade'' or a ''major modification'' for purposes of CALEA.

Mr. Speaker, these provisions should make clear that existing carrier networks are grandfathered, unless retrofitted at federal government expense. The effective date for compliance with CALEA has been extended for approximately two years to provide additional time for industry development of CALEA-compliant technology in response to industry technical standards to meet the assistance capacity requirements of CALEA.

I support this important legislation and ask my colleagues to support the Department of Justice Appropriation Authorization Act, H.R. 3303.

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

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

The SPEAKER pro tempore (Mr. NETHERCUTT). The question is on the motion offered by the gentleman from Illinois (Mr. HYDE) that the House suspend the rules and pass the bill, H.R. 3303, 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.

SENSE OF CONGRESS THAT UNITED STATES SHOULD SUPPORT FEDERAL LAW ENFORCEMENT AGENTS' EFFORTS REGARDING MEXICAN FINANCIAL INSTITUTIONS

Mr. MCCOLLUM. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 288) expressing the sense of the Congress that the United States should support the efforts of Federal law enforcement agents engaged in investigation and prosecution of money laundering associated with Mexican financial institutions.

The Clerk read as follows:

H. CON. RES. 288

Whereas, Mexico is an important ally of the United States and these countries' economies, cultures, and security interests are permanently intertwined;

Whereas illegal drugs continue to destroy our cities and kill our children, the illegal international narcotics trade poses a direct and pernicious threat to the vital national interests of the United States, and combating this threat is one of our Nation's highest priorities;

Whereas Mexico is one of the major source countries for narcotic drugs and other controlled substances entering the United States;

Whereas criminal organizations engage in money laundering to reap the financial benefits of the illegal narcotics trade and combating money laundering is a necessary and integral part of a national strategy to combat the narcotics trade;

Whereas Mexico is currently unable to limit meaningfully the laundering of drug proceeds in its financial institutions, as noted in the Department of State's 1997 International Narcotics Control Strategy Report, which indicates that Mexico ''continues to be the money laundering haven of choice for the transportation of US cash drug proceeds'';

Whereas, despite the commitment of President Zedillo to combat drug trafficking and money laundering, the Government of Mexico ''acknowledges that narcotics-related corruption is pervasive and entrenched within the criminal justice system and that it has spread beyond that sector'', as demonstrated by the February 1997 arrest of the chief of Mexico's National Counternarcotics Institute on charges of accepting bribes from, and complicity with, the drug cartels, shortly after receiving confidential briefings from United States law enforcement agencies;

Whereas progressively more violent, organized, and widespread illegal drug operations constitute a threat not only to the health and well-being of the Mexican people but also to the integrity of the Mexican Government and its law enforcement agencies;

Whereas the vast majority of people and public servants in Mexico support ridding their country of this dark and sinister threat;

Whereas the United States Customs Service, in conjunction with other United States law enforcement agencies, recently concluded ''Operation Casablanca'', the largest undercover money laundering investigation in the history of the United States, in which over 100 persons were arrested and 3 Mexican financial institutions were indicted;

Whereas Operation Casablanca is in the interest of the people of the United States, as it strikes a direct blow against the laundering of the proceeds of illegal drug sales in Mexican financial institutions and is necessary for an effective effort against money laundering in the United States;

Whereas United States law enforcement agents participating in Operation Casablanca placed themselves in peril of severe injury or death in order to combat the illegal narcotics trade;

Whereas recently the Government of Mexico has reportedly announced a desire to investigate and possibly prosecute United States law enforcement officials involved in Operation Casablanca on the ground that United States law enforcement agents allegedly operated on Mexican soil without prior notification of the Government of Mexico;

Whereas the Government of Mexico had been notified of the broad concept but not details of a money laundering investigation; whereas notification of details could have jeopardized the safety of United States law enforcement officials; and

Whereas notification to foreign governments of the specifics of undercover money laundering investigations conducted by the United States could, under certain circumstances, render ineffective such investigations, which would be contrary to the interests of the United States: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that—

(1) undercover law enforcement investigations, including under appropriate circumstances sting operations, are necessary to counter increasingly sophisticated money laundering schemes that involve financial institutions in this country and other countries, including Mexico; and

(2) the United States should not agree to extradite to Mexico United States law enforcement agents involved in Operation Casablanca for actions taken within the scope of Operation Casablanca.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MCCOLLUM) and the gentleman from Michigan (Mr. CONYERS) each will control 20 minutes.

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

GENERAL LEAVE

Mr. MCCOLLUM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the concurrent resolution under consideration.

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

There was no objection.

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

Mr. Speaker, this resolution expresses the sense of the Congress that the United States should support the efforts of Federal law enforcement agents engaged in the investigation and prosecution of money laundering associated with Mexican financial institutions.

I want to commend my good friend, the gentleman from Alabama (Mr. BACHUS), the chairman of the Committee on Banking and Financial Services' Subcommittee on General Oversight and Investigations, for introducing this important legislation and for his leadership on this issue.

The United States and all the western democracies are under attack from a global problem that only grows worse and more complex by the day, money laundering. Every day throughout the United States and around the world narcotraffickers and organized crime syndicates engage in thousands of financial transactions to conceal their ill-gotten gains. These international criminal organizations are driven by greed, and the laundering of their proceeds is their only pathway to profit.

The magnitude of the money laundering problem can only be grasped in relation to the global drug problem. The illegal drug business is now estimated to generate $800 billion to $1 trillion annually in sales, more than the entire global petrochemical industry.

Such a magnitude of drug-tainted money poses a constant threat of political corruption and destabilization around the world. More than 600 metric tons of cocaine are trafficked from South America each year, of which nearly 500 metric tons are destined for the United States. Columbian heroin, with unprecedented purity and low prices, is showing up around the country. Mexican drug gangs have grown so strong and sophisticated they now rival Columbian cartels, and pose what DEA administrator Tom Constantine has called the premier law enforcement threat facing the United States today.

Hand-in-hand with the growth of these sophisticated international drug trafficking organizations has come the growth of money laundering. Today money laundering has reached alarming and unprecedented levels on both the national and international level. It is now estimated by law enforcement and banking officials that as much as $500 billion, or 2 percent of the global domestic product, is laundered each year.

The law enforcement challenge throughout the world is daunting. Consider the challenge posed by the money transmitting business. The world's intricate wire transfer system moves over $2 trillion a day, involving more than 500,000 transactions.

As law enforcement has sought to uncover and prosecute money laundering over the years, the methods used by drug organizations to launder their money have grown increasingly complex and exotic. Criminals who commit crimes abroad are using the U.S. and its financial institutions as havens for laundered funds, at the same time as criminals are committing offenses in the U.S. and using foreign banks and banks' secrecy jurisdictions to conceal the proceeds of their crimes.

In short, today's sophisticated and well-financed criminals respect no international border. The problem is particularly acute in Mexico, which, according to the U.S. State Department, and I quote, ''Continues to be the money laundering haven of choice for the transportation of cash drug proceeds.''

As such, Mexico is a vital if not the vital link in the international crime chain which now spans the globe and

threatens economic and political stability around the world.

It is against this backdrop that the United States law enforcement agencies, led by the United States Customs Service, carried out an extensive 3-year undercover money laundering investigation of certain Mexican financial institutions and individuals. The investigation led to the arrest of 167 people, the indictment of three Mexican banks, the seizure of $110 million, and several tons of drugs.

In supporting this resolution, there are a few points that need to be made. First, at the same time that I support the resolution, I support the Mexican government's efforts to address the drug crisis. I believe the Mexican government is making gains in its counternarcotics effort. I have reached this conclusion after spending time in Mexico carefully examining the counter drug programs underway and being developed. More must be done, but I believe the Mexican government is moving in the right direction.

Second, in supporting this resolution, I am not somehow condemning Mexico. As the resolution makes clear, Mexico is an important ally of the United States, and these two countries' economies, cultures, and security interests are permanently intertwined.

Rather, in supporting the resolution, I am supporting U.S. law enforcement agents who place their lives in danger in an effort to confront the international drug epidemic engulfing our country and children. I am supporting the U.S. law enforcement agencies, whose careful planning and execution led to the largest and most important money laundering investigation in the United States history, and I am joining Americans and Mexicans and citizens from around the globe in condemning those who knowingly assist drug traffickers to launder their profits.

It does not matter what your nationality is, if you aid and abet those who traffic to launder their blood-stained drug money, you deserve the unequivocal condemnation of the international community, and should be vigorously investigated and prosecuted to the full extent of the law.

Mr. Speaker, nothing poses a greater threat to democratic institutions around the world than the drug epidemic and drug corruption. Simply put, money laundering is the enemy of the rule of law, and we must support its vigorous prosecution wherever and whenever it is uncovered.

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

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. REYES).

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

Mr. Speaker, I rise this afternoon in support of this resolution, but I also rise to let Members know and understand that there are things that are very important that are included in this resolution, and there are issues that are confrontational that I think are counterproductive.

As a former law enforcement officer who conducted and supervised undercover operations and investigations along our Nation's border, I can certainly appreciate the intent of this resolution.

□ 1430

Let me state in the strongest possible terms that the extradition of our U.S. Customs agents should never even be an issue. They were doing their jobs. They effectively did their jobs to the extent that people that are guilty of money laundering are under arrest and will be tried soon. Undercover law enforcement investigations, including sting operations, are a necessary component of our national security and we must protect the agents that are involved always.

Operation Casablanca was a success, and we should congratulate the men and women of the United States Customs Service. Three prominent Mexican banks and 26 Mexican bankers have been indicted, and more than 8,000 pounds of marijuana and 4,000 pounds of cocaine have been seized during the course of this investigation.

Mr. Speaker, I rise this afternoon in support of this resolution. However, I do have some reservations with the language of the resolution in its current context. In my view, this is just an opportunity for some to attack Mexico once again, instead of fomenting an understanding and hopefully working with our counterparts to have them understand the seriousness and the importance of operations such as this that decommission organizations that are a threat to the national security of both the United States and Mexico.

I liken some of the language the same as we annually get into in the certification process. The language of this resolution does not constructively, in my opinion, engage Mexico. It engages in a lot more fingerpointing. I think that instead of blaming Mexico for feeding this Nation's $50 billion a year drug habit, I would encourage all of my colleagues to engage our neighbors to the south in constructive dialogue.

Mr. Speaker, I spent this weekend with 13 of my colleagues from Congress and 20 of our counterparts from the Mexican Parliament at the 37th Annual U.S./Mexico Interparliamentary Meeting in Morelia, Michoacan, Mexico. We discussed this very issue. I think we discussed it perhaps an hour longer than we should have.

Part of what we need to do as Members of Congress is engage in a constructive dialogue with our counterparts. We left Morelia, Michoacan, Mexico, with a better understanding of each other and we pledged to continue to work throughout this year to make sure that each of us understands the challenge, each of us understands the dynamics, and most importantly, each one of us has the ability to engage in constructive dialogue to the benefit of both the United States and Mexico.

Mr. Speaker, I think that this afternoon as we stand here and engage in dialogue about this resolution, which is vitally important to the men and women that serve this country in a law enforcement capacity, I think we should keep one thing in perspective. That is that we have two arenas to concern ourselves with. The first one is the arena where agents of both countries engage in an operational manner to protect our constituents. The second one is the political arena where much is said, but very little is accomplished because of fingerpointing.

Mr. Speaker, I hope we keep things in perspective. I hope we are able to engage in constructive dialogue.

Mr. MCCOLLUM. Mr. Speaker, I yield 6½ minutes to the gentleman from Alabama (Mr. BACHUS), the author of this resolution.

Mr. BACHUS. Mr. Speaker, I thank the gentleman from Florida (Mr. MCCOLLUM) for yielding me this time, and I thank the gentleman from Texas (Mr. REYES) for his comments. I will tell the gentleman that he and I share some of the same concerns.

In fact, I served as Assistant Attorney General and legal counsel for a State agency that seized more drugs 2 straight years than any other State agency in the United States. Unfortunately, most of those drugs made their way through Mexico.

Mr. Speaker, we do have to be in partnership with Mexico, and I hope that this resolution brings a greater understanding, particularly when the Mexican Government has indicated that they may ask for extradition of our agents. I am glad that the gentleman from Texas agrees that that is inappropriate.

Mr. Speaker, I rise in support of this resolution. The gentleman from Florida (Chairman MCCOLLUM) has already said that it expresses the support of the House for our enforcement agencies involved in the successful money laundering investigation, code named Operation Casablanca, and it expresses the view of the House that it would be inappropriate and indefensible to accept any request from the Mexican Government that these courageous American agents be extradited.

Operation Casablanca was announced last month by the Treasury and Justice Departments and it was the largest money laundering investigation in the history of the United States. Three things are clear. First, the drug trade is a scourge on both the United States and Mexico, and the people of both nations are committed to fighting this threat.

Second, Operation Casablanca struck a major blow to the Colombian and Mexican drug cartels and their dirty money men.

Finally, the U.S. Customs agents who placed their lives on the line to conduct this operation should be commended, not threatened with prosecution.

As chairman of the Subcommittee on General Oversight and Investigations of the House Committee on Banking and Financial Services, I have conducted several hearings to examine money laundering, including one September 1996 to examine the issue of money laundering in Mexican financial institutions.

That hearing painted a quite disturbing picture. The drug thugs who have caused harm in virtually every American community have essentially two choices after they receive cash for their poisonous product. They can smuggle the money out as cash or they can utilize financial institutions through ''smurfing,'' peso brokering, and other techniques.

Our United States banks and other financial institutions have done a fairly good job of closing the front door to money laundering by rigorous enforcement of the Bank Secrecy Act. However, it is a different story in Mexico.

The bottom line is that once drug proceeds cross the border, it is virtually impossible to trace them and money laundering is done with ease. This year, the State Department's International Narcotics Control Strategy Report states, ''Mexico continues to be the money laundering haven of choice for the transportation of U.S. cash drug proceeds.''

Mexico has recently enacted money laundering legislation, but it neither has the regulatory infrastructure nor the reliable personnel at this time to enforce those rules. Our best strategy in the short run is law enforcement infiltration of criminal organizations and corrupt financial institutions.

That is what Operation Casablanca did, and that is why Operation Casablanca is so significant. The Customs Service and other agents are to be commended for undertaking this risky but courageous investigation. In one operation, our Customs Service was able to penetrate high into the Mexican and Colombian criminal organizations and flush out many of the financial institutions and banks serving them.

Over a dozen Mexican and Venezuelan banks were implicated. It will be some time before the banking friends of the narco-traffickers feel laundering for the cartels is a relatively risk-free way to make a dirty fortune.

We do not know all the details about Operation Casablanca. We do know that Mexican authorities were notified of the Casablanca probe, but were not notified of all the details. That is because specific information would have endangered the lives of our law enforcement agents. The sad reality is that we cannot do this type of operation at this time and share specific information with Mexico. Neither can we halt the war against the drug cartels.

We would not tolerate missiles being stationed in Mexico and aimed at the United States. The drug threat is every bit as sinister.

In conclusion, Operation Casablanca will prove to be a watershed event in our joint fight against drugs. Mexico can no longer remain in a state of denial about complicity of their financial institutions with the drug trade. In the short run, it was an embarrassment for Mexico, as demonstrated by their angry reaction. While their shock is predictable, their threats against U.S. law enforcement agents was disappointing and should not be given credence.

It is truly outrageous for the Government of Mexico to threaten to seek extradition of our law enforcement agents, even reportedly going to the ludicrous extreme of offering to swap narco-traffickers for law enforcement agents. United States agents place their lives on the line. We in Washington should never lose sight of the fact that the drug cartel operation is not fought by paper-pushers here in Washington, but by men and women of our law enforcement agencies who are out on the front lines.

It is a mystery to me why the administration and the State Department have not put forth stronger statements in support of our law enforcement agencies. But if they will not take the lead in supporting our agents, Congress must.

Democrats, Republicans and Independents have joined together in cosponsoring this legislation. This morning every Member received a letter from the gentleman from New York (Mr. HINCHEY), a New York Democrat; the gentleman from Vermont (Mr. SANDERS), the House's only Independent; and myself urging all Members to support this resolution. Twelve other Democratic cosponsors have joined us.

Mr. Speaker, I hope the United States and Mexico will work together and not let drug fighting take a back seat to diplomatic and political concerns. The bottom line is that our law enforcement agents should not be prosecuted or even threatened for fighting the drug thugs.

Mr. CONYERS. Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts (Mr. DELAHUNT), himself a former prosecutor.

Mr. DELAHUNT. Mr. Speaker, I did not intend to speak to this particular resolution, I am here on another matter. But I think it is important for me to comment on the fact that I too attended, along with the gentleman from Texas (Mr. REYES), my friend, the Interparliamentary Conference that occurred this past weekend in Morelia, Mexico, where this issue received considerable discussion among Members of Congress and our counterparts in the Mexican Parliament.

I was very pleased to hear the statement by the gentleman from Florida (Mr. MCCOLLUM) chairman of the Subcommittee on Crime, regarding the, should I say ''improvement'' in terms of the activity of the Mexican officials regarding drug trafficking.

I sensed a sincere and genuine commitment to a cooperative joint effort to deal with the issues surrounding drug trafficking. So I think it was important that the gentleman from Florida included that in his remarks, and I wish to associate myself with them.

Mr. Speaker, I would state that last year I voted against certification. But after my experience this weekend, I intend to join the chair of the Subcommittee on Crime in supporting certification, because I think what I gleaned from our discussions was very, very positive.

At the same time, the issue of Operation Casablanca was raised. I wish to publicly state and commend the gentleman from New York (Mr. GILMAN), the chair of the Committee on International Relations, for a very forthright and clear and unequivocal statement regarding the position of Congress and the assembled Members of the United States delegation in our adamant opposition to any consideration of extradition of any U.S. agent involved in this particular undertaking.

I wish to make that a matter of record and commend the gentleman from New York for his insistence that that is simply untenable in terms of the United States Congress.

Again, I think it was clear to me as the gentleman from Alabama (Mr. BACHUS) just indicated, that there are many factual facts that are still unclear, that the question is still murky in terms of the notification. And it might be appropriate for us to communicate with the administration and with the appropriate counterparts in the Mexican Government to determine what constitutes adequate notification, because it is clear that notice was given at the very highest levels of the Mexican law enforcement apparatus.

□ 1445

However, it would appear that that information did not receive any further dissemination, which I suggest and submit might very well be entirely appropriate, given the covert and sensitive nature of, in fact, what was occurring, particularly in light of the fact that in these kinds of operations there is a high risk of personal safety and potential loss of life to any U.S. agent or any informant that might be cooperating with law enforcement.

I also think it is important to understand, too, that while we talk about Mexico, in fact 90 percent of the illegal activity that was discovered and investigated occurred within our own boundaries. So I just thought it was important for me to make those statements and to acknowledge the leadership of the gentleman from New York (Mr. GILMAN) over the course of this weekend.

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

Mr. DELAHUNT. I yield to the gentleman from Alabama.

Mr. BACHUS. What this resolution says, and I hope it was a message that we carried to Mexico, is that this fight against narco-traffickers is a dangerous one, and we simply do not need to let our law enforcement agencies be made pawns in a diplomatic or political struggle. I appreciate what the gentleman has said, but I think we ought to make it clear that extradition is not an appropriate path.

Mr. DELAHUNT. Reclaiming my time, Mr. Speaker, I would suggest to the gentleman that that, in fact, was the message that was delivered forcefully and eloquently by the chairman of the Committee on International Relations, the gentleman from New York (Mr. GILMAN).

Mr. BACHUS. I thank the gentleman.

Mr. MCCOLLUM. Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. GILMAN), distinguished chairman of the Committee on International Relations.

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

Mr. GILMAN. Mr. Speaker, I rise in strong support of this resolution before us, H. Con. Res. 288, that supports our U.S. law enforcement efforts on the issue of drug traffickers' use of money laundering through Mexican banking institutions. I want to strongly commend the gentleman from Alabama (Mr. BACHUS) for introducing this important measure at a timely moment.

I want to take this opportunity to compliment our Customs Service for a highly successful and important money laundering undercover operation, code named Casablanca. All of us are proud of their outstanding efforts to take the profit and benefit out of the illicit drug trade which targets our communities, kills our youngsters. Operation Casablanca benefited the interests of the people of both Mexico and the United States.

This past weekend in Mexico I was pleased to join the gentleman from Massachusetts (Mr. DELAHUNT) and the gentleman from Texas (Mr. REYES) at our annual interparliamentary meetings with the members of the Mexican Congress. It was chaired by the gentleman from Arizona (Mr. KOLBE) and the Senator from Kansas, Senator PAT ROBERTS, and we were joined with a delegation of over 10 Members of both Congress and the Senate where we had the opportunity to extensively discuss this serious matter with our Mexican colleagues.

Many of our Mexican counterparts expressed opposition to our Casablanca investigation, and while our Mexican colleagues were concerned about one issue, the issue of Mexican sovereignty, as a result of this operation, we reminded them of the much larger picture, one that, if ignored, would be a grave and serious risk to both of our nations.

We reminded our Mexican colleagues that the greatest threat to their sovereignty and the sovereignty of many other free and democratic Nations around the globe today is not operations like Casablanca. The real threat is the continued trafficking of illicit drugs and the inevitable violence and corruption which flows so freely from this deadly, corrosive trade in narcotics.

The undercover Casablanca operation helped to destroy a major money laundering ring of Colombian and Mexican drug dealers who were using several Mexican banks and some high level bankers to launder and disguise billions of dollars of their ill-gotten gains. The dirty drug-related monies came from our streets, the streets of key U.S. cities like Chicago, Los Angeles, Houston and New York. Millions of drug dealer assets have also been seized, along with tons of illicit drugs.

In addition, the record needs to be clear that no U.S. government sting money was used. It was all dirty drug money which was being laundered.

The U.S. Customs Service did not entice, did not lure any Mexican bankers into this web of crime and corruption. The corrupt Mexican bankers all came to their attention either from drug dealers or other Mexican bankers already engaged in money laundering for the two major drug cartels.

Let it also be noted that the Deputy Attorney General of Mexico and a high level Mexican treasury official were duly informed very early on in the investigation by the U.S. Customs Service of this operation. The Mexican authorities were even asked to help but never responded to our Customs officials.

However, when the Casablanca operation was concluded and the copies of the indictments were provided to Mexican authorities, it did result in five Mexican bankers being arrested in Mexico, based upon U.S. investigations.

Finally, the millions of dollars that this operation uncovered flowing from our streets and communities from illicit drug trade demonstrate how serious the challenge is from these drug dealers and the corruption that they foster in the banking systems and on democratic institutions around the globe.

In conclusion, let me say we need to provide support for and encourage these investigative operations and not put blame on our courageous investigators, and hope that we can achieve more concrete support on both sides of the border in the future. By working together, let us both, Mexico and the United States, be certain that the sovereignty and integrity of both of our nations will be fully protected and that our war against drugs will be even more effective.

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

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

I just want to wrap the discussion up by again complementing the gentleman from Alabama (Mr. BACHUS) for creating this resolution. I think it sends an important message to our law enforcement community as much as anything else, especially to the Customs Service, that they have done a job that needs to be praised. It is a job well done. And to our neighbors to the south, I think it sends a message of our concerns that continue while at the same time extending recognition of their cooperation, the fact that they are indeed participating.

I do not know how many Members understood that the resolution addresses a great deal of detail. I do not know how many understood what Casablanca really was all about. I would just like to point out that essentially what happens in money laundering like this and what happened, as I understand it, in this case is that certain active drug dealers in the United States with connections to Mexico and Colombia decided to use some dummy accounts and some real accounts in American banks in California to ship some funds down to Mexico.

They found some cooperative second tier bankers. I am not sure if they found the top people. I do not think they did. I think we are talking about some major banks in Mexico we would all be concerned about if they were here. They found several of them, some bankers to cooperate. And they sent this money back to the United States into some legitimate looking accounts, again here in the country, that then allowed them to forward the money ultimately on to sources such as Colombia drug cartel leaders in a cleansed way, appearing to be all legitimate transactions.

If not for the cooperation and assistance of these Mexican bankers, who have been pointed out in detail today, there would not have been a money laundering operation and the proceeds of the illegal drug sales inside the United States would never have gotten back in a covered fashion, in an obscure fashion, to those who committed the most heinous of crimes, the producers and suppliers of these drugs in the source countries. So while it is a little complicated in its essence, I thought we ought to at least explain to anyone, our colleagues that might be listening to this, how the operation worked. The very complexity itself deserves attention, and the Treasury Department and the Customs Service law enforcement officials deserve praise for their efforts at meticulously documenting this trail and making it all come to fruition as they did.

I strongly urge the adoption of this resolution. I support it, and I appreciate very much the gentleman from Alabama offering it.

Mr. LAFALCE. Mr. Speaker, I rise in support of the Resolution offered by the gentleman from Alabama and commend my colleague on the Banking Committee for bringing this important issue to the attention of the House of Representatives.

The testimony received by the Banking Committee in our June 11 hearing on Operation Casablanca demonstrated the courage and bravery of the federal agents who literally risked their lives by operating an anti-money laundering scheme involving some of the most dangerous and vicious drug dealers in the world. It is indeed fitting that we put the House of Representatives on record against any extradition proceedings involving these courageous men and women.

This resolution raises another issue. Operation Casablanca was successful because of the growing effectiveness of our nation's anti-money laundering policies. The financial services industry must report deposits and withdrawals of cash in excess of $10,000 and financial institutions must file suspicious activity reports consistent with their ''Know Your Customer'' guidelines. Only with these programs in place could the criminals be convinced that Operation Casablanca was real.

And finally, the well planned coordination and cooperation between a number of Department of Treasury and Department of Justice law enforcement agencies permitted the sting operation to work as designed. I commend not only the agents in the field but the supervisors and management teams throughout the Administration who are making money laundering a crime that just doesn't pay.

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

The SPEAKER pro tempore (Mr. NETHERCUTT). The question is on the motion offered by the gentleman from Florida (Mr. MCCOLLUM) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 288.

The question was taken.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

SENSE OF HOUSE THAT BOARD OF GOVERNORS OF UNITED STATES POSTAL SERVICE SHOULD REJECT RECOMMENDED POSTAGE RATE INCREASE

Mr. LATOURETTE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 452) expressing the sense of the House of Representatives that the Board of Governors of the United States Postal Service should reject the recommended decision issued by the Postal Rate Commission on May 11, 1998, to the extent that it provides for any increase in postage rates.

The Clerk read as follows:

H. RES. 452

Whereas the United States Postal Service has realized a cumulative net income of approximately $5,800,000,000 during the past three and one-half fiscal years;

Whereas the national rate of inflation has declined substantially during that time;

Whereas the postal customers and taxpayers of the United States deserve to share in the recent financial gains of the Postal Service;

Whereas any increase in postage rates affects every citizen, resident, and business in the United States, and is especially harmful to individuals living on low or fixed incomes;

Whereas the Postal Rate Commission issued a recommended decision on May 11, 1998, that proposes, among other things, increases in certain postage rates;

Whereas it has been estimated that the proposed rate increase for first-class mail would increase the annual revenue of the Postal Service by approximately $1,000,000,000; and

Whereas the Board of Governors of the Postal Service is expected to meet in June 1998 to act upon the recommended decision: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that the Board of Governors of the United States Postal Service should reject the recommended decision issued by the Postal Rate Commission on May 11, 1998, to the extent that it provides for any increase in postage rates.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATOURETTE) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

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

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

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

Mr. Speaker, I first want to commend the gentleman from Iowa (Mr. LATHAM), one of my better friends here in this body and a diligent member of the Committee on Appropriations, for sponsoring the legislation before us today. He has been joined by 49 Members in cosponsorship of H. Res. 452.

The bill, Mr. Speaker, addresses a small topic; that is, a penny, the fact that penny by penny, the United States Postal Service will be able to raise $1 billion per year. Mr. Speaker, that penny may be insignificant for some, but when paid collectively by all mailers, the accumulation is significant, $1 billion.

The question is, why does the United States Postal Service require this additional annual $1 billion when it has, over each of the past four years, made more than $1 billion in profit? That is a fairly significant balance.

Postal ratemaking is a complicated and specialized process in itself. The statutory provisions for changing rates are also unique. The law provides that the Postal Service may request rate increases. The request is sent to the Postal Rate Commission, which must review all of the documentation within 10 months and render a recommended decision that is fair and equitable.

The recommended decision of the PRC must provide sufficient revenues so that the Postal Service will, quote, break even. The governors then may approve, allow under protest, reject, or modify that decision.

The Postal Service showed an approximate $1.8 billion surplus in fiscal year 1995, a $1.5 billion surplus in fiscal year 1996, a $1.2 billion surplus in fiscal year 1997. However, last July the Postal Service requested increased rates because it estimated that it would be deficient by $1.4 billion. It turns out, Mr. Speaker, that in mid-1998 the net operating surplus of the Service was more than $1.3 billion.

The chairman of the Postal Rate Commission, during a May 11 press briefing on this recommended decision, said, and I quote, ''The commission believes that the Postal Service is unlikely, in the absence of either the economy going into a free fall, a spending binge or some very creative accounting, to incur any of the $1.4 billion loss it projected for fiscal year 1998. We believe the service may have seriously misestimated its need for a rate hike.''

Additionally, the PRC discovered that the Postal Service based its estimates on 1996 data which did not reflect the current changes. It must be noted that the inflation rate is lower than anticipated. Therefore, costs to the Postal Service are lowered and its financial situation is stronger.

□ 1500

The Postal Rate Commission's hands are tied by law. The PRC is not permitted to substitute its judgment over the recommendation by the Postal Service even though the PRC did comment that they do not believe that the Postal Service needs to raise rates to break even in fiscal year 1998.

The PRC did, however, cut the original Postal Service request by almost a third and reluctantly granted a raise in the price of a first-class stamp without which other types of mail would have undergone economic consequences.

The chairman of the PRC said, ''We can, however, recognize and account for known and certain changes that have occurred since the request was filed. This we have done.''

Mr. Speaker, it is my strong belief that, given these circumstances, all Members of this House will want to be on record as to whether or not they believe a postal rate increase is a responsible course of action at this time.

I urge all of our colleagues to support H. Res. 452. This resolution simply expresses the sense of the House of Representatives that the Postal Board of Governors reject the recommended postal rate increase.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

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

Mr. DAVIS of Illinois. Mr. Speaker, as a member of the Committee on Government Reform and Oversight, and the Subcommittee on the Postal Service, I deeply regret the fact that H. Res. 452 was never referred to our subcommittee for consideration.

House Resolution 452 was introduced on June 3 of this month and referred to the Committee on Government Reform and Oversight. On June 19, committee

consideration of the measure was waived by the gentleman from Indiana (Mr. BURTON), the chairman.

The Subcommittee on the Postal Service, chaired by the gentleman from New York (Mr. MCHUGH), is the proper forum for discussion and legislation relating to the United States Postal Service. Indeed, House Rule 10, Establishment and Jurisdiction of Standing Committees, grants the Committee on Government Reform and Oversight sole jurisdiction over the Postal Service, generally including the transportation of the mails.

House Resolution 452 never had the opportunity to be considered by the subcommittee of the gentleman from New York (Mr. MCHUGH). This is especially noteworthy given the fact that the gentleman from New York (Mr. MCHUGH) and his staff had been actively engaged in the drafting and redrafting of postal reform legislation over the past 3 years.

H. Res. 452 has not followed what I would consider to be the proper legislative process. The Postal Reorganization Act of 1970 shifted rate making authority from the Congress, where it had become a politically charged process, to two presidentially appointed bodies, the Postal Service Board of Governors and the Postal Rate Commission.

House Resolution 452, by expressing congressional opposition to a process currently before the Postal Board of Governors interjects itself into that very process. The Postal Rate Commission has issued its decision on the postal rate increase, and the matter is before the Postal Board of Governors. I urge that we respect the statutory process or request hearings on this process by the gentleman from New York (Mr. MCHUGH).

Mr. Speaker, whenever we start talking about increasing rates or increasing taxes, I think that every Member of this House perks up, and all of our antennas go out. I for one believe that we should get every ounce of service out of every dollar generated, whether it be on the basis of fees or in taxes.

In addition, whenever an idea or a proposal for raising and/or generating additional revenue is put on the table, there should be maximum time and opportunity for discussion and debate. Therefore, I had hoped that this item would have come before our subcommittee under the leadership of the gentleman from New York (Mr. MCHUGH) so that we could have had a full-blown discussion. There is still time for this to happen. I would urge that we do so.

In addition, the matter is currently, as I stated before, before the Postal Service Board of Governors. I hope that we would give them an opportunity as well to act.

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 Iowa (Mr. LATHAM), author of H. Res. 452.

Mr. LATHAM. Mr. Speaker, I wanted to personally thank my good friend from Ohio (Mr. LATOURETTE) for being here today and also express my appreciation to the gentleman from Indiana (Mr. BURTON), chairman of the full committee, and the gentleman from New York (Mr. MCHUGH) of the subcommittee for waiving jurisdiction, because this is very time sensitive. They are going to make this decision next Monday.

I think the people's House has a right to express an opinion. This is a sense of the House resolution, expressing an opinion. Mr. Speaker, I rise today to urge my colleagues to support this sense of the House resolution calling for the United States Postal Board of Governors to reject the $1.6 billion postage rate increase recommended last month by the Postal Rate Commission.

This $1.6 billion rate hike, of which $1 billion will fall upon senders of first-class letters, will affect every American, but primarily those who are poor and are on fixed incomes. Whether we are sending a Father's Day card, a ''get well'' card to our grandmother, or just paying our monthly bills, the Postal Service will be hitting us up for even more change out of our pocket.

Just to add insult to injury, the Postal Service even raised rates on certified mail, which millions of Americans use to send in their taxes to the IRS.

Included in this $1.6 billion rate hike or stamp tax is an increase in rates for nonprofit mailers. Local churches, temples, and charities in every Member's district will have to pay about 11 percent more per mailing they send out. As we all know, mailings are often the lifeblood of these organization's donations.

That is why the Alliance of Nonprofit Mailers, and it has more than 150 member organizations, strongly support this resolution. The Alliance includes a broad spectrum of organizations such as the AARP, the American Cancer Society, the American Farm Bureau, the International Association of Fire Fighters, AFL–CIO, Disabled American Veterans, Citizens for a Sound Economy, American Baptist Churches, B'nai B'rith International, the Salvation Army, the YMCA, Rutgers University, UCLA, the Chesapeake Bay Foundation, the National Association of School Boards, the World Wildlife Fund and Consumers Union of the U.S. Also nonprofit periodical publishers such as the National Geographic Society will be hit hardest by the stamp tax.

Again, all this adds up to a $1.6 billion tax on the American people if this rate increase goes into effect. However, it could have been even worse. In fact, the Postal Service's own recommendation was for a $2.4 billion rate increase, but the Postal Rate Commission, forced to recommend a rate hike, slashed the Postal Service's plan by $745 million.

This rate hike is all the more outrageous since the Postal Service has actually made a profit during the last 3½ years, and listen to this, of $5.9 billion. Let me say that again. They made a profit in the last 3½ years of $5.9 billion. That is better than most Fortune 500 companies.

However, by law, the Postal Service is not supposed to make a profit, but, instead, break even. Though, about three-fourths of this year already, the Postal Service is running a $1.4 billion profit, hardly a sign of an organization which needs a large infusion of cash.

This is the same Postal Service that would like this Congress to pass legislation to grant it more autonomy in how postage rates are set. If the current situation is any indication, can Americans really entrust the Postal Service with that sort of power?

The law says that the Postal Service may, from time to time, request that the Postal Rate Commission recommend a hike in rates or fees so that the Postal Service can meet its expected costs. That is, as long as it will equal ''nearly as practicable total estimated cost of the Postal Service.'' This is the so-called break-even requirement.

So why did the Postal Rate Commission recommend last month to grant a rate increase, albeit of less magnitude than originally asked for? According to Edward Gleiman, who is Chairman of the Postal Rate Commission, the Postal Board of Governors left them with little choice.

The Board of Governors rejected a proposal by the Commission to delay a decision on the rate increase until more accurate financial data was available, and, therefore, the Commission was forced to decide on the Postal Service's rate increase.

In the event that the Postal Rate Commission did not act, the Board of Governors would have exercised its authority to increase rates temporarily. Gleiman stated on behalf of the Commission that, ''while we do not believe, given its strong financial situation, that the service needs to raise rates to break even in fiscal year 1998, we may not second-guess them and send the request back.'' The decision is in the hands of the Postal Board of Governors.

I think it is evident that the leadership of the Postal Service has forgotten that they operate a public trust. This $1.6 billion stamp tax represents a break in that trust. I urge all my colleagues to join me in sending a clear and unanimous message to the Postal Board of Governors to reject this huge stamp tax.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, my colleague may very well have captured the real spirit and essence of where the sense of this House might be. I would be the first to agree that the Postal Service has been operating with a level of efficiency, a level of effectiveness, and has, indeed, been turning a profit, which is what we would like to see all businesses do.

By no stretch of the imagination would I want to suggest that I or any of my colleagues would be seeking an increase, as a matter of fact, especially when we talk about not-for-profits who are hard-pressed and hard hurt, even especially when we are talking about some of our businesses and commercial interests that also must, in fact, thrive as well as survive.

I agree with my colleague that setting the rates is a very complex matter. I would have been pleased to hear the dialogue, the discussion. I would have been pleased to hear from the Board of Governors if they were to make such a decision, or from the Rate Commission, their rationale for even making such a proposal. Knowing full well that it was nothing more than a proposal, I would have appreciated that dialogue and that information.

The power of this House reminds me of a discussion I heard the other day about three umpires who were discussing how they call close balls and strikes. The first umpire said, well, let me tell you, all of the close ones, with me, are balls. The second umpire said, well, let me tell you, with me, all of the close ones are strikes. The third umpire said, well, let me tell you, as far as I am concerned, none of them ain't nothing till I call them.

I think that is the way it is with this House. We can hear proposals, we can hear ideas, we can hear what others would have to say, but the bottom line or the final word is, indeed, ours. So I am not in opposition to the concept to the idea or even the bottom line. We would have just appreciated more opportunity to engage in the dialogue in our subcommittee and to have had an opportunity to more thoroughly explore the concept.

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

Mr. DAVIS of Illinois. I yield to the gentleman from Iowa.

Mr. LATHAM. Mr. Speaker, I would not disagree with the gentleman, but the fact of the matter is, with the decision being made next Monday, the time sensitive nature of that situation, I am very much appreciative of the fact that the gentleman from Indiana (Mr. BURTON) and the gentleman from New York (Mr. MCHUGH) allowed us to go forward, because I think it is very important in that the people's House express an opinion.

We are representing the people. I think that is the one part of this whole equation that has been left out is what the effects are on the people out there that we represent.

□ 1515

I apologize that because of the time sensitive nature of this that we had to proceed in this manner. I would hope that he would continue the oversight job that I know he will and to continue his work, but I think this is very important, for us to make a statement here today for the people.

Mr. DAVIS of Illinois. Mr. Speaker, I thank the gentleman very much and would just suggest that I am sure that we will do that under the very able and capable leadership of the gentleman from New York (Mr. MCHUGH) and the gentleman from Pennsylvania (Mr. FATTAH). We look forward actually to engaging in as much dialogue relative to postal oversight as we possibly can have.

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

Mr. Speaker, before yielding back, I just wanted to make a couple of observations about the gentleman from Illinois' observations, because he has in the 105th Congress demonstrated himself to be not only a very studious but also a very insightful Member not only of the full committee but also of the Subcommittee on Postal Service and I know that this Member very much appreciates his input and appreciates his getting into the issues that affect all matters that come under the jurisdiction of the committee.

Mr. Speaker, we had an oversight hearing last week in which the gentleman from New York (Mr. MCHUGH) presided. We had the opportunity, all of us, to interchange with the new Postmaster General, Mr. Henderson. I think we are all impressed with his ability to lead the Postal Service into the next generation. But also testifying at that hearing was the General Accounting Office. I was struck by their remarks relative to this postal rate increase that they were particularly concerned about the quality and the quantity of information that had been supplied by the Postal Service to the PRC before making this recommendation.

I am also struck by the gentleman from Iowa's remark that this decision will be made next Monday and time is of the essence; and, lastly, just to reiterate something I think the gentleman from Iowa said, when the PRC came out with its decision, sadly, and why I think this House needs to become involved, in their May 11 document, they indicated that complicating an already challenging case was the finding by the PRC that the Postal Service's financial projections and underlying cost data from 1996 were outdated and contained what appeared to be serious computational errors. As the gentleman from Iowa stated, the PRC then recommended to the Board of Governors that would it not be better to delay a decision even though they had this 10-month clock ticking, but would it not be better to delay a decision and have it right rather than to conform with the requirement of getting it decided. But, sadly, the Board of Governors rejected that. The head of the PRC said, in a response reflecting a preference for form over substance, ''The Governors rejected the proposal and reminded the Commission that it was obligated to complete the case in 10 months.''

I think the gentleman from Iowa's resolution, I am sure the gentleman from Illinois and all his colleagues on his side of the aisle would rather that the Board of Governors get it right than get it done quickly. It is for that reason that I would respectfully request that this House pass H. Res. 452.

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

The SPEAKER pro tempore (Mr. NETHERCUTT). The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and agree to the resolution, House Resolution 452.

The question was taken.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

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 on House Resolution 452.

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

There was no objection.

MARTIN LUTHER KING, JR., MEMORIAL

Mrs. LINDA SMITH of Washington. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 113) approving the location of a Martin Luther King, Jr., Memorial in the Nation's Capital.

The Clerk read as follows:

H.J. RES. 113

Whereas section 508 of the Omnibus Parks and Public Lands Management Act of 1996 (40 U.S.C. 1003 note; 110 Stat. 4157) authorized the Alpha Phi Alpha Fraternity to establish a memorial on Federal land in the District of Columbia to honor Martin Luther King, Jr.;

Whereas section 6(a) of the Commemorative Works Act (40 U.S.C. 1006(a)) provides that the location of a commemorative work in the area described as Area I (within the meaning of the Act) shall be deemed not authorized unless approved by law not later than 150 days after notification to Congress that the Secretary of the Interior recommends location of the commemorative work in Area I; and

Whereas the Secretary of the Interior has notified Congress of the recommendation of the Secretary that the memorial be located in Area I: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. MARTIN LUTHER KING, JR., MEMORIAL.

The location of the commemorative work to honor Martin Luther King, Jr., authorized by section 508 of the Omnibus Parks and Public Lands Management Act of 1996 (40 U.S.C. 1003 note; 110 Stat. 4157), within Area I is approved under section 6(a) of the Commemorative Works Act (40 U.S.C. 1006(a)).

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Washington (Mrs. LINDA SMITH) and the gentleman from American Samoa (Mr.

FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentlewoman from Washington (Mrs. LINDA SMITH).

Mrs. LINDA SMITH of Washington. Mr. Speaker, I yield myself such time as I may consume.

(Mrs. LINDA SMITH of Washington asked and was given permission to revise and extend her remarks.)

Mrs. LINDA SMITH of Washington. Mr. Speaker, House Joint Resolution 113 was introduced by the gentlewoman from Maryland (Mrs. MORELLA) who is to be congratulated for working very hard to get this to the floor today.

Mr. Speaker, House Joint Resolution 113 would approve the establishment of a memorial to Dr. Martin Luther King, Jr., at a site located in Area 1 in the District of Columbia. The Department of the Interior, in consultation with the National Capital Park and Planning Commission and the Commission on Fine Arts, will select the final site and approve the design. As per the Commemorative Works Act, this recommendation must be approved by law no later than 150 days from the date of the Secretary's notification.

Mr. Speaker, Congress passed legislation in 1996 to authorize the Alpha Phi Alpha Fraternity to establish a memorial to Dr. Martin Luther King, Jr. This fraternity, which Dr. King joined in 1952, is one of the oldest predominantly African-American fraternities in the Nation. They will secure all of the money to build this memorial to Dr. King through private contributions. The fraternity wishes to honor Dr. King's remarkable role with a memorial in the Nation's capital. This memorial will provide a tangible recognition that will assist in passing Dr. King's message of liberty and justice for all from generation to generation.

Mr. Speaker, this is a well-deserved and completely bipartisan measure that is also supported by the administration. I urge my colleagues to support House Joint Resolution 113.

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

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

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

Mr. FALEOMAVAEGA. Mr. Speaker, I want to thank the gentlewoman from Washington for her management of this legislation on behalf of the majority.

Mr. Speaker, House Joint Resolution 113 provides for congressional approval of the Secretary of the Interior's recent decision to recommend placement of the Martin Luther King, Jr., Memorial in Area 1 of our Nation's capital.

As we all well know, Mr. Speaker, Martin Luther King, Jr., in my opinion was the greatest civil rights leader of the 20th century. Congress has previously authorized the establishment of a Martin Luther King, Jr., Memorial to honor Dr. King and his accomplishments. Pursuant to the Commemorative Works Act, a review of possible locations in which to place the memorial was done. Secretary Babbitt has determined that placement of the Martin Luther King Memorial in the central area of our Nation's capital is appropriate.

Mr. Speaker, there is some urgency in getting this legislation enacted. Under the Commemorative Works Act, if the Secretary's recommendation is not approved by an act of Congress within 150 days, it is deemed disapproved. I support the speedy passage of this legislation so that work can continue on providing an appropriate memorial to Martin Luther King, Jr. I urge my colleagues to support this legislation.

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

Mrs. LINDA SMITH of Washington. Mr. Speaker, I yield back the balance of my time.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from California (Mr. DIXON).

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

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

Mr. Speaker, on this occasion, I am reminded of our good friend Mo Udall who passed away several years ago when he said that everything that needs to be said on this has been said.

Certainly this memorial to Dr. King is a tribute to his outstanding works. I am very proud that I am a member of the fraternity that is sponsoring this activity. I would point out that the funds to be used are strictly private funds and will be raised by the Alpha Phi Alpha Fraternity.

Mr. Speaker, I rise today in strong support of this important legislation and thank my colleague, Rep. CONNIE MORELLA for her work on the bill. I also thank the Majority Leader for his prompt scheduling of this measure, as well as Resources Chairman DON YOUNG and Ranking Member GEORGE MILLER for their Committee's timely consideration of the bill.

H.J. Res 113 authorizes placement of a memorial honoring Dr. Martin Luther King, Jr. in Area I of the District of Columbia. In the 104th Congress, we passed legislation (P.L. 104–333) authorizing Alpha Phi Alpha Fraternity, Inc. to raise private funds for the design and construction of the memorial. I commend my fraternity brothers for their good work on this effort and the progress they have made.

Dr. Martin Luther King, Jr. stands among the great figures of American history. He richly deserves the distinct honor that is the goal of this legislation. His mission and methods embody American ideals of freedom, equality, and democracy. Dr. King's legacy enriches American civil and political life and captures the heart, mind, and soul of America.

On February 24, 1998, Interior Secretary Bruce Babbitt notified Congress of his recommendation that the memorial to Dr. King be sited within Area I of the District of Columbia. Under the Commemorative Works Act, this recommendation must be approved by Congress no later than 150 days from the date of the Secretary's notification. H.J. Res. 113 and its counterpart in the Senate, S.J. Res. 41, must be approved by Congress no later than July 24, 1998. I urge my colleagues to support this legislation and urge the Senate to act swiftly on the bill.

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

Mr. DAVIS of Illinois. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I also want to commend and congratulate all of those who have been involved in processing this resolution to the point of where it is today. I stand as a proud Member of Alpha Phi Alpha Fraternity. I have never felt more proud of the organization of which I am a life member than when it made the decision that in honor of one of its members, in honor of one of the greatest leaders that our Nation, or any Nation, has ever seen, in honor of Dr. Martin Luther King, Jr., it would establish a bust.

I also echo the sentiments of the gentleman from California who pointed out the fact that these are private funds, that these are men all over America who are willing to make use of their own resources so that their resources could be a lasting testament to a member of their group. All has indeed been said that needs to be said. I am simply very proud this day to be a member of the Alpha Phi Alpha Fraternity, and I am proud to be a Member of this august body that I believe will make this decision in honor of a lasting tribute to Dr. Martin Luther King Jr.

Mr. Speaker, as a life member of the oldest African American of Predominately Black Greek letter Fraternity in America, I am proud to rise in support of this resolution approving the location of a Martin Luther King Jr. Memorial in the Nation's Capitol.

First of all Mr. Speaker, I thank the gentleman from American Samoa, Mr. FALEOMAVAEGA for yielding and I thank all of those who have been involved in bringing the legislation to this point. I also associate myself with the remarks made by my colleague and brother, the gentleman from California, Mr. DIXON.

As has already been stated, everything which need saying, has already been said Therefore, let me just say that I am proud to be a Member of Alpha Phi Alpha and to know that my brothers are prepared to go into their own pockets and make use of their own resources to provide an appropriate memorial to our brother, and the greatest leader of this century, Dr. Martin Luther King Jr.

Again, I am proud to be an Alpha, I am proud to be a member of this August Body, the United States House of Representatives as we pay tribute to one of America's Most Distinguished Citizens.

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

Mr. DAVIS of Illinois. I yield to the gentleman from California.

Mr. DIXON. Mr. Speaker, I am informed that I made a very bad faux pas just a second ago. I guess this is the

second time within a short period of time that that has occurred; and, that is, that I thought that I had read that former Member of Congress Mo Udall had passed away, but I understand that he is in a nursing home VA Hospital, and I extend my apologies to him and to his family.

Mrs. MORELLA. Mr. Speaker, I appreciate the opportunity to bring H.J. Res. 113 to the House floor under suspension. This resolution would grant the Alpha Phi Alpha fraternity the authority to establish a memorial to Martin Luther King, Jr., at a site located in Area I in the District of Columbia.

I particularly want to thank Subcommittee Chairman JIM HANSEN, Resources Committee Chairman DON YOUNG and Ranking Minority Member GEORGE MILLER for their support and their assistance in moving this bill through the House.

As the sponsor of the resolution, I am enthusiastic about the memorial, and I am committed to seeing it built. I would like to recognize the other chief sponsor of this resolution, Congressman JULIAN DIXON, and the men of Alpha Phi Alpha fraternity, in particular, George Sealy and Al Bailey, for their vision to create a memorial to one of our truly great Americans. This memorial will stand as a testament to the tireless efforts of these ''men of distinction'' and serve as an inspiration to residents of the area and visitors to our Nation's Capital.

In 1996, Congress passed legislation to authorize Alpha Phi Alpha fraternity to establish a memorial to Martin Luther King. Under Public Law 104–333, the Alpha Phi Alpha fraternity may build a memorial to Dr. King through private contributions. No U.S. funds will be used to pay the costs incurred for the design, installation, construction or maintenance of the memorial. Rather, Alpha Phi Alpha has organized private fundraising efforts to pay for all phases of the monument's establishment.

On January 29, 1998, the Secretary of the Interior notified Congress of his recommendation that the memorial to Martin Luther King, Jr., be established within Area I of the District of Columbia. This recommendation must be approved by law no later than 150 days from the date of the Secretary's notification.

No American has embodied more genuinely the spirit of unity and cooperation which is so desperately needed in order to address effectively the social and economic problems which plague our nation, than Dr. King. His principles of nonviolence are known throughout the world and have had a profound impact on our country. This doctrine earned him the Nobel Prize for Peace in 1964.

Alpha Phi Alpha, which Dr. King joined in 1952, is one of the oldest predominantly African-American fraternities in the nation. Alpha Phi Alpha has 700 chapters in 42 states, and its members include some of the most prominent leaders and distinguished public officials within the United States. The fraternity wishes to honor Dr. King's remarkable role with a memorial in the Nation's Capital. The memorial will provide a tangible recognition that will assist in passing Dr. King's message from generation to generation.

A King memorial is long overdue. Dr. King believed in addressing a problem through positive and constructive action, through education and nonviolence. A King memorial would be a place of hope where all Americans ever after can contemplate Dr. King's words and deeds and act upon them. Speedy passage of this legislation will ensure that Dr. King's message of hope and peace is passed from generation to generation.

Mrs. MEEK of Florida. Mr. Speaker, I rise in strong support of H.J. 113. Dr. Martin Luther King epitomizes the spirit of the Civil Rights Movement and it is only fitting that we salute him with a national memorial on the National Mall.

As the founder of the Southern Christian Leadership Conference and the president of the Montgomery Improvement Association, Dr. King provided pivotal leadership through one of the most turbulent times of the 21st Century—the Civil Rights Era.

Reverend King embodied the philosophy of nonviolent, direct action based on the Christian principles of love and understanding. Although there was opposition to his vision, nonviolent political protest only became a major force in American politics under the leadership of Dr. King.

Dr. King's concept of ''somebodiness'' gave black and poor people a new sense of worth and dignity. Dr. King's speech at the Lincoln Memorial during the March on Washington in 1963; his acceptance speech of the Nobel Peace Prize; his last sermon at Ebenezer Baptist Church; and his final speech in Memphis are among the greatest and most inspirational speeches in the history of our country, and his letter from the Birmingham Jail ranks among the most important American documents.

Dr. King's influence can be summarized in a quote from an article written by a young high school student from Rainer Beach High School in Seattle, Washington, which was printed in the Seattle Times newspaper, ''The struggle Dr. Martin Luther King Jr. had was not a wonderful struggle. It was a struggle through racism and segregation. When the maker of the dream died, his dream still lived on in the world.''

With the thoughts of this high school student in mind, I ask that my colleagues in the U.S. House of Representatives salute Dr. Martin Luther King in the Nation's Capital by supporting HJ 113.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Washington (Mrs. LINDA SMITH) that the House suspend the rules and pass the joint resolution, House Joint Resolution 113.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mrs. LINDA SMITH of Washington. 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 resolution just passed.

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

There was no objection.

CAPE COD NATIONAL SEASHORE AMENDMENTS

Mrs. LINDA SMITH of Washington. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2411) to provide for a land exchange involving the Cape Cod National Seashore and to extend the authority for the Cape Cod National Seashore Advisory Commission, as amended.

The Clerk read as follows:

H.R. 2411

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CAPE COD NATIONAL SEASHORE.

(a) LAND EXCHANGE AND BOUNDARY ADJUSTMENT.—Section 2 of Public Law 87–126 (16 U.S.C. 459b–1) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection:

''(d) The Secretary may convey to the town of Provincetown, Massachusetts, a parcel of real property consisting of approximately 7.62 acres of Federal land within such area in exchange for approximately 11.157 acres of land outside of such area, as depicted on the map entitled 'Cape Cod National Seashore Boundary Revision Map', dated May, 1997, and numbered 609/80,801, to allow for the establishment of a municipal facility to serve the town that is restricted to solid waste transfer and recycling facilities and for other municipal activities that are compatible with National Park Service laws and regulations. Upon completion of the exchange, the Secretary shall modify the boundary of the Cape Cod National Seashore to include the land that has been added.''.

(b) REAUTHORIZATION OF ADVISORY COMMISSION.—Section 8(a) of such Act (16 U.S.C. 459b–7(a)) is amended by striking the second sentence and inserting the following new sentence: ''The Commission shall terminate September 26, 2008.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Washington (Mrs. LINDA SMITH) and the gentleman from Massachusetts (Mr. DELAHUNT) each will control 20 minutes.

The Chair recognizes the gentlewoman from Washington (Mrs. LINDA SMITH).

Mrs. LINDA SMITH of Washington. Mr. Speaker, I yield myself such time as I may consume.

(Mrs. LINDA SMITH of Washington asked and was given permission to revise and extend her remarks.)

Mrs. LINDA SMITH of Washington. Mr. Speaker, H.R. 2411 is a bill introduced by the gentleman from Massachusetts (Mr. DELAHUNT). The gentleman from Massachusetts is to be commended on a bill which successfully resolves an environmentally sensitive issue and will benefit the people of Massachusetts.

H.R. 2411 provides for a land exchange and minor boundary adjustment to the Cape Code National Seashore consistent with requirements of the omnibus parks bill enacted last year. It conveys to Provincetown, Massachusetts, 7.6 acres of Federal land in exchange for approximately 11.2 acres of land outside the park, and modifies the park boundary to include the added land. In addition, the bill extends the statutory term of the Cape Cod National Seashore Advisory Commission by 10 years to September 2008. The Commission has provided valuable guidance to the Park Service and given local officials and community members a voice in the management of the Seashore.

This bill is noncontroversial and is supported by the administration. I urge my colleagues to support H.R. 2411.

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

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

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

Mr. DELAHUNT. Mr. Speaker, I rise in support of legislation which I sponsored which would resolve two matters concerning the Cape Cod National Seashore in Massachusetts. I wish to thank the gentlewoman from Washington for her management of this bill.

□ 1530

First, as she indicated, the bill would extend the statutory term of the Cape Cod National Seashore Advisory Commission for some 10 years. Since the seashore was created during the Kennedy administration, the commission has indeed provided invaluable guidance to the National Park Service and given residents of lower Cape Cod towns a voice in the management of the seashore. This extension is strongly supported by local, State and National Park Service officials.

In addition, again as the gentlewoman indicated, the bill includes minor boundary adjustments to the national seashore consistent with requirements enacted last year. These adjustments resolve a decade-old dispute concerning the construction of a solid waste transfer station and is part of a settlement agreement among the Park Service, the Commonwealth of Massachusetts and the town of Provincetown.

Let me conclude, Mr. Speaker, by thanking and acknowledging the support and the assistance of the Chair of the full committee, the gentleman from Alaska (Mr. YOUNG) and the Chair of the subcommittee, the gentleman from Utah (Mr. HANSEN) as well as the ranking member of the full committee, the gentleman from California (Mr. MILLER) and my friend, the ranking member of the subcommittee on National Parks and Public Lands, the gentleman from American Samoa (Mr. FALEOMAVAEGA).

I urge my colleagues to support this noncontroversial yet important legislation.

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

Mrs. LINDA SMITH of Washington. Mr. Speaker, I have no further requests for time, and I reserve the balance of my time.

Mr. DELAHUNT. Mr. Speaker, I yield 3 minutes to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

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

Mr. FALEOMAVAEGA. Mr. Speaker, I support H.R. 2411, as was introduced by my colleague and a Member of the Committee on Resources, the gentleman from Massachusetts (Mr. DELAHUNT). This is a piece of legislation that is supported by the National Park Service as well as the local community.

The bill has two provisions. The first provision authorizes a minor land exchange between the National Park Service and the town of Provincetown. The second provision extends of the term of the Cape Cod National Seashore Advisory Commission. This advisory commission has been in existence since the seashore was established and works with the National Park Service and the local community on numerous issues.

Mr. Speaker, when the committee marked up 2411, it adopted an amendment to the bill that spells out the uses that are permitted on the exchange property and limits the extension of the advisory commission to 2008. These changes have been agreed upon by the National Park Service and the gentleman from Massachusetts, and I do support these provisions as well.

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

Mrs. LINDA SMITH of Washington. Mr. Speaker, I yield back the balance of my time.

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

The SPEAKER pro tempore (Mr. NETHERCUTT). The question is on the motion offered by the gentlewoman from Washington (Mrs. LINDA SMITH) that the House suspend the rules and pass the bill, H.R. 2411, 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.

GENERAL LEAVE

Mrs. LINDA SMITH of Washington. 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. 2411, the bill just passed.

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

There was no objection.

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 3 o'clock and 35 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1620

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. NETHERCUTT) at 4 o'clock and 20 minutes p.m.

APPOINTMENT OF MEMBERS TO SELECT COMMITTEE ON U.S. NATIONAL SECURITY AND MILITARY/COMMERCIAL CONCERNS WITH THE PEOPLE'S REPUBLIC OF CHINA

The SPEAKER pro tempore (Mr. NETHERCUTT). Without objection, and pursuant to the provisions of section 3(a) of House Resolution 463, 105th Congress, the Chair appoints the following Members of the House to the U.S. National Security and Military/Commercial Concerns with the People's Republic of China:

Mr. COX of California, Chairman,
Mr. GOSS,
Mr. BEREUTER,
Mr. HANSEN,
Mr. WELDON of Pennsylvania,
Mr. DICKS,
Mr. SPRATT,
Ms. ROYBAL-ALLARD,
Mr. SCOTT.

There was no objection.

MILITARY CONSTRUCTION APPROPRIATIONS ACT, 1999

The SPEAKER pro tempore (Mr. NETHERCUTT). Pursuant to House Resolution 477 and rule XXIII, 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. 4059.

□ 1621

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. 4059) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1999, and for other purposes, with Mr. PEASE 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 North Carolina (Mr. HEFNER) 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, I want to begin by expressing my deep appreciation to the gentleman from North Carolina (Mr. HEFNER), ranking member of the subcommittee. He has served for 12 years as chairman of this subcommittee and has made a great contribution to the Congress. He is leaving at the end of this year, and it has been a true pleasure for me to be able to work with him on this subcommittee. I will say more about that in a moment.

Mr. Chairman, it is a privilege for me to recommend this military construction bill to the Congress for adoption. It is a very stringent bill. It does not meet the needs, nor the requirements of military construction, but it is basically all that we have to work with, the numbers were given to us.

Actually, the administration presented a budget request that is considerably lower than last year's appropriated level, about $1.4 billion dollars lower. That is a 15 percent cut from last year's appropriated level. We have had to add to that level, to the President's request, about $450 million or we would have never been able to have met even the most dire military construction needs.

Mr. Chairman, we do not see any controversy on this bill. We feel that it is a very good bipartisan bill. The minority and the majority have worked very closely on it in crafting the bill. We also have worked very closely with the authorizing committee. In fact, this bill really reflects the authorizing committee bill and we are pleased to present it to the House.

In conclusion, I want to again mention that we have had the great privilege of working with the gentleman from North Carolina (Mr. HEFNER), who will be leaving the Congress. And I might mention that we included in the bill a recommendation that a military highway in his district be named after him, the ''W.G. 'Bill' Hefner All American Parkway.''

We think that it is important that the gentleman be remembered in this way for his great contribution to military construction, to the Congress, and to the United States Government.

Mr. Chairman, I submit the following for the RECORD:

MILITARY CONSTRUCTION APPROPRIATIONS BILL, 1999 (H.R. 4059)

	FY 1998 Enacted	FY 1999 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
Military construction, Army	714,377,000	790,876,000	780,599,000	+66,222,000	-10,277,000
Military construction, Navy	683,666,000	468,150,000	570,643,000	-113,023,000	+102,493,000
Military construction, Air Force	701,855,000	454,810,000	550,475,000	-151,380,000	+95,665,000
Military construction, Defense-wide	646,342,000	491,675,000	611,075,000	-35,267,000	+119,400,000
Total, Active components	2,746,240,000	2,205,511,000	2,512,792,000	-233,448,000	+307,281,000
Military construction, Army National Guard	118,350,000	47,675,000	70,338,000	-48,012,000	+22,663,000
Emergency appropriations (P.L. 105-174)	3,700,000			-3,700,000	
Military construction, Air National Guard	190,444,000	34,761,000	97,701,000	-92,743,000	+62,940,000
Military construction, Army Reserve	74,167,000	71,287,000	71,894,000	-2,273,000	+607,000
Military construction, Naval Reserve	47,329,000	15,271,000	33,721,000	-13,608,000	+18,450,000
Military construction, Air Force Reserve	30,243,000	10,535,000	35,371,000	+5,128,000	+24,836,000
Total, Reserve components	464,233,000	179,529,000	309,025,000	-155,208,000	+129,496,000
Total, Military construction	3,210,473,000	2,385,040,000	2,821,817,000	-388,656,000	+436,777,000
NATO Security Investment Program	152,600,000	185,000,000	169,000,000	+16,400,000	-16,000,000
Family housing, Army:					
New construction	101,650,000	70,100,000	41,700,000	-59,950,000	-28,400,000
Construction improvements	86,100,000	28,629,000	37,429,000	-48,671,000	+8,800,000
Planning and design	9,550,000	6,350,000	6,350,000	-3,200,000	
General reduction		-1,639,000	-2,639,000	-2,639,000	-1,000,000
Subtotal, construction	197,300,000	103,440,000	82,840,000	-114,460,000	-20,600,000
Operation and maintenance	1,140,568,000	1,104,733,000	1,097,697,000	-42,871,000	-7,036,000
Total, Family housing, Army	1,337,868,000	1,208,173,000	1,180,537,000	-157,331,000	-27,636,000
Family housing, Navy and Marine Corps:					
New construction	175,196,000	59,504,000	29,125,000	-146,071,000	-30,379,000
Construction improvements	203,536,000	211,991,000	92,037,000	-111,499,000	-119,954,000
Planning and design	15,100,000	15,618,000	15,618,000	+518,000	
General reduction		-6,323,000	-6,323,000	-6,323,000	
Subtotal, construction	393,832,000	280,790,000	130,457,000	-263,375,000	-150,333,000
Operation and maintenance	976,504,000	915,293,000	915,293,000	-61,211,000	
Emergency appropriations (P.L. 105-174)	18,100,000			-18,100,000	
Total, Family housing, Navy	1,388,436,000	1,196,083,000	1,045,750,000	-342,686,000	-150,333,000
Family housing, Air Force:					
New construction	159,943,000	140,499,000	124,344,000	-35,599,000	-16,155,000
Construction improvements	123,795,000	81,778,000	81,778,000	-42,017,000	
Planning and design	11,971,000	11,342,000	11,342,000	-629,000	
General reduction		-7,584,000	-9,584,000	-9,584,000	-2,000,000
Subtotal, construction	295,709,000	226,035,000	207,880,000	-87,829,000	-18,155,000
Operation and maintenance	830,234,000	789,995,000	785,204,000	-45,030,000	-4,791,000
Emergency appropriations (P.L. 105-174)	2,400,000			-2,400,000	
Total, Family housing, Air Force	1,128,343,000	1,016,030,000	993,084,000	-135,259,000	-22,946,000
Family housing, Defense-wide:					
Construction improvements	4,900,000	345,000	345,000	-4,555,000	
Planning and design	50,000			-50,000	
Subtotal, construction	4,950,000	345,000	345,000	-4,605,000	
Operation and maintenance	32,724,000	36,899,000	36,899,000	+4,175,000	
Total, Family housing, Defense-wide	37,674,000	37,244,000	37,244,000	-430,000	
Department of Defense Family Housing Improvement Fund		7,000,000	242,438,000	+242,438,000	+235,438,000
Homeowners Assistance Fund, Defense		12,800,000	7,500,000	+7,500,000	-5,300,000
Total, Family housing	3,892,321,000	3,477,330,000	3,506,553,000	-385,768,000	+29,223,000
New construction	(436,789,000)	(270,103,000)	(195,169,000)	(-241,620,000)	(-74,934,000)
Construction improvements	(418,331,000)	(322,743,000)	(211,589,000)	(-206,742,000)	(-111,154,000)
Planning and design	(36,671,000)	(33,310,000)	(33,310,000)	(-3,361,000)	
General reduction		(-15,546,000)	(-18,546,000)	(-18,546,000)	(-3,000,000)
Operation and maintenance	(2,980,030,000)	(2,846,920,000)	(2,835,093,000)	(-144,937,000)	(-11,827,000)
Family Housing Improvement Fund		(7,000,000)	(242,438,000)	(+242,438,000)	(+235,438,000)
Homeowners Assistance Fund		(12,800,000)	(7,500,000)	(+7,500,000)	(-5,300,000)
Emergency appropriations (P.L. 105-174)	(20,500,000)			(-20,500,000)	
Base realignment and closure accounts:					
Part II	116,754,000			-116,754,000	
Part III	768,702,000	433,464,000	433,464,000	-335,238,000	
Part IV	1,175,398,000	1,297,240,000	1,297,240,000	+121,842,000	
Emergency appropriations (P.L. 105-174)	1,020,000			-1,020,000	
Total, Base realignment and closure accounts	2,061,874,000	1,730,704,000	1,730,704,000	-331,170,000	

MILITARY CONSTRUCTION APPROPRIATIONS BILL, 1999 (H.R. 4059)—Continued

	FY 1998 Enacted	FY 1999 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
Family housing, Navy and Marine Corps (FY99 Sec. 125)	.....	6,000,000	6,000,000	+6,000,000	.....
Revised economic assumption (FY98 Sec. 125)	-108,800,000	.....	.....	+108,800,000	.....
Grand total:					
New budget (obligational) authority	9,208,468,000	7,784,074,000	8,234,074,000	-974,394,000	+450,000,000
Appropriations	(9,183,248,000)	(7,784,074,000)	(8,234,074,000)	(-949,174,000)	(+450,000,000)
Emergency appropriations (P.L. 105-174)	(25,220,000)	.....	.....	(-25,220,000)	.....

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

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

Mr. Chairman, first of all, at the risk of forgetting it or letting it pass, I certainly want to thank the staff on both sides of the aisle, who I think are the finest staff that I have ever worked with in the committees in all of my tenure here on Capitol Hill.

They have done yeoman's work. They have worked very, very hard. They are dedicated people, and I want to thank them very much for their hard work.

It goes without saying, the admiration that I have for the gentleman from California (Chairman PACKARD). He has done a remarkable job. He is a joy to work with. We worked very closely together, and what we bring today is a bill that we believe that everyone in this body can support, even though it does not meet the needs for our men and women in the service. But it is beyond our reach to do the kinds of things that we would like to do because of our allocation. Because of budgetary constraints, we are not able to do the kind of things we want to do in family housing, but it does provide $8.2 billion for military construction and the last two rounds of the base closings.

Mr. Chairman, this is one of the bills that comes to this House every cycle in which we never have enough money to do the things that we would like to do for quality of life and to make sure that young men and women coming into our service will want to stay and serve their country. But we have done the best that we could in putting this bill together as far as it relates to quality of life and retention in our Armed Forces.

Mr. Chairman, I want to again thank the gentleman from California (Mr. PACKARD) and all the staff for putting together this bill. I would hope that we would have 100 percent participation, and that all of that 100 percent would vote for our bill when the roll is called and maybe we will have 100 percent.

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 Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, I thank the distinguished gentleman from California (Mr. PACKARD) for yielding me this time for the purpose of a colloquy.

Mr. Chairman, as the gentleman knows, I am very eager to see design funding for the P–208 aircraft platform interface, the API laboratory consolidation project, move forward this year at Lakehurst Naval Air Engineering Station. I would ask the gentleman, is it accurate to say that this bill, H.R. 4059, provides the necessary funding for the design of the API lab and will keep the Navy on track for construction in fiscal Year 2000?

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

Mr. SMITH of New Jersey. I yield to the gentleman from California.

Mr. PACKARD. Mr. Chairman, the funding is included in this bill, H.R. 4059, for planning and design of the API lab for fiscal year 1999. The Navy is expected to move ahead with the planning and design of this project beginning on October 1 of this year, so that the construction can take place as scheduled in fiscal year 2000.

Mr. SMITH of New Jersey. Mr. Chairman, reclaiming my time, I thank the gentleman for affording me this opportunity to clarify the funding situation for the API lab at Lakehurst. There have been far too many delays with this project already, and H.R. 4059 will finally set the wheels in motion to begin the construction of the API lab at Lakehurst in fiscal year 2000.

Mr. PACKARD. Mr. Chairman, if the gentleman would continue to yield, I thank him for his efforts and leadership and advocacy on behalf of the API lab project at Lakehurst. The gentleman's leadership on this bill will help the Navy to meet the challenge of naval aviation.

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

Mr. HEFNER. Mr. Chairman, I yield 7 minutes to the gentleman from Massachusetts (Mr. OLVER), one of the members of the subcommittee.

Mr. OLVER. Mr. Chairman, I thank the gentleman from North Carolina (Mr. HEFNER), our ranking member, for yielding me this time. I want to thank the gentleman from California (Chairman PACKARD) a truly ''gentle man,'' for his leadership and his evenhandedness in putting together this bill, our bill, H.R. 4059.

□ 1630

The gentleman from California (Mr. PACKARD), chairman, and the ranking member, the gentleman from North Carolina (Mr. HEFNER) and their excellent staff, particularly Hank Moore and Tom Forhan, have made my 2 years on the subcommittee a learning experience and a pleasure.

On my side of the aisle, what can I say about the retiring ranking member that has not already been said in the newspapers here in Washington and in North Carolina? The gentleman has made a lasting mark on this subcommittee as both chairman and ranking member, and he will be greatly missed. We all wish him the best from here.

This bill is as good as I think it can be, given the allocation that has really been foisted upon the subcommittee by the 1997 Balanced Budget Act, and I certainly urge its very quick passage.

I must send up a couple of signals, which lie somewhere between yellow cautionary and red crisis, in relation to the whole subject of military construction, because this bill, if it were enacted exactly as it is, would be more than $2 billion below the appropriated level just four years ago. That is a huge hit on a budget which is really in the $10 billion category, $10 billion level in the first place.

So one might ask, what does it matter? Some Members think that the military construction bill is all hangars and armories, but it is really a lot more than that. It is environmental compliance and cleanup. It is energy conservation. It is hospital and medical facilities. It is child development centers. It is family housing for the growing numbers of our peacetime service personnel who have spouses and children.

I would like to focus on just that one last category, the family housing program, for just a minute, pointing out that the gentleman from North Carolina (Mr. HEFNER), when he was Chair, and the gentleman from California (Mr. PACKARD) in the past several years that he has been the Chair for the committee, have labored mightily each year to support the family housing program and do the best they could with the numbers that we have been given.

But if this bill is enacted, as I am sure, if it is enacted as it has been proposed here under the constraints of the Balanced Budget Act of 1997, the program for family housing will be down 19 percent, down in actual dollars by 19 percent since fiscal year 1996, from fiscal year 1996 to the present.

I just would like to address, call Members' attention, call the membership's attention to the sections in the report on H.R. 4059 on family housing, a report that points out that military family housing and the need for that has changed with the all volunteer structure of the force. Whereas 40 years ago only about 40 percent of our military personnel had families, now, 40 years later, it is over 60 percent who have families. Today the family housing program is the quality of life incentive that attracts and retains, and I am quoting really from the report, dedicated individuals to serve in the military. The housing deficiencies are a severe disincentive to reenlistment.

Now, it has been the Department of Defense policy that married couples will live off base with their families whenever it is possible and when there is housing available, and a good number of them do live off base. One out of roughly 8 is living off base in substandard housing because there is not adequate housing in the area for them. And in spite of the policy, with that policy, and because there is not adequate housing available, we have under the Department of Defense a total of over 300,000 units of housing on base, and the majority of that housing, the majority of those units are substandard. And in order to do the replacement and bring up to standard those housing units would require something like $15 billion.

Now, with the kind of appropriation that we are having forced upon this subcommittee by the terms of the Balanced Budget Act, it is almost inevitable that we are not going to be able to catch up on this family housing

need, that we are going to fall further behind on that, despite what I have said is the yeoman effort on the part of the ranking member, when he was chairman, and the present chairman to try to deal with that.

I just want to speak to that as one issue or problem when that budget is dropping by as much as it is in the appropriated, final appropriated levels. In totality, this budget funds training and housing and health care and child care for the men and women who do our dirty work, and they deserve every penny that is in this bill and they deserve more.

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

Mr. HEFNER. Mr. Chairman, I yield 6 minutes to the gentleman from Texas (Mr. EDWARDS), a valued member of the subcommittee.

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

No war was ever won with technology alone. Battles and wars, whether in the 15th century or in the 20th or 21st century, require quality men and women, dedicated to our country, well trained, capable of defending our national interest. That is why this piece of legislation is so important to our Nation and our children's future.

It is important because in this legislation is the funding for quality of life issues for our military families. In today's all volunteer force, I can think of few things more important to our long-term national security than ensuring quality housing facilities and day care facilities for military families, often split by thousands of miles as the father or mother are off deployed to other nations, or even fighting for the interests of our country, while their children remain at home.

I want to say that I am deeply disappointed that this bill spends $1 billion less before inflation is even taken into account than the military construction budget of just one year ago. It seems to me that a Congress that can somehow find $20 to $30 billion for increased funding for potholes and highways in the recent highway bill ought not to have to cut day-care centers and housing programs for men and women willing to put their lives on the line for this country. But that criticism, that disappointment has nothing to do with the leadership of the Committee on Appropriations or this subcommittee. That is a decision made at a different pay level.

I would urge Speaker GINGRICH and the leadership of this House and the Committee on the Budget, who made the decision to cut military construction funding by $1 billion this year, to reconsider that cut and that budget as we review the budget in the months ahead.

I must say, as a compliment to those people who did not set the overall level of spending, no two Members could have done a better job in fighting for our military families and their quality of life than the gentleman from California (Mr. PACKARD), chairman of the subcommittee, and the gentleman from North Carolina (Mr. HEFNER), the ranking member. I want to applaud them not only for their dedication to military families and a strong national defense, but I want to applaud them for the bipartisan manner in which they have put this bill together.

The reason, Mr. Chairman, people will not see a lot of Members on the floor during this debate, the reason there will not be an visceral disagreement of debate on this issue is simply because the gentlemen have done the business of the House and our country the way it should be done, on a fair, bipartisan basis. For that, we all say thank you to both of them.

I think the bipartisan nature of Mr. PACKARD and Mr. HEFNER's work together should be a model, not an exception to the rule, for this and future Congresses.

Finally, Mr. Chairman, the reason I truly wanted to be on the floor of the House this afternoon was to say thank you for a lifetime of service to our colleague and my dear friend, the gentleman from North Carolina (Mr. HEFNER). In the 7½ years I have had the privilege to serve in this body, I have considered no one a better friend than the gentleman from North Carolina (Mr. HEFNER), who took this young green Member from the State of Texas under his wing and helped me as I tried to learn the process of Congress in my effort to represent Ft. Hood, which is now the largest populated Army installation in the world.

Not only through his service as chairman of the Subcommittee on Military Construction for over a decade but also because of his many years of service as a member of the very powerful military subcommittee of the Committee on Appropriations, the gentleman from North Carolina (Mr. HEFNER) has made a difference for the military families of this Nation. He has made a difference in ensuring that America has a strong national defense. On behalf of my two little boys, who will live in a safer world because of the service in Congress of the gentleman from North Carolina (Mr. HEFNER), I want to express my deep-felt gratitude to the gentleman from North Carolina. I know in the weeks and months ahead, many, many of my colleagues will join me in reflecting these feelings toward the gentleman from North Carolina (Mr. HEFNER) and his service.

Let me also say beyond the scope of these two important committees on which he serves, I have seen no Member that has shown greater courage on the floor of this House week after week, month after month. When one comes to floor and looks up at Mr. HEFNER's light, yeah or nay on a bill, they may not know the best political vote but they know what the right vote is. As someone who was not here in 1981, I can only imagine how difficult it was for a southern Democrat from North Carolina to vote against President Reagan's tax bill, which, in the opinion of some, not all, had something to do with the increased national debt that we face today.

But whether you agreed or disagreed with him, to have the courage to vote ''no'' on that bill and ''yes'' and ''no'' on so many other important pieces of legislation, to be motivated by doing what his conscience told him was right, that is the sort of thing that causes all of us throughout the country, as well as the constituents of his in North Carolina, to have a deep and abiding respect for the gentleman from North Carolina (Mr. HEFNER).

So on behalf of my colleagues that serve on the committee and all others who are here and who will be here in the days ahead to speak of the gentleman from North Carolina (Mr. HEFNER), recognizing this is his last time to come to the floor as part of leadership in bringing the military construction budget to this House, I want to express my lifelong respect and gratitude for Mr. HEFNER's friendship and leadership on behalf of our Nation.

Mr. PACKARD. Mr. Chairman, I yield such time as he may consume to the gentleman from Louisiana (Mr. LIVINGSTON), chairman of the full Committee on Appropriations.

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

Mr. LIVINGSTON. Mr. Chairman, I first want to rise and congratulate the chairman, the gentleman from California (Mr. PACKARD), and the ranking member, the gentleman from North Carolina (Mr. HEFNER), for once again doing the outstanding job that both of them are accustomed to doing on this bill. The gentleman from Texas preceded me by pointing out a few problems that they had to work with. He failed to mention, though, that the administration had underfunded the military construction part of the budget by some $1.4 billion.

I share his concern that we should not deprive the men and women of the military of the accoutrements that lead to a better quality of life for them. And for that reason, within our given budget limits, within the fact that we are living within a balanced budget with very strict budget ceilings, I am very pleased that we were able to put back in $450 million into this subcommittee so that they could apply that money to the needs of the servicemen and women of America.

I am concerned. I share his concern that the administration would underfund this account by $1.4 billion. That being said, in the same bipartisan fashion that the gentleman used who preceded me, let me say that the two gentlemen that manage this bill exemplify the type of bipartisan spirit that is not only welcomed but is so critically necessary to the conduct of the business of the House of Representatives.

□ 1645

Together they have worked well on behalf of both the young men and women of our armed services and on behalf of America. I just want to congratulate them from the bottom of my heart.

But I want to reiterate and exaggerate those congratulations to the gentleman from North Carolina (Mr. HEFNER) from Concord, North Carolina, about 60 miles from Fort Bragg, who has represented the Eighth Congressional District of North Carolina so well since he was first elected in Congress in 1974.

The fact is that the gentleman began service on this subcommittee in 1981. Whether as chairman of the subcommittee when his team was in the majority or as ranking member when our team took over the majority, the fact is that he has been steadfast in his devotion to serve America and to serve the people who have rendered themselves valiant service in the cause of America in uniform.

I particularly appreciate the effort that the gentleman has made on behalf of America's military, but also I want to say that he has distinguished himself in so many other ways during his service here. First, he is a great golfer who participated with me in one of the most memorable golf events in my life, which I did not distinguish myself, but he certainly did. He played well, and I will let him complete the record on the rest of it.

Secondly, he is a man of enormous sensibilities and great sense of humor. He has played host to the chile cookoff, which is a function that occurs on an annual basis for congressional wives. Try as we might, we have never been able to come up with anybody who could compare with him in hosting this event. I must say I saw his performance this year, and I think he outdid even himself.

The gentleman has got a wonderful sense of humor. He not only is an accomplished musician and accomplished musical performer, but as a stand-up comic, he is unparalleled. I want to thank him for his service to this country. I want to thank him for his spirit of bipartisanship which contributed mightily to this bill. I want to take this opportunity to wish him and his family all of the best of luck and success in everything that he does henceforth.

Mr. HEFNER. Mr. Chairman, I ask unanimous consent that we have 2 extra hours.

The CHAIRMAN. The Chair cannot entertain such a request at this time.

Mr. HEFNER. Mr. Chairman, could the Chair enlighten us as to how much time is remaining for each side?

The CHAIRMAN. The gentleman from North Carolina (Mr. HEFNER) has 15½ minutes remaining. The gentleman from California (Mr. PACKARD) has 20½ minutes remaining.

Mr. HEFNER. Mr. Chairman, I yield 4 minutes to the gentleman from Wisconsin (Mr. OBEY), the ranking member on the Committee on Appropriations

Mr. OBEY. Mr. Chairman, I very much thank the gentleman for the time. I simply wanted to come to the floor to really pay honor to the gentleman who is managing this bill on this side of the aisle for the last time, the gentleman from North Carolina (Mr. HEFNER).

I have known Bill since the first day he walked into this institution, and I have never seen a day when he did not bring honor to this House by his service. He has, as our chairman has already indicated, a wonderful sense of humor. He has a wonderful sense of music. He also has a wonderful sense of honor.

Those that know him know that religion means a lot to him. But as we have seen him demonstrate often on this floor, he also has a very healthy skepticism about the use to which some politicians put religion, or at least their professed religiosity.

The gentleman has indicated time and time again that he recognizes all too often the propensity of some people in public life to wrap an economic or political message in a religious ribbon and call it religion when it is, in fact, something very, very different, something which demeans God and demeans religion.

He, I think, understands that there are some things in life that are too important to politicize, religion being one of them. I have admired for so long his ability on an issue to be righteous without being sanctimonious.

He has, I think, demonstrated in countless ways on countless days a sense of justice, a sense of outrage against injustice, and most of all, a political courage that we wish would be emulated more often on this floor than it is.

In addition to being a first-rate legislator, he is a first-rate human being. I for one will miss him greatly. I will miss his good judgment. I will miss his good temper. I will miss his wonderful sense of humor. I will certainly miss the opportunities that I have had through the years to play my bluegrass harmonica in backup to his gospel singing. His gospel singing is better than my bluegrass harmonica, but we have had a lot of fun doing that.

I simply want to say to young people who will be entering this House in the future, they could do a lot worse than to emulate the style of the gentleman from North Carolina. He has brought grace to this House. He has brought determination and courage and guts to this House.

As someone else indicated, I have never heard him ask what is the political vote. I have often heard him ask what is the right vote. That is the right question that ought to be asked in this institution.

So, Bill, we are going to miss you, but we know that wherever you are, you will be keeping an eye on us. From time to time, I think you will be pulling our leash to let us know when you think we are getting out of line. It has been a pleasure to serve with you.

Mr. PACKARD. Mr. Chairman, I reserve the balance of my time for closing.

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

We still have just a couple speakers, but I did not realize that these folks were going to say these nice things about me after all these years. I guess it is just a pent-up exuberance that they have been building up over the years, hoping one day I would retire and they would be able to say nice things.

I was kind of hoping for a watch, but I guess that is not going to materialize. At least, I have a road that is going to be named after me. I am working with the Governor of North Carolina to see if we can make it into a toll road which will be some benefit in my old age and in my retirement.

But serving in this body has been something that I could never have dreamed about when I was a kid growing up in rural Alabama. I had never been to the capital of Alabama, Montgomery, let alone to think someday I would be able to come to the Capitol of the United States and represent a half a million people. So it has really been a tremendous experience for me.

I defend this body and I defend the Members in this body, because I believe that if we take all 435 of us and we put us up to the scrutiny and put 435 average citizens across this country up to the same scrutiny, that we would stack up very, very well among the rank and file of people in this country.

We all want the same things for our country, for our States, and for our families. We just have a little bit different way sometimes how we want to get there. But it has been an honor for me to serve in this body, and it has certainly been an honor for me to serve on this committee and this subcommittee.

Mr. Chairman, I yield 5 minutes to the gentlewoman from the 18th District of Texas, (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentleman from North Carolina for yielding to me. He took away my momentum. That watch was coming, but we are checking the gift rule.

But I could not come to the floor for a better occasion than to thank the gentleman from California (Mr. PACKARD) as well for his leadership and certainly the ranking member.

I think that any time someone maintains themselves in this body for 24 years, has seen the conclusion of the Vietnam War, one of the most tragic periods in our history, watching just a few miles down the road the return of the 265-plus Marine bodies in the Lebanon tragedy, and certainly now at one point facing the crisis in Bosnia.

I think the ranking member knows full well the importance of our military personnel and particularly this committee that helps to house them

and respect them for who they are. So I personally, as a nonmember of the committee, wanted to thank the gentleman from North Carolina (Mr. HEFNER) for his leadership and as well his quiet deliberation.

There is good humor in what he says on many occasions, but there is also wisdom. I thank the gentleman as a second-term Member for his wisdom and for challenging the rest of us that we should combine debate and adversarial activities with knowledge and wisdom and sensitivity, and I appreciate and applaud him for that.

This bill is an important bill. I am not a member of the community of those who are on this committee, but as I go about my business in Texas, I consider Texas sort of a feeder school for the United States military.

Throughout my district, high school students are enrolled in ROTC. Many of them look to the United States as a source for their future, and I applaud them for that and encourage them for that. In fact, as someone representing what has been termed as a majority minority district, I go in particular to the inner city schools and encourage those that are interested in the U.S. military to become involved.

For that reason, this military construction appropriations bill is very important, because my young people who enter into the military make it a career, and bring their families there who need the kind of housing that will be provided by this legislation, troop housing, hospitals, and medical facilities, NATO infrastructure, and other activities associated with base closings which Texas knows so much about.

I would have wanted more, but I applaud the leadership of the ranking member and chairperson for bringing about the funding that we now have. It is more than the administration would have provided. I am glad of that.

Unfortunately, I wish that we could press the button, if you will, for more money for our family housing; though the $3.5 billion for family housing is 43 percent of the total, $635 for new barracks, 10 percent more than requested, but, again, we need to do more.

The measure also provides the $1.7 billion for base realignment, $31 million for new construction and improvements to existing day care centers. If I might, Mr. Chairman, I would like to dwell on that for a moment.

First of all, in this military construction scenario, I would like to emphasize the access and the availability of including our local businesses, our small and minority businesses in assisting with this construction, whether it is domestically or foreign.

That is a very important economic piece to many of our communities. I want to ensure that at least my voice is heard to ensure that our military, knowing that the affirmative action has not been eliminated in Federal law, that we make sure that we outreach to the small businesses.

But I really wanted to focus as a member and participant in the Congressional Children's Caucus on the importance of the increased money for day care. Let me thank the gentleman from California (Mr. PACKARD). Let me thank the ranking member as well for having emphasized something that I have heard from military personnel over and over.

Most critical is what H.R. 4059 does for our children. There are roughly 300,000 children involved in military day care. So the additional monies is extremely important. The Secretary of Defense established a goal of providing quality child care to 65 percent of the potential need in 1992.

I think we will be there when we are able to provide 80 percent of the child care need that is so very important. DOD will be conducting a demonstration project to review ways of providing child care services by using third-party contracting. I encourage that as a participant of the Congressional Children's Caucus.

I would also say that we must emphasize and make sure that we have the right kind of family housing. So let us remember that these men and women are, in fact, the survival of the freedom of the democratic principles of our country.

Can we do any less than to provide them with safe housing, good hospitals, and, yes, protection and protected environment for their children? I applaud this legislation, and I thank the two gentleman for their collaborative efforts. Most importantly, let me salute my ranking member for the highway and byway, but for his leadership and for his commitment.

Mr. Chairman, I rise today to address H.R. 4059, the Military Construction Appropriations bill for FY 1999.

In general, the bill provides a total of $8.2 billion for military construction, including family and troop housing, hospitals and medical facilities, NATO infrastructure, and activities associated with the last two rounds of base closings. I am pleased that the bill includes:

$3.5 billion for family housing (43% of the bill's total), slightly more than the President requested, but 10% less than was appropriated in FY 1998;

$635 million for new barracks, 10% more than requested, but 24% less than the current appropriation;

The measure also provides $1.7 billion for base realignment and closures previously authorized by Congress (16% less than in current year); and

H.R. 4059 appropriates $31 million for new construction and improvements to existing daycare centers for military dependents ($8 million more than the administration's request).

As chair of the Children's Caucus, I am very pleased that money is increased for daycare. In short, the measure goes far in accomplishing much for the well-being of our military. Most critical is what H.R. 4059 seeks to do for children and their parents. There are roughly 300,000 children involved in military daycare.

First, the Appropriations Committee has recommended an additional $7.9 million above the budget estimate of $23.15 million for a total appropriation of (roughly) $31 million for new construction, or improvements, for child development centers.

In 1992, the secretary of defense established a goal of providing quality child care to 65% of the potential need in 1992. The Army proudly met the 65% goal this year. The Marine Corps expects to reach the goal by 2002, and the Air Force and Navy are programmed to reach 65% by 2003. The Appropriations Committee notes that to optimally meet the DOD's demand an 80% goal must be achieved.

The Appropriations Committee correctly recognizes the increased importance of these centers due to the rising number of single military parents, dual military couples, and military personnel with a civilian employed spouse. The Committee report states that the DOD is encouraged to maintain all efforts possible to meet 80% of the child care need.

Second, the DOD is conducting demonstration projects to review ways of providing child care services by using third party contracting, such as purchasing spaces in accredited child development centers by buying down the cost for military families. The Defense Logistics Agency is testing, for example, the management and operation of a military-constructed child development center by a private contractor in Ohio.

As a co-chair of the Children's Caucus in the House, I commend these efforts to secure quality housing and child care facilities for the children of our nation's fighting men and women.

Another key component of Military Construction Appropriations bill is family housing for the men and women of our nation's armed services. The committee report takes note of the changing nature, if you will, of military housing as our all-volunteer force has led to more service members with families. This change has coincided with a general decline in the standard of housing suitable for today's military to create a severe discincentive to re-enlistment.

Of the amount appropriated for family housing, the bill allocates the president's request of $2.8 billion to operate and maintain existing family housing units. The funds are used for maintenance and repair, furnishings, management, services, utilities, leasing, interest, mortgage insurance and miscellaneous expenses.

What's more, this measure appropriates $301 million for the construction of 1,871 new family housing units ($31 million more than the administration's request). The total includes $105 million from the Family Housing Improvement Fund.

Furthermore, the bill also provides $7.5 million for the Homeowners' Assistance Fund for F.Y. 1999 ($5 million less than requested by the president). The fund helps personnel who have been affected by the closure of military bases.

Mr. Chairman, I strongly encourage my esteemed colleagues to support H.R. 4059.

□ 1700

Mr. HEFNER. Mr. Chairman, I apologize for all the speakers, but the requests just keep coming in. Far be it from me to curtail anybody wanting to say a nice word after all these years on my behalf.

Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. PALLONE), a very good friend who is one of the finer Members of this House.

Mr. PALLONE. Mr. Chairman, let me just say about the gentleman from

North Carolina (Mr. HEFNER), I know a lot has been mentioned about his years of service and his sense of humor and his musical abilities, and all those are certainly true, but I just want to say, I have only been here 10 years, but I have noticed on many occasions both within our Democratic Caucus as well as on this House floor where his statements have been crucial in swaying the Members of this body to vote a certain way or to support certain legislation. In many ways he has been one of those people that is sort of the conscience of this body and particularly of our Democratic Caucus. I know that has been recognized, but I do not know if it was mentioned today. We will sorely miss him because of what he contributes to this body and to our Democratic Caucus.

Mr. Chairman, I just want to thank the gentleman from North Carolina (Mr. HEFNER) again and also the gentleman from California (Mr. PACKARD) for this legislation. I also want to thank the gentleman from New Jersey (Mr. PAPPAS) who cochairs our Save our Fort Committee, which is a bipartisan committee that deals with two military bases in our two districts, Fort Monmouth and Earle Naval Weapons Depot.

Two projects for which funding was included in this bill are of importance to us. One is the addition to the Communication and Electronics Command Software Engineering Center at Fort Monmouth and the second is the design study for berthing pier replacements at Naval Weapons Station Earle. Expansion of Seacom's Software Engineering Center will allow Fort Monmouth to intensify its efforts to ensure American soldiers have the types of technological advantages that are the hallmark of U.S. military forces around the world.

With respect to Earle, Piers 2 and 3 were constructed in 1944, and after over 40 years the time has come to replace them. Because the pier complex at Earle is one of the Navy's most important facilities on the eastern seaboard, it is extremely important that resources be provided for their upkeep. I am very pleased the committee has recognized the importance of Earle's mission and thank my colleagues for approving the first step of the DOD's long-term plan to modernize Piers 2 and 3 at Earle.

I just want to thank again my colleagues on the committee, and particularly the chairman and retiring member the gentleman from North Carolina.

Mr. PACKARD. Mr. Chairman, I yield 2 minutes to the gentleman from Nebraska (Mr. BEREUTER).

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

Mr. BEREUTER. Mr. Chairman, I rise in strong support of H.R. 4059. I would also like to express a very special and sincere thanks to the chairman of the appropriations subcommittee, the gentleman from California (Mr. PACKARD); and to also express appreciation to the ranking Democrat of the subcommittee, the distinguished gentleman from North Carolina who is receiving such understandably high praise today in light of his career here in the House. And, of course, I thank the chairman and the ranking member of the full committee for their assistance.

Their assistance to this Member relates to efforts in approving funding for the Nebraska National Guard Joint Army-Air Medical Training Facility located in Nebraska's First Congressional District which I represent. I know it is particularly important in light of the limited financial resources for the subcommittee's work this year.

The new facility will be a unique cost saving military construction project for both Nebraska's Army and Air National Guard units. It will provide resources jointly to fund the construction project. While this joint funding construction arrangement is unusual and was initially bureaucratically challenged, to say the least, it is the reasonable way to go, for a jointly used facility is by far the most cost-effective and economical use of taxpayer resources. Is it not ironic that taking the most cost-effective approach in spending the taxpayers' money is not always the easiest bureaucratic course? This project will go a long way toward improving the quality of training that the Army and the Air National Guard health professionals will receive, and will also improve the quality of health care provided to their personnel.

In conclusion, I want to express my sincere thanks to the National Guard Bureau and especially to the authorizing and appropriating subcommittees for assisting this Member in his efforts to make this joint, cost-effective project a reality. The gentleman from California (Mr. PACKARD) and his staff have been assisting this Member in this effort for more than a year now to bring us to this point. I thank the gentleman for that effort. This is a frugally prepared piece of legislation worthy of support. I urge my colleagues to vote ''aye.''

Mr. HEFNER. Mr. Chairman, I have one other speaker, but I would be remiss if I did not single out one particular person who has been very dedicated to this process and to this subcommittee, Liz Dawson, who has labored absolutely far beyond the call of duty. Liz, we are going to miss you. We hope the very best for you. You have done a tremendous job through all these years.

Mr. Chairman, I yield 2 minutes to the gentleman from Connecticut (Mr. GEJDENSON).

Mr. GEJDENSON. Mr. Chairman, in this institution through the years we see many people come and go. The great wealth of American ability is that they get replaced by capable individuals that go on to represent their constituents. It is not often that a vacuum is felt in this Chamber. This is a very vibrant country. Most of us when we leave here and go back to our personal lives, while occasionally remembered, the society runs just fine, and the institution runs fine.

We are going to miss our friend the gentleman from North Carolina (Mr. HEFNER). We are going to miss him not just because of his personality and his friendship but because the courage he has exhibited on this floor over and over again on so many issues. People always talk about political courage as if there is a political benefit for political courage, but I think most people inside this institution know that oftentimes in the instances where there is the greatest political courage, there is actually a larger political cost. You lose more votes for being courageous. You are often safer playing in the middle of the road.

The gentleman from North Carolina has not done that. In the years here on tough vote after tough vote, he stood up for what he believed to be right, right for the country and right for his constituents. At times I guess it has cost him some votes back home. But from the people that know him and admire him as I do, it just increased our respect for the work he has done here.

We often do not get this sentimental in speaking about each other, but in the 18 years that I will be here at the end of this term, I cannot think of but several other Members that I hold in the same high standard as I do the gentleman from North Carolina. He has been a good friend, he has been a great Member of Congress, and he has used his political base and capital for the betterment of this country and his district. For that we all owe him a great debt of gratitude.

Mr. HEFNER. Mr. Chairman, I hope that every Member of this body will vote ''aye'' on this military construction bill, and I yield back the balance of my time.

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

Mr. Chairman, I wish to conclude this debate by just simply saying how much I appreciate the work that the staff has done on my side of the aisle. Liz Dawson, Hank Moore and Mary Arnold have done yeoman's work for years on this subcommittee and certainly have made my job easy. On the Democratic side, Tom Forhan and Irene Schecter. We deeply appreciate the work that each of our staff does. They serve the gentleman from North Carolina and myself very well.

I really appreciate the Members who have come to the floor on both sides of the aisle and expressed their feelings about the character and the service of the gentleman from North Carolina, and I certainly wish to relate myself to those remarks. He has been a remarkable Member. I have deep love and affection for him and for the work he has done for the country.

Mr. BUYER. Mr. Chairman, I rise in support of this bill. This bill appropriates $450 million

above the President's request for military construction. However, it represents a total decrease of approximately $974 million from last year's bill.

As a member of the installations and facilities authorizing subcommittee, I continue to be concerned about the backlog of unfunded military construction projects in our Armed Forces. Those concerns are evident throughout this bill.

I would like to highlight two areas. The bill provides $125 million or chemical weapons demilitarization, including $29.5 million for the Newport Army Ammunition Plant in Indiana. Timely destruction of our chemical weapons is a time-sensitive problem. This bill, along with National Security Committee's authorization bill, outlines the long-term plan to destroy the stockpile.

The bill also appropriates $309 million for Guard and Reserve construction. Maintaining our Guard and Reserve facilities is a key to readiness. While the bill provides nearly $130 million more than the Presidents request, the total is $155 million less than last year's amount.

In this 14th year of real decline in the Defense budget, I intend to vote for this bill, but with the warning that we need to pay more attention to Defense spending if we intend to remain the sole remaining superpower in this world.

Mr. FAZIO of California. Mr. Chairman, I rise in support of the Military Construction Appropriations bill which provides $8.2 billion for the construction of up-to-date facilities for our hard-working men and women in the military and their families. I, along with my colleagues on the Military Construction Appropriations Subcommittee, feel that this is a good bill that addresses serious health and human safety issues at our aging military bases.

I am pleased that 2 crucial projects in my area are included in the bill. One of these projects is replacement of the antiquated, 30-year old Air Traffic Control Tower at Travis Air Force base. I've been up in that tower a number of times and felt the entire structure sway under my feet, and I can vouch for the absolute necessity to have a new one built as soon as possible. The current tower is extremely dangerous, and I'm pleased that construction of a new tower can begin this year.

Antoher important provision included in the bill is language instructing the Army to demolish buildings and clean up environmental hazards at the Rio Vista Army Reserve Center in an expedited fashion. The Rio Vista Army Reserve Center was all but abandoned in the late 80's, and the Army has done little to maintain the property since that time. With my help in 1994, the residents of Rio Vista jumped at the chance to take over the base property and convert it to a recreational area. But the slow pace of the Army's environmental clean-up has hampered the community's efforts to begin construction of new facilities. I am pleased that the community can now put their plans into action.

Because of these and other important health and safety projects in the Military Construction Appropriations bill, I would urge my colleagues to vote for the bill.

Mr. BISHOP. Mr. Chairman, I rise today in support of H.R. 4059, the Military Construction Appropriations Bill for Fiscal Year 1999. I wish to commend Chairman PACKARD, Ranking Member HEFNER and the Committee on Appropriations for crafting a bill which provides the necessary funding to improve the quality of life for our men and women in the Armed Forces.

I believe that this measure goes far in addressing the backlog in readiness, revitalization, and quality of life projects. The measure before us today will fund the planning and construction of several barracks, family housing and operational facilities.

The Second Congressional District of Georgia is home to three military installations; Fort Benning, home of the 75th Ranger Regiment, Moody Air Force Base in Valdosta, home of the 347th Fighter Wing, and the Marine Corps Logistics Center in Albany. I have seen first hand the excellent work that our fighting men and women do, often under very difficult circumstances. Our responsibility is to make their jobs easier. We cannot expect to attract qualified recruits if we provide inadequate facilities for them to work out of.

This measure would provide Fort Benning with $28,600,000 to construct barracks, a soldier community building, a battalion headquarters with classroom building, and company operations buildings. It will also provide the Marine Corps Logistics Base in Albany $2,800,000 with a Child Development Center which will increase the Base's current capacity of 228 to over 300 children. This center will address the growing demand for quality child care on our bases. And, it will provide $11,000,000 for alterations to a medical and a dental clinic. These expansion and modernization plans will positively contribute to the delivery of quality health care and patient accessibility to quality medical care.

The portions of the bill I just spoke of place a human face on this debate. We know that we have the most technologically advanced military in the world. It is time we improve the quality of life for the men and women who are the heart and soul of that military. This bill does a very good job of doing just that! Therefore, I strongly urge my colleagues to support this measure.

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.

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:

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, 1999, for military construction, family housing, and base realignment and closure functions administered by the Department of Defense, and for other purposes, namely:

MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, $780,599,000, to remain available until September 30, 2003: *Provided,* That of this amount, not to exceed $63,792,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor.

Mrs. CLAYTON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I thank Members on both sides for allowing me to do this. I came late to be a part of what I guess will be the gentleman from North Carolina's official management of the military construction bill. I would be remiss if I did not have an opportunity to join with my colleagues in saying what a yeoman's job he has done, but what an outstanding job he has done for the State of North Carolina and how grateful we are for his leadership. We will miss him for a lot of things. Among those as being uniquely the gentleman from North Carolina not only as singer, a kidder and a joker but being a legislator with heart and having the gumption to speak his feeling so people would know his passion. But also for the people that we jointly represent, the people of Cumberland County. That is where Fort Bragg is.

I certainly would be remiss on this last bill if the military men and women who serve our country so well in that area did not through me say thank you for all the things that he has done for the military throughout the United States but particularly for Fort Bragg.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

MILITARY CONSTRUCTION, NAVY

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, $570,643,000, to remain available until September 30, 2003: *Provided,* That of this amount, not to exceed $60,346,000 shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, $550,475,000, to remain available until September 30, 2003: *Provided,* That of this amount, not to exceed

$37,592,000 shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as authorized by law, $611,075,000, to remain available until September 30, 2003: *Provided*, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as he may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided further*, That of the amount appropriated, not to exceed $24,866,000 shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $70,338,000, to remain available until September 30, 2003.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $97,701,000, to remain available until September 30, 2003.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $71,894,000, to remain available until September 30, 2003.

MILITARY CONSTRUCTION, NAVAL RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $33,721,000, to remain available until September 30, 2003.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $35,371,000, to remain available until September 30, 2003.

NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized in Military Construction Authorization Acts and section 2806 of title 10, United States Code, $169,000,000, to remain available until expended.

FAMILY HOUSING, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension and alteration and for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, as follows: for Construction, $82,840,000, to remain available until September 30, 2003; for Operation and Maintenance, and for debt payment, $1,097,697,000; in all $1,180,537,000.

FAMILY HOUSING, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension and alteration and for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, as follows: for Construction, $130,457,000, to remain available until September 30, 2003; for Operation and Maintenance, and for debt payment, $915,293,000; in all $1,045,750,000.

FAMILY HOUSING, AIR FORCE

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension and alteration and for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, as follows: for Construction, $207,880,000, to remain available until September 30, 2003; for Operation and Maintenance, and for debt payment, $785,204,000; in all $993,084,000.

FAMILY HOUSING, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for construction, including acquisition, replacement, addition, expansion, extension and alteration, and for operation and maintenance, leasing, and minor construction, as authorized by law, as follows: for Construction, $345,000, to remain available until September 30, 2003; for Operation and Maintenance, $36,899,000; in all $37,244,000.

DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

For the Department of Defense Family Housing Improvement Fund, $242,438,000, to remain available until expended: *Provided*, That of this amount, not to exceed $7,000,000 shall be the sole source of funds available during the current fiscal year for planning, administrative, and oversight costs incurred by the Housing Revitalization Support Office relating to military family housing initiatives and military unaccompanied housing initiatives pursuant to 10 U.S.C. 2883, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

HOMEOWNERS ASSISTANCE FUND, DEFENSE

For activities authorized by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966, as amended (42 U.S.C. 3374), $7,500,000, to remain available until expended.

BASE REALIGNMENT AND CLOSURE ACCOUNT, PART III

For deposit into the Department of Defense Base Closure Account 1990 established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991 (Public Law 101–510), $433,464,000, to remain available until expended: *Provided*, That not more than $271,800,000 of the funds appropriated herein shall be available solely for environmental restoration, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor.

BASE REALIGNMENT AND CLOSURE ACCOUNT, PART IV

For deposit into the Department of Defense Base Closure Account 1990 established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991 (Public Law 101–510), $1,297,240,000, to remain available until expended: *Provided*, That not more than $426,036,000 of the funds appropriated herein shall be available solely for environmental restoration, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor.

GENERAL PROVISIONS

SEC. 101. None of the funds appropriated in Military Construction Appropriations Acts shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed $25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds appropriated to the Department of Defense for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds appropriated to the Department of Defense for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds appropriated in this Act may be used to begin construction of new bases inside the continental United States for which specific appropriations have not been made.

SEC. 105. No part of the funds provided in Military Construction Appropriations Acts shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; or (2) purchases negotiated by the Attorney General or his designee; or (3) where the estimated value is less than $25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds appropriated in Military Construction Appropriations Acts shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Military Construction Appropriations Acts.

SEC. 107. None of the funds appropriated in Military Construction Appropriations Acts for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations.

SEC. 108. No part of the funds appropriated in Military Construction Appropriations Acts may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds appropriated in Military Construction Appropriations Acts may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations.

SEC. 111. None of the funds appropriated in Military Construction Appropriations Acts may be obligated for architect and engineer contracts estimated by the Government to exceed $500,000 for projects to be accomplished in Japan, in any NATO member country, or in countries bordering the Arabian Gulf, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds appropriated in Military Construction Appropriations Acts for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Gulf, may be used to award any contract estimated by the Government to exceed $1,000,000 to a foreign contractor: *Provided,* That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: *Provided further,* That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense is to inform the appropriate committees of Congress, including the Committees on Appropriations, of the plans and scope of any proposed military exercise involving United States personnel thirty days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed $100,000.

SEC. 114. Not more than 20 percent of the appropriations in Military Construction Appropriations Acts which are limited for obligation during the current fiscal year shall be obligated during the last two months of the fiscal year.

(TRANSFER OF FUNDS)

SEC. 115. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 116. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 117. Notwithstanding any other provision of law, any funds appropriated to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were appropriated if the funds obligated for such project: (1) are obligated from funds available for military construction projects and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

(TRANSFER OF FUNDS)

SEC. 118. During the five-year period after appropriations available to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation ''Foreign Currency Fluctuations, Construction, Defense'' to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 119. The Secretary of Defense is to provide the Committees on Appropriations of the Senate and the House of Representatives with an annual report by February 15, containing details of the specific actions proposed to be taken by the Department of Defense during the current fiscal year to encourage other member nations of the North Atlantic Treaty Organization, Japan, Korea, and United States allies bordering the Arabian Gulf to assume a greater share of the common defense burden of such nations and the United States.

(TRANSFER OF FUNDS)

SEC. 120. During the current fiscal year, in addition to any other transfer authority available to the Department of Defense, proceeds deposited to the Department of Defense Base Closure Account established by section 207(a)(1) of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526) pursuant to section 207(a)(2)(C) of such Act, may be transferred to the account established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991, to be merged with, and to be available for the same purposes and the same time period as that account.

SEC. 121. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the ''Buy American Act'').

SEC. 122. (a) In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(b) In providing financial assistance under this Act, the Secretary of the Treasury shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

(TRANSFER OF FUNDS)

SEC. 123. (a) Subject to thirty days prior notification to the Committees on Appropriations, such additional amounts as may be determined by the Secretary of Defense may be transferred to the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in ''Family Housing'' accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: *Provided,* That appropriations made available to the Fund shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169, title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing and supporting facilities.

(b) Subject to thirty days prior notification to the Committees on Appropriations, such additional amounts as may be determined by the Secretary of Defense may be transferred to the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for the acquisition or construction of military unaccompanied housing in ''Military Construction'' accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: *Provided,* That appropriations made available to the Fund shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169, title 10, United States Code, pertaining to alternative means of acquiring and improving military unaccompanied housing and ancillary supporting facilities.

SEC. 124. (a) Not later than 60 days before issuing any solicitation for a contract with the private sector for military family housing or military unaccompanied housing, the Secretary of the military department concerned shall submit to the congressional defense committees the notice described in subsection (b).

(b)(1) A notice referred to in subsection (a) is a notice of any guarantee (including the making of mortgage or rental payments) proposed to be made by the Secretary to the private party under the contract involved in the event of—

(A) the closure or realignment of the installation for which housing is provided under the contract;

(B) a reduction in force of units stationed at such installation; or

(C) the extended deployment overseas of units stationed at such installation.

(2) Each notice under this subsection shall specify the nature of the guarantee involved and assess the extent and likelihood, if any, of the liability of the Federal Government with respect to the guarantee.

(c) In this section, the term ''congressional defense committees'' means the following:

(1) The Committee on Armed Services and the Military Construction Subcommittee, Committee on Appropriations of the Senate.

(2) The Committee on National Security and the Military Construction Subcommittee, Committee on Appropriations of the House of Representatives.

SEC. 125. Payments received by the Secretary of the Navy pursuant to subsection (b)(1) of section 2842 of the National Defense Authorization Act, 1993 (Public Law 102–484) are appropriated and shall be available for the purposes authorized in subsection (d) of that section.

SEC. 126. It is the sense of the Congress that the Secretary of the Army should name the ''All American Parkway'' at Fort Bragg, North Carolina, as the ''W.G. 'Bill' Hefner All American Parkway''.

Mr. PACKARD (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 19, line 21, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. Are there any amendments?

If not, the Clerk will read the last two lines of the bill.

The Clerk read as follows:

This Act may be cited as the ''Military Construction Appropriations Act, 1999''.

The CHAIRMAN. If there are no further amendments, pursuant to the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BEREUTER) having assumed the chair, Mr. PEASE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4059) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1999, and for other purposes, pursuant to House Resolution 477, he reported the bill back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

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

□ 1715

The SPEAKER pro tempore (Mr. BEREUTER). The question is on the passage of the bill.

Pursuant to clause 7 of rule XV, the yeas and nays are ordered.

Pursuant to clause 5 of rule I, further proceedings are postponed until later today.

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. 4059) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1999, and for other purposes, and that I may include tabular and extraneous material.

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

There was no objection.

REPORT ON H.R. 4103, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1999

Mr. LIVINGSTON, from the Committee on Appropriations, submitted a privileged report (Rept. No. 105–591) on the bill (H.R. 4103) making appropriations for the Department of Defense for the fiscal year ending September 30, 1999, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. All points of order are reserved on the bill.

REPORT ON H.R. 4104, TREASURY DEPARTMENT, UNITED STATES POSTAL SERVICE, EXECUTIVE OFFICE OF THE PRESIDENT AND INDEPENDENT AGENCIES APPROPRIATION ACT, 1999

Mr. LIVINGSTON, from the Committee on Appropriations, submitted a privileged report (Rept. No. 105–592) on the bill (H.R. 4104) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1999, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. All points of order are reserved on the bill.

GENERAL LEAVE

Mr. MCDADE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill, H.R. 4060, making appropriations for energy and water development for the fiscal year ending September 30, 1999, and for other purposes, and that I be permitted to include tabular and extraneous material.

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

There was no objection.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1999

The SPEAKER pro tempore. Pursuant to House Resolution 478 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for consideration of the bill, H.R. 4060.

□ 1718

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. 4060) making appropriations for energy and water development for the fiscal year ending September 30, 1999, 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 Pennsylvania (Mr. MCDADE) and the gentleman from Texas (Mr. EDWARDS) each will control 30 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. MCDADE).

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

I rise in support of the energy and water bill making appropriations for fiscal year 1999. I want to point out to my colleagues that this bill was reported about a week ago unanimously by the Committee on Appropriations, and just about a week before that it was also reported unanimously by our subcommittee.

We in the subcommittee had a tremendous challenge this year, a tough bill, difficult to work, primarily because we had a budget that was inadequate.

I do not believe there was a scintilla of doubt among the membership that when we saw the budget for the Corps of Engineers particularly we knew that we could not execute it. But the Members hunkered down, on both sides of the aisle, and re-wrote this bill, Mr. Chairman, from the bottom up. We reordered priorities, we focused resources on areas of investment promising the greatest returns, we demanded greater efficiencies, and produced a bill that in my view is both fiscally responsive and protective of so many interests within the jurisdiction of the Subcommittee on Energy and Water Development.

Total spending on the bill is $20.65 billion. That represents a reduction of $80 million from fiscal year 1998 and $649 million below the budget request. Of the total amount, $11.8 billion, just about 60 percent of every penny spent in this bill, is for the atomic energy defense activities of the Department of Energy. The remaining $8.7 billion is for domestic programs, and it represents a decrease of $473 million from the current fiscal year and $284 million from the budget request.

Mr. Chairman, I just want to point out to my colleagues in the House that in reordering those priorities that we talked about, we looked at highly significant projects that we could complete in an efficient and effective way. My colleagues will see this bill unanimously appropriating $63 million for the Los Angeles harbor project, and $60 million for the Houston-Galveston navigation project, and $60 million for the L.A. County drainage area project, where human lives are at stake and where people of lower incomes have been forced to pay ever-rising insurance costs to try to stay in their homes.

We have completed a work that represents a togetherness on the subcommittee and on the full committee, and that respects the necessary programs to keep this Nation strong. There is, as far as I know, and I think I can speak with authority, no dissent from any member of the committee on this bill. I hope that all Members will support this bill.

Mr. Chairman: I rise in support of the Energy and Water Development Appropriations Bill for fiscal year 1999. The bill was reported without dissent by the Committee on Appropriations last Tuesday, June 16.

The Committee has faced—and, I believe, has met—a tremendous challenge in assembling a responsible bill within the constraints of a significantly reduced allocation for domestic discretionary programs. By reordering budgetary priorities, focusing resources on areas of investment promising the greatest returns, and demanding greater efficiencies from program managers, we have produced a bill that is both fiscally responsible and protective of the vital services within the jurisdiction of the Subcommittee on Energy and Water Development.

Total spending in the bill is $20.65 billion, a reduction of $80 million from fiscal year 1998 and $649 million from the budget request. Of the total amount, $11.8 billion—approximately 60 percent of the total spending in the bill—is for the atomic energy defense activities of the Department of Energy. The remaining $8.7 billion for domestic programs represents a decrease of $473 million from the current fiscal year and $284 million from the budget request.

Although the Committee faced severe budgetary constraints, it was able to thoroughly reject and repudiate the Administration's proposal to decimate the civil works program of the Corps of Engineers. The budget request for the Corps—a reduction of $948 million from the fiscal year 1998 level—was completely irresponsible. The Administration presented a proposal to halve the Corps' construction budget. According to the testimony of the Corps, this would be, in terms of real dollars, the lowest construction budget in the history of the civil works program.

Our recommendation for the Corps of Engineers is nearly $4 billion. While this is $202 million below the fiscal year 1998 level, it is $745 million above the budget request. Where the Administration proposed to terminate scores of construction projects, place dozens more on life support, increase costs, and extend project completion schedules, the Committee has concentrated available resources on continuing projects in the construction pipeline, and funding them at levels that, in several cases, represent the Corps' maximum capability for fiscal year 1999. This includes $63 million for the Los Angeles Harbor project, $60 million for the Houston-Galveston navigation channels project; $60 million for the Los Angeles County Drainage Area project; $15 million for construction and operation and maintenance of the Boston Harbor project; and dozens more.

By focusing on the traditional and vital missions of flood control, navigation and shoreline protection, the Commission has drawn a sharp distinction between its priorities and those of the Administration. Still, we labored under serious budget constraints, and as a consequence, we were unable to fund new starts in the Construction, General account of the Corps of Engineers.

The Committee acknowledges that there are many very worthy projects that were unable to receive funding because of the Administration's opposition to beach renourishment projects and its failure to include sufficient funding in the budget for a viable civil works program. The Committee would have liked to provide funding for worthy projects, like the Brevard County Shoreline Protection project. The Federal government has an obligation to address problems that have arisen because of Corps projects, like the erosion along Brevard County's shoreline that has been caused by construction of a Federal inlet. The Committee, which does not share the Administration's antipathy toward shoreline protection, will continue to work toward the provision of sufficient funding for these worthy projects.

Title II of the bill funds the Bureau of Reclamation within the Department of the Interior. Our recommendation includes $804 million for Title II. This is a reduction of $112 million from the FY 98 level and $131 million from the budget request. Now that the West has been reclaimed and the Bureau has changed its mission to one of water resource protection and management, it is time to begin a serious dialogue on the agency's future and abiding role in western resource issues. The Committee is anxious to participate in that discussion.

Title III of the bill provides funding for all of the atomic energy defense activities, and most of the domestic discretionary activities, of the Department of Energy. Of the $16.2 billion provided for DOE, $11.8 billion is for atomic energy defense activities. This funding provides for stewardship of our nuclear weapons stockpile, arms control and nonproliferation activities, and naval reactor research and development. In terms of dollars this bill's largest commitment is to cleaning up the environmental degradation that is the legacy of decades of nuclear weapons production. The bill provides over $6.3 billion for environmental restoration and waste management activities of the Department of Energy.

The non-defense activities of the DOE are funded at or near fiscal year 1998 levels. One notable exception is funding for domestic science programs, which were increased by $164 million (or 7 percent) to provide first year funding for construction of the Spallation Neutron Source in Tennessee, and additional funding to operate existing science facilities.

Title IV of the bill funds independent agencies. The amount in Title IV is $103 million, a decrease of $175 million from the budget request and $396 million from the budget request. There are two principal components of this sizable reduction. First, the Committee recommendation includes no new funding for the highway program of the Appalachian Regional Commission. Funding for that program will now come from the Highway Trust Fund, pursuant to the recently enacted highway bill. Second, the bill includes no new funding for the nonpower programs of the Tennessee Valley Authority. Consistent with Public Law 105–62, TVA is empowered and directed to continue funding those programs with internally generated revenues and savings.

Mr. Chairman, I want to commend the Members of the Subcommittee on Energy and Water for their hard work and for their commitment to working through a vast number of difficult issues and choices for fiscal year 1999. I am deeply appreciative of their contributions and their dedication to this bill.

I am especially pleased to commend the Ranking Minority Member on the Energy and Water Subcommittee, the Honorable VIC FAZIO. The Energy and Water Bill has enjoyed a long tradition of bipartisanship, and the gentleman from California has done everything within his power to perpetuate that tradition. I am grateful for his service to the Subcommittee, to the House of Representatives, and to the country.

Mr. Chairman, I urge all of my colleagues to support the Energy and Water Development Appropriations Bill for fiscal year 1999.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL, 1999 (H.R. 4060)

	FY 1998 Enacted	FY 1999 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
TITLE I - DEPARTMENT OF DEFENSE - CIVIL					
DEPARTMENT OF THE ARMY					
Corps of Engineers - Civil					
General investigations	156,804,000	150,000,000	162,823,000	+6,019,000	+12,823,000
Construction, general	1,468,373,000	784,000,000	1,452,629,000	-15,744,000	+668,629,000
Contingent emergency appropriation	5,000,000	.....	.....	-5,000,000	.....
Flood control, Mississippi River and tributaries, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee	296,212,000	280,000,000	312,077,000	+15,865,000	+32,077,000
Operation and maintenance, general	1,740,025,000	1,603,000,000	1,640,499,000	-99,526,000	+37,499,000
Emergency appropriations (P.L. 105-174)	105,185,000	.....	.....	-105,185,000	.....
Regulatory program	106,000,000	117,000,000	110,000,000	+4,000,000	-7,000,000
Flood control and coastal emergencies	4,000,000	.....	.....	-4,000,000	.....
Formerly utilized sites remedial action program	140,000,000	.....	.....	-140,000,000	.....
Defense function	.....	140,000,000	140,000,000	+140,000,000	.....
General expenses	148,000,000	148,000,000	148,000,000	.....	.....
Total, title I, Department of Defense - Civil	4,169,599,000	3,222,000,000	3,966,028,000	-203,571,000	+744,028,000
TITLE II - DEPARTMENT OF THE INTERIOR					
Central Utah Project Completion Account					
Central Utah project construction	23,743,000	22,189,000	24,189,000	+446,000	+2,000,000
Fish, wildlife, and recreation mitigation and conservation	11,610,000	12,476,000	10,476,000	-1,134,000	-2,000,000
Utah reclamation mitigation and conservation account	5,000,000	5,000,000	5,000,000	.....	.....
Program oversight and administration	800,000	1,283,000	1,283,000	+483,000	.....
Total, Central Utah project completion account	41,153,000	40,948,000	40,948,000	-205,000	.....
Bureau of Reclamation					
Water and related resources	694,348,000	640,124,000	596,254,000	-98,094,000	-43,870,000
(By transfer)	.....	(25,800,000)	(25,800,000)	(+25,800,000)	.....
Emergency appropriations (P.L. 105-174)	4,520,000	.....	.....	-4,520,000	.....
California Bay-Delta ecosystem restoration	85,000,000	143,300,000	75,000,000	-10,000,000	-68,300,000
Loan program	10,425,000	12,425,000	12,425,000	+2,000,000	.....
(Limitation on direct loans)	(31,000,000)	(38,000,000)	(38,000,000)	(+7,000,000)	.....
Policy and administration	47,558,000	48,000,000	46,000,000	-1,558,000	-2,000,000
Colorado River Dam fund (by transfer, permanent authority)	(-5,592,000)	.....	.....	(+5,592,000)	.....
Central Valley project restoration fund	33,130,000	49,500,000	33,130,000	.....	-16,370,000
Total, Bureau of Reclamation	874,981,000	893,349,000	762,809,000	-112,172,000	-130,540,000
Total, title II, Department of the Interior	916,134,000	934,297,000	803,757,000	-112,377,000	-130,540,000
(By transfer)	(-5,592,000)	(25,800,000)	(25,800,000)	(+31,392,000)	.....
TITLE III - DEPARTMENT OF ENERGY					
Energy supply	906,807,000	1,129,042,000	882,834,000	-23,973,000	-246,208,000
Non-defense environmental management	497,059,000	462,000,000	466,700,000	-30,359,000	+4,700,000
Uranium enrichment decontamination and decommissioning fund	220,200,000	277,000,000	225,000,000	+4,800,000	-52,000,000
Science	2,235,708,000	2,482,460,000	2,399,500,000	+163,792,000	-82,960,000
Nuclear Waste Disposal Fund	160,000,000	190,000,000	160,000,000	.....	-30,000,000
Departmental administration	224,155,000	245,788,000	175,365,000	-48,790,000	-70,423,000
Miscellaneous revenues	-136,738,000	-136,530,000	-136,530,000	+208,000	.....
Net appropriation	87,417,000	109,258,000	38,835,000	-48,582,000	-70,423,000
Office of the Inspector General	27,500,000	29,500,000	14,500,000	-13,000,000	-15,000,000
Environmental restoration and waste management:					
Defense function	(5,520,238,000)	(5,783,000,000)	(5,683,651,000)	(+163,413,000)	(-99,349,000)
Non-defense function	(717,259,000)	(739,000,000)	(691,700,000)	(-25,559,000)	(-47,300,000)
Total	(6,237,497,000)	(6,522,000,000)	(6,375,351,000)	(+137,854,000)	(-146,649,000)
Atomic Energy Defense Activities					
Weapons activities	4,146,692,000	4,500,000,000	4,142,100,000	-4,592,000	-357,900,000
Defense environmental restoration and waste management	4,429,438,000	4,259,903,000	4,358,554,000	-70,884,000	+98,651,000
Defense facilities closure projects	890,800,000	1,006,240,000	1,038,240,000	+147,440,000	+32,000,000
Defense environmental management privatization	200,000,000	516,857,000	286,857,000	+86,857,000	-230,000,000
Subtotal, Defense environmental management	5,520,238,000	5,783,000,000	5,683,651,000	+163,413,000	-99,349,000
Other defense activities	1,666,008,000	1,667,160,000	1,761,260,000	+95,252,000	+94,100,000
Defense nuclear waste disposal	190,000,000	190,000,000	190,000,000	.....	.....
Total, Atomic Energy Defense Activities	11,522,938,000	12,140,160,000	11,777,011,000	+254,073,000	-363,149,000
Power Marketing Administrations					
Operation and maintenance, Alaska Power Administration	3,500,000	.....	.....	-3,500,000	.....
Capital assets acquisition	10,000,000	.....	.....	-10,000,000	.....
Operation and maintenance, Southeastern Power Administration	12,222,000	8,500,000	8,500,000	-3,722,000	.....
Operation and maintenance, Southwestern Power Administration	25,210,000	26,000,000	24,710,000	-500,000	-1,290,000

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL, 1999 (H.R. 4060)—Continued

	FY 1998 Enacted	FY 1999 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
Construction, rehabilitation, operation and maintenance,					
Western Area Power Administration	189,043,000	215,435,000	205,000,000	+15,957,000	-10,435,000
(By transfer, permanent authority)	(5,592,000)	.....	.....	(-5,592,000)	.....
Falcon and Amistad operating and maintenance fund	970,000	1,010,000	970,000	.....	-40,000
Total, Power Marketing Administrations	240,945,000	250,945,000	239,180,000	-1,765,000	-11,765,000
Federal Energy Regulatory Commission					
Salaries and expenses	162,141,000	168,898,000	166,500,000	+4,359,000	-2,398,000
Revenues applied	-162,141,000	-168,898,000	-166,500,000	-4,359,000	+2,398,000
Total, title III, Department of Energy	15,898,574,000	17,070,365,000	16,203,560,000	+304,986,000	-866,805,000
(By transfer)	(5,592,000)	.....	.....	(-5,592,000)	.....
TITLE IV - INDEPENDENT AGENCIES					
Appalachian Regional Commission	170,000,000	67,000,000	65,900,000	-104,100,000	-1,100,000
Defense Nuclear Facilities Safety Board	17,000,000	17,500,000	16,500,000	-500,000	-1,000,000
Nuclear Regulatory Commission:					
Salaries and expenses	468,000,000	483,340,000	462,700,000	-5,300,000	-20,640,000
Revenues	-450,000,000	-152,341,000	-444,700,000	+5,300,000	-292,359,000
Subtotal	18,000,000	330,999,000	18,000,000	.....	-312,999,000
Office of Inspector General	4,800,000	5,300,000	4,800,000	.....	-500,000
Revenues	-4,800,000	-1,749,000	-4,800,000	.....	-3,051,000
Subtotal	.....	3,551,000	.....	.....	-3,551,000
Total	18,000,000	334,550,000	18,000,000	.....	-316,550,000
Nuclear Waste Technical Review Board	2,600,000	2,950,000	2,600,000	.....	-350,000
Tennessee Valley Authority: Tennessee Valley Authority Fund	70,000,000	76,800,000	.....	-70,000,000	-76,800,000
Total, title IV, Independent agencies	277,600,000	498,800,000	103,000,000	-174,600,000	-395,800,000
Grand total:					
New budget (obligational) authority	21,261,907,000	21,725,462,000	21,076,345,000	-185,562,000	-649,117,000
Appropriations	(21,147,202,000)	(21,725,462,000)	(21,076,345,000)	(-70,857,000)	(-649,117,000)
Emergency appropriations	(109,705,000)	.....	.....	(-109,705,000)	.....
Contingent emergency appropriation	(5,000,000)	.....	.....	(-5,000,000)	.....
(By transfer)	.....	(25,800,000)	(25,800,000)	(+25,800,000)	.....

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

Mr. EDWARDS. Mr. Chairman, I yield myself such time as I may consume. I rise in support of H.R. 4060, the energy and water appropriation bill for fiscal year 1999.

The gentleman from California (Mr. FAZIO), the ranking member of this important subcommittee, will be on the floor in just a few moments, but in the meantime, Mr. Chairman, I would like to pay tribute to two leaders of this subcommittee who, along with the gentleman from North Carolina (Mr. HEFNER) whom we honored a few minutes ago, are retiring at the end of this Congress.

This will represent the last time that the gentleman from Pennsylvania (Mr. JOE MCDADE), the chairman, and the ranking member, the gentleman from California (Mr. VIC FAZIO), will be responsible for bringing the energy and water appropriations bill to the floor of this House, and on behalf of all of us who have had the privilege to serve with both of these leaders in Congress, I want to thank them for their lifetime of service to our Nation.

Let me begin with the gentleman from Pennsylvania, and while we often say, Mr. Chairman, ''gentleman'' when referring to our colleagues on this floor, I think whoever coined that phrase must have had Mr. MCDADE in mind when he developed that word because I could think of no better way to describe the chairman, our friend and colleague of this committee, then to say he is a gentleman from head to toe. His lifetime of service, over 3 decades of commitment to our country and this House, are living proof of that. In all the times that I have known him he has served with great dignity and honesty and integrity.

And while I have only had the honor of serving on his particular subcommittee for a year and a half, I want to say, Mr. Chairman, that when I was coming onto the Committee on Appropriations I asked a former member of this subcommittee, Mr. CHAPMAN of Texas, which subcommittee I should consider serving on, and he said to me that the most important factor I ought to look at is not just the substance of the committee but the chairman of that committee. For that reason he said without doubt I should ask to be on that subcommittee because the gentleman from Pennsylvania (Mr. MCDADE) is the kind of Member that all Americans could be proud of.

And once again there is not a floor full of Members on this floor for the very reason that the gentleman from Pennsylvania (Mr. MCDADE) has handled this business like he handles all of his business, in a fair, evenhanded and on a totally nonpartisan basis.

So, Mr. Chairman, on behalf of all of us in this House and families all across America from his district to mine who will live in a better country, better flood control, better safety in terms of the proliferation of nuclear weapons around the world; for those and so many more important issues that are part of this bill and other bills the gentleman from Pennsylvania has been a part of, I want to express my lasting gratitude to the gentleman for his sacrifice and service on behalf of this country.

Let me also say, Mr. Chairman, that the gentleman from California (Mr. FAZIO), the ranking member of this subcommittee, will be retiring at the end of this Congress, so this will also be the last time he comes to the floor as a ranking member to push the energy and water appropriations bill.

Time will not permit me to list all of the accomplishments of the gentleman from California (Mr. FAZIO), but no one in this House would doubt that he has been one of the true leaders in the House of Representatives for his many years of service as former chairman of the Democratic Campaign Committee, as being a leading spokesman for the Democratic Party and Democratic Members of this House. But in serving as a leading member of the Committee on Appropriations he put that partisanship aside, particularly on the energy and water bill, because he knew that providing flood protection and providing funds for research for renewable sources of energy to make our country economically sound for decades to come, he knew that in providing efforts to try to stop the proliferation of nuclear weapons across the Soviet Union, the former Soviet Union, and through other countries in the world, he knew that those efforts were far more important than any particular party, and in that capacity Mr. FAZIO has fought hard to bring legislation to this floor that will reflect well upon this body for many years and many decades to come.

Finally, as a member of this committee, let me just thank the chairman and ranking member for working on this particular bill under the limits of a very difficult budget, but to work in a way that the taxpayers would be proud, and using limited resources to focus on priority programs from flood control to nuclear weapons proliferation. They spent these dollars in a way that I think will be good for this country, and I think the best reflection of that was the committee vote, which as the chairman said was a unanimous vote of both Democrats and Republicans.

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

Mr. MCDADE. Mr. Chairman, I yield such time as he may consume to the gentleman from Louisiana (Mr. LIVINGSTON) the very able chairman of the Committee on Appropriations.

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

Mr. LIVINGSTON. Mr. Chairman, I want to thank my friend, colleague, mentor, and guidance counselor, the gentleman from Pennsylvania (Mr. JOE MCDADE) not only for yielding this time to me, but for doing such an outstanding job both as chairman of his subcommittee but also as a Member of Congress since his appearance here on the scene in Washington, D.C. back in 1963.

I certainly rise to support his bill. It is one of the most important bills in the appropriations process, at least from the standpoint of a Member who lives in New Orleans, in the center of the Mississippi River Valley watershed, because all that water that comes down from the drainage area that starts up in Minnesota and comes through our territory, and I want to say that the gentleman from Pennsylvania (Mr. MCDADE) together with the gentleman from California (Mr. FAZIO) has certainly worked with all of the members on the subcommittee to make sure that their responsibility has been carried out in a sensitive manner and that the people of Louisiana and all throughout the watershed have been protected from the onslaught of floods.

But let me simply say on a personal note that first of all the gentleman from Pennsylvania (Mr. MCDADE) has been a wonderful Member of Congress, and this is his last year as chairman and last year as a Member of the House of Representatives, and of all the Members that we might talk about today or that we might think about today he is going to be one of the most sorely missed.

□ 1730

JOE MCDADE has not only a wealth of experience that he has brought to his role over these last many years, but he has got incredibly good judgment. He is a gifted politician in the finest sense of the word. Where some of us get led astray into areas of legislative domain that might seem to sink the most able of us, I guarantee you that JOE MCDADE rises above the tide and carries the way so that others can follow.

He was born in Scranton, and still lives there. He has represented Lackawanna County, Pennsylvania, in a number of ways since his graduation from Notre Dame in 1953 and at the University of Pennsylvania where he got his LLB. He was a clerk to a Federal judge; he practiced law; he became city solicitor of the city of Scranton; and then, in 1963, he was elected to the Congress of the United States.

I have had the pleasure of serving with JOE since my appearance in Congress in 1977, but more closely since I got to be a member of the Committee on Appropriations in 1980. We have served closely together on the same subcommittees. I just want to say that I have never seen a more able, more capable, more skilled legislator than JOE MCDADE. He has had a remarkable career.

I just want to take the opportunity to wish JOE and his wife Sarah and their family all of the best, a long, healthy, happy lifetime of success, and send with them the good wishes that

all of us here who have had the pleasure and honor of serving with him extend to them, so that he will know that he can always come back, because he has got lots of friends here.

Mr. Chairman, I would take another couple of minutes to say that VIC FAZIO is another outstanding Member who came on the scene after I did, in the 96th Congress. I was elected in the 95th. VIC FAZIO likewise has shown the skill, and understanding on legislative process that, frankly, few other Members have exhibited.

VIC has been elected to a number of partisan positions on his own side. He has been a formidable adversary, and, at the same time, he has conducted his affairs in good humor and with the ability to compromise when he has to and in bipartisan fashion. That is appreciated from this side of the aisle. He has been a friend, and we certainly want to extend our best wishes to him. I am sorry, apparently his flight has been delayed and he is not yet here today for the discussion of this bill but we want him to know that we send our best wishes to him and to his family for lots of success and happiness as he leaves Congress.

Finally, to MIKE PARKER, who came over to the Republican side of the aisle from the other side, after he first arrived here a few years ago, with great foresight, since we took the majority about the time that he made the switch, and has shown extraordinary diplomatic and legislative skills in his performance here.

MIKE has not been here as long as the other two, but he is a very, very talented guy, and a fellow who has got great judgment, upon which all of us have had the opportunity to value and treasure, because we find that he is a person that we can indeed rely on. We are going to miss him greatly, from the standpoint of leadership on the Committee on Appropriations and throughout the Republican Conference.

We wish him well in Mississippi, and hope that his political career is not over, that he will have other things in mind, and that his leadership will serve the people of Mississippi and the people of America in great fashion.

So with all of these three people, I want to say thank you for your service to the Committee on Appropriations, to this subcommittee and to the people of America. We value and treasure your friendship, we wish you well and bon voyage when you depart from Congress, but we thank you for the opportunity for allowing us to serve with you.

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

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

Mr. Chairman, I too want to extend my congratulations to the distinguished careers of the chairman and ranking member, and especially in one regard, and that is that they have been true champions of a great national treasure that we have in the country called the Mississippi River. In fact, in this appropriations bill, we nearly fully fund a very important program affecting the Mississippi River called the environmental management program that is a multistate, multiagency cooperative effort in order to collect data and monitor resources and conduct some habitat restoration on the Mississippi in order to preserve this treasure for future generations. It affects the upper Mississippi in particular, but I have always said that if we blow it up there, there is going to be consequences down south.

I look forward to working with these gentlemen throughout the course of the year in reauthorizing the environmental management program, and I too want to again just congratulate them on the leadership that they have shown on this issue, an issue that not only affects me and my constituents in western Wisconsin, but millions of people throughout middle America who appreciate the river and the multiple uses that we all share and use the river for.

As we consider the energy and water appropriations bill for fiscal year 1999, I want to commend the chairman and members of the Appropriations Committee for prioritizing funding for one of our Nation's most treasured natural resources, the Mississippi River. By providing nearly full funding, the environmental management program [EMP] for the Mississippi River will continue to excel at restoring and monitoring the long-term ecological health of one of our Nation's most treasured waterways.

During this Congress, I have worked with Representative OBERSTAR, Representative LEACH, and Representative GUTKNECHT to form the Bipartisan Upper Mississippi River Task Force. Sixteen Members of Congress—eight Members from each side of the aisle—have come together, in a bipartisan fashion, in recognition of the national importance of the navigational, recreational, and environmental benefits this Nation enjoys because of a healthy, vibrant Mississippi River. The Upper Mississippi River Task Force has repeatedly voiced its unwavering support for fully funding the EMP. I thank the members of the task force for their bipartisanship, diligence, and perseverance in supporting our Nation's interest in the Mississippi River.

The EMP is a cooperative effort of the U.S. Army Corps of Engineers, the U.S. Fish and Wildlife Service, the U.S. Geological Survey, and the five Upper Mississippi River Basin States of Illinois, Iowa, Minnesota, Missouri, and Wisconsin to evaluate, restore and enhance the river and wetland habitat along 1200 miles of the Upper Mississippi and Illinois Rivers. The EMP is a tremendous example of how Federal funds support the successful multi-state, multi-agency cooperation responsible for ensuring a healthy, vital Upper Mississippi River system.

The EMP is an essential tool in maintaining the quality of the river environment, as well as recreational and economic opportunities along the Mississippi River. Navigation along the Upper Mississippi River supports 400,000 full or part time jobs, which produces over $4 billion in individual income, Recreation use of the river generates 12 million visitors and spending of $1.2 billion in direct and indirect expenditures in the communities along the Mississippi.

I would also like to commend the Appropriations Committee for funding the La Farge Dam land transfer, an Army Corps of Engineers project in my district in western Wisconsin. The funding in this bill finally allow the Federal Government to return the Kickapoo reserve lands to the people of western Wisconsin. It will begin to restore the natural surroundings so that visitors from across the country may once again enjoy the beautiful bluffs and flowing waters of the Kickapoo River. I look forward to working with the conference committee to guarantee that the Corps of Engineers fulfills its financial obligations under current authorizing legislation by providing the necessary funds to the transferees.

Mr. MCDADE. Mr. Chairman, I am very pleased to yield 4 minutes to the gentleman from Michigan (Mr. KNOLLENBERG).

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

Mr. KNOLLENBERG. Mr. Chairman, I rise today to express my strong support for this bill, but first I, too, want to pay tribute to a gentleman who has become my friend. I am sorry that the gentleman from California (Mr. FAZIO) is not here, he will be along shortly, but let me just pay for a moment tribute to the man that I believe has earned the respect of this whole House, the gentleman from Pennsylvania (JOE MCDADE).

Along with VIC FAZIO, their spirit of cooperation is commendable. But the competence and the thoughtfulness of JOE MCDADE, his years of hard work, it will take many of us to fill the congressional shoes of Chairman JOE MCDADE. His character, his warmth, and, speaking on a personal note, his kindness and courtesy to me, and the fact that he is truly a gentleman in every respect, I will truly miss him, his counsel, his guidance, but never, however, his friendship. I will keep that.

Along with Chairman MCDADE, I see that Mr. FAZIO is here now, and I will extend and salute a hail, how are you. Certainly, as well, the competence of this man, VIC FAZIO, and his ability to work both sides of the aisle, has been something that I think this committee has benefitted by and this House has benefitted by.

Along with JOE MCDADE and VIC FAZIO, I would like to salute efforts by the Subcommittee on Energy and Water Development staff for bringing this strong bill to the floor. The administration's budget request, especially the funding shortfall they created in the water projects, was unworkable, if not irresponsible. This bill is responsible and balanced.

Just a few portions I would like to focus on. This year the administration more than doubled the budget request for climate change initiatives, creating a $1.7 billion government-wide umbrella to fund existing and new programs. Since the Senate has not yet ratified the Kyoto Protocol, it seems

the administration has put the cart in front of the horse.

I wanted to thank the gentleman from Pennsylvania (Chairman MCDADE) and the subcommittee staff for taking my concerns about Kyoto into account in this year's bill. Specifically I am pleased that the committee provided none of the $100 million increase requested by the administration to further research towards the goals of meeting the Kyoto Accord.

Also the committee was critical of the administration's tendency to devote half of its resources to advanced policy instead of conducting scientific research. The $27 million was cut to $13.5 million, in half, to reflect this criticism.

Furthermore, I support this bill's focusing on closing out the former defense and nuclear facilities. When I was first assigned to this Subcommittee on Energy and Water Development of the Committee on Appropriations, the Department of Energy reported we would not complete clean up of the environmental management sites until after the year 2075, with a total cost of some $230 billion. We are now looking to close all of the small EM sites and even some the larger sites, including Fernald in Ohio and Rocky Flats in Colorado by the year 2006. The reduction of landlord costs may be in the tens of billions of dollars.

Frankly, I also want to express my strong support for the nuclear energy and research initiative, NERI, and the nuclear energy water research grant program. I am pleased have we have included $5 million for the NERI program. This program is designed to reinvigorate the Department of Energy's nuclear energy R&D based on competitive and peer-reviewed applications concerning such issues as more efficient reactor designs, lower costs, improved safety, better on-site storage and proliferation resistant reactors.

Mr. Chairman, I urge support for this important R&D program and I urge support for the energy and water appropriations bill

Mr. FAZIO of California. Mr. Chairman, I yield 1 minute to the gentlewoman from North Carolina (Mrs. CLAYTON).

Mrs. CLAYTON. Mr. Chairman, I thank the gentleman for yielding me time. I also want to extend my congratulations and appreciation for the outstanding work that the chairman and the ranking member have done on the appropriation. Both of them have gallantly looked at our natural resources and tried to appropriate, with resources that are scarce, as efficiently and as passionately and caring so as to preserve those resources.

In particular I am appreciative and urge the support of this appropriation, because it indeed allows North Carolina to have the opportunity to widen their port authorities. The port authorities there have been historically valuable to the East Coast, but, in particular, to North Carolina. So you have allowed us to have at least $8.3 million that would allow us to go towards the long-range plan. Obviously the State is doing its part, the private sector is doing its part, and I am appreciative that the Federal Government is doing its part to allow us to have at least 80,000 jobs in our State as part of that.

Mr. Chairman, I urge support of the appropriation. I thank both the chairman and ranking member. My hat is off to the gentleman from California (Mr. FAZIO) for all of the fine work he has done for the people of America.

Mr. MCDADE. Mr. Chairman, I am delighted to yield 3 minutes to the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS. Mr. Chairman, I rise in strong support of this bill, for several reasons, not the least of which is the expertise and the judgment and wisdom that the chairman and the ranking member have put into this bill.

This is a bittersweet moment, I think, for all of us on this committee, and in fact the Congress, to see a fine bill like this brought to the floor, the finest that I have seen in my experience, given the circumstances; sweet in that respect, but bitter in that we are losing two of the most able gentleman this House has been able to have for many years.

JOE MCDADE, as has been said, is leaving us after this term. We wish we could talk him into staying, but I think his mind is set. The same for VIC FAZIO. But these two men have offered leadership at a time when we need leadership, and they have done it in a bipartisan, in fact, nonpartisan way, and we are certainly going to miss them deeply and long on this subcommittee and on the full committee and, of course, in this body. We wish for each of them happiness and success in the years to come.

The chairman has done an outstanding job in producing this appropriations bill, which adequately funds such diverse programs as nuclear weapons research, to solar and renewable energy technologies, to water infrastructure projects, to critical rural development programs like the Appalachian Regional Commission. This is not an easy bill to write.

I am particularly grateful for the chairman's efforts in increasing the administration's requested level for the Army Corps of Engineers. The President had the audacity to propose a funding level nearly $2 billion below the level required to continue ongoing water infrastructure projects at their optimal level. The President's request was the lowest budget request in terms of real dollars in the history of the civil works program of the United States.

□ 1745

This bill goes a long way toward getting those projects back on track. The recommendation is $3.97 billion. That will ensure that vital national priorities of flood control, navigation, and shoreline protection are adequately funded.

The gentleman from Pennsylvania (Chairman MCDADE) and his very capable staff have put together something that we can all be proud of, and I truly appreciate their insight and their responsiveness.

As has been said, we are losing a true patriot and statesman in the gentleman from Pennsylvania (Mr. JOE MCDADE). He has provided leadership, courage, and overwhelming devotion to the American people for nearly four decades in this body. This institution will not be the same without JOE MCDADE.

The same can be said of our friend, the gentleman from California (Mr. FAZIO), and of course, the gentleman from Mississippi (Mr. MIKE PARKER), who has served on this subcommittee admirably and well. He will be sorely missed, as well.

Whatever endeavors each decides to undertake in the future, I know they will display the same compassion and understanding and devotion as they always have here in the body. It has been a great personal honor to have served with them, and I wish for them and their family all the best. God speed.

Mr. FAZIO of California. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. GREEN).

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

Mr. GREEN. Mr. Chairman, first of all, I would like to thank both the gentleman from Pennsylvania (Chairman MCDADE) and our ranking member, the gentleman from California (Mr. FAZIO), for the service not only that they have provided to their districts over the years, but also to our great Nation. We will miss them, all of us will. I am not saying that just because they have been kind to the Port of Houston for a number of years, even before I was involved in serving in Congress.

But Mr. Chairman, I rise in support of the bill. It is a second year appropriation for the deepening and widening of the Port of Houston, and the committee, in its wisdom, with our only Texan on the committee, the gentleman from Texas (Mr. CHET EDWARDS), provided for $60 million for the deepening and widening of the Houston ship channel.

It is so important, not just for Houston but for all of America, because it generates $300 million annually for America in customs fees, and $213 million annually for local taxes.

The expansion of the Port of Houston and the Houston ship channel is important not only because it is the busiest port in foreign tonnage, and second in domestic tonnage, with more than 6,435 vessels navigating the channel annually. Again, this is a second year appropriation of $60 million.

Again, I would like to thank both the chairman and the ranking member for their service, but also the gentleman from Texas (Mr. EDWARDS), a neighbor of ours from Waco, Texas, for his efforts.

Mr. MCDADE. Mr. Chairman, I am pleased to yield 3 minutes to the able gentleman from New Jersey (Mr. FRELINGHUYSEN), a very valued member of our subcommittee.

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

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

Mr. Chairman, I rise today in support of this energy and water appropriations bill for fiscal year 1999. First, let me thank the gentleman from Pennsylvania (Chairman MCDADE) and the ranking member, the gentleman from California (Mr. FAZIO), for their bipartisan effort in bringing this bill to the floor, and to thank our excellent committee staff for their assistance, as well.

This will be these gentlemen's final energy and water bill presented in this House. As a member of this subcommittee, I have learned to depend on them for their outstanding guidance and for their incredible institutional memory. It is difficult to comprehend how we will be able to work without them. Their retirement from Congress will leave a big hole in this institution, and I will miss both of them as friends and leaders.

This bill before the House today stresses national priorities while keeping our commitment to downsizing the Federal Government. Unlike the President's budget request in January for the Army Corps of Engineers, this bill does maintain critical funding for flood safety, coastal protection, and dredging projects throughout my home State of New Jersey and throughout our Nation.

This bill flatly rejects the Administration's efforts to back away from these types of national commitments and investments, and restores funds needed to protect American life and property, and promotes our international competitiveness.

Of particular concern to me were efforts to shortchange our Nation's ports. In New York and our New Jersey harbor alone, the President's request was over $40 million short for what was needed to keep these important dredging projects on time and on track.

International trade is too important to jeopardize, and ships cannot enter our ports without adequate channel depth. Too many jobs depend on the Army Corp's work, literally $70 billion annually in commerce for both New York and New Jersey.

In addition to the civil works program, this bill also funds many important scientific programs, and I am particularly happy that the committee moved ahead on fusion power research. I am disappointed that there is no funding for international fusion power, but I am grateful to the committee for their leadership and work on it.

Mr. FAZIO of California. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. OBEY), the ranking member of the full committee.

Mr. OBEY. Mr. Chairman, I just want to take this time to note that this is the last time that the gentleman from California (Mr. FAZIO) and the gentleman from Pennsylvania (Mr. MCDADE) will be managing a regular appropriation bill on this floor because of their retirement. I just have to say something about both gentlemen.

As far as the gentleman from California (Mr. FAZIO) is concerned, I can think of no more decent person who has ever served in this institution. He is not only a person of immense graciousness personally, but he is a person who is willing to take on any task for the benefit of the national interest.

He is one of the people in this place who recognizes that there are many times when the job of governing has to take precedence over politics, and has never ceased to act on that assumption. He has also, in virtually every issue that I have ever seen him deal with, consistently insisted on putting public interest ahead of virtually every other interest. He is one of those rare people in politics who is, first and foremost, a workhorse rather than a show horse. I will miss him very much personally. I know the rest of this House will, as well.

As far as the gentleman from Pennsylvania (Mr. MCDADE) is concerned, he had already established a reputation for legislative quality and leadership when I arrived here as a freshman. I never cease to marvel at the talent with which he handled every responsibility given to him during the years that I have served or watched him in this body.

I have to say that he has demonstrated to me time and time again that he is a person of absolute integrity and extreme wisdom, to boot. He has treated Members fairly regardless of their partisan stripe, and he certainly is, as is the gentleman from California (Mr. FAZIO), what people who truly care about this institution call ''institutional men.'' They are both institutional men. They recognize the needs of this institution in the finest sense of that recognition. I am going to greatly miss both of them.

Mr. MCDADE. Mr. Chairman, I am delighted to yield 2 minutes to the gentleman from Iowa (Mr. LATHAM).

Mr. LATHAM. Mr. Chairman, I would like to associate myself with the remarks that have been made here this evening for the gentleman from Pennsylvania (Mr. MCDADE) and the ranking member, the gentleman from California (Mr. FAZIO), two great Members who are going to be missed a great deal next year.

Mr. Chairman, I would like to commend the chairman, the gentleman from Pennsylvania (Mr. JOE MCDADE) and the ranking member, the gentleman from California (Mr. FAZIO), for crafting a bill that maintains funding for the Army Corps of Engineers and many critical projects, but also remains true to the budget parameters we have set here in Congress.

The Energy and Water Development Act preserves our commitment to cleaning up nuclear waste, maintaining our waterways, and promoting the future energy needs of each American.

Mr. Chairman, as a member of the Committee on Appropriations, I voted in favor of this bill in committee, in particular because of a project important to the people of Sioux City, Iowa. Sioux City is one of the many cities in America established on a river, and while the river remains the lifeblood of the city, the people oftentimes find themselves at its mercy.

The Perry Creek Flood Control Project is funded in this bill. This important flood control project removes fear of flooding for downtown Sioux City and for a large community of retirees. The project enjoys the support of local funding, and allows the city to further redevelop its infrastructure without losing investors due to unforeseen disasters.

The Perry Creek Flood Control Project is one of several funded in this bill to protect towns and cities at risk from flooding. I want to thank the chairman and the committee for working with me to make sure this project received appropriate funding. I recognize the Committee on Appropriations has faced a daunting task in writing bills with very limited amount of resources. For Sioux City, for many other cities in similar situations, I encourage my colleagues to support this bill.

Mr. FAZIO of California. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. DOOLEY).

(Mr. DOOLEY of California asked and was given permission to revise and extend his remarks).

Mr. DOOLEY of California. Mr. Chairman, I, too, join with all of our colleagues in commending the gentleman from Pennsylvania (Mr. MCDADE) and the gentleman from California (Mr. FAZIO) for the tremendous work they have provided on behalf of this country.

I understand that this year we had one of the most difficult decisions and conflicts in trying to move the appropriations bills forward because of the tight fiscal constraints they were working under. It was very clear in the energy and water appropriation bill, which I support, that we were in a situation where we were not able to fund any new starts because we had to meet the priorities of continuing our funding for ongoing projects.

Given the tight fiscal constraints, I greatly appreciate the efforts of my colleagues on the committee to provide much needed funds for other high priority water resource development and flood control projects that are vital to the safety and well-being of the residents of the San Joaquin Valley.

However, I will continue to work to secure funding to address a particular flooding problem along a river referred to as the White River. The situation there is dire, and Federal assistance is vital to achieving a long-term solution.

This past February the area around Earlimart in Tulare and Kern Counties was flooded for the fifth time in 40 years. State and Federal disaster assistance was granted to assist the town of 5,000 residents. It is this project which we need to fund at least for a reconnaissance study. I look forward to working with the committee to secure that.

Mr. McDADE. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Florida (Mr. GOSS).

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

Mr. GOSS. Mr. Chairman, I want to express my concern about the level of funding in the bill for the Everglades restoration, to get right to the point. Specifically, I am concerned about the level of funding for the Kissimmee River Restoration Project, the Central and Southern Florida Project, as well as funding provided for the Everglades Critical Projects.

Clearly, the committee has done a very judicious job of balancing the competing interests in a very difficult bill. It goes without saying that the committee's task was not made any easier by the Clinton administration's irresponsible, if not reckless, budget request, which essentially gutted all funds for beach renourishment work by the Corps.

As the Committee sought to restore these devastating cuts, it had a lot of devastating choices to make, I know. Unfortunately, that has resulted in fewer funds available for the Corps and its responsibilities when it comes to the Everglades.

Earlier today I received an analysis prepared by the Jacksonville District of the Army Corps which estimates that the progress on all of these projects, the Kissimmee River restoration, the Central and Southern Florida Project, and the Everglades Critical Projects, would be significantly delayed if these funding levels were enacted.

Mr. Chairman, suffice it to say that the Federal Government has made a significant commitment to the restoration of the Everglades, a vital national treasure. As the energy and water bill moves to conference, I would request the committee review the analysis prepared by the Jacksonville District of the Corps.

I want to thank the chairman and the ranking member of the Committee on Appropriations again for their hard work, and look forward to moving forward on this issue.

The gentleman from Pennsylvania (Mr. JOE MCDADE) has been a great friend of Florida, a Member of Congress who is, I think, outstanding. He has been a mentor of mine. He has served his district and our country faithfully, professionally, successfully, with integrity, and for a long time. I think we would say just about the same thing for the gentleman from California (Mr. FAZIO), except it was California, in his case.

I am proud to know these Members, and I hope they can help us with the Everglades.

Mr. Chairman, I include this Corps analysis for the RECORD.

The material referred to is as follows:

	FY98 project allocations	FY99 budget request	Senate markup	House markup
C&SF	$21,833	$40,800	$25,000	$20,900
Kissimmee	2,817	27,300	10,000	3,500
Critical projects	4,009	20,000	10,000	3,000

CENTRAL & SOUTHERN FLORIDA

All assumptions are made with the understanding that funding will only be delayed for one year and required funding will be available in the following year.

If Senate Budget is Adopted ($25,000,000 allocation)

West Palm Beach (C–51): Delay in funding for relocations may not impact the overall project schedule. Delay in funding S–360, G–312, and levees (components of Stormwater Treatment Area 1 East) would not significantly impact the project. The project would likely still be completed within the overall completion schedule.

South Dade (C–111): Delay in funding for S–332A, B, and C pumping plants, and Levees and Canal work will not significantly impact the overall project completion. Recent requirements for a new GRR supplement have caused this delay to be necessary regardless of funding.

Upper St. Johns: Delays in funding L74N and S–96E will increase the overall project completion time.

If House Budget is Adopted ($20,900,000 allocation)

West Palm Beach (C–51): Delay in funding for relocations may not impact the overall project schedule. Delay in funding S–360, G–312, and levees (components of Stormwater Treatment Area 1 East) would not significantly impact the project. However, the additional cuts would delay completion of Pump Station S–362 (Stormwater Treatment Area 1 East outflow pump station) which would delay the overall project completion. The time could not be made up regardless of the follow-on funding.

Comprehensive Restudy: The additional cuts will adversely impact work on the Restudy. A delay in funding will result in completion beyond the mandatory completion dates.

South Dade (C–111): Delay in funding for S–332A, B, and C pumping plants, and Levees and Canal work will not significantly impact the overall project completion. Recent requirements for a new GRR supplement have caused this delay to be necessary regardless of funding.

Upper St. Johns: Delays in funding L74N and S–96E will increase the overall project completion time.

KISSIMMEE RIVER RESTORATION

If Senate Budget is Adopted ($10,000,000 allocation)

Contract 3 (S–65 Modification), CNT 4C (local levee removal), and Contract 2 (Canal widening for C–35 & 36) can be completed.

Contract 14A (to remove 1M CY of material) can be completed. Contact 14B (to remove 5M CY of material) will not be awarded in FY 99. The entire 6M CY of material of Contract 14A & B must be removed before any work in the lower basin is initiated.

Majority of the environmental restoration benefits are claimed in the lower basin. However, if the request is reduced to 10 million, the initial environmental component Contract 7 (Reach 1 Backfill of canal C–38) will definitely not be awarded in FY 99. A prior commitment was made to initiate Reach 1 Backfill by 30 March 1999. This commitment will not be met. The remaining three reaches will also be delayed, and the corresponding environmental benefits will not be obtained. Engineering efforts in preparing P&S for future contracts will be downscaled because of limited funds and no A–E contract awards in 1999.

To implement the Reach 1 backfill contract, flood control features of Istokpoga basin (Contract 6, a large tributary within Reach 1) will need to be addressed. If the Istokpoga works is delayed, the Corps will go to condemnation, tie-up resources, cause additional delays, and Reach 1 Backfill cannot be initiated.

The balance of FY 1999 will be used to prepare P&S which will be shelved until funds become available.

If House Budget is Adopted ($3,500,000 allocation)

In addition to the above, Contract 14A (to remove 1M CY of material) will not be awarded in FY98. As noted above, all of Contract 14 needs to be completed before implementation of the lower basin works. None of the primary restoration benefits will be obtained in FY 99.

CRITICAL PROJECTS

If Senate Budget is Adopted ($10,000,000 allocation)

With a funding level of 10 million, NEPA, and design development could not be initiated on 4 projects for which letter reports have been developed; Seminole Tribe Big Cypress, Loxahatchee Slough, L–31E and Melalueca Quarantine Facility. In addition, the South Dade County Agriculture and Rural Area Retention and South Biscayne Bay Watershed Management Plan studies could not be initiated. Since WRDA 96 requires that the Critical Projects be initiated by 30 September 1999, all projects listed above could not be implemented under this authority.

If House Budget is Adopted ($3,000,000 allocation)

With a funding level of 3 million, NEPA, and design development will not be initiated on 9 projects for which letter reports have been developed; Golden Gate Estates, Tamiami Trail Culverts, Lake Okeechobee Water Retention/Phosphous Removal, Ten Mile Creek, Lake Trafford, Southern Crew, Seminole Tribe Big Cypress, Loxahatchee Slough, L–31E, and Melalueca Quarantine Facility. In addition, the South Dade County Agriculture and Rural Area Retention and South Biscayne Bay Watershed Management Plan studies could not be initiated. Since WRDA 96 requires that the Critical Projects be initiated by 30 September 1999, all projects listed above could not be implemented under this authority.

CRITICAL PROJECT RANK

Rank/cummulative cost	Project/sponsor	Project summary (cost in millions)
1—$2.3 mil	East Canal Structures/SFWMD	Increase water to Pennsucco wetlands, reduce seepage using gated control structures ($2.3 mil).

CRITICAL PROJECT RANK—Continued

Rank/cummulative cost	Project/sponsor	Project summary (cost in millions)
2—$6.6 mil	Tamiami Trail Culverts/SFWMD	Install culvert structures to improve sheetflow of surface water within the watersheds of Ten Thousands Islands National refuge, Southern Golden Gates Estates, Fakahatchee Strand State Preserve, Big Cypress National Preserve, and Everglades National Park ($4.3 mil).
3—$17 mil	Melaleucca Eradication Project and other Exotic Plants/SFWMD	Improve existing quarantine facility @ Gainesville, construct new facility, implement biological controls ($10.4 mil).
4—$23 mil	Florida Keys Carrying Capacity/Florida Department of Community Affairs.	Develop information database, decision-making tool for infrastructure development, investment ($6 mil).
5—$36.5 mil	Western C–11 Water Quality Treatment Project/SFWMD	Develop measures to ensure water released into Everglades meets yet to be established standards. Best management practices, water quality measurements, water retention areas ($13.5 mil).
6—$81.5 mil	Seminole Tribe Big Cypress Reservation Water Conservation Plan/Seminole Tribe.	Water conservation pan includes construction of conveyance systems, canal bypass, irrigation storage cells in Basins 1, 2, 3, and 4 which compose the western portion of the Big Cypress Reservation. This project is designed to meet 50 pph, phosphorus, which is the current performance level designed to be achieved by the Everglades Construction Project. Should design performance level for phosphorous become more stringent, this project is designed to be able to incorporate additional technology ($45 mil).
7—$97.1 mil	Southern Golden Gate Estates Hydrologic Restoration/SFWMD	Land acquisition, spreader canals, canal plugs, pump stations to provide redistribution of flows to restore area overdrained which has resulted in reduction of aquifer storage, reduction of wetland functions, invasion of upland vegetation, increased frequency of forest fires and increased fresh water discharges to the estuary. Variations of freshwater discharges at large amplitudes have resulted in large fluctuations of salinity level and eliminated or displaced a high proportion of the benthic, midwater and fish plankton communities in the Ten Thousand Island Estuary ($15.6 mil).
8—$104.6 mil	South Dade Agriculture & Rural Land Use & Water Management Plan/Metropolitan Dade County.	Provide database for development of land use plan with focus on rural and agriculture. Retention. Water management focuses on storm water management ($7.5 mil).
9—$135.6 mil	Southern Crew Project Addition/Imperial River Flowways/SFWMD	Land acquisition totaling 4,670 acres removal of canal berms, single family homes, debris, till material and agricultural canal and berms and installation of equalizer culverts, and replacement of undersized culverts and bridges that impede flows (31 mil).
10—$147.6 mil	Lake Okeechobee Water Retention/Phosphorus Removal/SFWMD	Reduce number of drained wetlands in the northern watershed of Lake O, as well as create new ones, remove ditch connections. Isolate phosphorous loaded wetlands and provide peak flow attenuation of water to the lake, resulting in a more gradual rise in lake stage during heavy rainfall periods and a slower drop in lake stage during drought. Result in fewer freshwater discharges to tide from Caloossahatchee and St Lucie Canals as dictated by Lake O, regulation schedule ($12 mil).
11—$175.5 mil	Ten-Mile Creek Water Preserve Area/SFWMD	Land acquisition totaling 1200 to 2000 acres in eastern portion of basin and construction of an above ground impoundment for stormwater detention purposes. Infrastructures includes pump stations to develop impoundments for stormwater and redesign and reconstruction of adjacent tidal discharge control structure and perhaps constructed wetland or flow-through marsh for water quality improvement purposes ($30 mil).
12—$175.5 mil	L–28 Modification Report/SFWMD	Restore more natural bydrologic conditions in the Big Cypress National Reserve. Restore hydropatterns within Big Cypress, modifications to L–28, Tamiami Trail and Loop Rd will be evaluated (MOVED TO RESTUDY EFFORT).
13—$185.6 mil	Loxahatchee Slough Ecosystem Restoration/SFWMD	Water control structure at C–18 to reflood slough ($8 mil).
14—$187.6 mil	Geodetic Vertical Control Surveys/Florida Department of Environmental Protection.	1250 miles of second-order, Class 1 Surveys for improved accuracy of natural systems data, analysis ($2 mil).
15—$203.6 mil	Lake Trafford Restoration/Florida Department of Environmental Protection.	Lake restoration project consists of the removal of 7 million cubic yards of unconsolidated sediments with upland disposal ($16 mil).
16—$204.8 mil	L–31E Flow Redistribution Project/SFWMD	Spreader canals, eliminate point discharges ($1.2 mil).
17—$207.2 mil	Henderson Creek Belle Meade Restoration/Florida Department of Environmental Protection.	Land acquisition of approximately 125 acres, installation of culverts, filling ditches, roadbed removal, exotic removal, berm creation and development of filter marsh water management system to return a portion of the historic timing, duration, and volume of freshwater inflow, as well as providing much needed treatment of stormwater, into Rookery Bay ($2.4 mil).
18—$211.1 mil	Lake Okeechobee Tributary Sediment Dredging/SFWMD	Dredge phosphorous rich sediments from primary, tertiary canals and field ditches leading into lake. These sediments are mobilized during high flows ($3.8 mil).
19—$228.7 mil	Develop & Implement Agricultural BMP's in C111 Basin/Florida Department of Agriculture and Consumer Affairs.	Development, and implementation of the latest technologies to fruit, vegetable, landscape, and ornamental growers and urban homeowners in the eastern C–111 Basin to minimize ground and surface pollution, advance water use efficiency, manage plant diseases, insects, and weeds largely by biological based technologies, and reduce the vulnerability of crops to persistently high water table. BMP's implementation will protect the Biscayne aquifer and prevent introduction of toxicants and undesirable levels of nutrients into fragile marine and terrestrial ecosystems ($17.7 mil).
20—$229.2 mil	North Fork New River Restoration/Florida Department of Environmental Protection.	This portion of the river is only remaining section left in its natural state. Contamination from nearby septic tanks and sewage lines has degraded water quality, habitat. Plans to restore include spot dredging, and improvement of water circulation, a feasibility study, revegetation with native species, identification of contaminants, and promoting urban infill development ($0.52 mil).
21—$232.4 mil	L–8 Canal-Water Catchment Area—Loxahatchee Slough Infrastructure Improvements/West Palm Beach County.	Dredge L–8 and add pump capacity to take water from L–8 and route to West Palm to catchment area ($3.2 mil).
22—$237.4 mil	Florida Keys Tidal Creek Restoration/Florida Department of Environmental Protection.	Relocating culverts to restore flow to tidal creeds at Tarpon Creek just south of Mile Marker 54 on Fat Deer Key, an unnamed creek between Fat Deer Key, and Long Point Key south of Mile Marker 56. Adequate culverting will improve circulation, flushing, water quality and habitat which have been degraded from accumulation of organic material in these creeks (approx $5 mil).
23—$239.4 mil	Lake Worth Restoration	Remove organically enriched sediments ($2 mil).
24—$251.9 mil	Wetlands-Based Water Reclamation Project/West Palm Beach County.	Water reclamation project that recharges aquifer, reduces discharges to tide and dependence on Lake O for drinking water purposes and creates and restores 2,000 acres of environmentally sensitive wetlands ($12.5 mil).
25—$257.4 mil	Lake Okeechobee Project Aquifer Storage and Recovery/SFWMD	Water from Lake O injected into aquifer for later retrieval ($5.5 mil).
26—$282.4 mil	Miccosukee Water Management Area/Miccosukee Tribe	Installation of pump station, spreader canals control structures and levees. (approx $25 mil).
27—$283.5 mil	Six Permanent Water Monitoring and Meteorological Stations/Florida Department of Environmental Protection.	Real time hydrological, and meteorlogical data for trend analysis ($1.1 mil).
28—$285.1 mil	Nutrient Removal and Dosing Studies for ENP/SFWMD	Development of water quality standards, phosphorous thresholds ($1.6 mil).
29—$293.1 mil	WCA 3B Seepage Reduction/SFWMD	Installation of underground seepage barriers using grant technology. The barrier would be located between S–334 and S–335. Project would reduce losses flowing out of WCA–38B ($8 mil).
30—$299.1 mil	Hillsboro Pilot Aquifer Storage and Recovery Project/SFWMD	This project will implement a regional storage and recovery demonstration project in the Hillsboro canal region to capture and store excess flows that are currently released to tide for use during dry periods. Recovery of the water will be utilized to recharge local utility wellfields helping to prevent further inland migration of the saline interface ($6 mil).
31—$304.1 mil	Lakes Park Restoration Project/Florida Department of Environmental Protection.	Construction of a 40 acre marsh/flowway in an abandoned rock mine to improve present habitat conditions and water quality trends discharging to Hendry Creek and Estero Bay. The project will include removal of exotic vegetation, and planting of native vegetation of 11 acres of uplands and 9 acres of littoral zone ($5 mil).
32—$304.2 mil	Town of Ft Myers Beach/Florida Department of Environmental Protection.	Identification of stormwater hotspots, reducing non-stormwater discharges through one or more retrofit projects. Goal is to reduce pollutant loading into Estero Bay ($0.120 mil).
33	Palm Beach CO Water Utilities Department Winsberg Farms Constructed Wetland/Palm Beach County.	Develop 175 acre parcel of purposes of wetland construction. Reclamation of 10mgd of water, recharge local groundwater, recharge area canal network.
34	Spring Creek Reconnection and Rehydration project/SFWMD	
35	Restoration of Pineland & Hardwood Hammocks on Previously Rock Plowed Land in C–111 Basin Dade County/University of Florida Critprol.	Restore South Florida slash pine and hardwood hammock species on a 200 ft wide strip on each side of the two miles of SR 9336 from the C–11 canal to the L–31W canal. Project will demonstrate the techniques required to re-establish native conifer and hardwood forests on land that has been rock plowed ($0.80 mil).

Mr. FAZIO of California. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. BENTSEN).

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

Mr. BENTSEN. Mr. Chairman, I want to echo the remarks of my colleagues with respect to the chairman, the gentleman from Pennsylvania (Mr. MCDADE), and the ranking member, the gentleman from California (Mr. FAZIO), on the work they have done on this bill and on the work they have done in Congress.

□ 1800

I had the opportunity not too long ago to be associate staff to the House Committee on Appropriations, and they were giants at that time. And now I had the opportunity to come back as a Member and go and ask them for help on this bill, and they have certainly provided it.

Mr. Chairman, I rise in strong support of H.R. 4060. In particular, I want to mention what they have done to continue the funding for the Sims Bayou project by putting in what the Corps of Engineers requested, the Brays Bayou project, both of which run through my district, as well as fully funding the Corps' request for the Port of Houston deepening and widening project which is critical to our area's economy.

Mr. Chairman, finally I would like to say that both the chairman and the ranking member had the wisdom and the foresight to stand up to the Office of Management and Budget and to the administration on how they were going to fund construction projects, and to say we could do it within the Balanced Budget Act with no new starts, but to do it on an incremental basis rather than fully fund and assure that we continue to meet the needs of our Nation.

Mr. MCDADE. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Maryland (Mr. GILCHREST).

Mr. GILCHREST. Mr. Chairman, I thank the gentleman from Pennsylvania (Chairman MCDADE) for yielding me this time.

Mr. Chairman, as the gentleman may know, Assateague Island National Seashore is in my district. This coastal barrier island has been home to feral ponies for more than 300 years, habitat for a number of endangered species, and protects homes on the mainland from the full force of Atlantic hurricanes.

When the Ocean City Inlet was blown through by hurricanes in the 1930s, a jetty was constructed to protect the inlet from closing so the business enterprises could be protected. However, the flow of sand that naturally replenished Assateague was cut off and the island has been eroding every since.

The Assateague restoration project is currently authorized at about $16.9 billion, of which we need in the near future about $4 million. Severe storms in January and February of this year caused a wash-over along 7 miles of the island and, as a result, the island is now under imminent threat of breach.

Without the support of this Congress, it would be difficult to continue the project that is necessary to protect the island and mitigate the problems of the homes behind the barrier island.

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

Mr. GILCHREST. I yield to the gentleman from Pennsylvania.

Mr. MCDADE. Mr. Chairman, let me say that the gentleman from Maryland, my able friend, has brought this very forcefully to my attention. We know what a treasure those barrier islands are. I want to assure the gentleman that he will have my full effort as this bill moves through conference.

Mr. GILCHREST. Mr. Chairman, reclaiming my time, I thank the gentleman for his help on this. I also want to wish the gentleman Godspeed and a great retirement.

Mr. FAZIO of California. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana (Mr. VISCLOSKY), who if reelected is likely to be the ranking member of this subcommittee in the next Congress.

Mr. VISCLOSKY. Mr. Chairman, I thank the gentleman from California (Mr. FAZIO) for yielding me this time.

First of all, I rise in strong support of the legislation before the House. Secondly, I rise to thank the gentleman from California (Mr. FAZIO) and the gentleman from Pennsylvania (Chairman MCDADE) for continuing the bipartisan tradition of this subcommittee.

As the gentleman from Wisconsin (Mr. OBEY) had mentioned earlier, we have two individuals before us who, while Republican and Democrat, always put the public's interest before their party's. They have always put the public's interest before their own, and have continued this subcommittee on a bipartisan track and have provided the House today with a quality piece of legislation.

Mr. Chairman, on a personal note I would say to the gentleman from California (Mr. FAZIO), I will miss him. This House will miss him. He is a good friend. He is a leader of our party and of this Nation. He is one of the most competent legislators I have ever known and is possessed of a kind heart. I really, really have appreciated the time I have been able to spend with the gentleman.

Mr. Chairman, I would also say to the gentleman from Pennsylvania (Mr. MCDADE) that he too is a friend and is imbued with a great deal of integrity. As I said on an earlier occasion a couple of weeks ago, the most precious thing any of us have to give any other individual is our time, because that is the one thing we all possess in our lives that is limited. The gentleman from Pennsylvania has been selfless in the time that he has given me. He has given me his expertise. He has give me his wisdom. He has given me good advice. Unfortunately, sometimes I do not always want to hear that advice. But more times than not, I followed it to my benefit.

Mr. Chairman, the gentleman too has been a great friend. We all will miss him. And from the bottom of my heart, I deeply appreciate everything he has done for me.

Mr. MCDADE. Mr. Chairman, I yield such time as he may consume to the gentleman from Arizona (Mr. KOLBE).

Mr. KOLBE. Mr. Chairman, I thank the gentleman from Pennsylvania (Mr. MCDADE) for yielding me this time.

Mr. Chairman, I have just one simple question I would like to ask with regard to whether it is the committee's intent that the solar and renewable energy funds be targeted to projects developed by nongovernmental organizations that produce the greatest reductions in CO2 on a metric ton basis within the project's life cycle, that have an existing private funding component, that have a high potential of becoming totally privately financed in the shortest period of time, and are not dependent on the development of new technologies or operational systems in order to be successful.

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

Mr. KOLBE. I yield to the gentleman from Pennsylvania.

Mr. MCDADE. Mr. Chairman, let me say to the gentleman that he is correct. It is the committee's intent to fund only those projects which produce results.

Mr. KOLBE. Mr. Chairman, reclaiming my time, I thank the gentleman for yielding and would join my colleagues in thanking him for the tremendous service that he has given this subcommittee, the full committee, the Congress, and our Nation. We wish him well in retirement.

Mr. FAZIO of California. Mr. Chairman, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, let me add my accolades for the gentleman from California (Mr. FAZIO) for being an American hero and one that has provided great service to this Nation.

Mr. Chairman, I would say to the gentleman from Pennsylvania (Chairman MCDADE) ''thank you so very much'' for the collaborative effort and leadership on these important issues. These are bread and butter issues.

Mr. Chairman, I thank both of my colleagues on behalf of the 759 homes of constituents of mine in 1994 who suffered the flooding of the Sims Bayou. We are gratified for the $18 million in total and the $8.5 million, which is an increase of what we would have gotten, to work with the Army Corps of Engineers.

We are particularly delighted as well for the full funding of the Port of Houston, a very vital aspect of the economy of Houston. We know it was the collaborative work of the gentleman from Pennsylvania (Chairman MCDADE) and the gentleman from California (Mr. FAZIO) who brought this about, along with the gentleman from Texas (Mr. EDWARDS) and the gentleman from Mississippi (Mr. PARKER).

Mr. Chairman, let me congratulate the Army Corps of Engineers. We would hope that as it moves to extend to the Martin Luther King and Airport Boulevard and Cullen Boulevard, that we can get it finished much earlier than the year 2006, for I would not like to see those 759 homes flooded again.

Mr. Chairman, I cannot thank these gentlemen enough. I look forward to working with this committee in the future. I say to both of my colleagues as they retire: Godspeed.

I rise in support of H.R. 4060, the Energy and Water Development Appropriations for Fiscal Year 1999. I support this bill mainly because it provides $413 million which is (39%) more for the Army Corps of Engineers construction programs than requested by the Administration.

The Administration originally requested $9.4 million for the continued construction of the Sims Bayou Project in Houston, Texas. The Subcommittee on Energy and Water Development specifically earmarked an additional $8.5 Million Above the Administration's original request, which brings the total funding for the project to $18 Million.

Mr. Chairman, the Sims Bayou Project is a project that stretches through my district. Over the course of recent years, the Sims Bayou has seen massive amounts of flooding. Citizens in my congressional district, have been flooded out of their homes, and their lives have been disrupted.

In 1994, 759 homes were flooded as a result of the overflow from the Sims Bayou. That is 759 families that were forced to leave their homes.

I mainly support the conference report, Mr. Chairman, because the subcommittee has earmarked in this bill $18 million for the construction and improvement of the Sims Bayou project that will soon be underway by the Army Corps of Engineers.

I would like to thank the Army Corps of Engineers for their cooperation in bringing relief to the people of the 18th Congressional District in order to avoid dangerous flooding.

The Subcommittee on Energy and Water Development added an additional $8.5 million for the construction of this Sims Bayou project

and it remains in this conference report. I am quite certain, Mr. Chairman, that this project would not have been able to go forward if this additional money would not have been granted by the Subcommittee.

For that I have to thank Chairman MCDADE, Ranking Member FAZIO, and my friends and colleagues CHET EDWARDS, and MIKE PARKER who sit on the Appropriations Committee.

However, Mr. Chairman, I would like to call on the Army Corps of Engineers to do everything that they can to accelerate the completion of this project. The project will now extend to Martin Luther King and Airport Boulevards, and Mykaw to Cullen Boulevard.

This is flooding that can be remedied and the project must be completed before the expected date of 2006. While I applaud the Army Corps of Engineers for their cooperation, this is unacceptable for the people in my congressional district who are suffering.

They need relief and I know that they can not wait until the expected completion date of 2006. This must be done and I will work with the Army Corps of Engineers and local officials to ensure that this is done. I urge my colleagues to vote yes on this conference report.

Mr. MCDADE. Mr. Chairman, I yield 30 seconds to the distinguished gentleman from Maryland (Mr. BARTLETT).

Mr. BARTLETT of Maryland. Mr. Chairman, the gentleman from Pennsylvania (Mr. MCDADE) deserves credit for sustaining Federal renewable energy RD&D. I would like to clarify the intent of the report language as it pertains to the solar energy research and development programs.

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

Mr. BARTLETT of Maryland. I yield to the gentleman from Pennsylvania.

Mr. MCDADE. Mr. Chairman, let me say that we have made every effort to try to fund the renewable energy RD&D account. And we intend that the committee language not prohibit legitimate research cost sharing with U.S. industry in solar R&D programs.

Mr. BARTLETT of Maryland. Mr. Chairman, reclaiming my time, I thank the gentleman for a good job. I would like to clarify that the intent of the committee was not to prevent the Federal solar programs from cost sharing. I congratulate the gentleman on a well-earned retirement.

Mr. FAZIO of California. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. MENENDEZ).

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

Mr. MENENDEZ. Mr. Chairman, for working people, the most important asset that they have is their job. It supports their home, their family, their children, their hopes, their life. This bill will save and increase good-paying American jobs.

Mr. Chairman, I want to commend the gentleman from Pennsylvania (Mr. MCDADE) and the gentleman from California (Mr. FAZIO) for crafting a bill that, in a time of fiscal belt-tighening and hard choices, makes the right choice to keep American jobs as the top priority.

The Port of New York and New Jersey, a good part of it, is in my district. It is the economic lifeline for the northeast region. Mr. Chairman, 180,000 jobs and $20 billion in economic activity is generated though the port. If my colleagues live in the Northeast, there is a good chance that the things that they buy are coming from the port or that they are dependent upon other goods, products, or machinery coming through the port.

Mr. Chairman, to keep those goods coming here on the increasingly large industrial ships, we need deeper channels and modern port facilities. If we do not modernize, the larger ships will go elsewhere and goods may start coming into Canada instead of our harbor.

That hurts everyone in this country and the national impact could be enormous. That is not acceptable.

This bill sends a message that we will not stand by and let American jobs go elsewhere. To our friends up north in Canada, let the message from this House be clear. We are committed to shipping commerce. We are committed to these ports.

I understand that deepening and dredging our harbor is not glamorous work. Other pet projects sound better and are easier to publicize. But modernizing our ports means not just saving but creating hundreds of thousands of jobs and billions of dollars in commerce in the years to come. It is the long-sided view. It is the view this bill takes.

Finally, I want to congratulate both the gentleman from Pennsylvania (Chairman MCDADE) and the gentleman from California (Mr. FAZIO) on their many years of dedicated service. These are the kind of people we need in public service; people who put the needs of their constituents and the Nation above all else. We will miss them and I know that both gentlemen will find new ways to serve their fellow countrymen and women like they have done so well in the people's House.

Mr. MCDADE. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Utah (Mr. COOK).

Mr. COOK. Mr. Chairman, I would like to compliment the Subcommittee on Energy and Water Development, particularly the gentleman from Pennsylvania (Chairman MCDADE) and the gentleman from California (Mr. FAZIO), ranking member, on their fine work with the 1999 energy and water development appropriations bill.

Mr. Chairman, there is one issue that is of particular concern to me, and I would like to engage in a brief colloquy with the distinguished gentleman from Pennsylvania.

Mr. Chairman, a program particularly important to my constituents in Utah, the geothermal research and development, is cut in this bill from $29.5 million in fiscal 1998 to $27.5 million in fiscal 1999. I realize the Senate approved a version that indicates geothermal R&D would be about $31.25 million.

I want to point out that geothermal energy means jobs. Some 30,000 U.S. workers are employed through geothermal electric revenues. Geothermal energy means royalty and production payments, more than $41 million is returned annually to the U.S. Treasury. And it also means a cleaner environment. Sixteen million tons of carbon dioxide, 20,000 tons of sulfur dioxide, 41,000 tons of nitrogen oxide, and 1,300 tons of particulate matter are avoided each year by geothermal energy productions.

Mr. Chairman, I appreciate the gentleman's consideration of this concern, and I would urge the committee to address the geothermal R&D funding shortfall in its conference with the Senate so that geothermal's important national benefits can continue to accrue in the future.

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

Mr. COOK. I yield to the gentleman from Pennsylvania.

Mr. MCDADE. Mr. Chairman, I appreciate the gentleman from Utah (Mr. Cook) for bringing this to the attention of the committee. As the gentleman knows, we had a very severe and constrained budget. As we work our way through conference, we will be looking forward to working with the gentleman further.

Mr. COOK. Mr. Chairman, reclaiming my time, I appreciate that very much, and I again wish the gentleman congratulations on his wonderful work.

Mr. FAZIO of California. Mr. Chairman, I yield myself such time as I may consume.

In further response to the gentleman from Utah (Mr. COOK), I would like to thank him for his remarks and I thank the gentleman from Pennsylvania (Mr. MCDADE) for his attention to this very important energy efficiency program supported in this bill.

As many of my colleagues know, I have been a longtime advocate of solar and renewable energy programs. Programs that support energy efficiency are critical to our economy, national energy security, and the environment.

Mr. Chairman, we have the responsibility to future generations to address environmental and economic concerns linked to historical energy technologies. We must support efforts to bring new, cleaner energy-efficient technologies to market.

If programs deriving energy from such diverse sources as the sun, wind, and biomass are to be successfully competitive in the coming years, they must undoubtedly have the support of Congress. I would have liked the number for solar renewable programs to have included some of the increases submitted in the administration's budget request.

But, unfortunately, this year the allocation for the energy and water bill, and perhaps all 13 of our spending bills, did not permit such increases in many very important programs. Although the bill we are considering today provides an increase of $5.1 million over

last year's appropriation for solar and renewable energy programs, I agree with the gentleman from Utah (Mr. COOK) that it is unfortunate that the very important geothermal R&D program received a cut.

But let me point out with regard to the total amount of funding this bill provides for renewable energy programs, that committee was able to draft a bill that in many ways was considerably higher than the renewable levels in the Senate before Mr. JEFFORDS' amendment.

I believe the original amended Senate numbers for solar and renewable energy programs were $345.5 million, compared with the House bill which provided $351.4 million for these programs.

Mr. Chairman, I would also like to point out that the Senate bill is a total of $21.7 billion, whereas the House total is only $20.6. This is particularly important in the context of the Jeffords amendment, which added $70 million in solar and renewable energy programs by taking a 1.6 percent across-the-board cut of domestic DOE programs.

□ 1815

At $l.l billion below the Senate bill, this amendment would have been particularly difficult to achieve here in the House, as it would have cut even further into other important programs that this bill is committed to funding. I support energy efficient technologies, and I will work with our distinguished chairman and the Senate to address funding for geothermal R&D programs in addition to other solar and renewable programs in the House conference with the Senate.

We certainly have done well, given the context of this total bill.

I rise in support of H.R. 4060, the Energy and Water Appropriations Bill for FY '99. I've enjoyed working with JOE MCDADE. Our job was made significantly tougher by the Administration's budget submission this year.

Although we've improved our position with the budget allocation, we have still not been able to make up what is truly needed after two El Nino seasons.

If you are wondering why JOE MCDADE and I are retiring, it's because, despite adding more than $700 million to the President's budget request for the water projects that are so important to our colleagues, the bill is still $200 million below last year's level. This whole question of the budget agreement of last year, and Republican efforts to make additional budget cuts in this year's budget resolution is one worth examining, especially for our bill which is usually so popular with members.

My colleagues have seen this chart during consideration of the budget resolution, showing the effects of these budget cuts on all non-defense discretionary programs. The comparison to level funding, taking inflation into account, leaves spending at 18% below current services by the year 2003. But now let's see the effect of these kinds of cuts on just one popular program—the Army Corps of Engineers civil works program—which is responsible for operations and maintenance of our ports and waterways, as well as flood control projects across the nation.

Based only on the budget caps agreed to by Congress and the President last year, you can see that we have a significant divergence beginning this year between what the Corps could do—its capability—and what the Corps will be able to do with the level of funding we are providing in this bill and are likely to provide in the years to come based on that budget agreement.

Adoption of the Republican budget plan would make these lines diverge even more greatly. But it is also something to consider as we take up these other pieces of legislation which encroach on the non-defense discretionary programs.

Whether it is BESTEA or a new agricultural research program, other deserving needs that are keys to the American economy can only be adversely affected as a result.

Realize these are authorized projects we are talking about—not counting the new authorizations that may stem from a Water Resources Development Act to come this year.

So take a good look, because these are the outcomes of our decisions, and they will continue to affect us for many years to come.

So there has been a fair amount of pain to be administered this year, but I commend JOE MCDADE for adopting the common-sense decision-rules that are reflected in this bill, and for being evenhanded in administering them without regard to party.

For those who think that subcommittee members have been spared from our budget constraints, I would point out that our subcommittee has recommended only $75 million for a California initiative supported by 45 members of the California delegation—$10 million below last year's number and $45 million below the $120 million that our subcommittee recommended last year.

And the Central Valley Project Restoration Fund—a fund that derives from assessments on water and power users was not spared.

Due to budget constraints and because this fund is subject to appropriation, we have held it to $33 million—$16 million below the budget request—and I hope we can do something at conference if at all possible to ensure that the collections from these users don't exceed what we are able to appropriate.

On the Energy side of the equation, we faced similar budget constraints. We had to balance new priorities, like the Spallaton Neutron Source, while sustaining numerous other DOE programs that are essential to the nation.

While I would like to see an increase in the number for solar and renewable energy programs, I am pleased that this account did not sustain any cuts, given the difficult environment in which the committee was forced to work.

I understand the reasoning behind the committee report's words of caution to the Administration pertaining to policy decisions and sound science with regard to global climate change, but I would like to reiterate that the energy efficiency programs funded in this bill are programs that our nation has been investing in for years, long before the debate over global climate change.

I believe that any debate relating to climate change and the Kyoto Protocol should be conducted independently of this bill.

The Committee was able to provide an increase to fusion energy programs above the Administration's request.

I am pleased that the Committee has also provided generous increases in basic science research and development in the science account, in areas such as high energy physics.

This bill continues to support the crucial effort of our nation to maintain our nuclear weapons stockpile through the National Ignition Facility and the ASCI program.

Because of the tight allocation, there are shortfalls in some areas like the Uranium Enrichment Decontamination and Decommissioning (D&D) Fund, and I would like to be able to address this and other shortfalls in conference if at all possible.

I would also like to see some money added back to the cuts sustained by Departmental Administration. I believe the Department, under new leadership in many program areas, is committed to reducing excess administrative costs and striving to operate more efficiently.

In short, I commend JOE MCDADE for doing a good job in a tough year.

I believe we have done the best job possible under the circumstances—we will certainly try to do even better in conference if at all possible—but I believe this is still a bill that should be supported by our colleagues.

This is the last time I'll help bring an E&W bill to this committee—19 of my 20 years in the House have been on the Appropriations Committee and on the Energy and Water Subcommittee.

In one sense, not much has changed—when I got there, Tom Bevill and John Myers were the senior members for each party, and until last year, that was still the case.

But I can think of significant changes that have affected our process over the years, especially on the side of water projects.

Not so many years ago, we had significant carry-overs in the Corps' budget from year to year—as high as $800 million.

Some carry-over is good—it gives the Corps flexibility to keep construction projects on an optimum construction schedule, and it means we don't have to appropriate every dime to get a project underway successfully.

However, budget constraints have virtually eliminated that carryover over the last few years, creating anxieties for local communities who hold on to appropriated funds tighter and tighter, even when they can't be spent immediately. There have been a number of other significant changes in the way the Corps does business:

(1) Projects that are being constructed are smaller, greener and have a higher non-federal cost-share.

(2) The Corps has shaved the time it takes to complete the study phase of a project and initiate construction.

(3) The federal cost-share has gone down and the non-federal sponsors of water resource projects are less interested in the Corps doing a project than the Corps becoming a partner with local, state and even non-profit entities to complete a project.

(4) The non-federal sponsors are more and more interested in gaining a greater voice in all phases of a project, from the planning phase to the engineering work to the actual construction.

(5) In many instances non-federal sponsors are seeking out the opportunity to expedite their projects by paying for them up front. With non-federal dollars, and gaining the opportunity—not the guarantee—to get reimbursed by some future Congress for the federal share

of a project. This lets the non-federal sponsor exert greater control over the project and frequently construct it faster and, sometimes, even at less cost than the traditional way. Many of the nation's large communities would like this to become the new norm for the way water resource projects are constructed in this country.

(6) Communities are looking more and more at the Corps as an agency with engineering expertise that can help them solve a wide variety of engineering problems, not just water resource problems. Communities want the Corps to help them do site assessments and even some remediation for lightly contaminated brownfield sites that stand as an impediment to redevelopment of our inner city corridors. Communities are asking the Corps to help them develop cost-effective engineering solutions to their urban water resource needs—from deficiencies in their combined stormwater and wastewater systems to restoring stream banks in urban creeks and rivers. And, communities in my state are asking the Corps to help them develop plans to make their water systems more reliable in the event of a major earthquake. The Corps is responding and is doing a good job in these new areas. And, the future will certainly see more reliance on the Corps for its capacity to solve complex engineering problems of all kinds.

(7) And finally, to its credit, the Corps has resisted becoming a granting agency such as some of its sister agencies, like EPA, nor should it be. But the Corps does need to equip itself with the tools that will make it more effective in the new role of federal water resource partner. Certainly, contracting more work out, obtaining the authority to enter into cooperative agreements and issue grants for certain types of work, are all critical to the Corps' success in the years ahead.

In summary, the years have flown by, but I believe this subcommittee has served the needs of our country well, and has balanced strongly competing interests very well.

It has not always been an easy task but with partners like JOE MCDADE, Tom Bevill, and John Myers, it is a committee that has gotten the job done in a bipartisan spirit.

I ask for the support of my colleagues for H.R. 4060, another bill which is presented in this same spirit.

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

Mr. MCDADE. Mr. Chairman, I yield such time as he may consume to the gentleman from Indiana, Mr. BUYER.

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

Mr. BUYER. Mr. Chairman, I include for the RECORD my statement in support of the fiscal year 1999 energy and water appropriations, and thank both of the gentlemen for their contributions to this bill and their service to our country.

I would like to thank Chairman MCDADE and Ranking Member FAZIO for their bi-partisan and expedient work in bringing this measure to the House Floor.

Included in this Energy and Water Appropriations Bill for Fiscal Year 1999, is a continuation of funds for the Army Corps of Engineers Feasibility Study for the Kankakee River Basin in Indiana and Illinois.

The support for this project spans both political parties in Indiana and Illinois. I appreciate the cooperation of the numerous Members who have offered their support and assistance for this vitally important project.

For years, Indiana and Illinois were caught up in the court system because of flooding disputes. With a joint Congressional effort, the suits were stopped and efforts were instead focused upon finding a resolution through a basin wide Army Corps of Engineers study.

The reconnaissance study has been completed and the feasibility study is beginning. The $940,000 funding that is provided in this bill for the continuation of the feasibility study will provide for a long-term solution to this problem which the residents of Northwest Indiana and Northeast Illinois deserve.

Indiana is interested in participating as a local sponsor for the Indiana portion of the Kankakee River Basin feasibility study as indicated in the follow-on letter from the Indiana Department of Natural Resources.

INDIANA DEPARTMENT OF
NATURAL RESOURCES,
Indianapolis, IN, May 15, 1998.

Mr. PAUL MOHRBARDT,
Acting Chief of Planning Division, U.S. Army Corps of Engineers, Chicago District, Chicago, IL.

DEAR MR. MOHRBARDT: The Indiana Department of Natural Resources (DNR) is interested in participating as a local sponsor for the Indiana portion of the Kankakee River Basin feasibility study. As a state agency, we are willing and able to participate in this study. We have reviewed the expedited reconnaissance analysis, preliminary project study plan, and model feasibility cost share agreement and understand our role and responsibilities as a local sponsor for this project. While the DNR will be the source of the required funds for this study, the DNR will be joint sponsors with the Kankakee River Basin Commission (KRBC) for the State of Indiana.

The DNR is aware of the non-federal cost sharing requirements for this project. It is our understanding that the initial estimates for the feasibility study require a cash and in-kind contribution of just under $800,000 from the Indiana joint sponsors (DNR and KRBC). It is our understanding that up to 50 percent of the contribution can be appropriate in-kind services and that the remaining balance must be cash. It is our further understanding that our contribution is not required in full during the first year, but will be spread over the study term as mutually agreed upon.

The DNR understands that this letter is an expression of intent. Execution of a feasibility cost share agreement with the US Army Corps of Engineers will be dependent on the availability of funds. However, at this time the DNR looks forward to jointly developing the feasibility study scope of work and a cost sharing agreement with the Corps.

Sincerely,

LORI F. KAPLAN,
Deputy Director.

Mr. MCDADE. Mr. Chairman, I yield 30 seconds to the gentlewoman from Missouri (Mrs. EMERSON).

Mrs. EMERSON. Mr. Chairman, the Clinton administration's fiscal year 1999 budget request included $25 million for a new, unauthorized program, the Challenge 21 Riverine Ecosystem Restoration and Flood Mitigation program. Knowing that this program has not been authorized by Congress and that the gentleman's committee has not appropriated any funds for the program, am I correct in understanding that any Federal spending on the Challenge 21 program would constitute an illegal use of Federal funds?

Mr. MCDADE. Mr. Chairman, will the gentlewoman yield?

Mrs. EMERSON. I yield to the gentleman from Pennsylvania.

Mr. MCDADE. As usual, the gentlewoman from Missouri is absolutely correct.

Mrs. EMERSON. I thank the gentleman for clarifying this matter.

Mr. FAZIO of California. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. BROWN).

(Mr. BROWN of California asked and was given permission to revise and extend his remarks.)

Mr. BROWN of California. Mr. Chairman, I rise in support of this very fine appropriations bill.

Mr. FAZIO of California. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas (Mr. REYES).

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

I rise to thank the gentleman very much for the funding provided in this bill for helping to solve major flood control and water supply problems in the El Paso-Juarez area. These resources will allow our local and State officials to move forward with environmental improvements on the border.

There is, however, one request that I would urge the gentleman to consider during the House-Senate conference on this bill. The Senate bill includes $1 million for the El Paso wastewater reclamation program which is not in the House bill. The wastewater reclamation program is our top water resource priority in the El Paso area. I urge my colleagues to accept the Senate level for this program.

Knowing that the budget is tight, I would offer a recommendation or suggestion for a budget offset that would make the $1 million increase budget neutral. The El Paso area flood control project is provided with $5 million in the bill which is needed and generous. However, I believe that we can stage the work on the flood control project so that this amount could be reduced to $4 million in fiscal year 1999, with a reduced amount of $1 million shifted to the wastewater reclamation program, again, our top priority.

Again, I want to thank the gentleman for his kind assistance on any help that he can provide in adjusting the funding to meet our El Paso priority. I also want to echo the comments of my colleagues in thanking both him and the ranking member for all their years of service. My only regret is that I did not have longer to serve with both of them.

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

Mr. REYES. I yield to the gentleman from Pennsylvania.

Mr. McDADE. Mr. Chairman, I want to thank the gentleman for bringing

this to the attention of the committee and assure him that as this bill moves along we will give it all the consideration we can. I appreciate his bringing to it our attention.

Mr. McDADE. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. Packard).

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

Mr. PACKARD. Mr. Chairman, I rise in full support of this bill.

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

Mr. FAZIO of California. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas (Mr. SANDLIN).

Mr. SANDLIN. Mr. Chairman, I am particularly pleased that the committee has included report language regarding the Caddo Lake Wetlands. I want to clarify that the committee has included this language for the purpose of directing the Bureau of Reclamation to use funds appropriated in fiscal year 1997 to continue the Caddo Lake Wetlands project.

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

Mr. SANDLIN. I yield to the gentleman from Pennsylvania.

Mr. McDADE. Mr. Chairman, the gentleman's statement is correct.

Mr. SANDLIN. Mr. Chairman, I also want to clarify that of the $630,000 provided in fiscal year 1997, the Bureau of Reclamation provided $200,000 for the Caddo Lake Scholars program and that the remaining balance of funds should be committed to the Cypress Valley Alliance.

Mr. McDADE. Mr. Chairman, the gentleman is accurate again. The committee directs the Bureau of Reclamation to use the balance of previously appropriated funds for other wetland development components of the Caddo Lake Wetlands project as previously dictated.

Mr. SANDLIN. I thank the distinguished chairman for this clarification, and thank him for his long service to the House, and the gentleman from California (Mr. FAZIO) for his service. I urge my colleagues to support this bill.

Mr. FAZIO of California. Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan (Mr. STUPAK).

Mr. STUPAK. Mr. Chairman, I thank the gentleman for the opportunity to do a colloquy.

First, if I may, I would like to thank the gentleman from Pennsylvania (Mr. McDADE) and the gentleman from California (Mr. FAZIO) for all their years of service to this House. They have always conducted themselves in a bipartisan manner. That is why we see a bill such as the energy and water appropriations bill each and every year coming forward with very bipartisan support to be passed without much argument on the floor.

On and off the floor they have conducted themselves in a very genteel manner, and they are a great example for young Members like myself. For those who argue for term limits, I do not think they recognize or they fail certainly to recognize the attributes that the gentleman from Pennsylvania (Mr. McDADE) and the gentleman from California (Mr. FAZIO) bring to this honorable institution. They know when their term limits are. I thank the people in Pennsylvania and California for bringing these two gentlemen to the service of their country and thank them for their years of service.

Mr. Chairman, I would like to engage the gentleman from Pennsylvania (Mr. McDADE) in a colloquy about the Cedar River Harbor project in my district, if I may. As my friend from Pennsylvania is aware, last year the subcommittee was extremely helpful by including an appropriation for the repair of the east breakwater at Cedar River Harbor.

During the implementation of this project, however, the Army Corps of Engineers found that the current was different than expected. In order to protect the harbor, repairs are also needed and are also necessary to the west breakwater. The Corps has the necessary funds to complete repairs on the west breakwater left over, as leftover money from the fiscal year 1998 appropriations. This is not a new authorization. It is merely a clarification for the Army Corps of Engineers. They simply need to be able to use these funds for repair of the west breakwater in addition to the east breakwater.

The appropriated amount last year was $2.377 million. The Corps has already contracted for the east breakwater at $1.2 million for the repair. That would leave us $1.177 to repair the west breakwater.

Without the ability to repair the west breakwater, I am afraid our efforts to protect this harbor would be futile.

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

Mr. STUPAK. I yield to the gentleman from Pennsylvania.

Mr. McDADE. Mr. Chairman, I want to express my thanks to the gentleman and that of the committee for his diligence in bringing this issue to our attention. I want to assure him that it seems as though the equities are with him and that we will continue to work this problem as we go through conference.

Mr. STUPAK. I thank the gentleman for his clarification, and thank him and appreciate the opportunity to work with him in the future as this moves on to conference.

Mr. FAZIO of California. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Chairman, I rise today in support of H.R. 4060, which provides invaluable Federal assistance for flood control shore protection and navigation projects in my home State of New Jersey.

I want to thank the gentleman from Pennsylvania (Mr. McDADE), the gentleman from California (Mr. FAZIO) and all the members of the Subcommittee on Energy and Water Development for their leadership in preparing this bill, including my colleague, the gentleman from New Jersey (Mr. FRELINGHUYSEN), who has worked so hard on these projects.

I wanted to say one thing: I greatly appreciate the committee's continued commitment to water infrastructure projects, and in particular the committee's continued rejection of efforts on behalf of the administration to eliminate the traditional role of the Army Corps of Engineers in shore protection projects in particular.

Let me just say two things to my retiring colleagues here. For the gentleman from Pennsylvania (Mr. McDADE), he has always been a person that I could go to on a bipartisan basis and ask for help. I will definitely remember that for a long time.

With regard to the gentleman from California (Mr. FAZIO), he is someone that I have asked for advice on a number of occasions for a number of things, and in many ways I really model myself after him in terms of my congressional career. We will have other opportunities to thank these individuals over the course of the year, but I do want to thank them today.

Mr. McDADE. Mr. Chairman, I yield 1 minute to the distinguished gentleman from New Mexico (Mr. REDMOND).

Mr. REDMOND. Mr. Chairman, I rise in support of H.R. 4060, and I would like to thank the chairman for entering into a colloquy with me.

I support H.R. 4060. However, I have one concern in regard to the $8 million dollars for the waste isolation pilot project for the Santa Fe bypass relief route. The relief route is overdue for construction. The amount was removed during committee.

I respectfully ask that it be reinstated in conference to the Senate bill, if at all possible. I want to thank the chairman for working with us on this particular bill.

This is very important so that we can get the nuclear waste away from Los Alamos National Lab, also Rocky Flats, Colorado, and also in Idaho. It needs to bypass the city of Santa Fe.

Most importantly, Mr. Chairman, it has been great working with the gentleman, and I wish him the best, especially in his retirement, that he gets to play with his 8-year-old son.

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

Mr. REDMOND. I yield to the gentleman from Pennsylvania.

Mr. McDADE. Mr. Chairman, I thank the gentleman for bringing the matter to our attention. We expect to work with him diligently as we go through conference.

Mr. FAZIO of California. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. DEUTSCH).

Mr. DEUTSCH. Mr. Chairman, I join all of my colleagues in congratulating and really saying thanks to the chairman and the ranking member who have

done more for this country, really, than few other Members.

To the gentleman from California (Mr. FAZIO), personally, if I have had literally one key mentor in Congress, it has been him.

I would join many of my colleagues today to say that as good as this bill is, our hope from a Florida perspective is that the legislation could have gone a little bit further towards the President's request in terms of Everglades restoration projects.

I am planning on introducing for the RECORD an Army Corps of Engineers analysis which talks about the specifics of programs, if this is the ultimate budget, that will not be funded. Congress has made an incredible commitment in the 6 years I have been here towards this.

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

	Fiscal year 1998 project allocations	Fiscal year 1999 Budget request	Senate markup	House markup
C&SF	$21,833	$40,800	$25,000	$20,900
Kissimmee	2,817	27,300	10,000	3,500
Critical projects	4,009	20,000	10,000	3,000

CENTRAL & SOUTHERN FLORIDA

All assumptions are made with the understanding that funding will only be delayed for one year and required funding will be available in the following year.

If Senate Budget is Adopted ($25,000,000 allocation):

West Palm Beach (C–51): Delay in funding for relocations may not impact the overall project schedule. Delay in funding S–360, G–312, and levees (components of Stormwater Treatment Area 1 East) would not significantly impact the project. The project would likely still be completed within the overall completion schedule.

South Dade (C–111): Delay in funding for S–332A, B, and C pumping plants, and Levees and the Canal work will not significantly impact the overall project completion. Recent requirements for a new GRR supplement have caused this delay to be necessary regardless of funding.

Upper St. Johns: Delays in funding L74N and S–96E will increase the overall project completion time.

If House Budget is Adopted ($20,900,000 allocation):

West Palm Beach (C–51): Delay in funding for relocations may not impact the overall project schedule. Delay in funding S–360, G–312, and levees (components of Stormwater Treatment Area 1 East) would not significantly impact the project. However, the additional cuts would delay completion of pump Station S–362 (Stormwater Treatment Area 1 East outflow pump station) which would delay the overall project completion. The time could not be made up regardless of the follow-on funding.

Comprehensive Restudy: The additional cuts will adversely impact work on the Restudy. A delay in funding will result in completion beyond the mandatory completion dates.

South Dade (C–111): Delay in funding for S–332A, B, and C pumping plants, and Levees and Canal work will not significantly impact the overall project completion. Recent requirements for a new GRR supplement have caused this delay to be necessary regardless of funding.

Upper St. Johns: Delays in funding L74N and S–96E will increase the overall project completion time.

KISSIMMEE RIVER RESTORATION

If Senate Budget is Adopted ($10,000,000 allocation):

Contract 3(S–65 Modification), CNT 4C (local levee removal), and Contract 2 (Canal widening for C–35 & 36) can be completed.

Contract 14A (to remove 1M CY of material) can be completed. Contract 14B (to remove 5M CY of material) will not be awarded in FY 99. The entire 6M CY of material of Contract 14A & B must be removed before any work in the lower basin is initiated.

Majority of the environmental restoration benefits are claimed in the lower basin. However, if the request is reduced to 10 million, the initial environmental component Contract 7 (Reach 1 Backfill of canal C–38) will definitely not be awarded in FY 99. A prior commitment was made to initiate Reach 1 Backfill by 30 March 1999. This commitment will not be met. The remaining three reaches will also be delayed, and the corresponding environmental benefits will not be obtained. Engineering efforts in preparing P&S for future contracts will be downscaled because of limited funds and no A–E contract awards in 1999.

To implement the Reach 1 backfill contract, flood control features of Istokpoga basin (Contract 6, a large tributary within Reach 1) will need to be addressed. If the Istokpoga works is delayed, the Corps will go to condemnation, tie-up resources, cause additional delays, and Reach 1 Backfill cannot be initiated.

The balance of FY 1999 will be used to prepare P&S which will be shelved until funds become available.

If House Budget is Adopted ($3,500,000 allocation):

In addition to the above, Contract 14A (to remove 1M CY of material) will not be awarded in FY98. As noted above, all of Contract 14 needs to be completed before implementation of the lower basin works. None of the primary restoration benefits will be obtained in FY 99.

CRITICAL PROJECTS:

If Senate Budget is Adopted ($10,000,000 allocation):

With a funding level of 10 million, NEPA, and design development could not be initiated on 4 projects for which letter reports have been developed; Seminole Tribe Big Cypress, Loxahatchee Slough, L–31E and Melalueca Quarantine Facility. In addition, the South Dade County Agriculture and Rural Area Retention and South Biscayne Bay Watershed Management Plan studies could not be initiated. Since WRDA 96 requires that the Critical Projects be initiated by 30 September 1999, all projects listed above could not be implemented under this authority.

If House Budget is Adopted ($3,000,000 allocation):

With a funding level of 3 million, NEPA, and design development will not be initiated on 9 projects for which letter reports have been developed: Golden Gate Estates, Tamiami Trail Culverts, Lake Okeechobee Water Retention/Phosphous Removal, Ten Mile Creek, Lake Trafford, Southern Crew, Seminole Tribe Big Cypress, Loxahatchee Slough, L–31E, and Melalueca Quarantine Facility. In addition, the South Dade County Agriculture and Rural Area Retention and South Biscayne Bay Watershed Management Plan studies could not be initiated. Since WRDA 96 requires that the Critical Projects be initiated by 30 September 1999, all projects listed above could not be implemented under this authority.

Mr. Chairman, I yield to the gentleman from Florida (Mr. SHAW).

Mr. SHAW. Mr. Chairman, I thank the gentleman for yielding to me.

I would like to join with him in thanking the committee for what they have put in this particular bill with the shore protection, as the gentleman from New Jersey just was speaking to, but most particularly I think to really impress upon the committee that it is most important on these Everglades projects to move at least substantially towards the Senate markup document at this time, knowing that there is not going to be enough money to get back to the President's budget.

But these are very important projects. The Kissimmee River going back to the natural flow into Lake Okeechobee and then south through the Sharks Slough to the Florida Bay, this is tremendously important to the Everglades and should be of utmost importance to this committee and this Congress.

I would also like to point out that one of the facilities that would be lost if we do not at least go towards the Senate would be the Melalueca Quarantine Facility, which is tremendously important.

Mr. MCDADE. Mr. Chairman, may I inquire how much time remains?

The CHAIRMAN. The gentleman from Pennsylvania (Mr. MCDADE) has 1 minute remaining, and the gentleman from California (Mr. FAZIO) has 2 minutes remaining.

Mr. FAZIO of California. Mr. Chairman, I yield myself such time as I may consume.

I have been fortunate to serve on this subcommittee for 19 years, and I must say I have always enjoyed the bipartisan atmosphere in which the work has been conducted. Tom Bevill and John Myers were the senior members of each party for almost all the time that I have served on this committee, but my years with the gentleman from Pennsylvania (Mr. MCDADE) have been particularly gratifying and enjoyable.

He is the wonderful guy we have heard him described as by so many colleagues today. We obviously have a very tough bill. This is not a bill we have enjoyed bringing to the floor, because it is significantly below what we would like to spend in light of what we spent in the last year.

□ 1830

What I mean by that is there are many, many worthy projects that have not been funded in this bill because we simply have not been given the allocation.

We all understand that that will be the case for the future. I hope to, in a few minutes, using some charts, point out the degree to which discretionary spending has been reduced across the spectrum.

We have also seen the end of the carryovers. There was a time when this committee carried over $800 million in unexpended Corps appropriations that gave great flexibility so that those communities that were not immediately capable of spending money could make it available to others.

Those days have ended as well. Communities are holding on to their bucks, making it harder and harder for the Corps to put the money where it can do the most good.

So the gentleman from Pennsylvania (Mr. MCDADE) and I leave the Congress a little bit concerned about what we leave this bill to in the future, knowing that there are good and worthy people who take our place, but knowing as well that the credible demands, particularly on the water side of this bill, after two El Nino winters make it very difficult for this Congress to be in a position to respond legitimately to the concerns that are brought about, not just from economic development interests, not just from public safety and flood protection interests, not just from environmental interests, but from the whole spectrum of our local and State governmental bodies that are adding increasingly large amounts of their own money to match those that we provide for the Corps.

But I have to say, Mr. Chairman, I think this committee has done a worthy job this year, as it has during the last 19 I have served on this committee. We do the best we can, and we know that Members will understand and support us as I hope they will tonight unanimously.

Mr. MCDADE. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentleman from Minnesota (Mr. GUTKNECHT).

Mr. GUTKNECHT. Mr. Chairman, I thank the gentleman for yielding to me. I wanted to thank the chairman for his distinguished leadership on this subcommittee for all of these years, and thank the gentleman from California (Mr. FAZIO) and all the members of the subcommittee.

I rise today in support of the bill as the cochairman of the Upper Mississippi River Task Force, which is a bipartisan group of Members who work together to protect this historical natural resource.

The EMP, the Environmental Management Program was something that was started a number of years ago and really has been a model of success. The EMP program forces commercial concerns, environmental concerns, and those with recreational concerns to work together to protect the Mississippi River.

The House has approved $19 million for this program as part of its fiscal year 1999 budget. I would point out that this is more than the President has requested. But I would also say that this has been something that the House has done a better job over the last several years of funding than has been requested by the administration.

But this is a classy example of a win-win situation where environmental concerns, recreational concerns, commercial concerns are all brought together, people work together to create a better Mississippi River, a better environment, and frankly I think this is a model program for the rest of the country. I thank the chairman and the ranking member and members of the committee for funding it this year.

Mr. ABERCROMBIE. Mr. Chairman, today the House is debating the appropriations for the Energy and Water budget. I would like to bring to your attention the funding for the U.S. Department of Energy's program ''Hydrogen from Renewable Resources.'' This very successful program conducts research into the renewable production and storage of hydrogen. At the University of Hawaii, the program has been so successful that it was rated as a ''U.S. DOE Center of Excellence in Hydrogen Research and Education.''

Last year, with a total budget of $16 million, approximately $6.9 million was allocated to core research and development for the hydrogen research program. This year, the House Appropriations Committee proposes to increase the funding to $18 million while the Senate has pursued a budget of $29 million. However, despite the Administration's $10 million request for research funding, the House Appropriations Committee has reduced the research budget to $3 million.

Reduction of core research and development to only $3 million would be damaging to critical research programs at universities, within the national DOE laboratories, and to the University of Hawaii Center of Excellence.

As we move forward with this appropriation process, I strongly urge that sufficient funding will be dedicated to this renewable energy resource.

Mr. STRICKLAND. Mr. Chairman, I rise today to express my concern for funding the management of the depleted uranium hexafluoride (DUF6) currently stored at the facilities in Piketon, Ohio and Paducah, Kentucky and

Depleted uranium hexafluoride (DUF6) is hazardous and extremely corrosive. These materials are known as ''tails'' and are the result of years of enriching uranium for nuclear fuel in commercial power plants. Atmospheric releases of DUF6, if they occurred, would pose a significant threat to workers at the sites and communities surrounding those sites.

The United States Enrichment Corporation (USEC) was established in the Energy Policy Act of 1992 to assume responsibility for the Department of Energy's (DOE) uranium enrichment program. Currently, USEC has accrued approximately $400 million from the private sector which is supposed to be utilized to clean up the ''tails'' it has generated. The 1992 Energy Policy Act not only transferred the Department's uranium enrichment program to USEC, but it also included a requirement that USEC prepare a strategic plan to privatize the corporation, and today, that privatization plan is near completion. The $400 million specifically earmarked for cleaning up the ''tails'' will be transferred to the General Fund of the Treasury upon completion of privatization. I am anxious to see that these funds accrued by USEC for cleaning up the ''tails'' are used to meet that need after privatization.

I have been greatly disturbed to learn that the plans for privatization call for job losses totaling between 600 and 1700 workers at the Ohio and Kentucky facilities. Ensuring that the $400 million is spent to dispose of USEC's DUF6 at both of the Gaseous Diffusion plants would certainly help to mitigate the workforce reductions by employing the displaced workers.

It would make sense to ensure that the $400 million currently accrued by USEC to fund the management and disposition of the USEC ''tails'' continue to be earmarked for cleaning up the ''tails'' rather than diverted to some purpose for which it was not intended. I will continue to work to ensure that a solution is reached before the final sale of USEC.

Mr. POMEROY. Mr. Chairman, while I will be voting for the Energy and Water Appropriations bill at this early point in the legislative process, I want my colleagues to know that the funding in this measure for several important water projects in North Dakota are not adequate and must be improved in conference committee.

I am particularly disappointed that the Subcommittee appears to be relying on the Senates' funding commitments for the Devils Lake outlet, the Buford-Trenton irrigation district flowage easements, and the Garrison Diversion MR and I projects to avoid committing appropriate and required funding levels in the House.

I will be working closely with the House conferees to obtain a fair result for North Dakota in the conference committee and regret the House bill in its present forum falls so far short of the mark.

I am voting for the bill to move us to the next step in the process—conference committee—because I believe this will be the fastest way to make the needed improvements to this bill.

Mr. BROWN of California. Mr. Chairman, I want to congratulate the Chairman of the Energy and Water Subcommittee, Mr. MCDADE and Mr. FAZIO, the ranking Member, for their hard work to bring this bill forward in a difficult year. As the ranking Member of the Science Committee, my particular concern rests with the civilian research and development accounts at the Department of Energy.

In what is a difficult year for funding choices, I believe the Subcommittee has done a fairly good job. Overall, the civilian research accounts are up 2.5% compared to FY 1998 leaving energy activities holding their own when measured against inflation. Compared to the administration's request, or my personal preferences, this result is somewhat disappointing. The administration asked for $288 million more than the Committee has provided and those funds would have gone to very worthy, very important projects.

As disappointing as this outcome may be for some, I must warn my colleagues and my friends in the research community, that this may be as good as it gets. The House-passed budget would impose devastating cuts on the Function 270 accounts in the fiscal years 2000 through 2003 and those cuts, if we agree to take that budget proposal seriously, would fall primarily on energy programs in this bill and the Interior Appropriations bill.

I must mention some specific concerns with the bill as it stands and I hope that my friends from the Subcommittee will work with me to address these issues as we move to Conference.

EXTERNAL REGULATION AT LAWRENCE BERKELEY LAB

Section 508 of this bill removes DOEs authority to self-regulate the Lawrence Berkeley Laboratory and calls for a report to be submitted that would detail the transition from DOE regulation of environment, safety and health to NRC and OSHA regulation.

I support the goal of external regulation of DOE facilities because I believe that cost-savings will result, but more importantly, because I believe that there is an inherent conflict of interest in having the people who are responsible for environment and worker health and safety be the same people who are responsible for personnel.

However, I do not support the external regulation language in this bill. The language legislates on an appropriations bill, bypassing the authorizing Committees who have jurisdiction over this issue. The Science Committee has had a long interest and involvement in the issue of how and whether DOE facilities should be externally regulated. Last month, two Science Subcommittees held a joint hearing on this matter in which Betsy Moler, the Deputy Secretary of Energy, agreed to work with us in developing a process by which the DOE would move to an externally regulated system.

I further object to this language because I believe that it does not adequately address the complexity of the many issues that external regulation of DOE facilities must resolve. For instance, the language implies that the NRC will have to clean up and decommission the Bevatron, a mothballed facility at Lawrence Berkeley. That could cost $200 million. Moreover, the language provides no guidance about key issues such as whether NRC should license or certify the facility, or whether the NRC is intended to regulate medical accelerators which are currently State-regulated. I note that the administration has indicated that OSHA and the State of California lack legal authority to regulate at a Department of Energy lab, which raises the specter of a lab lacking health and safety standards; an unintended consequence of this legislative language, but one which may put workers and community lives at risk.

I look forward to working with the Appropriations Committee to clarify and improve the guidance for this first step at externally regulating DOE facilities.

NEXT GENERATION INTERNET IN H.R. 4060

The Appropriations Committee report on H.R. 4060 sets the appropriations level for the Department of Energy's Computational and Technology Research program at $22 million below the Administration's request. This reduction is explicitly designated as zeroing the DOE's requested funding for the Next Generation Internet initiative. The report language goes on to suggest that the NGI initiative had not been adequately justified. I believe the position the Appropriations Committee has taken is incorrect and will impede research that would provide significant benefits for the nation.

When the NGI was first proposed in the spring of 1997, as part of the President's fiscal year 1998 budget request, the rationale and plan for the initiative were incomplete. As a result, the Science Committee did not authorize appropriations for the program in its fiscal year 1998 DOE authorization bill nor in its authorization bills last year for the other agencies participating in NGI. However, later in 1997, a detailed NGI implementation plan was released, and the Science Committee held hearings last fall to examine the program.

On the basis of the Committee's findings from that review, an authorization bill, H.R. 3332, was written for the NGI initiative. The Science Committee reported the bill in May, including an authorization of appropriations at the level of the Administration's request. We expected that DOE would be a major participant in the NGI initiative, and I am disappointed to find that the appropriations bill now under consideration by the House withholds appropriations for DOE.

The NGI is an important research initiative that is designed to increase the capacity, extend the capabilities, and improve the reliability of the Internet and related data networks. It is an outgrowth of collaborative R&D efforts among government, industry and academia to advance the capabilities of high performance computer networks. These past R&D efforts, initiated under the High Performance Computing Act of 1991, have shown that such collaboration spurs technological advances by creating a critical mass of talent, spreading risk, and leveraging resources.

The basic idea of the NGI initiative is to accelerate the capabilities of the Internet to support demanding multimedia and interactive applications. The future network capabilities envisioned are necessary for research, educational uses, and commercial uses that will require levels of service that are not now available. The approach taken by NGI will continue the successful, close collaboration among the government, industry and academia that led to the creation and early development of the existing Internet.

Research results from NGI will be rapidly transferred to the commercial Internet, and consequently, made available for all Internet users, because commercial network providers will be participants in the NGI initiative. This research is needed to ensure that the future capabilities of the Internet will effectively support its growing role in commerce, research, and education. In summary, the activities planned under NGI will help maintain the nation's predominant position in computer networking technology.

Prohibiting the Department of Energy from participating in NGI will damage the multiagency program, with its interdependent R&D components. Adequate justifications for support for NGI are provided by the February 1998 implementation plan released by the National Coordination Office for Computing, Information, and Communications and by the testimony presented to the Science Committee. Also, the Science Committee, which is the principal committee of jurisdiction, has reported an authorization bill for the overall NGI program.

The companion bill to H.R. 4060 reported in the other body includes NGI funding for DOE. I strongly urge the Appropriations Committee to reconsider the position taken by the House report and, during the conference on H.R. 4060, to provide for DOE's participation in NGI.

SOLAR AND RENEWABLES FUNDING IN H.R. 4060

Mr. Speaker, I also want to state my concern that H.R. 4060 fails to fund the increase in renewable energy funding requested by the Administration. I recognize that money is quite tight and that difficult choices need to be made. Nevertheless, I am concerned that the Committee may have chosen to eliminate this funding on the unsound belief that such funding would somehow constitute ''back-door'' implementation of the Kyoto agreement on climate change.

Mr. Speaker, I recognize that many of my colleagues have reservations about the Kyoto agreement. The Administration itself has said that it is incomplete, and that therefore it will not submit it for Senate ratification until we have secured meaningful participation from key developing countries. The Administration has also repeatedly said that it will not attempt to implement the Kyoto agreement without Senate ratification.

Despite these assurances, a number of Members are attacking elements of the President's budget which serve critical national goals but also have the ancillary benefit of reducing greenhouse gas emissions. Such is the President's request for the ''Climate Change Technology Initiative,'' which proposes $2.7 billion in additional research and development spending at several federal agencies. This increased funding would largely expand existing research programs which have served us well for many years.

In this bill, for example, the Department of Energy's solar and renewable research programs have made dramatic progress in improving the performance of solar and renewable energy while lowering its cost. This is precisely the type of long-range, risk-taking research that properly should be carried out by the Federal government. By its nature, not everything DOE does will succeed; but past performance leads us to hope that DOE can help develop solar and renewable energy sources to become more competitive with other energy sources in the future.

It should be in our interest to encourage the development of a diverse energy portfolio—one that does not rely predominantly on limited, non-renewable and polluting fossil fuels. It should also be in our interest to encourage energy security, instead of relying—as we do—on increasing amounts of imported foreign oil to meet our energy demands.

And, finely, solar and renewable energy provide us with a cheap insurance policy against climate change. I understand that many Members are unconvinced that that climate change is already occurring, and are waiting to see stronger proof. I also understand, as I stated before, that many Members have reservations about the provisions of the Kyoto protocol. But we cannot wait for a smoking gun or the perfect treaty to make a start now on developing the technologies that we may well need ten or fifteen or even twenty years from now. By cutting off this research now, we are choking off our future options and saddling those that follow us with harder, not easier, choices. This is an abdication of responsibility for future generations.

Mr. Speaker, funding solar and renewable energy R&D is the right thing to do. It is not a backdoor implementation of the Kyoto protocol. There's nothing mandatory, there's nothing regulatory, about energy research and development programs. These are win-win investments that meet our energy needs while giving us some options for addressing the greenhouse problem.

I certainly hope that the Chairman and the Ranking Member of the Subcommittee on Energy and Water can find a way to increase the funding for DOE's solar and renewable programs when they go to conference.

H.R. 4060 SECTION 306 PROVISIONS ON LAB COMPETITION

Finally, I note Section 306 of the bill, which addresses a very serious issue of Energy labs competing with the private sector. We place labs in a precarious position to do work that is in the public's interest and for which there may not be an obvious commercial interest and simultaneously to behave in a more profit-oriented manner. It is my understanding that Sec. 306 is intended to address a rather narrow, though disturbing, instance of a lab hijacking technology already developed in the private sector.

My concern with the language in the bill is that it is overly broad and will place a horrific bureaucratic burden on the Department at the same time that we want them to work leaner and smarter. I hope that we can work together to improve this language at conference or find another solution to this issue so that language of such sweeping magnitude is unnecessary. I want to assure those concerned about this issue that I would be happy to have the Science Committee investigate this issue and hold hearings on it.

Mr. PACKARD. Mr. Chairman, I rise today to convey my deepest gratitude to two of my colleagues. Both the Chairman and Ranking Minority of the Energy and Water Appropriations Committee, JOE MCDADE and VIC FAZIO, will soon leave this body and both will be deeply missed.

I've known both of these men for the entirety of my time here in Congress and I have been fortunate enough to work with them both on many occasions. As a Californian, I feel especially grateful to Mr. FAZIO for his unwavering commitment to our state. He has been one of the most dedicated Members of this House and has consistently supported the interests of not only his constituents, but of all Californians.

As a fellow Appropriations Subcommittee Chairman, I have a deep appreciation for the remarkable job JOE MCDADE does in bringing a fair, responsible bill to this floor each year. His hard work and dedication consistently results in legislation capable of stretching federal dollars to respond to the many needs across the nation under the jurisdiction of his Subcommittee.

Mr. Chairman, this year is no exception. The legislation both Mr. MCDADE and Mr. FAZIO have brought before this House is nothing short of exceptional. I fully support it and urge my colleagues to vote in its favor.

Mr. Chairman, both of these men have been true leaders of this House and true American champions. Their presence here will be missed, but their legacies will not be soon forgotten.

Mr. PAYNE. Mr. Chairman, I rise in strong support of the Energy and Water Appropriations Bill. Let me add my voice to those expressing gratitude to Chairman MCDADE and Ranking Member FAZIO for their hard work. I would also like to personally thank my New Jersey colleague who serves on the Subcommittee, RODNEY FRELINGHUYSEN, for his responsiveness to my request for funding for a major economic development project in my home city of Newark. I was pleased to have the opportunity to testify before the Subcommittee earlier this year, as I have many times in the past, in behalf of the development of the Joseph Minish Waterfront park and Historic Area in downtown Newark.

The $5 million included in this bill for the development of the waterfront will allow us to continue moving forward with the project, which has already received $10 million for construction. In recent years, the city of Newark, the nation's third oldest major city, has been greatly enhanced by a number of improvements and additions. We are especially proud of our new Performing Arts Center, a world class cultural center which has already attracted visitors from around the world. The development of the waterfront will complement the Performing Arts Center and provide a great attraction for both visitors and local residents. Specifically, the funding will allow us to proceed with the restoration of 3000 feet of riverbank and wetlands as well as the construction of one thousand feet of bulkhead along the river.

Mr. Chairman, this funding represents a solid investment in the future of a great city. Again, in behalf of my constituents, I thank the Subcommittee for its support of this key economic development initiative.

Mr. MILLER of California. Mr. Chairman, I rise in support of H.R. 4060, making Appropriations for Energy and Water Development for Fiscal Year 1999.

This bill provides funds for critical flood control and navigation projects in Contra Costa County and the San Francisco Bay Area of California. I appreciate the Committee's continued support for these projects.

I am particularly pleased that the Committee's bill will assist in the continuation of funding Federal participation in the Bay-Delta ecosystem restoration programs authorized by the California Bay-Delta Environmental Enhancement and Water Security Act. However, I note that the FY 1999 appropriation for Bay-Delta is significantly less than the requested amount, and also reflects a reduction from the FY 1998 funding level. I encourage our Conferees to restore funding for this important program. Funding the Bay-Delta programs at the FY 1998 level will allow us to continue critical work to restore the many components of this huge area that have been damaged by human activity.

The Committee bill raises for the second year a problem with the Central Valley Project Restoration Fund. According to the Committee Report, appropriations for the Restoration Fund will be severely reduced again in FY 1999. This reduction is misguided and jeopardizes important environmental programs.

The projects financed with the CVP Restoration Fund are broadly supported and many are non-discretionary projects that must be completed in a limited amount of time. I hope there will be opportunities to reconsider the reductions to the Restoration Fund.

Language in the report for this bill directs the Bureau of Reclamation to use its $3 million appropriation for the Animas-LaPlata project to ''implement the modification to the project required by the proposed amendments to the Colorado Ute Indian Water Rights Settlement Act.'' In effect, the report tells the Bureau to build a controversial project that has not been authorized by the Congress.

The Bureau should not follow this unwise dictate since there is no legislation authorizing the modification to the project.

I am pleased that bill includes $200,000 that the Administration requested for the Army Corps of Engineers to initiate a feasibility study on the removal of the underwater hazards to navigation near Alcatraz Island. Although submerged even at low tide, these rock outcroppings could be struck by deep draft container and especially oil tanker vessels that frequently pass nearby, posing a substantial risk of an oil spill.

The feasibility study will investigate environmental impacts and mitigation, and develop project implementation alternatives and cost estimates. I appreciate the Subcommittee's continuing support of this important navigation project to protect both the environment and the economy of San Francisco Bay.

I thank the Committee for its hard work on this legislation, and I urge my colleagues to support H.R. 4060.

Mr. BEREUTER. Mr. Chairman, this Member would like to commend the distinguished gentleman from Pennsylvania (Mr. MCDADE), the Chairman of the Energy and Water Development Appropriations Subcommittee, and the distinguished gentleman from California (Mr. FAZIO), 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 1999 includes funding for several water projects that are of great importance to Nebraska.

This Member greatly appreciates the $8 million funding level provided for the four-state Missouri River Mitigation Project. This represents a much-needed increase over the Administration's insufficient request for this important 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 pre-development 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, Nebraska. 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. In addition, a related study was authorized by Section 503(d)(11) of the Water Resources Development Act of 1996.

Mr. Chairman, additionally, the bill provides continued funding for an ongoing floodplain study of the Antelope Creek which runs through the heart of Nebraska's capital city, Lincoln. The purpose of the study is to find a solution 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 this project since this Member 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 Antelope Creek in the downtown of Lincoln.

Antelope Creek, which was originally a small meandering stream, became a straightened urban drainage channel as 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. A dangerous flood threat to adjacent public and private facilities exists.

The goals of the study are to anticipate and provide for the control of flooding of Antelope Creek, map the floodway, evaluate the condition of the underground conduit, make recommendations for any necessary repair, suggest the appropriate limitations of neighborhood and UN–L city campus development within current defined boundaries, eliminate fragmentation of the city campus, minimize vehicle/pedestrian/bicycle conflicts while providing adequate capacity, and improve bikeway and pedestrian systems.

This Member is also pleased that the bill provides $200,000 for operation and maintenance and $150,000 for construction of 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.

Finally, Mr. Chairman, this Member recognizes that H.R. 4060 also provides funding for Army Corps projects in Nebraska at the following sites: Harlan County Lake; Papillion Creek and Tributaries; Gavins Point Dam, Lewis and Clark Lake; Salt Creek and Tributaries; and Wood River.

Again, Mr. Chairman, this Member commends the distinguished gentleman from Pennsylvania (Mr. MCDADE), the Chairman of the Energy and Water Development Appropriations Subcommittee, and the distinguished gentleman from California (Mr. FAZIO), the ranking member of the Subcommittee for their support of projects which are important to Nebraska and the First Congressional District, as well as to the people living in the Missouri River Basin. Since the distinguished gentleman from Pennsylvania (Mr. MCDADE) earlier announced his intention not to seek reelection to the House, may I most sincerely commend, congratulate and thank the gentleman for the tremendous contributions he has made to America by the extraordinary effort and leadership he has demonstrated on the Appropriations Committee and through other responsibilities he has so ably discharged in his public service while a Member of the House. I recall as if it was only yesterday how the gentleman gave such friendly and quality advice and assistance to this Member when I arrived to serve on the House Small Business Committee in 1979 where the gentleman from Pennsylvania served as the ranking minority member. Thank you, my colleague and friend and very best wishes to you and your family during the remainder of this year and after you leave the House.

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.

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:

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, 1999, 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, $162,823,000, to remain available until expended, of which funds are provided for the following projects in the amounts specified:

Delaware Bay Coastline, Delaware and New Jersey, $570,000;

Tampa Harbor, Alafia Channel, Florida, $200,000;

Barnegat Inlet to Little Egg Harbor Inlet, New Jersey, $322,000;

Brigantine Inlet to Great Egg Harbor Inlet, New Jersey, $313,000;

Great Egg Harbor Inlet to Townsends Inlet, New Jersey, $300,000;

Lower Cape May Meadows—Cape May Point, New Jersey, $100,000;

Manasquan Inlet to Barnegat Inlet, New Jersey, $400,000;

Raritan Bay to Sandy Hook Bay, New Jersey, $1,100,000;

Townsends Inlet to Cape May Inlet, New Jersey, $500,000: *Provided,* That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $700,000 of the funds appropriated in Public Law 102–377 for the Red River Waterway, Shreveport, Louisiana, to Daingerfield, Texas, project for the feasibility phase of the Red River Navigation, Southwest Arkansas, study: *Provided further,* That the Secretary of the Army is directed to use $500,000 of the funds appropriated herein to implement section 211(f)(7) of Public Law 104–303 (110 Stat. 3684) and to reimburse the non-Federal sponsor a portion of the Federal share of project costs for the Hunting Bayou element of the project for flood control, Buffalo Bayou and tributaries, Texas: *Provided further,* That the Secretary of the Army is directed to use $300,000 of the funds appropriated herein to implement section 211(f)(8) of Public Law 104–303 (110 Stat. 3684) and to reimburse the non-Federal sponsor a portion of the Federal share of project costs for the project for flood control, White Oak Bayou watershed, Texas.

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), $1,456,529,000, 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 25, Mississippi River, Illinois and Missouri; Lock and Dam 14, Mississippi River, Iowa; Lock and Dam 24, Part 1, Mississippi River, Illinois and Missouri; and Lock and Dam 3, Mississippi River, Minnesota, projects, and of which funds are provided for the following projects in the amounts specified:

Norco Bluffs, California, $4,400,000;

Tybee Island, Georgia, $1,200,000;

Indianapolis Central Waterfront, Indiana, $4,000,000;

Indiana Shoreline Erosion, Indiana, $700,000;

Ohio River Flood Protection, Indiana, $1,700,000;

Harlan/Clover Fork, Williamsburg, Middlesboro, Martin County, Pike County, and Town of Martin elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River, Kentucky, $26,730,000;

Southern and Eastern Kentucky, Kentucky, $4,000,000;

Lake Pontchartrain and Vicinity (Hurricane Protection), Louisiana, $18,000,000;

Lake Pontchartrain (Jefferson Parish) Stormwater Discharge, Louisiana, $3,000,000;

Southeast Louisiana, Louisiana, $85,200,000;

Jackson County, Mississippi, $7,000,000;

Passaic River Streambank Restoration, New Jersey, $5,000,000;

Lackawanna River, Olyphant, Pennsylvania, $14,400,000;

Lackawanna River, Scranton, Pennsylvania, $43,551,000;

South Central Pennsylvania Environment Improvement Program, $45,000,000, of which $15,000,000 shall be available only for water-related environmental infrastructure and resource protection and development projects in Lackawanna, Lycoming, Susquehanna, Wyoming, Pike, and Monroe counties in Pennsylvania in accordance with the purposes of subsection (a) and requirements of subsections (b) through (e) of section 313 of the Water Resources Development Act of 1992, as amended;

Wallisville Lake, Texas, $5,500,000;

Virginia Beach, Virginia (Hurricane Protection), $13,000,000;

West Virginia and Pennsylvania Flood Control, West Virginia and Pennsylvania, $750,000: *Provided*, That the Secretary of the Army is directed to incorporate the economic analyses for the Green Ridge and Plot sections of the Lackawanna River, Scranton, Pennsylvania, project with the economic analysis for the Albright Street section of the project, and to cost-share and implement these combined sections as a single project with no separable elements, except that each section may be undertaken individually when the non-Federal sponsor provides the applicable local cooperation requirements; *Provided further*, That any funds heretofore appropriated and made available in Public Law 103–126 for projects associated with the restoration of the Lackawanna River Basin Greenway Corridor, Pennsylvania, may be utilized by the Secretary of the Army in carrying out other projects and activities on the Lackawanna River in Pennsylvania; *Provided further*, That the Secretary of the Army is directed to use $6,000,000 of the funds appropriated herein to implement section 211(f)(6) of Public Law 104–303 (110 Stat. 3683) and to reimburse the non-Federal sponsor a portion of the Federal share of project construction costs for the flood control components comprising the Brays Bayou element of the project for flood control, Buffalo Bayou and tributaries, Texas.

Mr. FAZIO of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I think there has been a lot of very legitimate discussion on this bill and on the rule leading up to it about what has been presented to us by the administration in their Corps budget this year.

The gentleman from Pennsylvania (Mr. MCDADE) and I worked very, very hard to get back to a figure which is $200 million below what we should be spending this year. We came from $900 million down. The administration's budget was terribly troubling to all of us, but I think we have got to put this in a larger context, and that is the declining nondefense discretionary programs.

As we can see, the funding freeze, which is essentially what we are learning to live with, based on the agreement made last year between the two parties, is trending downward. Republicans have talked about reductions of an even greater amount.

Current services are going, in effect, off the chart. The demand for the Corps' program vastly exceeds what any of us envision being able to provide. If I could see the next chart, I would like to point out that the Corps itself is telling us that the legitimate requests made of it, program needs, are far beyond what is going to be available under the spending caps that we just agreed to.

My purpose is not to make a partisan speech on the quintessential nonpartisan bill of the year. My point is simply to say, yes, the administration's budget was too deeply cut, but so will others in the future be if we keep on the trend line we have been on on nondefense discretionary spending.

I am very concerned about this because the Corps' construction budget is being augmented by a tremendous infusion of State and local funding. We have, as I said earlier, done away with those carryover balances that this committee used to utilize very effectively, at one time as much as $800 million. That is gone. We have lost that flexibility.

All I am saying is that none of us can be critical of budgets that will be presented to this Congress in the future by any administration of either party when we have this kind of nondefense discretionary future out there ahead of us.

The Corps' programs are good and worthy. They are legitimate. They need to be funded. As we view not only the highway bill this year or the authorization for the research in the Agriculture Department, as we look at all of the proposed budget resolutions still to be resolved out there ahead of us, we see, I think, a recipe for disaster in the Corps budget. I hope we can, frankly, all get beyond the partisanship and understand that the future for the things that our constituents demand of us in this area is bleak.

Mr. HASTINGS of Washington. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to enter into a colloquy with the gentleman from Pennsylvania (Mr. MCDADE), the chairman. First, I would like to say how much I appreciated working with the gentleman and the ranking member during these past 2 years. Both of them have worked closely with us to make sure that critical nuclear cleanup efforts are fully funded and effectively managed. I wish the both of them the very best.

Mr. Chairman, I wanted to raise an issue for the Committee's consideration as this bill moves into conference. As the gentleman knows, research into the field of medical isotopes has moved forward at a record pace over the past several years. In one recent clinical trial, medical isotope therapy demonstrated a 75 to 80 percent success rate against non-Hodgkins lymphoma patients diagnosed as terminal. New research into alpha-emitting isotopes appears to be even more promising. Yet, today more than 90 percent of our research and treatment isotopes are imported. A recent strike at a Canadian reactor threatened to undermine diagnostic medical treatments nationwide.

A state-of-the-art facility in my district, the Fast Flux Test Facility, is now under consideration for production of these valuable cancer fighting tools. In addition, the facility could serve as an interim or backup source of tritium, at a savings of billions of dollars over other alternatives.

As the chairman knows, the House fully funded the President's request but transferred that request into the Department's environmental management account. The Senate, on the other hand, cut $4 million from the program, but placed it into the energy research account as requested.

Although the $31 million provided for the program is inadequate to fund either start-up or shutdown, I understand that the administration is working to correct this situation.

I wonder if the gentleman from Pennsylvania (Mr. MCDADE) might be willing to work with us on these two issues.

Mr. MCDADE. Mr. Chairman, will the distinguished gentleman yield to me?

Mr. HASTINGS of Washington. I am happy to yield to yield to the gentleman from Pennsylvania.

Mr. MCDADE. Mr. Chairman, I want to say how grateful we are to the gentleman for bringing this forcefully to our attention. It is our intention to work with him to ensure the program is appropriately funded and in the accurate place.

Mr. HASTINGS of Washington. Good. I thank the gentleman. If the gentleman would continue into a colloquy, I have one more inquiry.

During a June 10 hearing in the Committee on Resources, witnesses from the National Park Service testified that the U.S. Army Corps of Engineers is not properly complying with the implementing regulations of the Native American Graves Protection and Repatriation Act of 1990, or NAGPRA. These witnesses indicated that errors on the part of the Corps have resulted in a lawsuit against the Federal Government for mishandling cultural resources found on land owned by the Corps.

Mr. Chairman, it was my intention to offer an amendment to set aside $10,000 to the U.S. Army Corps of Engineers overhead account to pay for a study on the Corps' compliance with NAGPRA. However, after discussions with the committee staff, I believe that the Corps could be persuaded to review this issue without amending the bill before us today.

Would the gentleman from Pennsylvania be willing to join me in a letter to the U.S. Army Corps of Engineers requesting a review of its compliance with this law?

Mr. Chairman, I will yield to the gentleman from Pennsylvania.

Mr. MCDADE. Mr. Chairman, may I say to my friend, I would be delighted to join in such a letter. The subcommittee is deeply interested in the issue. We will be happy to work with the gentleman.

Mr. HASTINGS of Washington. Good. I appreciate the gentleman's assistance with us on this matter.

Once again, I add my congratulations to the gentleman for a successful tenure here and success in getting this bill through the House tonight.

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

Mr. Chairman, I would like to join in the shameless piling on of compliments and bouquets being thrown at the gentleman from Pennsylvania (Mr. MCDADE) and the gentleman from California (Mr. FAZIO) who are gentlemen, I think, that really set the standard for mutual respect, good working relationships, good humor, basic decency, care for the institution, and all manner of good things.

I was going to say I will miss you, but I will be gone next year, too. If I had the foresight to pattern my career after the gentleman from California (Mr. FAZIO), I would have gotten a lot further, but I did not think of doing it early enough. Anyway, my respects and high regard to both of the gentlemen.

I wanted to thank the subcommittee and its good staff in particular for the provisions that are included in the bill with regard to nuclear weapons plant cleanup. I think the very farsighted provision for funding the Rocky Flats closure fund even somewhat higher than the President's request, really will enable progress to be made there toward the hope for a closure by the year 2006, and in the process saving the taxpayers something on the order of $1 billion. So I really appreciate the help there.

There is, however, one provision in the Senate bill that may complicate life for us with regard to both the Rocky Flats situation and elsewhere, and I would like to engage the gentleman from Pennsylvania (Mr. MCDADE) briefly in a discussion about that.

Section 306 of the Senate bill would apparently prohibit any steps to decrease radioactive concentration of wastes in order to meet the criteria for wastes that can be shipped to the Waste Isolation Pilot Project in New Mexico.

□ 1845

I do not know what the rationale for this provision may be, but I am informed that it could make it much less likely that wastes from Rocky Flats could be sent to WIPP in accordance with the current timetable. In fact, it could mean that the Department of Energy would have to use money that could go for cleanup instead to build a new facility at Rocky Flats to store wastes that otherwise could be sooner sent to WIPP. Estimates are that this might cost $20 million to $40 million for construction, and another $10 million a year to operate.

I am sure the chairman, at least I hope the chairman agrees that this would be an undesirable result, and I hope he will work to resolve this matter in conference and eliminate whatever confusion this Senate bill provision may have sown into this matter.

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

Mr. SKAGGS. I yield to the gentleman from Pennsylvania.

Mr. MCDADE. I thank the gentleman for yielding. May I say to him that one of the highlights of my service in the Congress was the opportunity to serve with him as a member of the Committee on Appropriations for more decades than we probably both want to admit. He will be missed. I hope to continue our relationship in life on the outside of the Capitol.

Let me say that we have no higher priority than concluding the cleanup site at Rocky Flats. We believe it is working well, we have put a lot of money on that effort, and we do not intend to back off it. I am not sure where that provision came from, but I want to assure the gentleman, it has our attention and we appreciate him bringing this to our attention again.

Mr. SKAGGS. Mr. Chairman, I thank the gentleman very much. I just in closing wanted to note two other provisions. As the chairman is aware, the bill provides somewhat less funds than were requested for the section 3161 program, the transition support for workers that are being phased out of these weapons plants around the country. I am fully aware of the difficult budget circumstances but just wanted to flag that item in hopes that both we can replenish some of the funding and also be at least open to the possibility that there will be out-year needs beyond the cutoff date currently included in the bill.

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

Mr. Chairman, first of all I would like to join my colleagues also in extending my congratulations to the gentleman from Pennsylvania (Mr. MCDADE) and the gentleman from California (Mr. FAZIO) for their hard work on this bill. Both their time here, their commitment and service to America is certainly and greatly appreciated by me as well as the entire Congress.

Mr. Chairman, the reason I am here is to discuss the ability of the State of Nevada and all affected local governments to carry out their oversight authority on the proposed Yucca Mountain project in Nevada. This oversight authority was granted to them in the Nuclear Waste Policy Act of 1982. Currently the Department of Energy is conducting tests to determine if the Yucca Mountain site will be a permanent repository for nuclear waste.

When the Nuclear Waste Policy Act of 1982 was created, Members of this body felt that it was imperative for the State of Nevada and all affected local governments to have sufficient resources to carry out their own oversight. These necessary funds are used to properly oversee tests the Department of Energy is carrying out to determine whether or not Yucca Mountain is suitable or not suitable as a permanent nuclear waste site.

This was a very critical part of the 1982 act, because it allowed Nevada, and particularly the citizens and residents of that State, to have confidence in the scientific studies and especially the validity of those tests that the Department of Energy has been conducting. These resources will allow for State and local governments to continue to perform their own independent validation tests to ensure the best science is used to determine site suitability.

It has been my experience that these local and State scientists have been unbiased in their work and as such have produced needed assurances that only the best scientific data is used to determine the hydrologic and geologic character of Yucca Mountain.

Mr. Chairman, we have over 1.8 million people in Nevada, and their safety and quality of life in this debate should not be ignored, making it imperative that we provide the financial resources to ensure the State of Nevada and affected local governments are able to monitor and report on this activity.

Therefore, I would ask that the House conferees work with me to get $4.875 million for the State of Nevada and $5.54 million for affected local governments included in this appropriation. These appropriation amounts are consistent with the moneys appropriated in the Senate fiscal year 1999 Energy and Water Development Appropriations Act.

As the Federal Government moves to designate Yucca Mountain as a permanent nuclear waste repository, it becomes imperative that we address the scientific and safety concerns of the citizens of Nevada.

Again, I would like to thank the gentleman from Pennsylvania (Mr. MCDADE) and the gentleman from California (Mr. FAZIO) for their work on this bill. I would appreciate their willingness to work with me on this very important issue.

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

Mr. Chairman, I certainly want to stop, too, as a member of the Committee on Appropriations and pay my respects to the gentleman from California (Mr. FAZIO) and the gentleman from Pennsylvania (Mr. MCDADE). In my 2 years, a short term on the committee, I have just thoroughly enjoyed the working relationship that I have with these two men and am constantly amazed at how much they know about the work that they do. Sometimes in this institution Members do not follow in the level of detail what these two gentlemen do day in and day out on the

Subcommittee on Energy and Water Development, knowing every single program area, the funding amounts, the priorities, somehow keeping it all in perspective and serving this institution so well. I could not be more unhappy that two people are leaving this body at the same time as the gentleman from California and the gentleman from Pennsylvania. They have served our country with such distinction. They will be sorely missed.

Mr. Chairman, as they know, I have been an advocate for the environmental cleanup efforts in Oak Ridge, Tennessee. Following the successful Manhattan Project and winning the Cold War and our nuclear buildup, now we have got the responsibility of cleaning it up. They also know that of the three gaseous diffusion plants in this country, one of them is in Oak Ridge, Tennessee. The Energy Policy Act of 1992 very specifically told the Congress to fund the cleanup at these sites in the future. We had those funding requests made for this fiscal year. Unfortunately at a time which they have articulated so well of declining discretionary accounts, we did not have the funding to fully fund the President's request for this coming year for the decontamination and decommissioning of these gaseous diffusion plants. The President asked for $277 million. The Senate marked up a $200 million level at the committee, and then reduced it by $3 million on the Senate floor last week. So the Senate is at $197 million. The President's request was at $277 million. The House did add money back in and brought us to a $225 million level.

I just appeal to the conferees as we come to the floor today to clear what I hope to be unanimous certification of our Energy and Water bill here today, and they deserve a unanimous vote from the full House, I want the conferees to know that the $225 million even that the House Committee on Appropriations passed is still not sufficient. We need really $15 million more to get to a level of $240 million in order to not miss a stride in the environmental cleanup which is so important to all three gaseous diffusion sites, but particularly in the State of Tennessee where we constantly wrestle with the State of Tennessee on meeting our compliance levels and meeting our timing on the environmental cleanup as called for in the Energy Policy Act which we all know was a comprehensive piece of legislation affecting all of the nuclear sites in America.

I appeal to the conferees with much gratitude that the House appropriators saw fit to increase the level from the Senate mark to $225 million, I just appeal that we find $15 million more somehow as we approach the final Energy and Water conference report for fiscal year 1999, trying to get us to the $240 million level so that this important cleanup can continue.

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

Mr. Chairman, some Members might remember the rather confusing battle of the Fazio-DeFazio amendments last year. Unfortunately we will be deprived of that confusion in the future with the retirement of the gentleman from California. But the issue over which we disagreed will be before the Congress in future years. I have concerns in the way it is presented in the report language here. I decided to forgo an amendment this year since we are in limbo on the Animas-La Plata project; that is, it is not determined how or if it will go forward and in what form, so I decided not to come to the floor this year with an amendment to delete the funds. But what we find in the bill is language that says they should go ahead post haste with an alternative, whatever that might be, which of course is not authorized by law. Perhaps it would be the alternative advocated by the gentleman from Colorado (Mr. MCINNIS) who represents that district who has a bill, H.R. 3478, which has not even yet had a hearing. I think it would be most unusual and probably illegal for the Bureau of Reclamation to begin a project which has not even had a hearing in Congress, let alone being authorized. I would suggest that that language in the report should be, and probably will be, ignored by the administration.

The point here, this project was not justifiable, the massive amount of money. It was being sold as settling the legitimate claims of the Ute Indian tribe. However, it was much, much more than that, many hundreds of millions of dollars more, and it was not going to deliver water to that tribe. So some alternatives have been proposed. No one has as of yet authorized any of those alternatives. One called Animas-La Plata Lite is favored by the gentleman who represents the district, but it has not been heard, it has not been voted on, it is not law, and you cannot lawfully spend money on that project.

There are other alternatives that have been proposed. At some point, the committee of jurisdiction on which I sit, the authorizing committee, is going to have to hold hearings, puzzle through the potential alternatives, and come up with a solution which settles the legitimate claims of that tribe and protects the taxpayers at the same time. I do not believe we quite have that formula before us.

Mr. Chairman, I am rising just to point out this language in the report. Since the language would order the Bureau to do something which is illegal, I assume that the language will not be quite worth the paper it is printed on. I look forward to future discussion of this issue in committee and on the floor of the House as we move forward to authorizing a fair and just settlement but something which also protects the Federal Treasury.

Mr. LEWIS of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise today not to complain a bit about the work of the gentleman from Pennsylvania (Mr. MCDADE) or the gentleman from California (Mr. FAZIO) in terms of the subcommittee report that is before us, but rather to say that a very interesting experience has been mine in recent weeks as I have observed these two gentlemen approaching today, for as has been said many a time before today, they both are contemplating leaving the House at the end of this session.

In beautiful northern California, in spite of the fact that there is a propensity even in that great State for people surrounding the State capital to often point a finger at elected officials and wonder what they are all about, in the last several weeks, suddenly out of the woodwork all kinds of people are saying, "Oh my God, what are we going to do? VIC FAZIO is not going to be there to represent us anymore." Suddenly citizens are beginning to realize that, unnoticed in many ways, almost never has there been quite the contribution to their community that has been made by their Congressman from Sacramento and regions that surround.

In beautiful downtown Scranton, Pennsylvania, a similar occurrence of people for years and years and years have been pointing around at what local officials in one location or another have not quite done to their satisfaction, and they too in the last many weeks have begun to say, "Oh my God, what are we going to do without JOE MCDADE to take care of our problems" that we ask about always at the last moment.

Mr. Chairman, it is important for us to note that in public affairs, most problems have absolutely very little to do with partisan politics. If there are two gentlemen who serve this House well who recognize that more than these two, I do not know who they are. Both the gentleman from Pennsylvania and the gentleman from California have been a great tribute to the House of Representatives. It has been my privilege to know them as human beings and as personal friends, but most important to have the opportunity to rise and say that I am proud just to be their colleague.

Mr. FAZIO of California. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. FAZIO of California. Mr. Chairman, first of all let me say how much I appreciate the gentleman from California (Mr. LEWIS) and want him to know that in the future when people come to me and ask how we are going to accomplish this or that, I am going to simply refer them to him, because I know his interest in the region personally and in our State generally will motivate him to take up any unfulfilled task. I do appreciate him very much.

Mr. Chairman, I wanted to simply for the record indicate that the committee

has taken no position on Animas-La Plata this year. The money in the bill was the administration's budget request to fund ongoing activities of the Romer-Schoettler process, which is the Governor and Lieutenant Governor trying to find a solution to this problem at Animas-La Plata. Included in that request of the administration is funding for data collection, analysis of endangered species issues and other environmental, cultural and hydrological issues. It is obviously our understanding that the Colorado delegation is pursuing this project through the normal authorization process.

□ 1900

The proposed project has been reduced from a price tag that was originally about $750 million to currently an estimate of around $250 million. The proposal by environmental groups to give the Utes a cash settlement has been rejected by both the Tribal Council of the Ute and the Mountain Ute Nations.

This is a subject that has been debated for 30 years, and I know the gentleman from Pennsylvania (Mr. MCDADE) joins me in hoping that we are about to see a successful conclusion to this controversy brought about in terms of fulfilling our responsibilities to both the Indian tribes. I certainly hope that we can at least stay the course with this issue so that the process of accommodation that is underway in Colorado can be completed.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

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, 702g–1), $312,077,000, 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, $1,637,719,000, 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 Fund for construction, operation, and maintenance of outdoor recreation facilities, and of which $4,200,000 is provided for repair of Chickamauga Lock, Tennessee, subject to authorization.

REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, $110,000,000, to remain available until expended.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

For expenses necessary to clean up contaminated sites throughout the United States where work was performed as part of the Nation's early atomic energy program, $140,000,000, to remain available until expended.

GENERAL EXPENSES

For expenses necessary for general administration and related functions in the Office of the Chief of Engineers and offices of the Division Engineers; activities of the Coastal Engineering Research Board, the Humphreys Engineer Center Support Activity, the Water Resources Support Center, and headquarters support functions at the USACE Finance Center; $148,000,000, to remain available until expended: *Provided,* That no part of any other appropriation provided in title I of this Act shall be available to fund the activities of the Office of the Chief of Engineers or the executive direction and management activities of the division offices: *Provided further,* That none of these funds shall be available to support an office of congressional affairs within the executive office of the Chief of Engineers.

ADMINISTRATIVE PROVISION

Appropriations in this title shall be available for official reception and representation expenses (not to exceed $5,000); and during the current fiscal year the Revolving Fund, Corps of Engineers, shall be available for purchase (not to exceed 100 for replacement only) and hire of passenger motor vehicles.

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, and for activities related to the Uintah and Upalco Units authorized by 43 U.S.C. 620, $39,665,000, to remain available until expended, of which $15,476,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account: *Provided,* That of the amounts deposited into that account, $5,000,000 shall be considered the Federal contribution authorized by paragraph 402(b)(2) of the Central Utah Project Completion Act and $10,476,000 shall be available to the Utah Reclamation Mitigation and Conservation Commission to carry out activities authorized under that Act.

In addition, for necessary expenses incurred in carrying out related responsibilities of the Secretary of the Interior, $1,283,000, to remain available until expended.

BUREAU OF RECLAMATION

For carrying out the functions of the Bureau of Reclamation as provided in the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto) and other Acts applicable to that Bureau as follows:

WATER AND RELATED RESOURCES

(INCLUDING TRANSFER OF FUNDS)

For management, development, and restoration of water and related natural resources and for related activities, including the operation, maintenance and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, Indian Tribes, and others, $622,054,000, to remain available until expended, of which $1,873,000 shall be available for transfer to the Upper Colorado River Basin Fund and $49,908,000 shall be available for transfer to the Lower Colorado River Basin Development Fund, and of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund: *Provided,* That such transfers may be increased or decreased within the overall appropriation under this heading: *Provided further,* That of the total appropriated, the amount for program activities that can be financed by the Reclamation Fund or the Bureau of Reclamation special fee account established by 16 U.S.C. 460l6a(i) shall be derived from that Fund or account: *Provided further,* That funds contributed under 43 U.S.C. 395 are available until expended for the purposes for which contributed: *Provided further,* That funds advanced under 43 U.S.C. 397a shall be credited to this account and are available until expended for the same purposes as the sums appropriated under this heading: *Provided further,* That of the total appropriated, $25,800,000 shall be derived by transfer of unexpended balances from the Bureau of Reclamation Working Capital Fund.

BUREAU OF RECLAMATION LOAN PROGRAM ACCOUNT

For the cost of direct loans and/or grants, $12,000,000, to remain available until expended, as authorized by the Small Reclamation Projects Act of August 6, 1956, as amended (43 U.S.C. 422a–422l): *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $38,000,000.

In addition, for administrative expenses necessary to carry out the program for direct loans and/or grants, $425,000, to remain available until expended: *Provided,* That of the total sums appropriated, the amount of program activities that can be financed by the Reclamation Fund shall be derived from that Fund.

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, and habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, $33,130,000, to be derived from such sums as may be collected in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3404(c)(3), 3405(f), and 3406(c)(1) of Public Law 102–575, to remain available until expended: *Provided,* That the Bureau of Reclamation is directed to assess and collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102–575.

CALIFORNIA BAY-DELTA ECOSYSTEM RESTORATION

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Department of the Interior and other participating Federal agencies in carrying out the California Bay-Delta Environmental Enhancement and Water Security Act consistent with plans to be approved by the Secretary of the Interior, in consultation with such Federal agencies, $75,000,000, to remain available until expended, of which such amounts as may be necessary to conform with such plans shall be transferred to appropriate accounts of such Federal agencies: *Provided,* That such funds may be obligated only as non-Federal sources provide their share in accordance with the cost-sharing agreement required under section 102(d) of such Act: *Provided further,* That such funds may be obligated prior to the completion of a final programmatic environmental impact statement only if: (1) consistent with 40 CFR 1506.1(c); and (2) used

for purposes that the Secretary finds are of sufficiently high priority to warrant such an expenditure.

POLICY AND ADMINISTRATION

For necessary expenses of policy, administration, and related functions in the office of the Commissioner, the Denver office, and offices in the five regions of the Bureau of Reclamation, to remain available until expended, $46,000,000, to be derived from the Reclamation Fund and be nonreimbursable as provided in 43 U.S.C. 377: *Provided*, That no part of any other appropriation in this Act shall be available for activities or functions budgeted as policy and administration expenses.

ADMINISTRATIVE PROVISION

Appropriations for the Bureau of Reclamation shall be available for purchase of not to exceed six passenger motor vehicles for replacement only.

TITLE III

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ENERGY SUPPLY

For expenses of the Department of Energy activities including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for energy supply, and uranium supply and enrichment activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of not to exceed 22 passenger motor vehicles for replacement only, $882,834,000, of which not to exceed $3,000 may be used for official reception and representation expenses for transparency activities.

Mr. MCDADE (during the reading). Mr. Chairman, I ask unanimous consent that the bill through page 15, line 25, be considered as read, printed in the RECORD and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. Are there amendments to that portion of the bill?

AMENDMENT NO. 1 OFFERED BY MR. FOLEY

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. FOLEY:

Page 15, line 23, after the first dollar amount, insert the following: ''(reduced by $5,000,000)''.

Mr. MCDADE. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 20 minutes and that the time be equally divided.

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

There was no objection.

The CHAIRMAN. The gentleman from Florida (Mr. FOLEY) will control 10 minutes.

Is there an opponent?

Mr. MCDADE. Mr. Chairman, I rise in opposition to this amendment.

The CHAIRMAN. As the opponent of the amendment, the gentleman from Pennsylvania (Mr. MCDADE) will control 10 minutes.

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

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

Mr. Chairman, I want to thank the gentleman from Pennsylvania (Mr. MCDADE) for his fine work and particularly for all he has done for the Everglades and so many Florida projects which our entire State and Nation have benefited from.

And I hate to spoil the parade. I do have an amendment today on his bill that would strike $5 million in funding for the Department of Energy's newly proposed Nuclear Energy Research Initiative, also known as NERI, and I am not opposed, Mr. Chairman, to nuclear power or its research. In fact, I have a reactor in my district and I fully support its continued existence, but I will not allow taxpayers to pay for research that benefits an industry that had $141 billion in revenue last year alone.

Mr. Chairman, everything but the kitchen sink seems to be fair game for this program. They want R&D funds to focus on their competitiveness including operations, maintenance and fuel costs. This program contains large elements of the Nuclear Energy Security program that Congress choose not to fund last year. NES and NERI both would fund efforts to examine reactor aging issues, fuel economics and advanced instrumentation and controls. Some of this same research is already performed by the Nuclear Regulatory Commission.

The proponents of this program claim it is independently peer reviewed, but the reviewers are from universities, national labs and industry, the very same people who will receive the funds. Where exactly is the independence in that?

Our constituent tax dollars should not be spent on new and questionable Department of Energy programs for an already mature industry, yet this is exactly what the DOE is suggesting we do in the newly-proposed and unauthorized Nuclear Energy Research Initiative. This program is clear-cut corporate welfare. While it benefits a whole industry, it nevertheless benefits them with taxpayers' money, and that is wrong.

Mr. Chairman, I yield 2½ minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Chairman, I rise to ask my colleagues to support the Foley-Miller-Markey-Kucinich-Sanders amendment. Our amendment would strike the Nuclear Energy Research Initiative. It is a $5 million subsidy that props up the commercial nuclear power industry and may keep open aging and potentially dangerous plants beyond the initial term of their licenses.

There are two powerful reasons to support our amendment:

First, giving more money to the nuclear industry is throwing good money after bad. Since 1950 taxpayers have handed the nuclear industry $47 billion in subsidies. In addition to the billions in Federal subsidies, nukes have cost American consumers a bundle. According to Komanoff Energy Associates, nuclear power has cost ratepayers a premium of $160 billion for electricity between 1968 and 1990. After all these billions we have already spent propping up the nuclear industry, there is no good reason for throwing away more taxpayer money.

Second, subsidizing nuclear power is bad environmental policy. Nuclear power poisons the environment with radiation emissions and creates tons of radioactive waste. Far from being clean, nuclear power is toxic. If there is something to spend money on, it would be on how to deal safely with the waste the nukes have already created.

Right now we do not have a policy to safely move the waste, we do not have a policy to safely store the waste. This policy here only creates more of it. It is time we put an end to it.

Support the Foley-Miller-Markey-Kucinich-Sanders amendment. Join all the other interest groups from all over the country who are concerned about good neighborhoods, safe neighborhoods, and are concerned about utility ratepayers. Support this amendment.

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

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

Mr. Chairman, I rise in opposition to this amendment. My good friend from Florida, as usual, does his homework very well and presents a good case, but unfortunately I believe it is the wrong case.

This Nation depends on nuclear power for about 20 percent of its electricity generation. Within the umbrella of energy resources in this bill there was appropriated $880 million for energy supply research activities, and this $5 million sum is included in the bill for scientific research.

Now it seems to me that is a reasonable course for the committee to pursue. It is reasonable, I think, for us to put out that amount of money to make sure that the 20 percent we are talking about, and who knows what tomorrow may bring, will have scientific research behind it.

Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Michigan (Mr. KNOLLENBERG).

Mr. KNOLLENBERG. Mr. Chairman, I rise in very strong opposition to this amendment.

Mr. Chairman, I understand the moves that the gentlemen are taking here. It is good to cut spending. Spending is an excess that we could, of course, look at in a number of areas but, very honestly, not at the heart of something like this.

The NERI program is designed to reinvigorate the Department of Energy's

nuclear energy R&D based on competitive, and I will explain that in just a moment, competitive and peer-reviewed applications concerning such issues as more efficient reactor designs, lower costs, improved safety, better onsite storage techniques and proliferation-resistant reactors.

Now PCAST, the President's Committee of Advisers on Science and Technology panel, recommended further nuclear energy research and development to ensure our Nation's nuclear energy program is strong and growing. Specifically they encouraged R&D in the areas of nuclear waste, nonproliferation and nuclear safety. They also expressed a concern about whether nuclear energy is economically viable. With the NERI program we will conduct research that will address these concerns and pave the way for nuclear energy to emerge as a more prominent energy source for the United States.

There is no shortage of funding for the other areas of energy supply research. The chairman alluded to that. Last year we appropriated $296 million for solar and renewables R&D. This year we recommended $351 million, and the Senate has over $4 million assigned to solar and renewables. This includes $70 million for photovoltaics, $33 million for wind energy and $101 million for biomass/biofuels research, and fossil energy R&D last year received $362 million and will likely receive a similar amount this year.

In contrast, last year nuclear energy received only, the research end of it, only $7 million. This bill has increased the funding level for nuclear energy research to a total of $17 million, $5 million for NERI and $12 million for the university research programs which I also support.

Now the gentlemen have talked about some of the money that has been spent in nuclear research. A lot of that was weapons research. Let me tell my colleagues since 1976 we have spent $1.45 billion on solar and renewable energy sources, which generates below 1 percent of this country's electricity supply. Alternatively, since 1973 we have spent $1 billion on nuclear R&D, and nuclear energy plants produced nearly 20 percent of the Nation's electricity, let me remind my colleagues of this, and they produced 40 percent of all new electricity generation since 1973.

This year let us make sure we get an appropriate level of funding for nuclear R&D for this year. As I have already stated, it is the safe, clean and reliable energy source to carry us into the future.

The NERI program is set up with competitive peer-reviewed research that will be a coordinated effort between the national laboratories, universities and industry. Now what does that mean, competitive peer-reviewed research? What it means is we will get the best science available with no favoritism toward any specific university, Federal laboratory, company or industry. Instead they will have to compete for the research grant, which will ensure we get the best science available, perhaps to a university in one of my colleague's States.

There are some who might claim this is corporate welfare. This is simply untrue, and those who are claiming that ought to study the solar and renewable energy research and development which is rife with technology transfer programs and commercialization, and very little, if any, that is peer-reviewed science. To the contrary, the NERI program will be competitive, peer-reviewed research that is basic research to continue this safe, clean, low-emission energy source.

The Clinton administration has requested $24 million for this program. I support a higher level of funding. I am glad to see we provide some funding for this important program.

Another good reason to support nuclear R&D such as the NERI program is as follows:

As many of my colleagues might know, I and some others had the opportunity to attend the global climate change meeting in Kyoto back in December. That is where the administration signed on to an agreement to reduce the U.S. greenhouse gas emissions to 7 percent below 1990 levels by the years 2008 through 2012. I have been quite critical about the U.S. supporting a treaty which places the U.S. and other industrial nations at a competitive disadvantage to the 132 nations which have no reduction requirements.

In Kyoto, Japan was a strong proponent for placing strict reductions on greenhouse gas emissions on the industrial nations. However, they also have an existing plan for reaching their reduction requirement. With 44 existing commercial nuclear power plants already, they have a construction plan to build at least 20 more. Since nuclear power emits no greenhouse gas emissions, this alone will allow them to reach their reduction target. In the U.S. there appears to be no similar plan to use new commercial nuclear energy plants to reduce the U.S.'s greenhouse gas emissions, and in fact in a deregulated electricity market we may see some of our older plants shut down.

We have a great opportunity, I believe, to bring America back to the option of nuclear energy. Nuclear energy such as they have in Europe and Japan and elsewhere has provided safe, reliable energy, a source that does not emit greenhouse gases. Support the NERI program. Make sure the best nuclear minds in the world are right here in the U.S.

I urge my colleagues to oppose this amendment.

□ 1915

Mr. FOLEY. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Chairman, this is a great amendment. Do you remember the old horror movie, The Night of the Living Dead, where the dead came back from their graves to stalk the Earth again? Well, that is what this program is, it is a dead government program.

We killed almost the identical program last year, but Adam Smith spins in his grave as we stand out here trying to figure out how to give subsidies to Westinghouse and General Electric and other Fortune 500 companies, for them to figure out how to develop nuclear energy electrical generating capacity, when they have been in that business for 50 years.

It would be one thing if they are starving. They are the wealthiest companies in the United States. The electric utility industry is the wealthiest industry in the United States. Over a 50-year period, we here on the floor of Congress have given this industry $47 billion in subsidies.

What is the net result? We are now debating here in Congress, and in every State legislature in the country, something called stranded investments in electrical restructuring. What does stranded investments mean? Well, it is a euphemism for the word nuclear power plant, meaning how do we get this off of our books? How do we have ratepayers subsidize this boondoggle?

In the marketplace, oil is cheaper in generating electricity, gas is cheaper in generating electricity, coal is cheaper in generating electricity and wind is cheaper in generating electricity, but we are supposed to subsidize Fortune 500 companies in a technology that is more expensive?

Mr. Chairman, no electric utility has purchased one of these since 1973. If they think it is such a great idea, why do they not build them themselves? They have got more money than the Federal Government, if they want to invest in it. But asking the taxpayers to have themselves tipped upside down and shake another 5 or 10 million bucks out of them for an industry that has not been able to figure out in 50 years how to make this technology effective in the marketplace, is just a complete and total waste of money.

Mr. Chairman, the Foley amendment, on a bipartisan basis, Democrat and Republican, is something that each one of us should be able to back tonight to prove that we are faithful to the taxpayers' message to us that we should stop squandering their money, handing it over to the private sector, investing in programs that would not work in the real world marketplace.

Vote ''yes'' on the Foley amendment.

Mr. McDADE. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from California (Mr. FAZIO), the able ranking member of the subcommittee.

Mr. FAZIO of California. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in opposition to the amendment and want to state unequivocally the administration's opposition to it as well. This is not the nuclear energy security program that I

think some of the critics of NERI are attacking today. This program is not a program that has risen from the dead. It is a new program which has within it the potential of bringing together universities, the National Laboratories and the private sector to spend a very, very small amount of the Department of Energy's research funding, less than one-half of 1 percent of their total DOE research funding, as a matter of fact. One-fifth of the amount in this bill is what is left of the administration's request, which was far greater, a $50 million request made by the President's science and technology advisors, transformed to a $24 million request by OMB, and all we provided for was $5 million, a very small contribution to keep a seat at the table in the ongoing international discussions over nuclear energy technology.

Mr. Chairman, I think it would be foolish for this Congress to zero out this very modest funding for an area of energy supply that still presents 20 percent of the total electrical generation in this country, and, regrettably, I am sure, from the perspective of a number of those who have cosponsored this amendment, continues to be not only internationally on the offensive, an increasingly large provision of electrical generation in Europe and Japan, but also, as the gentleman from Michigan (Mr. KNOLLENBERG) has said, potentially a major contribution to the issues of global climate change. I know we have had some controversy around that issue.

Mr. Chairman, for us to turn down this very small sum of money at this point in our history, I think, would be very foolish.

Mr. Chairman, I include for the RECORD a letter to the chairman of the Subcommittee on Energy and Water Development from William D. Magwood, IV, the acting director of the Office of Nuclear Energy, Science and Technology.

DEPARTMENT OF ENERGY,
Washington, DC, June 22, 1998.

Hon. JOSEPH M. MCDADE,
Chairman, Subcommittee on Energy and Water Development, Committee on Appropriations, U.S. House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: We understand that when the Energy and Water Development Appropriations bill comes to the floor for consideration by the full House, an amendment will be offered to strike funding for the Department of Energy's Nuclear Energy Research Initiative (NERI). Opponents of this research program characterize it as a ''corporate welfare'' program that is simply a repackaging of the unfunded Nuclear Energy Security program the Department proposed for FY 1998. These characterizations are inaccurate, and the Department urges you to oppose any amendment to remove funding for this important initiative.

Since the end of fiscal year 1997, the Departmental has engaged experts from U.S. universities, the national laboratories, and industry to help develop a new approach to nuclear energy research and development. In particular, we have heeded the recommendations of the President's Committee of Advisors on Science and Technology on nuclear energy research and development. As a result, our fiscal year 1999 proposals represent a significant departure from past nuclear research and development programs.

Our proposed NERI program, if funded, will help the United States maintain its scientific and technological leadership by sponsoring research to address the complex, long-term problems associated with nuclear energy—such as proliferation, waste, economics, and safety. The program will apply independent, National Science Foundation-style peer review to competitively select the best research proposals from among a wide range of sources including national laboratories, academia, and industry.

In addition, the Nuclear Energy Research Initiative will benefit from the advice of the Nuclear Energy Research Advisory Committee which is being formed to help guide these and other Office of Nuclear Energy, Science and Technology programs. The advisory committee will include both proponents and critics of nuclear power, and will allow the Department to more effectively engage the academic community, national laboratories, and other interested parties in the planning and execution of our programs.

In contrast, the Nuclear Energy Security program proposed for FY 1998 was a narrowly focused program designed to address specific technical issues. The program was to be directed by Department of Energy staff with little opportunity for input from industry, academia, or critics of nuclear technology and without the benefit of an independent advisory committee. Also unlike NERI, the Nuclear Energy Security program was focused on working with commercial utilities in the near-term to relicense existing nuclear power plants. NERI, on the other hand, will support research that goes far beyond that envisioned under the Nuclear Energy Security program. The technologies to be investigated under NERI could provide long-term benefits that transcend simple economics and help address important national issues such as nuclear waste generation and proliferation.

The $5 million in the House bill for NERI represents one-fifth of the amount proposed by the Department and less than one-half of one percent of the total DOE energy research funding in the House bill, while nuclear power provides over 20 percent of the electricity produced in the United States. While a very modest investment, this funding will enable the United States to join other advanced countries in conducting long-term, advanced research into nuclear technology. In doing so, the United States can explore new technologies that may be vital in the future, reassert its leadership role in nuclear technology, and maintain its endangered ''seat at the table'' in the on-going international discussion over nuclear energy technologies and issues.

We believe that the proposed program will help maintain the continued viability of nuclear power in the United States, and the Department asks you to oppose any amendment to strike funding for this program.

Sincerely,

WILLIAM D. MAGWOOD, IV
Acting Director,
Office of Nuclear Energy, Science and Technology.

Mr. FOLEY. Mr. Chairman, I yield 2 minutes to the gentleman from Vermont (Mr. SANDERS).

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

Mr. Chairman, I rise in strong support of this amendment, which cuts the remaining $5 million from the nuclear energy research initiative to zero, and that is precisely where this appropriation should be. I want to congratulate the gentleman from Florida (Mr. FOLEY), the gentleman from California (Mr. MILLER), the gentleman from Ohio (Mr. KUCINICH) and the gentleman from Massachusetts (Mr. MARKEY) for their strong efforts in this area.

Mr. Chairman, now is not the time to continue our investment in nuclear energy. It is time to put increased Federal resources into renewable sources of energy, including solar and wind research and other sustainable and potentially inexpensive sources of energy.

This Nation has poured $47 billion into the nuclear industry since 1950 and, frankly, that is enough. Renewable sources of energy did not even receive support until 1974, and since then these clean energy sources have been funded at far lower levels than nuclear energy.

Mr. Chairman, the fact is that nuclear energy produces radioactive waste that must go somewhere, and that waste will pollute the environment for thousands of years. I have heard some reference to the fact that nuclear energy is clean energy. If those Members think it is so clean, they may want to stand up and volunteer to be the recipients of the nuclear waste that is being produced all over this country. But I am not so sure they are prepared to accept that ''clean waste.'' After all of the discussion, after all of the billions of dollars, the fact is, we simply today still do not know how to get rid of nuclear waste.

Mr. Chairman, this is a good amendment. It is supported and endorsed by the Friends of the Earth, the League of Conservation Voters, Public Citizen, Safe Energy Communication Council, the Sierra Club, the U.S. Public Interest Research Group, and the Natural Resources Defense Counsel. Let us save the taxpayers money. Let us not pour another $5 million into corporate welfare. Let us support this amendment.

Mr. MCDADE. Mr. Chairman, I yield such time as he may consume to the gentleman from Idaho (Mr. CRAPO).

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

Mr. CRAPO. Mr. Chairman, I rise in opposition to this amendment.

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

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

Mr. MCDADE. Mr. Chairman, I want to underline to the House that the money contained in this bill is for science, pure science. There is no money going to the Fortune 500 that my friend referred to. It is going to be peer-reviewed science, in order that we as a Nation may be assured that we are getting the best science in a very complicated area.

Let me just indicate to the House three possible areas that are on the

table to be peer-reviewed and to which money will be allocated at some point.

Number one, proliferation-resistant reactor and fuel technologies. Proliferation-resistant fuels, one of the great issues that exists in our country. If we went to Russia we would find material floating all over the country that is capable of being converted to weapons grade compounds.

Secondly, nuclear safety and risk analysis. If we look at that issue, you can find units all over the world that are modeled on Chernobyl that need science, and that is another issue this program addresses.

Let me just point out the third one: new technologies for nuclear wastes. There is no more vexing problem in this country than the cleanup problem that is needed to bring our country back to where it was in the era before the creation of atomic weaponry. Nobody has a solution to it. It is costing us a fortune. This science will be used to try to find a solution.

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

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

Mr. SOLOMON. Mr. Chairman, just for 5 seconds, everyone should come over here and defeat this amendment. This amendment is a disaster. I thank the gentleman for his comments. I concur with them.

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

The CHAIRMAN. The gentleman from Florida is recognized for 1 minute.

Mr. FOLEY. Mr. Chairman, in closing, let me suggest to Members that when we had debate in the committee on this very issue, we asked Mr. Magwood who would be responsible for the implementation of the language. Is there any possibility of major advanced reactor programs which had been terminated by Congress being funded by this program? He said, ''I guess from the legal perspective, it is not precluded, so clearly this could open up the door.''

Mr. Chairman, this is a $20 billion bill: $2.4 billion for research for high-energy nuclear physics, basic energy services; $232 for fusion energy R&D; $228 million for nuclear energy programs. We are not asking to cut a lot of money. We are asking for $5 million of savings on a $20 billion bill.

The program is ill-defined. It does not provide any guidelines that I think we can successfully track. Congress last year cut the funding for these programs. So I would suggest to my colleagues, in the interests of fairness, to support our amendment and save the government $5 million.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. FOLEY).

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

Mr. FOLEY. 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 478, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

The point of no quorum is considered withdrawn.

The Clerk will read.

The Clerk read as follows:

NON-DEFENSE ENVIRONMENTAL MANAGEMENT

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for non-defense environmental management activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction or expansion, $466,700,000, to remain available until expended.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

For necessary expenses in carrying out uranium enrichment facility decontamination and decommissioning, remedial actions and other activities of title II of the Atomic Energy Act of 1954 and title X, subtitle A of the Energy Policy Act of 1992, $225,000,000, to be derived from the Fund, to remain available until expended: *Provided,* That $30,000,000 of amounts derived from the Fund for such expenses shall be available in accordance with title X, subtitle A, of the Energy Policy Act of 1992.

SCIENCE

For expenses of the Department of Energy activities including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion, and purchase of not to exceed 5 passenger motor vehicles for replacement only, $2,399,500,000, to remain available until expended: *Provided,* That in addition, $7,600,000 of the unobligated balances originally available for Superconducting Super Collider termination activities shall be made available for other activities under this heading.

NUCLEAR WASTE DISPOSAL FUND

For nuclear waste disposal activities to carry out the purposes of Public Law 97–425, as amended, including the acquisition of real property or facility construction or expansion, $160,000,000, to remain available until expended, to be derived from the Nuclear Waste Fund: *Provided,* That none of the funds provided herein shall be distributed to the State of Nevada or affected units of local government (as defined by Public Law 97–425) by direct payment, grant, or other means, for financial assistance under section 116 of the Nuclear Waste Policy Act of 1982, as amended: *Provided further,* That the foregoing proviso shall not apply to payments in lieu of taxes under section 116(c)(3)(A) of the Nuclear Waste Policy Act of 1982, as amended.

DEPARTMENTAL ADMINISTRATION

For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the hire of passenger motor vehicles and official reception and representation expenses (not to exceed $5,000), $175,365,000, to remain available until expended, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): *Provided,* That such increases in cost of work are offset by revenue increases of the same or greater amount, to remain available until expended: *Provided further,* That moneys received by the Department for miscellaneous revenues estimated to total $136,530,000 in fiscal year 1999 may be retained and used for operating expenses within this account, and may remain available until expended, as authorized by section 201 of Public Law 95–238, notwithstanding the provisions of 31 U.S.C. 3302: *Provided further,* That the sum herein appropriated shall be reduced by the amount of miscellaneous revenues received during fiscal year 1999 so as to result in a final fiscal year 1999 appropriation from the General Fund estimated at not more than $38,835,000.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $14,500,000, to remain available until expended.

ATOMIC ENERGY DEFENSE ACTIVITIES

WEAPONS ACTIVITIES

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; the purchase of not to exceed one fixed wing aircraft; and the purchase of passenger motor vehicles (not to exceed 32 for replacement only, and one bus), $4,142,100,000, to remain available until expended.

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense environmental restoration and waste management activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of passenger motor vehicles (not to exceed 3 new sedans and 6 for replacement only, of which 3 are sedans, 2 are buses, and 1 is an ambulance), $4,358,554,000, to remain available until expended.

DEFENSE FACILITIES CLOSURE PROJECTS

For expenses of the Department of Energy to accelerate the closure of defense environmental management sites, including the purchase, construction and acquisition of plant and capital equipment and other necessary expenses, $1,038,240,000, to remain available until expended.

DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION

For Department of Energy expenses for privatization projects necessary for atomic energy defense environmental management activities authorized by the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), $286,857,000, to remain available until expended.

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and

other expenses necessary for atomic energy defense, other defense activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $1,761,260,000, to remain available until expended.

DEFENSE NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of Public Law 97–425, as amended, including the acquisition of real property or facility construction or expansion, $190,000,000, to remain available until expended.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93–454, are approved for official reception and representation expenses in an amount not to exceed $1,500.

During fiscal year 1999, no new direct loan obligations may be made.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy pursuant to the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, $8,500,000, to remain available until expended; in addition, notwithstanding 31 U.S.C. 3302, not to exceed $28,000,000 in reimbursements, of which $20,000,000 is for transmission wheeling and ancillary services and $8,000,000 is for power purchases at the Richard B. Russell Project, to remain available until expended.

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, and for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed $1,500 in carrying out the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southwestern power area, $24,710,000, to remain available until expended; in addition, notwithstanding the provisions of 31 U.S.C. 3302, not to exceed $4,200,000 in reimbursements, to remain available until expended.

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, including official reception and representation expenses in an amount not to exceed $1,500, $205,000,000, to remain available until expended, of which $195,787,000 shall be derived from the Department of the Interior Reclamation Fund: *Provided*, That of the amount herein appropriated, $5,036,000 is for deposit into the Utah Reclamation Mitigation and Conservation Account pursuant to title IV of the Reclamation Projects Authorization and Adjustment Act of 1992.

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, $970,000, to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 423 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including services as authorized by 5 U.S.C. 3109, the hire of passenger motor vehicles, and official reception and representation expenses (not to exceed $3,000), $166,500,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, not to exceed $166,500,000 of revenues from fees and annual charges, and other services and collections in fiscal year 1999 shall be retained and used for necessary expenses in this account, and shall remain available until expended: *Provided further*, That the sum herein appropriated from the General Fund shall be reduced as revenues are received during fiscal year 1999 so as to result in a final fiscal year 1999 appropriation from the General Fund estimated at not more than $0.

GENERAL PROVISIONS

DEPARTMENT OF ENERGY

SEC. 301. (a) None of the funds appropriated by this Act or any prior appropriations Act may be used to award a management and operating contract unless such contract is awarded using competitive procedures or the Secretary of Energy grants, on a case-by-case basis, a waiver to allow for such a deviation. The Secretary may not delegate the authority to grant such a waiver.

(b) At least 60 days before a contract award, amendment, or modification for which the Secretary intends to grant such a waiver, the Secretary shall submit to the Subcommittees on Energy and Water Development of the Committees on Appropriations of the House of Representatives and the Senate a report notifying the subcommittees of the waiver and setting forth the reasons for the waiver.

SEC. 302. (a) None of the funds appropriated by this Act or any prior appropriations Act may be used to award, amend, or modify a contract in a manner that deviates from the Federal Acquisition Regulation, unless the Secretary of Energy grants, on a case-by-case basis, a waiver to allow for such a deviation. The Secretary may not delegate the authority to grant such a waiver.

(b) At least 60 days before a contract award, amendment, or modification for which the Secretary intends to grant such a waiver, the Secretary shall submit to the Subcommittees on Energy and Water Development of the Committees on Appropriations of the House of Representatives and the Senate a report notifying the subcommittees of the waiver and setting forth the reasons for the waiver.

SEC. 303. None of the funds appropriated by this Act or any prior appropriations Act may be used to—

(1) develop or implement a workforce restructuring plan that covers employees of the Department of Energy; or

(2) provide enhanced severance payments or other benefits for employees of the Department of Energy; under section 3161 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2644; 42 U.S.C. 7274h).

SEC. 304. None of the funds appropriated by this Act or any prior appropriations Act may be used to augment the $29,800,000 made available for obligation by this Act for severance payments and other benefits and community assistance grants under section 3161 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2644; 42 U.S.C. 7274h).

SEC. 305. None of the funds appropriated by this Act or any prior appropriations Act may be used to prepare or initiate Requests For Proposals (RFPs) for a program if the program has not been funded by Congress.

SEC. 306. (a) Except as provided in subsection (b), none of the funds appropriated by this Act or any prior appropriations Act may be used by any program, project, or activity of the Department of Energy to produce or provide articles or services for the purpose of selling the articles or services to a person outside the Federal Government, unless the Secretary of Energy determines that the articles or services are not available from a commercial source in the United States.

(b) Subsection (a) does not apply to the transmission and sale of electricity by any Federal power marketing administration.

(TRANSFERS OF UNEXPENDED BALANCES)

SEC. 307. The unexpended balances of prior appropriations provided for activities in this Act may be transferred to appropriation accounts for such activities established pursuant to this title. Balances so transferred may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

Mr. MCDADE (during the reading). Mr. Chairman, I ask unanimous consent that the bill through page 28, line 2, be considered as read, printed in the RECORD and open to amendment at any point.

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

There was no objection.

AMENDMENT OFFERED BY MR. DAN SCHAEFER OF COLORADO

Mr. DAN SCHAEFER of Colorado. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DAN SCHAEFER of Colorado:

Page 28, insert after line 2 the following:

WASTE ISOLATION PILOT PLANT LAND WITHDRAWAL ACT

SEC. 308. None of the funds appropriated by this Act or any prior appropriations Act may be used to provide economic assistance or miscellaneous payments under section 15 of the Waste Isolation Pilot Plant Land Withdrawal Act (Public Law 102–579, 106 Stat. 4777) until the Waste Isolation Pilot Plant commences disposal operations.

Mr. MCDADE (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 Pennsylvania?

There was no objection.

□ 1930

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

Mr. DAN SCHAEFER of Colorado. I yield to the gentleman from Pennsylvania.

Mr. MCDADE. Mr. Chairman, may I say to my distinguished friend, the gentleman from Colorado, and the distinguished chairman of one of the most important committees of the Congress, he has kept us totally informed. We are

in support of his amendment, and we accept it.

Mr. DAN SCHAEFER of Colorado. Mr. Chairman, I thank the gentleman from Pennsylvania.

Mr. FAZIO of California. Mr. Chairman, will the gentleman yield?

Mr. DAN SCHAEFER of Colorado. I yield to the gentleman from California.

Mr. FAZIO of California. Mr. Chairman, I certainly understand the concern that moves the gentleman to bring this amendment. I am sure we will examine this issue further as we prepare for conference.

Mr. DAN SCHAEFER of Colorado. Mr. Chairman, I thank both gentlemen, and I particularly thank both gentlemen for their long service here in the Congress.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. DAN SCHAEFER).

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to the bill?

Mr. MCDADE. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 37, line 13, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The text of the remainder of the bill through page 37, line 13, is as follows:

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, as amended, notwithstanding section 405 of said Act, for necessary expenses for the Federal Co-Chairman and the alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, $65,900,000, to remain available until expended.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100–456, section 1441, $16,500,000, to remain available until expended.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Commission in carrying out the purposes of the Energy Reorganization Act of 1974, as amended, and the Atomic Energy Act of 1954, as amended, including official representation expenses (not to exceed $5,000); $462,700,000, to remain available until expended: *Provided*, That of the amount appropriated herein, $14,800,000 shall be derived from the Nuclear Waste Fund: *Provided further*, That revenues from licensing fees, inspection services, and other services and collections estimated at $444,700,000 in fiscal year 1999 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: *Provided further*, That $3,200,000 of the funds herein appropriated for regulatory reviews and other assistance provided to the Department of Energy and other Federal agencies shall be excluded from license fee revenues, notwithstanding 42 U.S.C. 2214: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 1999 so as to result in a final fiscal year 1999 appropriation estimated at not more than $18,000,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $4,800,000, to remain available until expended: *Provided*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 1999 so as to result in a final fiscal year 1999 appropriation estimated at not more than $0.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

For necessary expenses of the Nuclear Waste Technical Review Board, as authorized by Public Law 100–203, section 5051, $2,600,000, to be derived from the Nuclear Waste Fund, and to remain available until expended.

TITLE V—GENERAL PROVISIONS

SEC. 501. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in section 1913 of title 18, United States Code.

SEC. 502. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 503. (a) None of the funds appropriated or otherwise made available by this Act may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit until development by the Secretary of the Interior and the State of California of a plan, which shall conform to the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joaquin Valley Drainage Program shall be classified by the Secretary of the Interior as reimbursable or nonreimbursable and collected until fully repaid pursuant to the ''Cleanup Program—Alternative Repayment Plan'' and the ''SJVDP—Alternative Repayment Plan'' described in the report entitled ''Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 1995'', prepared by the Department of the Interior, Bureau of Reclamation. Any future obligations of funds by the United States relating to, or providing for, drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries of such service or studies pursuant to Federal Reclamation law.

SEC. 504. None of the funds made available in this or any other Act may be used to restart the High Flux Beam Reactor.

SEC. 505. Section 6101(a)(3) of the Omnibus Budget Reconciliation Act of 1990, as amended, (42 U.S.C. 2214(a)(3)) is amended by striking ''September 30, 1998'' and inserting ''September 30, 1999''.

SEC. 506. (a) Funds appropriated for ''Nuclear Regulatory Commission—Salaries and Expenses'' shall be available to the Commission for the following additional purposes:

(1) Employment of aliens.

(2) Services authorized by section 3109 of title 5, United States Code.

(3) Publication and dissemination of atomic information.

(4) Purchase, repair, and cleaning of uniforms.

(5) Reimbursements to the General Services Administration for security guard services.

(6) Hire of passenger motor vehicles and aircraft.

(7) Transfers of funds to other agencies of the Federal Government for the performance of the work for which such funds are appropriated, and such transferred funds may be merged with the appropriations to which they are transferred.

(8) Transfers to the Office of Inspector General of the Commission, not to exceed an additional amount equal to 5 percent of the amount otherwise appropriated to the Office for the fiscal year. Notice of such transfers shall be submitted to the Committees on Appropriations.

(b) Funds appropriated for ''Nuclear Regulatory Commission—Office of Inspector General'' shall be available to the Office for the additional purposes described in paragraphs (2) and (7) of subsection (a).

(c) Moneys received by the Commission for the cooperative nuclear research program, services rendered to State governments, foreign governments, and international organizations, and the material and information access authorization programs, including criminal history checks under section 149 of the Atomic Energy Act of 1954 (42 U.S.C. 2169) may be retained and used for salaries and expenses associated with those activities, notwithstanding 31 U.S.C. 3302, and shall remain available until expended.

(d) This section shall apply to fiscal year 1999 and each succeeding fiscal year.

SEC. 507. Sec. 505 of Public Law 102–377, the Fiscal Year 1993 Energy and Water Development Appropriations Act, and section 208 of Public Law 99–349, the Urgent Supplemental Appropriations Act, 1986, are repealed.

IMPLEMENTATION OF EXTERNAL REGULATION

SEC. 508. (a) TRANSFER OF AUTHORITY.—Notwithstanding any other provision of law, no later than March 31, 1999, the Department of Energy shall not implement and enforce its own regulatory system, through rules, regulations, orders, or standards, with regard to the Ernest Orlando Lawrence Berkeley National Laboratory for environment, safety, and health, but shall be regulated by

the appropriate Federal, State, and local agencies as provided by the applicable Federal, State, and local laws and regulations: *Provided,* That for this facility, the Department shall be deemed to be a ''person'' under the Atomic Energy Act of 1954, as amended.

(b) DEPARTMENT OF ENERGY REPORTING REQUIREMENT.—By October 31, 1998, the Secretary of Energy shall transmit to the Congress a plan for termination of its authority to regulate its contractors and to self-regulate its own operations in the areas of environment, safety, and health at the facility named in section (a). The report shall include—

(1) A detailed transition plan, giving the schedule for termination of self-regulation authority as outlined in section (a), including the activities to be coordinated with the Nuclear Regulatory Commission (NRC) and the Occupational Safety and Health Administration (OSHA);

(2) A description of any issues remaining to be resolved with the NRC and OSHA or other external regulators, and a timetable for resolving such issues before March 31, 1999; and

(3) An estimate of the current annual cost of administering and implementing self-regulation of environment, safety, and health activities at all Department of Energy facilities, and an estimate of the number of Federal and contractor employees currently administering and implementing self-regulation of environment, safety and health activities at each of the facilities. For the Lawrence Berkeley National Laboratory, there should also be an estimate of the cost of the external regulators based on the pilot project of simulated NRC regulation which has already been conducted; an estimate of the cost and number of Federal and contractor employees currently administering and implementing self-regulation of environment, safety and health activities at the Laboratory; and an estimate of the extent and schedule by which the Department and Laboratory staffs will be reduced as a result of implementation of section (a).

(c) NUCLEAR REGULATORY COMMISSION REPORTING REQUIREMENT.—By January 30, 1999, the Chairman of the Nuclear Regulatory Commission shall submit to Congress a plan for regulating accelerator-produced radioactive material, and ionizing radiation generating machines at Department of Energy facilities. The report shall:

(1) Recommend what statutory changes, if any, would be needed to provide the Commission with the authority to regulate accelerator use at Department of Energy facilities;

(2) Identify what additional Commission resources would be needed to accomplish such regulation; and

(3) Identify any existing technical or regulatory obstacles to the Commission regulation of accelerator use.

The CHAIRMAN. Are there any further amendments?

AMENDMENT OFFERED BY MR. FOLEY

The CHAIRMAN. If not, the pending business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. FOLEY) on which further proceedings were postponed and on which the noes prevailed by a voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 147, noes 261, not voting 25, as follows:

[Roll No. 252]

AYES—147

Abercrombie
Allen
Andrews
Bachus
Baldacci
Barrett (WI)
Bass
Bilbray
Blagojevich
Blumenauer
Bonior
Brown (OH)
Campbell
Capps
Chabot
Christensen
Clay
Coble
Coburn
Conyers
Cox
Danner
Davis (FL)
Davis (IL)
Deal
DeFazio
Delahunt
DeLauro
Doggett
Duncan
Engel
English
Ensign
Evans
Farr
Foley
Frank (MA)
Franks (NJ)
Furse
Gejdenson
Gephardt
Gibbons
Harman
Hastings (FL)
Hefley
Hilliard
Hinchey
Hooley
Hulshof
Hutchinson
Inglis
Jackson (IL)
Kasich
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kingston
Kleczka
Klug
Kucinich
LaHood
Lampson
Lantos
Largent
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Markey
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McInnis
McIntosh
McKinney
Meeks (NY)
Menendez
Metcalf
Miller (FL)
Minge
Mink
Moakley
Morella
Neal
Neumann
Ney
Oberstar
Olver
Pallone
Pappas
Paul
Paxon
Payne
Pelosi
Peterson (MN)
Petri
Pitts
Ramstad
Rivers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Sabo
Salmon
Sanchez
Sanders
Sanford
Scarborough
Schaffer, Bob
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Smith (NJ)
Smith, Adam
Snowbarger
Stabenow
Stark
Stearns
Stokes
Sununu
Talent
Thune
Tierney
Velazquez
Vento
Waters
Waxman
Wexler
Weygand
Whitfield
Woolsey
Yates

NOES—261

Aderholt
Archer
Armey
Baesler
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bateman
Bentsen
Bereuter
Berman
Berry
Bilirakis
Bishop
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (CA)
Brown (FL)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chambliss
Chenoweth
Clayton
Clement
Clyburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Davis (VA)
DeGette
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Eshoo
Etheridge
Everett
Ewing
Fattah
Fawell
Fazio
Filner
Forbes
Ford
Fossella
Fowler
Fox
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (WA)
Hayworth
Hefner
Herger
Hill
Hilleary
Hinojosa
Hobson
Hoekstra
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hyde
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kelly
Kim
King (NY)
Klink
Knollenberg
Kolbe
LaFalce
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lucas
Manton
Manzullo
Martinez
Mascara
Matsui
McCollum
McCrery
McDade
McHale
McHugh
McIntyre
McKeon
Meek (FL)
Mica
Millender-McDonald
Mollohan
Moran (KS)
Moran (VA)
Murtha
Myrick
Nethercutt
Northup
Norwood
Nussle
Obey
Ortiz
Packard
Parker
Pastor
Pease
Peterson (PA)
Pickering
Pickett
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Redmond
Regula
Reyes
Riggs
Riley
Rodriguez
Roemer
Rogan
Rogers
Ryun
Sandlin
Sawyer
Saxton
Schaefer, Dan
Scott
Sessions
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (OR)
Smith (TX)
Smith, Linda
Snyder
Solomon
Souder
Spence
Spratt
Stenholm
Strickland
Stump
Stupak
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thurman
Tiahrt
Traficant
Turner
Upton
Visclosky
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Weldon (PA)
Weller
White
Wicker
Wise
Wolf
Wynn
Young (AK)
Young (FL)

NOT VOTING—25

Ackerman
Baker
Becerra
Cannon
Carson
Gonzalez
Gordon
Gutierrez
Livingston
Maloney (NY)
McNulty
Meehan
Miller (CA)
Nadler
Owens
Oxley
Pascrell
Portman
Poshard
Rangel
Rush
Schumer
Torres
Towns
Weldon (FL)

□ 1952

Mrs. NORTHUP and Messrs. RODRIGUEZ, SPRATT, GOSS, WELLER, DAVIS of Virginia, EHLERS, HOSTETTLER and EHRLICH changed their vote from ''aye'' to ''no.''

Ms. DELAURO, Ms. KILPATRICK, and Messrs. BACHUS, LEWIS of Georgia, DEAL of Georgia, and BOB SCHAFFER of Colorado changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Clerk will read the final lines of the bill.

The Clerk read as follows:

This Act may be cited as the ''Energy and Water Development Appropriations Act, 1999''.

The CHAIRMAN. If there are no further amendments, under the rule the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LATOURETTE) having assumed the chair, Mr. BARRETT of Nebraska, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R.

4060) making appropriations for energy and water development for the fiscal year ending September 30, 1999, and for other purposes, pursuant to House Resolution 478, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

The SPEAKER pro tempore. The question is on the passage of the bill.

Pursuant to clause 7 of rule XV, the yeas and nays are ordered.

Without objection, the proceedings on H.R. 4059 will resume immediately after this vote, and the Chair will reduce to 5 minutes the minimum time for any electronic vote on the passage of H.R. 4059.

There was no objection.

The vote was taken by electronic device, and there were—yeas 405, nays 4, not voting 24, as follows:

[Roll No. 253]

YEAS—405

Abercrombie
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Capps
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Foley
Forbes
Ford
Fossella
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Packard
Pallone
Pappas
Parker
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NAYS—4

Ensign
Gibbons
Paul
Sensenbrenner

NOT VOTING—24

Ackerman
Baker
Becerra
Cannon
Carson
Gonzalez
Gordon
Gutierrez
Maloney (NY)
McNulty
Meehan
Miller (CA)
Nadler
Owens
Oxley
Pascrell
Portman
Poshard
Rangel
Rush
Schumer
Torres
Towns
Weldon (FL)

□ 2010

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LATOURETTE). Pursuant to the provisions of clause 5, rule I, the Chair will now put the question on each question on which further proceedings were postponed earlier today in the following order:

H.R. 4059, by the yeas and nays; House Concurrent Resolution 288, by the yeas and nays; House Resolution 452, by the yeas and nays; approval of the Journal, de novo.

Pursuant to the previous order of today, the Chair will reduce to 5 minutes the time for each electronic vote, including the first such vote in this series.

MILITARY CONSTRUCTION APPROPRIATIONS ACT, 1999

The SPEAKER pro tempore. The pending business is the question of passage of the bill, H.R. 4059, on which further proceedings were postponed.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill.

Pursuant to clause 7 of rule XV, the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 396, nays 10, not voting 27, as follows:

[Roll No. 254]

YEAS—396

Abercrombie
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Capps
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Foley
Forbes
Ford

Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lowey
Lucas
Luther
Maloney (CT)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Packard
Pallone
Pappas
Parker
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NAYS—10

Conyers
Frank (MA)
Furse
Lofgren
McKinney
Paul
Royce
Sensenbrenner
Stark
Yates

NOT VOTING—27

Ackerman
Baker
Becerra
Cannon
Carson
Gonzalez
Gordon
Gutierrez
Hobson
Maloney (NY)
Manton
McNulty
Meehan
Miller (CA)
Nadler
Owens
Oxley
Pascrell
Porter
Portman
Poshard
Rangel
Rush
Schumer
Torres
Towns
Weldon (FL)

☐ 2018

Mrs. CHENOWETH changed her vote from ''nay'' to ''yea.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. PORTER. Mr. Speaker, on rollcall No. 254, I was unavoidably detained on the telephone regarding tomorrow's markup of my subcommittee appropriation bill for Labor, Health and Human Services, and Education. I regret greatly missing this vote. Had I been present, I would have voted ''yes.''

PERSONAL EXPLANATION

Mr. HOBSON. Mr. Speaker, on rollcall No. 254, I was unavoidably detained. Had I been present, I would have voted ''yes.''

SENSE OF CONGRESS THAT UNITED STATES SHOULD SUPPORT FEDERAL LAW ENFORCEMENT AGENTS' EFFORTS REGARDING MEXICAN FINANCIAL INSTITUTIONS

The SPEAKER pro tempore (Mr. LATOURETTE). The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H.Con.Res. 288.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MCCOLLUM) that the House suspend the rules and agree to the concurrent resolution, H.Con.Res. 288, 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 404, nays 3, not voting 26, as follows:

[Roll No. 255]

YEAS—404

Abercrombie
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Capps
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Foley
Forbes
Ford
Fossella
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E.B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Packard
Pallone
Pappas
Parker
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon

Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NAYS—3

Kolbe
Paul
Sanford

NOT VOTING—26

Ackerman
Baker
Becerra
Cannon
Carson
Gonzalez
Gordon
Gutierrez
Herger
Maloney (NY)
Manton
McNulty
Meehan
Miller (CA)
Nadler
Owens
Oxley
Pascrell
Portman
Poshard
Rangel
Rush
Schumer
Torres
Towns
Weldon (FL)

□ 2026

Mr. SANFORD and Mr. KOLBE changed their vote from ''yea'' to ''nay.''

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SENSE OF HOUSE THAT BOARD OF GOVERNORS OF UNITED STATES POSTAL SERVICE SHOULD REJECT RECOMMENDED POSTAGE RATE INCREASE

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 452.

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. LATOURETTE) that the House suspend the rules and agree to the resolution, H. Res. 452, 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 393, nays 12, not voting 28, as follows:

[Roll No. 256]

YEAS—393

Abercrombie
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Boswell
Boucher
Boyd
Brady (TX)
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Capps
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Foley
Forbes
Ford
Fossella
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klug
Knollenberg
Kucinich
LaFalce
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Packard
Pallone
Pappas
Parker
Pastor
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NAYS—12

Borski
Brady (PA)
Campbell
Ehlers
Hoyer
Klink
Kolbe
LaHood
McHale
Sanford
Smith, Adam
Thomas

NOT VOTING—28

Ackerman
Baker
Becerra
Cannon
Carson
Cox
Gonzalez
Gordon
Gutierrez
Kasich
Maloney (NY)
Manton
McNulty
Meehan
Miller (CA)
Nadler
Owens
Oxley
Pascrell
Portman
Poshard
Rangel
Rush
Schumer
Shuster
Torres
Towns
Weldon (FL)

□ 2034

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

Mr. PORTMAN. Mr. Speaker, because I was in my district conducting a town meeting, I was absent for rollcall votes 252, 253, 254, 255 and 256.

Had I been in attendance, I would have voted ''yea'' on rollcall votes 252, 253, 254, 255, and 256.

THE JOURNAL

The SPEAKER pro tempore (Mr. LATOURETTE). Pursuant to clause 5 of rule I, the pending business is the question of agreeing to the Speaker's approval of the Journal of the last day's proceedings.

The question is on the Speaker's approval of the Journal.

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

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2908

Mr. WATT of North Carolina. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 2908, a bill to repeal the patient transfer provision in the 1997 Balanced Budget Act.

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

There was no objection.

PERSONAL EXPLANATION

Mr. SKAGGS. Mr. Speaker, I include for the RECORD a listing of how I would

have voted on several missed votes during a recent illness last month.

VOTES MISSED DURING ILLNESS

Mr. Speaker, last month I underwent emergency surgery and then spent some time recuperating. As a result, I missed a number of recorded votes. Had I been present, I would have voted as follows:

On vote number 122—no.
On vote number 123—yes.
On vote number 124—no.
On vote number 125—yes.
On vote number 126—yes.
On vote number 127—no.
On vote number 128—yes.
On vote number 129—no.
On vote number 130—yes.
On vote number 131—yes.
On vote number 132—no.
On vote number 133—no.
On vote number 134—no.
On vote number 135—yes.
On vote number 136—yes.
On vote number 137—no.
On vote number 138—yes.
On vote number 139—yes.
On vote number 140—yes.
On vote number 141—yes.
On vote number 142—yes.
On vote number 143—yes.
On vote number 144—no.
On vote number 145—no.
On vote number 146—yes.
On vote number 147—yes.
On vote number 148—yes.
On vote number 149—yes.
On vote number 150—no.
On vote number 151—no.
On vote number 152—no.
On vote number 153—no.
On vote number 154—yes.
On vote number 155—no.
On vote number 156—yes.
On vote number 157—yes.
On vote number 158—yes.
On vote number 159—yes.
On vote number 160—no.
On vote number 161—yes.
On vote number 162—yes.
On vote number 163—no.
On vote number 175—yes.
On vote number 178—yes.
On vote number 181—yes.
On vote number 182—no.
On vote number 183—yes.
On vote number 184—yes.
On vote number 185—yes.
On vote number 186—no.
On vote number 187—no.
On vote number 188—no.
On vote number 189—yes.
On vote number 190—yes.
On vote number 191—yes.
On vote number 192—no.

PERSONAL EXPLANATION

Mrs. MINK of Hawaii. Mr. Speaker, according to the printed RECORD, I was recorded as not voting on rollcall 247 on Thursday, June 18, 1998. I was on the floor and voting.

I wish to have the fact reflected that had I been recorded, I would have voted ''no.''

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. BLUNT). Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

RESTRICTIONS ON DISCLOSURE OF INFORMATION BY PROSECUTORS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. CONYERS) is recognized for 5 minutes.

Mr. CONYERS. Mr. Speaker, I include for the RECORD the following excerpts from the Department of Justice guidelines, the Rules of Professional Responsibility for the District of Columbia Bar, the American Bar Association's Standards of Professional Conduct, and the Rule of the District Court of the District of Columbia concerning a prosecutor's obligations not to publicly disclose confidential investigative information.

The material referred to is as follows:

DEPARTMENT OF JUSTICE GUIDELINES RE: LEAKS TO PRESS

1–7.510 *Non-Disclosure of Information*

At no time shall any component or personnel of the Department of Justice furnish any statement or information that he or she knows or reasonably should know will have a substantial likelihood of materially prejudicing an adjudicative proceeding.

(United States Attorneys' Manual, Chapter 7, Section 1–7.510)

1–7.530 *Disclosure of Information Concerning Ongoing Investigations*

a. Except as provided in subparagraph (b) of this paragraph, components and personnel of the Department shall not respond to questions about the existence of an ongoing investigation or comment on its nature or progress, including such things as the issuance or serving of a subpoena, prior to the public filing of the document.

b. In matters that have already received substantial publicity, or about which the community needs to be reassured that the appropriate law enforcement agency is investigating the incident, or where release of information is necessary to protect the public interest, safety, or welfare, comments about or confirmation of an ongoing investigation may need to be made

1–7.550 *Concerns of Prejudice*

Because the release of certain types of information could tend to prejudice an adjudicative proceeding, Department personnel should refrain from making available the following:

a. Observations about a defendant's character;

b. Statements, admissions, confessions, or alibis attributable to a defendant, or the refusal or failure of the accused to make a statement;

c. Reference to investigative procedures, such as fingerprints, polygraph examinations, ballistics tests, or forensics services, including DNA testing, or to the refusal by the defendant to submit to such tests or examinations;

d. Statements concerning the identity, testimony, or credibility of prospective witnesses;

e. Statements concerning evidence or argument in the case, whether or not it is anticipated that such evidence or argument will be used at trial;

f. Any opinion as to the defendant's guilt, or the possibility of a plea of guilty to the offense charged, or the possibility of a plea of a lesser offense.

(United States Attorneys' Manual Chapter 7, Section 1–7.550)

RULES OF PROFESSIONAL RESPONSIBILITY (DC BAR) RE: LEAKS TO PRESS

Rule 3.8 Special Responsibilities of a Prosecutor

The Prosecutor in a Criminal Case Shall Not:

(f) Except for statements which are necessary to inform the public of the nature and extent of the prosecutor's action and which serve a legitimate law enforcement purpose, make extrajudicial comments which serve to heighten condemnation of the accused;

(District of Columbia Rules of Court—Rules Governing the District of Columbia Bar. Appendix A, Rules of Professional Conduct Advocate, Rule 3.8)

Comment [2] . . . Indeed, because of the power and visibility of a prosecutor, the prosecutor's compliance with these Rules, and recognition of the need to refrain even from some actions technically allowed to other lawyers under the Rules, may, in certain instances, be of special importance. For example, Rule 3.6 prohibits extrajudicial statements that will have a substantial likelihood of destroying the impartiality of the judge or jury. In the context of a criminal prosecution, pretrial publicity can present the further problem of giving the public the incorrect impression that the accused is guilty before having been proven guilty through the due process of the law. It is unavoidable, of course, that the publication of an indictment may itself have severe consequences for an accused. What is avoidable, however, is extrajudicial comment by a prosecutor that serves unnecessarily to heighten public condemnation of the accused without a legitimate law enforcement purpose before the criminal process has taken its course. When that occurs, even if the ultimate trial is not prejudiced, the accused may be subjected to unfair and unnecessary condemnation before the trial takes place. Accordingly, a prosecutor should use special care to avoid publicity, such as through televised press conferences, which would unnecessarily heighten condemnation of the accused.

(District of Columbia Rules of Court—Rules Governing the District of Columbia Bar. Appendix A, Rules of Professional Conduct Advocate, Comment 2)

Comment [3] Nothing in this comment, however, is intended to suggest that a prosecutor may not inform the public of such matters as whether an official investigation has ended or is continuing, or who participated in it, and the prosecutor may respond to press inquiries to clarify such things as technicalities of the indictment, the status of the matter, or the legal procedures that will follow. Also, a prosecutor should be free to respond, insofar as necessary, to any extrajudicial allegations by the defense of unprofessional or unlawful conduct on the part of the prosecutor's office.

(District of Columbia Rules of Court—Rules Governing the District of Columbia Bar. Appendix A, Rules of Professional Conduct Advocate, Comment 3)

ABA STANDARDS RE: LEAKS TO PRESS

Standards 3–1.4 Public Statements

(a) A prosecutor should not make or authorize the making of an extrajudicial statement that a reasonable person would expect to be disseminated by means of public communication if the prosecutor knows or reasonably should know that it will have a substantial likelihood of prejudicing a criminal proceeding.

(b) A prosecutor should exercise reasonable care to prevent investigators, law enforcement personnel, employees, or other persons assisting or associated with the prosecutor from making an extrajudicial statement that the prosecutor would be prohibited from making under this Standard.

(ABA Standards for Criminal Justice: Prosecution Function and Defense Function, 3rd ed., Standard 3–1.4.0, p. 12–13)

Relationship to Other Standards (Standard 3–1.4)

. . . Both Model Rule 3.6 and the Fair Trial and Free Press Standards contain lists of the types of statements that can ordinarily be presumed to violate or not to violate the strictures of this section. Fair Trial and Free Press Standards 8–1.1(b) and (c) provide as follows:

(b) Statements relating to the following matters are ordinarily likely to have a substantial likelihood of prejudicing a criminal proceeding:

* * * * *

(3) the opinion of the lawyer on the guilt of the defendant, the merits of the case or the merits of the evidence in the case;

(4) the existence or contents of any confession, admission, or statement given by the accused, or the refusal or failure of the accused to make a statement;

(5) the performance of any examinations or tests, or the accused's refusal or failure to submit to an examination or test, or the identity or nature of physical evidence expected to be presented;

* * * * *

(8) information which the lawyer knows or has reason to know would be inadmissible as evidence in a trial;

Standard 3–1.5 Duty to Respond to Misconduct

(a) Where a prosecutor knows that another person associated with the prosecutor's office is engaged in action, intends to act or refuses to act in a manner that is a violation of a legal obligation to the prosecutor's office or a violation of law, the prosecutor should follow the policies of the prosecutor's office concerning such matters.

(ABA Standards for Criminal Justice Prosecution Function and Defense Function, Standard 3–1.5 (a), p. 17)

D.C. DISTRICT COURT RULES RE: LEAKS TO PRESS

RULES OF THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Title III. Criminal Rules.

(b) Conduct of Attorneys in Criminal Cases.

(1) It is the duty of the lawyer or law firm not to release or authorize release of information or opinion which a reasonable person would expect to be disseminated by means of public communication, in connection with pending or imminent criminal litigation with which the lawyer or the law firm is associated, if there is a reasonable likelihood that such dissemination will interfere with a fair trial or otherwise prejudice the due administration of justice.

(2) With respect to a grand jury or other pending investigation of any criminal matter, a lawyer participating in or associated with the investigation shall refrain from making any extrajudicial statement which a reasonable person would expect to be disseminated by means of public communication, that goes beyond the public record or that is not necessary to inform the public that the investigation is underway, to describe the general scope of the investigation, to obtain assistance in the apprehension of a suspect, to warn the public of any dangers, or otherwise to aid in the investigation.

(3) the prosecution . . . shall not release or authorize the release of any extrajudicial statement which a reasonable person would expect to be disseminated by means of public communication, relating to that matter and concerning:

(ii) The existence or contents of any confession, admission, or statement given by the accused, or the refusal or failure of the accused to make any statement;

(iii) The performance of any examinations or tests or the accused's refusal or failure to submit to an examination or test;

(v) The possibility of a plea of guilty to the offense charged or a lesser offense;

(vi) Any opinion as to the accused's guilt or innocence or as to the merits of the case or the evidence in the case.

(District of Columbia Rules of Court—Rules of the US District Court for D.C., Title III. Criminal Rules, Rule 308b)

(c) Orders in Widely Publicized or Sensational Cases. In a widely publicized or sensational criminal case, the Court, on motion of either party or on its own motion, may issue a special order governing such matters as extrajudicial statements by parties, witnesses and attorneys likely to interfere with the rights of the accused to a fair trial by an impartial jury, the seating and conduct in the courtroom of spectators and news media representatives, the management and sequestration of jurors and witnesses, and any other matters which the Court may deem appropriate for inclusion in such an order.

(District of Columbia Rules of Court—Rules of the US District Court for D.C., Title III. Criminal Rules, Rule 308b)

Mr. Speaker, the Department of Justice guidelines concerning leaks to the press, 1–7.510, Non-Disclosure of Information:

At no time shall any component or personnel of the Department of Justice furnish any statement or information that he or she knows or reasonably should know will have a substantial likelihood of materially prejudicing an adjudicative proceeding.

From the United States Attorneys' Manual, Chapter 7, Section 1–7.510.

Disclosure of Information Concerning Ongoing Investigations:

The Department shall not respond to questions about the existence of an ongoing investigation or comment on its nature or progress.

1–7.550. Concerns of Prejudice:

Department personnel should refrain from making available the following:

Section a. Observations about a defendant's character;

Section b. Statements, admissions, confessions, or alibis attributable to a defendant, or the refusal or failure of the accused to make a statement;

Section d. Statements concerning the identity, testimony, or credibility of prospective witnesses;

Section e. Statements concerning evidence or argument in the case, whether or not it is anticipated that such evidence or argument will be used at trial;

Section f. Any opinion as to the defendant's guilt, or the possibility of a plea of guilty to the offense charged, or the possibility of a plea of a lesser offense.

From the United States Attorneys' Manual, Chapter 7, Section 1–7.550.

Rules of Professional Responsibility of the D.C. Bar, re Leaks to the Press.

Rule 3.8. Special Responsibilities of a Prosecutor:

The prosecutor in a criminal case shall not make extrajudicial comments which serve to heighten condemnation of the accused. For example, Rule 3.6 prohibits extrajudicial statements that will have a substantial likelihood of destroying the impartiality of the judge or jury. What is avoidable is extrajudicial comment by a prosecutor that serves unnecessarily to heighten public condemnation of the accused without a legitimate law enforcement purpose before the criminal process has taken its course.

Finally, Mr. Speaker, with regard to the American Bar Association's standards concerning leaks to the press.

Standards 3–1.4(b):

A prosecutor should exercise reasonable care to prevent investigators, law enforcement personnel, employees, or other persons assisting or associated with the prosecutor from making an extrajudicial statement that the prosecutor would be prohibited from making under this Standard. Statements relating to the following matters are ordinarily likely to have a substantial likelihood of prejudicing a criminal procedure.

☐ 2045

The opinion of the lawyer on the guilt of the defendant, the merits of the case or the merits of the evidence in the case, the existence or contents of any confession, admission or statement by the accused, or the refusal or failure of the accused to make a statement.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. MILLER) is recognized for 5 minutes.

(Mr. MILLER of Florida addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. FILNER) is recognized for 5 minutes.

(Mr. FILNER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

SUPPORT MY LEGISLATION TO REFORM THE IRS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. FOX) is recognized for 5 minutes.

Mr. FOX of Pennsylvania. Mr. Speaker, I rise to address my colleagues tonight with regard to the importance of the reform of IRS. They certainly have gone a step in the right direction, Mr. Speaker, both in the House and the Senate with the IRS restructuring format, and that is certainly a bill I expect to have conference committee approve, have both Chambers approve and then eventually be signed by the President.

But added on to that is certainly another piece of legislation called the Taxpayer Bill of Rights III which I have introduced, Mr. Speaker, and its purpose is to make sure we go even further for our constituents to make sure that they are protected when it comes to dealings with the IRS. We only have to look to September of 1997 when the Senate Finance Committee held hearings and had IRS agents under anonymity, under hoods with scrambled speech testifying in front of Mr. ROTH's committee just to the problems that have been outlined, whether it be fishing expeditions or the fact that mom and pop stores were the ones that were

targeted for IRS investigations, the ones least likely to have either attorneys or accountants to assist them in determining whether or not an IRS tax was due or not.

And so in my legislation, besides the fact that we changed the burden of proof, instead of presuming that in fact the constituents are guilty, instead the constituents or taxpayers in this case will be presumed innocent and the IRS Commissioner would have to prove otherwise, in addition the legislation calls for increased probable cause, no more quotas.

As you have heard the testimony in the Senate hearings, there in fact were quotas for different IRS offices across the country which said there had to be so many audits or investigations, and certainly having quotas is certainly not the kind of jurisprudence that our courts envisioned or this country through its leaders would envision.

In addition, the bill calls for whistleblower protection, so if you report wrongdoing by an IRS employee or an office, that in fact you could not be audited then because you came forth to tell the truth.

In addition, the IRS would be responsible for any bad advice it gives, just as much as anyone else would who is in a similar official setting. IRS would be held to whatever advice it does give even though others may have relied to their detriment.

In addition, when the IRS overreaches and causes a taxpayer, an individual, business or legal loss, then the IRS would be responsible for that, and obviously it is our hope that through the anecdotal evidence which has been brought forward in the Senate hearings as well as House hearings, that in fact the American public can feel more secure as a result of this legislation, that there will not be quotas, fishing expeditions or in fact overreaching by the IRS in the future.

And finally, the bill calls for mediators to be appointed, Mr. Speaker, in the event that a taxpayer wants to settle a claim, that in fact the IRS would have to appoint a mediator for the purpose of trying to settle that claim.

And I applaud Members on both sides of the aisle for their efforts to work together to make sure we recast the IRS into an agency that is concentrated on service and in fairness. And while I am sure most of the IRS, if not the majority of the employees working there are doing what they think is best, the fact is that we have to change the code and the way the IRS is operating under changes of burden of proof which will, together with the agency, make sure that we make the reforms that the American people want and they deserve.

CRISIS IN AGRICULTURE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. MINGE) is recognized for 5 minutes.

Mr. MINGE. Mr. Speaker, in the late 1990's we are facing a crisis in agriculture that is reminiscent of what we faced in the mid-1980's. It is also reminiscent of what we faced a century ago when William Jennings Bryan talked about crucifying American farmers on a cross of gold, when he talked about how our cities could be burned or factories could be destroyed and they would rise again, but if you destroy American agriculture, you can destroy our civilization. We have a unique responsibility, I submit, at the Federal level to show a continuing concern about the state of the agricultural economy.

It is unique in our country in the sense that we have a virtually pure form of competition for many of the crops and products that we produce among the producers. It is a true law of supply and demand that governs the market and governs the price. Other sectors of our economy are not bound by these stark principles to nearly the same extent.

Businesses can choose and work to differentiate the service that they provide, the product that they sell, from the competition. It may not be different, but the perception is it is different. Whether it be breakfast food, beer or some other commodity, we know that through careful advertising and brand promotion the consumers feel that they actually are receiving something substantially different from one producer compared to another.

But if you go to the country and you say you are interested in buying No. 2 yellow corn, it does not make any difference which farm that corn came from. No. 2 yellow corn is fungible with all other No. 2 yellow corn produced, or spring wheat or durum wheat or soybeans, and the list of products grown on our farms goes on and on.

Similarly, although one hog producer can strive for better genetics and more efficient production, when it comes to the marketplace, as long as those genetics and that production principle is basically the same, one farmer is receiving the same price as the next.

So what has this led to here in the late 1990s? Well, the price of corn in my part of the country, the northern corn belt, is dropping to $2 a bushel and possibly lower. We see wheat dropping below $3 a bushel. These two key crops are more important to the American farm economy than any others, and when the prices are dropping in those key crops, and we know that production costs are up, we are talking about some pretty serious difficulty.

In 1996 we passed a new farm bill with a 7-year life. It provided for transition payments and transition programs. And how was that farm bill serving us in the late 1990's, just barely 2 years later? My colleagues, I regret to report it is not serving us well.

The transition payments, which are costing the U.S. Treasury tens of billions of dollars, have been capitalized into land costs, higher rents for producers, more difficult for new and beginning farmers to establish themselves. Unfortunately, these transition payments are not providing the farmers with a nest egg that they can put to one side in a good year and use in a poor year. Instead, it is money that has to be spent in what was hoped to be a good year, and when the poor year comes there is nothing at all.

We are in a poor year. Figures from the U.S. Commerce Department indicate that agricultural income is down 98 percent in North Dakota, 98 percent from 1996 to 1997. In Missouri it is down 72 percent. In Minnesota it is down 38 percent. These are dramatic figures. It is leading to hundreds, if not thousands, of bankruptcies and farm closures and foreclosures.

We must act in this body to recognize that unless Congress and the Federal Government helps farmers by creating tools that they can use to manage risk, we are going to continue to lose hundreds of thousands of farmers over the next few years in the United States, a loss we cannot afford.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

DO NOT VETO THE IRAN MISSILE PROLIFERATION SANCTIONS ACT OF 1997

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. BERMAN) is recognized for 5 minutes.

Mr. BERMAN. Mr. Speaker, I am taking out this special order here today in conjunction with my friend and colleague from Texas (Mr. FROST) to discuss H.R. 2709, the Iran Missile Proliferation Sanctions Act of 1997. The President must decide tomorrow whether or not to veto H.R. 2709, which was sent to him on June 10.

This is legislation which Congress and the administration have discussed and debated again and again. It was first introduced in October 1997, followed by hearings and briefings with the administration, including at least two lengthy meetings between Vice President GORE and congressional sponsors of the legislation. In June it was sent to the President after a 392 to 22 vote.

The Senate passed this legislation 90 TO 4. It has such great support in the Congress because it is aimed at halting one of the major threats to international stability, Iran's program of developing missile delivery systems for its nuclear, chemical and biological weapons program.

There is no doubt about the Iranian program. Iran's Shihab-3 and Shihab-4 missiles are being designed with external help, reportedly primarily but not

exclusively Russian, to a range of 930 to 1,250 miles. There have been additional reports that the Iranian objective is to develop a multistage, intercontinental missile with a range of 3,500 miles.

I agree with the Secretary of State that we should engage Iran. We should not let the memory of the taking of American hostages in our Embassy in Tehran almost 20 years ago forever determine our relationships with Iran. We should seek to expand our person-to-person contacts and work to resolve differences that separate us.

However, it is important to note that while President Khatami is pursuing more moderate domestic policies, it is not clear how much control he exercises or what his real intentions are with respect to foreign and defense policy. We cannot ignore the threat Iran's weapons programs and support for terrorism pose to regional peace and American interests in people. We should not change our policy toward Iran without seeing significant changes in Iran's behavior.

Iran's weapons of mass destruction programs continue to be of grave concern. U.S. officials have said publicly that Iran has a large and increasingly self-sufficient chemical weapons program and probably has produced biological warfare agents as well. Administration officials have publicly confirmed that Iran is trying to acquire a nuclear weapons capability.

And while Iranian President Khatami has categorically rejected terrorist attacks against civilians, he has yet to back his words with action. According to State Department's most recent report on terrorism, Iran remains the most active state sponsor of terrorism. Last fall Iran hosted representatives of numerous terrorist groups at a conference of liberation movements where they discussed greater coordination and support for some of the groups.

When the administration waived the Iran and Libya Sanctions Act of 1996, sanctions on European companies and Malaysia, it said that it did so because it wanted to focus on preventing proliferation rather than preventing investments in the Iranian oil industry. While I do not endorse the administration's rationale for the ILSA sanctions waiver, I cannot help but note that the Iran Missile Proliferation Sanctions Act does what the administration says it wants. It focuses on proliferation.

It would be incongruous for the administration to veto this bill, because we can already see the consequence of the administration's waivers of the ILSA sanctions. The President should welcome this legislation, not decry it.

☐ 2100

On too many occasions in the past 3½ years, the leadership in this House has tried to tie the President's hand in foreign policy and overrule his prerogative to lead on national security matters. This is not such an effort.

Although the President must make a classified report to Congress of ''credible information on foreign entities which have transferred missile technology to Iran,'' it is the President who determines what is credible. Thirty days later he must impose sanctions on those entities. These sanctions are not targeted against any country or government, but are narrowly targeted against the companies themselves, and the President may waive the imposition of sanctions, either because he is persuaded that the information contained in the report to Congress is incorrect or if he determines that the waiver is essential to the national security. And what are the sanctions that we are talking about? Simply that the entity or company that has proliferated this missile technology to Iran faces the loss of exports.

The bill has been significantly improved since it was first introduced. First, it is no longer retroactive beyond January 1998. Second, it allows for a classified report to be submitted to the Congress and permits the President to suspend sanctions. Third, it is limited to the transfer of items already contained on the Missile Technology Control Regime (MTCR) list—goods which are widely considered as benefiting a missile system—or additional items which the President determines to be of concern.

When this bill was debated last November in the House, the Administration suggested that the standard of evidence was so low that the US would be forced to impose ''erroneously'' sanctions on foreigners. I find this to be a difficult argument to accept. The concept of this or any Administration ''rushing to an erroneous judgment'' on any issue subject to the availability and evaluation of intelligence data is hard to imagine. Is ''credible information'' so weak a standard that it would result in the erroneous imposition of sanctions when the President has the discretion to determine whether or not the information is credible? If the President has evidence that seemingly credible information is not accurate, then by definition the information is no longer credible.

With a great deal of evidence accumulated since 1994, the Administration still has not determined whether or not to sanction China for transferring entire M–11 missiles to Pakistan.

Yes, there are existing sanctions laws which attempt to restrict weapons proliferation. This bill is different from some existing laws because, unlike the Iran-Iraq Arms Non-Proliferation Act of 1992, and unlike existing law, the President must report to the Congress credible information about a violation and then he has thirty days to impose a sanction unless he uses the waiver procedure. There is no doubt that this legislation makes it more difficult for the President to evade responsibility for imposing sanctions. Some may think it best to make it easier for the President to evade the intent of the Congress. That is not my view.

This bill should not be construed as anti-Russian—it applies to companies anywhere that aid Iran. Administration officials say that this legislation will damage our relationship with Russia at a time when Moscow is tightening controls over sensitive exports. If, indeed, the Russians are taking steps that comply with the Act's provisions, they will not be sanctioned. Even if Russian companies are sanctioned, U.S.-Russian relations will survive because our two countries have many shared interests and concerns. We cannot afford to stop working with each other. And the United States remains committed to strengthening Russia's democratic transition. The bill now comports with Russian law and should be construed as a cooperative tool in our joint struggle to stop the dangerous flow of illegal technology to Iran.

The Russian Government has taken many positive steps to restrict sensitive exports. On May 5th the Deputy Head of Administration of the Russian President stated that ''Military and dual purpose technologies constitute the national treasure of Russia, which has been created by successive generations of our people. Therefore the export control shall completely exclude any possibility of squandering unique domestic technologies, materials, parts, intellectual property, and prevent leaks of classified state and military data.'' This is a very helpful statement and the additional measures that the Russians have taken to control exports are also praiseworthy. They are a tribute to the seriousness with which the Russians take this issue and a tribute to the Administration, especially Vice President GORE, who has worked extraordinarily hard with the Russians to come to a common understanding of the seriousness of the Iranian threat and to a common approach to confronting that threat.

Vetoing this bill would be a mistake, sending instead a signal that the Administration is not as committed as it claims to be in preventing Iran from threatening its neighbors and the world.

The strong support that this legislation has received indicates that should the President veto this bill, his veto will be over-ridden. This legislation makes a substantial contribution to the fight against proliferation and has the overwhelming support of the U.S. Congress.

THE IRAN MISSILE PROLIFERATION SANCTIONS ACT

The SPEAKER pro tempore (Mr. BLUNT). Under a previous order of the House, the gentleman from Texas (Mr. FROST) is recognized for 5 minutes.

Mr. FROST. Mr. Speaker, I rise to join my colleague, the gentleman from California, in support of H.R. 2709, the Iran Missile Proliferation Sanctions Act, and to urge the President to sign this most important legislative initiative.

This is an important proposal that seeks to protect United States national security interests in the Middle East by stemming the flow of missile technology and expertise to Iran. While the administration may have objections to several of the sanctions imposed by the bill, I would submit that the President's authority to make foreign policy is protected in the bill by granting him the authority to waive those sanctions under specific circumstances.

Mr. Speaker, this proposal is especially important since intelligence reports show if Iran succeeds in its efforts to acquire weapons of mass destruction and the missiles to deliver them, within a year it could have the indigenous capability to begin assembly and testing of ballistic missiles capable of hitting Israel, other targets in the Middle East, as well as parts of Europe and Asia.

Mr. Speaker, Iran already possesses chemical weapons and is intensely working toward acquiring biological and nuclear weapons capability. These are dangerous trends, Mr. Speaker, and the United States must take action to stop these developments.

What is troubling is that technology and expertise has come to Iran from foreign companies, primarily, but not exclusively, Russian companies. In previous years, China and North Korea provided this assistance; today, Russian companies are providing highly advanced technology. In fact, Mr. Speaker, U.S. military intelligence reports, reports that have been publicly cited, have indicated that Russian entities signed contracts this year to help produce liquid-fueled ballistics missiles, such as the SS–4.

In addition, there have been sales of Russian high technology laser equipment and negotiations between the Russians and Iran for other supplies for the manufacture of missiles as well as the construction of the wind tunnels necessary to test the missiles.

Mr. Speaker, some 9,000 scientists, engineers and technicians from the former Soviet Union are currently in Iran as advisors. Some of these experts are teaching subjects ranging from missile guidance systems to firing circuitry and pyrotechnics of explosive systems. Others are aiding in the rebuilding of the Bushehr nuclear reactor, and the technical advice being given in this project could very well enhance Iran's capability to develop nuclear weapons.

Mr. Speaker, this flow of technology and expertise continues, in spite of the fact that in January of this year, then Russian Prime Minister Chernomyrdin issued a decree to restrict the export of dual-use technology. In addition, Russia is a member of the Missile Technology Control Regime, a volunteer arrangement among countries which share a common interest in arresting missile proliferation. Russia along with the 27 other signatory countries, which includes the United States, has agreed to participate in a regime which consists of common export guidelines applied to a common list of controlled items. But, Mr. Speaker, in spite of Russia's international commitments, Russian entities continue to provide this deadly technology to Iran.

So what is to be done, Mr. Speaker? There are currently sanction requirements in place for those companies which engage in this type of technology transfer. The Iran-Iraq Arms Nonproliferation Act of 1992 requires the President to sanction the governments of those countries who knowingly supply Iran or Iraq with advanced conventional weaponry or technology that contributes to their acquisition of weapons of mass destruction. These sanctions would suspend U.S. assistance to these governments, would suspend codevelopment and coproduction agreements, and would suspend military and dual-use technology agreements that might lead to the transfer of technology or weapons to either Iran or Iraq.

In addition, Mr. Speaker, the Arms Export Control Act and the Export Administration Act both require the imposition of sanctions on governments and entities that violate the Missile Technology Control Regime. Unfortunately, the administration has chosen not to apply the sanctions available in existing law, choosing rather to pursue diplomatic solutions. But, Mr. Speaker, it appears these diplomatic solutions have not cut off the flow of these dangerous technologies to a nation with whom we do not have diplomatic relations.

H.R. 2709 was introduced last fall to press for an end to Russian missile cooperation with Iran. The legislation would sanction any company involved in providing missile technology to Iran. These sanctions should provide the United States with a means to attack the spread of weapons of mass destruction in the Middle East, and, while we might find ourselves standing alone in this fight, it is a worthy stand for us to take. The Congress is on record as supporting this legislation. The bill has 271 cosponsors in the House and 82 cosponsors in the Senate, and passed both houses by an overwhelming bipartisan majority.

Mr. Speaker, if we stand alone in our willingness to stop the spread of death and destruction in the Middle East, then so be it. Our stand is morally correct and the administration should join with the Congress in supporting the imposition of sanctions on those who put financial gain ahead of peace.

SUPPORT FOR THE IRAN MISSILE PROLIFERATION SANCTIONS ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. SHERMAN) is recognized for 5 minutes.

Mr. SHERMAN. Mr. Speaker, I rise to associate myself with the comments of my colleagues, the gentleman from California (Mr. BERMAN) and the gentleman from Texas (Mr. FROST), and to urge the President to sign legislation that would impose sanctions on those entities that are helping Iran develop ballistic missiles. Ballistic missiles in the hands of the government in Teheran would be destabilizing to the entire Middle East. We do not need to provide assistance to those companies that are assisting this ballistic missile program.

We should seek a rapprochement with the people of Iran. We should look at the recent elections in which a relative moderate, and I emphasize the word relative moderate, was elected President and exercises some authority within the government of Iran. The people of Iran, though, do not benefit from ballistic missiles. Ballistic missiles are not an essential element of the economic development of Iran. Ballistic missiles would simply give the Iranian Government an opportunity to create mischief and death in the entire Middle East area.

The President should welcome the most recent legislation, not as an interference, but rather as a bolstering of his own policies, to control ballistic missile technology.

Mr. Speaker, I urge the President to sign the legislation, and I associate myself with the comments of my colleagues.

DISASTER FACING AGRICULTURE BASE OF NORTH DAKOTA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Dakota (Mr. POMEROY) is recognized for 5 minutes.

Mr. POMEROY. Mr. Speaker, a year ago Grand Forks, North Dakota, was ravaged by flooding waters from the Red River. The eyes of the Nation watched with horror as this city of 50,000 suffered not just a devastating flooding event, but, in the middle of all else, fires began in the downtown that ravaged 11 of the major buildings in downtown Grand Forks as well. The attention of this body was focused on that event, and the assistance resulting in the disaster supplemental appropriations bill really played a very critical role in our ability to begin the rebuilding process, a process that continues even today.

Today I take the floor to tell you of another disaster, a disaster that, at least as far as North Dakota is concerned, is every bit as threatening, every bit as devastating, every bit as disastrous as the Grand Forks flood. But this disaster, chances are you will have never heard of, not seen a second of television footage, and be utterly unaware it is occurring. This is a stealth disaster, and it is a disaster facing the agriculture base of the State of North Dakota.

This chart tells the story, just as clearly as this story can be told. The U.S. Department of Commerce reported that in 1996, the net farm income in North Dakota totaled $764 million. One year later, that total had fallen to $15 million net farm income for the entire State, a drop of 98 percent.

The average North Dakota producer lost $23,000 last year, and the average North Dakota producer is, by the way, a family farm, relatively modest in income levels, even in the best of years; a loss of $23,000 last year. Across the State, those making loans available to farmers report that 80 of the borrowers lost money last year.

This disaster is the stealth disaster. Hopefully the remarks of my colleague, the gentleman from Minnesota (Mr. MINGE), the remarks I am making, and our ongoing effort will make it less of a stealth disaster in the weeks to come, but its depth and its consequences are as serious as I could possibly begin to tell you.

One of the consequences inevitably of the kind of economic results I have

just spoken of is revealed in this kind of cryptic gallows humor cartoon. It says ''tis spring, 'tis spring,'' and it has got the vultures flying over the farm auction postings, a very apt characterization of precisely what is reflected in the newspapers advertising farm auctions. Pages and pages and pages of auction sales reflecting the end of a multi-generation of family farming operations.

Typically each and every auction revealed in these many pages will be a family farm, initially homesteaded, perhaps a century ago, and then farmed successfully now for several generations, until the devastation we have now seen has made continuation of that family farming entity impossible.

Why is this happening? What could possibly be bringing this about? Well, first of all, it is a combination of disastrous production conditions, coupled with disastrous prices, and all occurring in the backdrop of a new farm policy, a farm policy of this country that essentially has substantially reduced in meaningful ways the types of support and assistance the Federal Government had previously maintained for decades to family farmers when they get into trouble.

I think it is important for us to look at the changes in farm policy and draw conclusions in terms of what we must do in the future to react. Clearly, the results shown in North Dakota show the existing safety net is not meeting the challenge facing the farmers in our area and across the country.

REGARDING THE TURKISH TRANSFER OF F–16s TO CYPRUS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Mr. Speaker, on June 18th, the Turkish Government sent six F–16s to Northern Cyprus and issued a warning to Greece about its military activity on Cyprus.

The movement by Turkey of F–16s is cause for alarm, because in recent months Ankara has stepped up its belligerent rhetoric over the Cyprus problem. Last month, Turkey abruptly changed its position in the Cyprus peace negotiations and began insisting that three new preconditions be met before meaningful negotiations could take place. This unreasonable turnabout prompted a public rebuke of the Turks from Ambassador Richard Holbrooke, the President's Special Emissary for Cyprus.

With the recent deployment of F–16s to Northern Cyprus, Ankara has edged an already volatile situation that much closer to military confrontation.

□ 2115

What I find to be particularly abhorrent is that the Turks are using American weaponry to destabilize this region.

I and many of my colleagues here in the House have pointed out time and again on the House floor, in committee proceedings, and with legislation that the Turkish presence on the island of Cyprus with 35,000 troops is illegal. Turkey is the only country in the world that has recognized northern Cyprus as an independent country.

Ankara's presence in northern Cyprus, incidentally, is being bolstered by far more than American F–16s. Turkish forces are well-equipped with a laundry list of sophisticated American weaponry. The United States should not allow Ankara to use American-made weapons to enforce the illegal occupation of Cyprus. Using American weapons in this fashion may well be a violation of the Arms Export Control Act.

Turkish arms transfers are not specific to Cyprus, I should point out, Mr. Speaker. There are also illegal transfers of U.S. or NATO standard weapons and other military supplies being sent to Azerbaijan by Turkey. Turkey has long sided with Azerbaijan.

One of the major complications of the Nagorno-Karabagh conflict is the blockade of Armenia and Karabagh by Azerbaijan, and the Turkish blockade of Armenia in support of Azerbaijan. These blockades have made life hard for the Armenian people, stopping vitally needed relief supplies from the U.S. and other countries. Now Turkey is funneling military equipment to Azerbaijan, equipment I have seen myself in a previous visit to the front lines in Nagorno-Karabagh.

Just a few weeks ago I opposed the suggestion that appeared in the media that Turkey may want to transfer American F–16 fighter planes to Azerbaijan. That country already has air superiority because it inherited a lot more airplanes from the Soviet Union than did Armenia. F–16s would give Azerbaijan overwhelming air superiority.

There are now suggestions that Turkey may transfer advanced NATO howitzer or cannon artillery to Azerbaijan. Mr. Speaker, I will be asking my colleagues to join me in sending a letter to the chairman of the Committee on International Relations asking that he hold hearings on the use of American weapons by Turkey in northern Cyprus and Azerbaijan. Any use of American weaponry by Turkey that violates U.S. foreign policy and national security interests must be met with a swift and vigorous change in U.S. policy.

I would also encourage all of my colleagues to join me in pressuring Turkey to be a partner in the search for a lasting peace in the region, and not a contributor to a continuing cycle of violence and tensions.

EXPRESSING CONCERN REGARDING STATEMENT OF DR. THOMAS HOFELLER

The SPEAKER pro tempore (Mr. BLUNT). Under a previous order of the House, the gentleman from Illinois (Mr. DAVIS) is recognized for 5 minutes.

Mr. DAVIS of Illinois. Mr. Speaker, I rise today to express my concern for statements attributed to Dr. Thomas Hofeller, the staff director of the Subcommittee on the Census. Dr. Hofeller's comments appeared in David Broder's column in the Washington Post yesterday entitled ''Playing Hard Ball on the Census.''

In the article, Mr. Hofeller is supposed to have suggested that ''Someone should remind Secretary Bill Daley that if he counts people the way he wants to by using sampling, his brother, Chicago's Mayor Richard M. Daley, could find himself trying to run a majority-minority city.''

I am not exactly sure what that means, but if these remarks are correctly attributed to the head of the staff of the Subcommittee on the Census, then I am concerned, because I find them to be reprehensible, deplorable, irresponsible, offensive, and yes, even race-laden.

These comments give Americans a real glimpse at some of the rationale behind not using sampling techniques. The comments by Dr. Hofeller suggests that if we do the Census the way the National Academy of Sciences and other professional organizations have suggested that we do it, then someone in some places will not like the results, because minorities in some instances will become the majority.

These vile comments seem designed to put fear in the hearts and minds of non-minority Americans. The comments divide, rather than unite, at a time when we should be coming together as one America.

In addition, what is more troubling is the fact that the comments expressed do not concern themselves with a fair and accurate Census, which should be the goal of every American.

Mr. Hofeller's remarks, if true, suggest that we should continue the pattern of undercounting African Americans, Asian-Americans, Hispanics, the poor, and other minorities. His comments indicate that a fair and accurate census could shift the composition of people in Chicago and other places throughout the country.

What we are dealing with is the fact that there has been a serious undercount of minorities in this country since the first census was taken in 1790. In Chicago during the last census, over 68,000 people were missed. As a result of being missed, millions of dollars in Federal funds were lost. Residents in Chicago were short-changed. Communities throughout the country who were undercounted were short-changed on resources and funds for social services, transit, and education alike.

The reality is that the census should in fact be about a fair and accurate count; nothing more, nothing less. Let us get down with the rhetoric of politics and talk about the real deal, which is counting the American people.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON LEE of Texas) is recognized for 5 minutes.

(Ms. JACKSON LEE of Texas. Mr. Speaker, addressed the House. Her remarks will appear hereafter in the Extension of Remarks.)

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4101, DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATIONS ACT, 1999

Mr. SOLOMON (during the special order of the gentleman from Michigan, Mr. BONIOR) from the Committee on Rules, submitted a privileged report (Rept. No. 105–593) on the resolution (H. Res. 482) providing for the consideration of the bill (H.R. 4101) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1999, and for other purposes, which was referred to the House Calendar and ordered to be printed.

UNIONS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Michigan (Mr. BONIOR) is recognized for 60 minutes as the designee of the minority leader.

Mr. BONIOR. Mr. Speaker, I am joined tonight by my colleagues, the gentleman from Illinois (Mr. DAVIS) who just spoke, the chief deputy whip of our party, the gentlewoman from Connecticut (Ms. DELAURO), the gentlewoman from California (Ms. BARBARA LEE), and the gentlewoman from California (Ms. LYNN WOOLSEY), as well.

We are here this evening, Mr. Speaker, to talk about unions. We say that word with pride. Earlier this year, many of us heard powerful, real life experience stories by Betty Dumas, Cathy Sharp, and Juan Mazylmian about the challenges they faced when they tried to organize their workplace; a basic right, to organize your workplace for wages, for benefits.

For Juan, he and his fellow asbestos removal workers in New York won union recognition and a shot at a better life. For Cathy Sharp, she struggled in a hospital system where she worked in San Diego and she won union recognition, and a contract that gives nurses more input into the care of their patients.

For Betty Dumas and her fellow workers at the Avondale shipyard in New Orleans, their fight goes on. It is a brave fight, but their resolve remains stronger than ever. They will win that fight, because they are standing up for folks who they work beside every day who are deprived of decent wages and decent benefits and the things that many of us take for granted today at the workplace.

These three individuals touched us in a very special, fundamental way when they spoke to us at our conference in Virginia. We understood their fights were for basic human respect and for basic human dignity.

This week, and particularly on the 24th of June this week, many of us are lending our voices and our support to working men and women around the country. We will be speaking out about their efforts to improve their future. On the 24th, a day to make our voices heard, workers will be showcasing their ambitions and their visions and their successes, and yes, even their heartaches, in their effort to come together to form a union.

It is not easy to do. I will talk about that in a second. There are activities planned in over 70 communities to highlight workers' basic, fundamental rights to organize. From Seattle to Miami and from Burlington to San Diego there will be activities to celebrate past victories, and to remind us of the work that is yet to be done.

Some will say, how difficult is it to join a union? To give you some idea of how hard it is for workers to join together to form a union, let me try to offer an analogy. Imagine waking up the morning after the November election and reading the headlines: Challengers win; challenger wins. Incumbent files objection to the way the election was conducted. The court will issue a decision within 2 to 5 years. Incumbent to hold office pending outcome of litigation. End of headline.

This sounds absurd and profoundly undemocratic, but that is what is happening. That is what is happening to workers in our country whenever they win an NLRB election. That is the National Labor Relations Board's election.

Just winning takes tremendous courage and resolve. Employers and their sophisticated anti-union consultants commonly launch campaigns of terror and fear against workers who try to form a union. Once a worker steps onto their employer's property, their basic human rights of free speech and freedom of assembly and free press, they get left at the curbside.

Workers face union-busting tactics such as threats of being fired or taking away their health insurance; or being forced to attend a compulsory anti-union meeting, either in large groups or in one-on-one shakedown sessions; or threats of moving the plant to Mexico or other countries.

There is in this country, and I am sad to report this, but there is in the country today a multi-million dollar industry that is established just to quash organizing drives in America. Against these odds, workers need all the help they can get.

That is why more and more organizing drives have become community campaigns. Religious and community leaders are speaking out more and more to improve the quality of life of their families and friends and neighbors. There is greater recognition that these drives are part of a larger cause, the fight for human rights and for basic justice.

Organizing not only improves the lives of individual workers, but also the entire community. When those wages go up because workers can come together and band together and bargain for a good contract and good wages, that money gets circulated throughout the community and everyone benefits. It does not stay in a few pockets.

Organized workers get contracts and salaries which set the standard for other workers in the community who may not be unionized, so they bring up everybody's wages, not just union workers.

There is a huge wage gap in this country today. I think everybody realizes that that gap is growing, and it is as wide as it has been in decades. It is wider than any other western democratic society, capitalist society, today. Today the struggle to reduce the ever-expanding wage gap between the top 20 percent and the rest of us is an important struggle, and it will be the struggle that will be waged over the next decade.

The only way to restore some semblance of economic justice to this country is if the labor movement grows. When the labor movement grew after the Second World War, the pie for America was shared by all. When productivity grew 90 percent, wages grew 90 percent during the 1950s. But during the 1960s and the 1970s and 80s and 90s, we saw that productivity continue to grow but the wage level for workers continued to decline. It declined significantly. That is why we have this huge wage gap.

One of the reasons it declined is because membership in unions across the country, which was at a high of about 40 percent in the 1950s, has slipped to about 15 percent today, and about 10 percent among the private sector.

The workers' struggle for union representation and free association is deeply interlinked with overall economic disparity and participation in our democracy. In order to win, we need to build an alliance between union members, churches, progressive organizations, and public officials who care about workers.

If we can do that, if we can shed some light on union-busting activities going on in the workplace, we can win this battle. Winning takes a good deal of teamwork. Members of Congress I believe have a responsibility to speak out.

That is why about a week ago, at my alma mater, the University of Iowa, I was saddened to see that the university's hospital system is fighting the right of 2,000 registered nurses and professionals to organize with the Service Employees International Union. Not only are they fighting it, the university has hired a known union-busting firm, Management Service Associates, MSA, to try to defeat the organizing drive.

So I called several officials at the university to ask them to terminate

their association with MSA, and to take a neutral stance in the organizing drive to allow workers to determine for themselves, in a free and open and a democratic way, if in fact they wanted to band together to bargain collectively for their wages and their benefits and their work.

It is my understanding that Senator HARKIN has done the same thing.

□ 2130

The situation in Iowa is just one of the organizing drives that is being highlighted this week. There are many truly remarkable success stories throughout the country that are part of what we call ''A Day to Make Our Voices Heard.'' I just want to mention a couple of them now, and then I will be happy to yield to my colleagues.

In Detroit, some 2,000 employees at the Detroit Medical Center won an agreement that states when a majority of workers sign cards in support of a union, the employer will recognize the union. So they will not have to go to the NLRB and wait 2 years, and 3 years, and 4 years, and 5 years to be recognized. That is the way to break unions, by not recognizing what the people democratically have voted for.

The card check, which is basically people standing up and saying, ''I want it,'' will cut through all of that red tape and restore the economic democratic feature of union organizing.

In Dallas, 9,000 teachers won representation by the American Federation of Teachers, partially because they worked hard to elect a sympathetic school board.

In Cincinnati, 350 school bus drivers gained representation by the Amalgamated Transit Union with the help of the clergy, the NAACP, and elected school board members and other unions. They all banded together as community and said we think this is important, that people ought to have a right to come together democratically to bargain for the sweat and the work that they perform for our community.

In Washington, D.C., 700 parking lot attendants won representation by the Hotel Employees and Restaurant Employees and a first contract by gaining support from the leaders in the Ethiopian community. They went to the community that had a stake in this. Parking lot customers, property owners, the Ethiopian community all came together and said there ought to be economic justice for these people.

The list continues from Brookline, Massachusetts, to New Haven, Connecticut, to Watsonville, California, and all across the country. And that is why many of us are gathered here tonight and will participate in other activities throughout the week.

When organizing drives are successful, they empower communities in ways we cannot imagine. For workers throughout the country the fight for dignity and respect is truly a fight about basic democratic rights.

So tonight we stand with those workers who have stood together to make a difference in their communities. And we also stand with those workers who are still fighting to organize. The challenges are great and the courage that it takes so often is just mind-boggling. People standing up and saying they want to fight, knowing that in fact their wages could be gone the next day, their benefits taken away. They could be fined like Betty Dumas was fired over at Avondale.

People who rely on that check to take care of their kids every week, knowing that they are going out on a limb for economic democracy knowing the consequences. And many suffer the consequences. It takes great courage. The challenges are great, but it is worth it. Workers who build community coalitions and go through organizing drives are fundamentally participating in our democracy, taking pride in their work and building a better place to live, not only for them and their children but for future generations to come.

I think about my community in the Detroit metropolitan area, and I remember the struggle of the autoworkers back in 1936 and 1937 in the sitdown strikes in Flint and Detroit. My grandfather participated in those sitdown strikes. My father is a union man too. I remember him telling me he used to throw sandwiches into the autoworker yards to those who were sitting down and would not move until they got their bargaining rights.

What does that mean for us today? It means that that struggle that went on in 1936 and 1937 provided us with a buoyant, resourceful, strong middle-class and provided good wages and health care benefits and built the middle class in this country. What it did was that movement provided us with a decent work hour, the 8-hour day, overtime pay, workers' comp, unemployment comp, health insurance. All of these benefits, pension benefits, cost of living increases that we take for granted today, they were built by the struggle of people who had the courage to say we have the right to bargain for our work, for our sweat, as a democratic right.

It seems like every week we see another headline about this million dollar merger or that billion dollar buyout. They keep getting bigger and bigger all the time. And in the process, a handful of people at the top, the CEOs who seem to get golden parachutes just for jumping out of bed in the morning, they become less and less accountable to our country and to our communities.

That is why unions are so important. Unions give working men and women a voice. They help level the playing field. Unions build a stronger democracy by giving people a say in the decisions that affect their jobs and their future. They honor the values of loyalty, commitment, pride, and community.

So it is with deep pleasure, Mr. Speaker, that I am here with my dear friends tonight talking about this effort, and this week and I would be delighted to yield to them for any comments that they would care to make this evening. I thank them for their indulgence.

Mr. Speaker, I yield to the gentlewoman from California (Ms. WOOLSEY), my friend.

Ms. WOOLSEY. Mr. Speaker, I thank the gentleman from Michigan for yielding, and I would like to thank our wonderful minority whip for pulling this evening together and being so absolutely passionate about workers of this country. I thank him for leading the way.

Mr. Speaker, I knew the American workers were in trouble when one of the first changes that the Republicans made as the new majority was to completely eliminate, to remove the word ''labor'' from the committee that I served on. It was called the House Committee on Education and Labor. First they called it the Committee on Education and Economic Opportunities. Absolutely removing the word ''labor.'' Then 2 years later, even the Republicans had trouble totally ignoring American workers so they changed the name again. This time it was to the Committee on Education and the Workforce. Again, no mention of labor.

The new name they tried to make them look softer, of course. But it did not. It did not change their negative attitude an iota. In fact, one Member of the new majority on the committee kept probing and pushing and insulting workers and those of us who supported American workers. One meeting, one hearing we had, and I will never forget it, this Member on the other side of the aisle referred to the Secretary of Labor, Robert Reich, as he was testifying before us, the Secretary of Labor, he referred to him as a Marxist and told him that he had read all of Carl Marx's writings and he had read all of Secretary Reich's writings and he saw no difference. This is the same Member who referred to me on the committee as a Communist because I was defending organized labor.

So that was a heads-up, and let me know what kind of year we were going to have and how hard we had to work, because working Americans were not going to be represented by the majority at this time in our House of Representatives.

Mr. Speaker, well, it was all right for me. He can call me anything he wants, because I want to tell my colleagues, I am one person who is very proud to speak out for organized labor, for the working men and women of this country. It is because of organized labor that we have a middle class in the United States. That is why we are the country that we are. That is why we are this great Nation. It is because of organized labor that American workers have been able to afford to work and raise a family on their wages. And they get benefits, if it is part of organized labor, pensions as part of organized labor.

Today, some of these expectations that people have that they were able to count on are eroding. We need labor unions more today than ever before. In the ''Education and Anti-labor Committee'' that I sit on, we are marking up a series of OSHA reform bills that will weaken the Occupational Safety and Health Administration. If these bills were to become law, American workers would be at a greater risk of on-the-job injuries and health effects and death than ever before. Well, not ever before, but since we have had OSHA in place.

Mr. BONIOR. And, Mr. Speaker, we still have today, it is my understanding, 50,000 Americans who lose their lives on the job every year. Fifty thousand.

Ms. WOOLSEY. Mr. Speaker, that is right. But since OSHA was passed in 1970, the job fatality rate has been cut in half and injury rates have also declined significantly. That ought to be example enough that we do not weaken it. If anything, we strengthen and learn from mistakes and we fix errors and we go forward and make sure that more people are safe than fewer. But Republicans in both the House and the Senate are pushing legislation that will make it more difficult for OSHA to issue protective standards; that will limit OSHA's ability to enforce our current standards, particularly in case of willful or criminal violations. Their legislation would weaken workers' right to know about unsafe workplace conditions, and would make it harder for them to address their own safety concerns within the workplace.

My colleagues on the other side of the aisle seem to think that American workers have too many safety and health protections. Last year, 6,112 workers were killed by traumatic injuries, and that is a Bureau of Labor Statistics figure. Another 50,000 workers died, as the gentleman from Michigan (Mr. BONIOR) said, from occupational diseases. And that is a National Institute of Occupational Safety and Health, NIOSH, statistic. And more than 6.2 million workers in the private sector were injured on the job. That is an AFL-CIO statistic.

Thank goodness workers have unions to help them fight the Republicans' effort to turn back the clock on worker safety. These bills should be called ''OSHA deform.'' It should not be called reform. They are trying to undo the progress we have made instead of build on the progress and go forward.

Unions are also speaking up for American workers against legislation that would diminish workers' wage and hour protection under the Fair Labor Standards Act. We have comp time legislation. We have sales incentive compensation acts that have been passed out of this House. Both of them would be all right if the worker had a choice. If they wanted to participate in a comp time program, then it would be their choice, not the employer's. If the worker wanted to go without overtime pay to work in a less than $20,000 a year job, that would be the worker's choice. But, no, it will be the employer's choice.

They are also working on legislation that would legalize company-formed and controlled unions, and that is called the TEAM Act. Legislation would make it impossible for unions to speak for workers in the public arena. And that is the Paycheck Fairness Act and campaign finance reform.

The gentleman spoke about the wage disparity between American workers and their bosses. He said that this disparity has never been greater. In 1960, we will go there first, the average pay for a chief executive officer of the largest U.S. corporations was 12 times greater than the average wage of a factory worker. That was in 1960. Today those CEOs receive wages and compensations worth more than 135 times the wages and benefits of the average employee at the same corporation.

In 1960, it was 12 times greater. In 1998, it is more than 135 times greater. We wonder what is happening to our middle class. It is all going to the top and the working poor are getting greater and greater.

Today, millions of Americans came to work. They came on time. They did a good job. They worked in the workplace to the very best of their ability. And they did not earn enough money to bring themselves and their families above the poverty level. These workers and millions of others all across America need to join together, need to organize so that they can have better lives and so that the lives of their families will be more secure.

□ 2145

They join labor unions so that they can improve their wages, their working conditions, their benefits, their safety conditions and their future pensions.

I am proud, because I am supported and I do support nurses and teachers, firefighters, truck drivers, waitresses, carpenters, electricians and all the other working men and women of this country, and those who belong to labor unions.

Union members work every day to keep America strong and to keep America safe. I am proud to work here in the Congress for them and for all working men and women in this country.

I thank the gentleman, again, for pulling this evening together.

Mr. BONIOR. Mr. Speaker, I thank the gentlewoman for her eloquent statement, a statement with passion.

I just wanted to pick up on one point that the gentlewoman from California made. That is the disparity that has been created because of the lack of union representation in this country today. We have a minimum wage in this country that pays $5.15 an hour. We have 12 million people working in America who earn the minimum wage, 12 million people. We have another 8 million just above the minimum wage, about 20 million people working at that minimum wage level.

For a single mom with two kids, do you know what that minimum wage wage pays? It pays less than $11,000 a year. That is $2,600, as the gentlewoman said, below the poverty level today for a family of three. And when we talk about unions, unions do not have folks in their organizations that make the minimum wage. Very few do. They make a good wage, but they argue for the minimum wage because they understand the moral responsibility to make sure that people live on a living wage today. So they help not only folks who belong to those organizations, union organizations, but they help others as well.

We can do a much, much better job in our country today in moving forward with decent wages and benefits than we have. So I thank my colleague from California for her comments tonight.

Mr. WOOLSEY. Mr. Speaker, if the gentlewoman will continue to yield, when we talk about the minimum wage, when we were voting to pass and raise the minimum wage a year or so ago, my very favorite delicatessen in Petaluma where I get my coffee, because it is the best any place, the owner came to me and said, ''Oh, Woolsey, don't raise the minimum wage. How am I going to stay in business?'' And all his workers were very quiet, and I said, Steve, just think how many more people could come in and afford your coffee lattes if they earned enough money so that they could have this privilege to come in here like I do. And all of his workers cheered.

Mr. BONIOR. That is a good story. It is not just the people in restaurants and coffee shops, it is the people who take care of our children at day care, take care of our parents and our grandparents in elder care and nursing homes, the folks who clean our offices, who are cleaning them right now, a lot of folks are making wages, and they have no recourse in terms of getting a better wage or getting the benefits they need, the health care for their family or kids, because they do not have anybody representing them.

That is what unions do, they pool the resources of people together and they say, basically, we are going to work with you to help you get represented at the bargaining table for a decent wage and decent benefits.

When we had strong unions in this country that matched productivity, we had a healthy, very healthy economy. And we have watched that erode now, as union membership and other things have transpired, our trade policy and other things that have eroded the leverage of workers in our society today. I thank my colleague for her comments.

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

Ms. DELAURO. Mr. Speaker, I am just delighted to be a part of this effort tonight to join with my colleagues and

to thank the gentleman from Michigan (Mr. BONIOR) for organizing this special order and particularly the conversation, the dialogue between yourself and the gentlewoman from California (Ms. WOOLSEY) in a reminder about the early history of the labor movement, what it has created and your words, it created the middle class.

It created the place where the bulk of this country is coming from, the people who are the backbone of the United States. And what it accomplished in terms of safety in the workplace, fair and decent wages, the benefits that people enjoy today and oftentimes we forget, we forget what it was like, and we take so much for granted. That is why the notion of a June 24 and Americans honoring working men and women and helping others to remember and to organize and to get out there to help people who are trying to take some difficult first steps in trying to, one, hold on to what we have and to create new and better opportunities for working men and women in the country through unions, through a wonderful institution, the heart and soul of what the United States is about.

It is the thought of workers joining together to look at improving their living standards, their communities, their companies and making them better places. Oftentimes, as I said, we forget that, when we are together and we argue and fight, what a tremendous balancing force against runaway corporate power in this country and, again, one of your terms, economic justice. That is what the fight, that is what it is all about.

Mr. BONIOR. And also the economic democracy piece, I think people often overlook that aspect of organized workers of unions, of organized labor. What they brought to the democracy table of America. They infused America with a new group of people who were interested in government, in making sure that the city council worked, the school board worked, the State legislature worked, the Federal Government had representation that shared their views.

I think people often forget that it was a labor union movement in Poland that broke the back of Communism. It was Solidarity. Unions bring texture in many, many different ways. I think the gentlewoman from Connecticut has touched on one that moved me to respond.

Ms. DELAURO. My mother worked in a sweatshop.

Mr. BONIOR. I know she did.

Ms. DELAURO. In a sweatshop. It was because of the union movement, there are still problems, there are still sweatshops. We do not like to think about that, but that is the case. But we broke the back of that kind of work for people in this country and in this instance, in these industries, particularly for women, working for two pennies a collar or for 50 cents for making a whole dress and just slave labor. That is the guts of this.

I want to mention, you mentioned New Haven, Connecticut because we talk about what has happened in the past. We want to talk about modern day organizing and what we are about.

There was a recent, real big victory in New Haven, the labor movement, in organizing at the new Omni, the New Haven Omni hotel just this past April. The 230 employees, they won the right to openly choose their own union through a card check, union cards signed by a majority of the employees.

It was a real victory over the longstanding insistence of the corporation for a secret ballot. How did this occur in essence? It is, again, the new organizing, through community efforts, having local government, the Federal Government. I was proud to work with the union folks, civil rights groups, clergy, academics, students who worked together. They had hearings. They met with hotel managers. They threatened boycotts. But more than that, they participated in a dialogue.

It was a communitywide dialogue about why we needed for local 217 to be able to sign these cards to determine whether or not there would be a union there. That is the kind of engagement we need today. That is what is going on. And as you have said so often, we should not be afraid, as public servants, as public officials, to engage in this process, because it is not going to be something that is happening in isolation over here, where no one is paying attention, because the movement today, the union movement today is as relevant to people's lives for all the reasons that you gave and our colleague from California gave and so that it has got to be alive. It has got to be vibrant, and it has to be strong.

It is only through the engagement of those of us who oftentimes have a microphone and can serve with others that we can help to better the livelihood of those in our society today who, in fact, have seen their wages either stay the same or to go down over the last couple of decades. When we have seen the top of the scale, the CEOs, seeing their salaries increase and their stock options increase and people laid off in this country.

There are lots of other Members who want to engage in this effort. I am just truly proud to join here today, and it should not be only June 24. We ought to be speaking out. We ought to be organizing and helping to make sure that we have people with decent living wages better than that and that they have the kinds of workplace conditions that they are entitled to for their daily labor.

Mr. BONIOR. I thank my colleague for her comments. They are very apt and very well and passionately delivered.

I yield to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. As I listened to you and the gentlewoman, you just sort of sparked some memories of mine. And especially as we talked about how much a part of our democracy union organizing and the development of labor unions is. I am reminded that Benjamin Franklin, one of the fathers of the country, father of the Constitution, Franklin organized the printer's union and one of the very first unions that existed. I mean Benjamin Franklin, even then, understanding the need for people to come together.

Then we go down the line, Franklin Delano Roosevelt etched the right to organize into the legal component of our country, of our country. Martin Luther King was actually organizing sanitation workers in Memphis when he was killed. So there has always been a relationship between the quest for overall freedom and development of all people in this country and the organization of labor unions.

Actually, Benjamin Franklin was also an abolitionist, so there was an easing merging of the recognition of both.

One of the reasons, I think, that other nations with all of our problems, with all of our needs, but one of the reasons that other nations often seek to emulate us is because we have this ongoing component of struggle, never ending, always becoming, always recognizing, yes, we have made a lot of progress, we have come a long way, but there is still great distances to go.

□ 2200

We see plant closings all over America. We see individuals who have been displaced by the hundreds and thousands. An interesting statistic, the individuals who are displaced, generally, many of them never ever reach the point of earning the same amount of money afterwards that they were earning before they lost their basic job.

Mr. BONIOR. Mr. Speaker, can I share a story with the gentleman on that very point? I did not mean to interrupt, but I wanted to tell a little story that hits that very point.

I was on a bus trip down to Atlanta, Georgia with the gentleman from Georgia (Mr. LEWIS) and the gentleman from Massachusetts (Mr. DELAHUNT) and the gentleman from Michigan (Mr. STUPAK), a few of my colleagues.

We visited Lucent Industries. They made telephones. This company had lured people from all over the country to come to work in this sort of center gathering factory outside of Atlanta. After a while, they closed their shops and went to Mexico to make these phones.

I remember meeting a woman in the parking lot, because 300 of them showed up to greet us to talk about how they all lost their jobs. This woman by the name of, I think it was Annie Harris, told us she was being paid $13.50 an hour. She was a member of the Communication Workers. She had a pension. She had health care. She had a good job; $13.50 an hour to make these telephones.

When they closed up shop, she lost her job. They went to Mexico and paid

their workers $1 an hour to make their phones. She got, as the gentleman from Illinois (Mr. DAVIS) pointed out, another job. She worked a cash register at Target department store. She sold that same phone that she used to make for prices that are the same or more than they were being sold when she was making $13.50 an hour.

So it is right, people are working in this country. The unemployment rate has come down, but often, as the gentleman just pointed out, people who do not belong to unions today are working at levels far below what they were making when they had jobs where they were being represented by unions.

Mr. DAVIS of Illinois. The gentleman mentioned SEIU organizing, and I am reminded of an incident that recently happened in my community where I was just totally saddened.

There was an effort to organize a group of hospital workers. Some members of the African American community took the position that why should blacks join a labor union. They sort of launched a campaign by saying, well, the unions have not done anything for African Americans. I was pained, because I was saying to myself, ''How little you actually know. How little you really understand.''

A. Philip Randolph, who put together the Sleeping Car Porters, who became a group of very dignified individuals who traveled all over America taking not only information, not only doing their work, but oftentimes taking black newspapers to parts of the country where there were not any, taking the Chicago Defender, the Pittsburgh Courier, the Chronicle, papers and information.

So I just want to commend you, again, for putting together this opportunity for us to continue to raise our voices, to continue to recognize the need to implement those men and women who are on the firing lines every day, working to raise the quality of life and the level of living not only for themselves, but for all of America.

I certainly am pleased to join with the gentleman. I want to see the minimum wage raised to what becomes what we call a livable wage. I think America will flourish as we continue to organize and develop our people.

Mr. BONIOR. Mr. Speaker, I thank the gentleman very much for his thoughtful statements and his historical perspective on one of our Founding Fathers.

Mr. Speaker, I am happy to yield to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Speaker, first, I want to express my appreciation for the leadership that the distinguished gentleman from Michigan (Mr. BONIOR), the Democratic whip, has consistently given on the difficulties that working people experience in this country.

The gentleman's deep commitment to economic justice for wage earners is reflected in the work that he has done in this House, of which the special order on ''A Day To Make Our Voice Heard'' is a part. This is my first time, really, that I have participated in a special order since being elected to the House of Representatives.

Mr. BONIOR. We welcome the gentlewoman, and we appreciate her participating and speaking out on this issue.

Ms. LEE. Yes. I am proud that my first time out is about the importance of labor unions and working men and women and how they have enhanced and continue to struggle to enhance the quality of life for all Americans.

On June 24, working women and men all over this country will rise to speak out about their efforts to improve their and their families' lives. Many of these working people have joined with others in unions to strengthen their individual efforts to better their lives.

In organizing as groups of workers, there are many stories of successes, but there are also tragic stories of heartaches in these attempts. Some of us forget, and younger ones have not been taught, that part of the American economic miracle of our country is the value placed on labor.

With the enormous exception of the labor forced from captured, enslaved Africans and indentured labor from Asia and other continents, the price of labor in the United States, as compared to the rest of the world, was high.

African Americans have a proud history of organizing. We know that early labor organizers suffered broken bones and death on the picket line. As difficult as these battles were, we know that it was even more trying for African Americans.

We can be proud of brother C. L. Dellums, the uncle of my predecessor, Congressman Ronald V. Dellums. C. L. Dellums, from Oakland, California, was one of the primary organizers of the Sleeping Car Porters Union and the California counterpart to the A. Philip Randolph Trade Union Movement.

The Sleeping Car Porters Union was the first black union. The establishment of this union changed the perception of African Americans in America. Prior to that time, African Americans were brought in to break strikes by taking advantage of their financial oppression. We just heard from the gentleman from Illinois (Mr. DAVIS) that this is still occurring in this country. Employers use the classic strategy of pitting oppressed worker against oppressed worker, black, white, Asian, Latino.

The formation of this black union changed the whole labor dynamic in America because black labor could see that we could be part of a union movement, and thus this was a very significant step in the American labor movement.

These bloody battles waged by our labor progenitors brought better wages, health care, pensions, housing for workers. But we also know that battles, even those that were won at great costs, were not known or valued by those who did not struggle. So we have to learn and fight anew.

We do have recent successes. One, of course, is the defeat of Proposition 226 in California in the last June primary.

Mr. BONIOR. Mr. Speaker, it was a fascinating effort and wonderful effort by workers coming across California to make this happen. Someone told me that 26,000 people were activated to defeat this antiworker provision.

Ms. LEE. Mr. Speaker, the gentleman is absolutely correct. But it was not only defeated by labor unions and workers, it was a coalition of young people and unemployed. It was a fabulous coalition. I believe that is a testament as to what is really going on in this country.

This was an attempt to block employee contributions to unions. Yet, it would have continued to allow corporate contributions to political campaigns. The issue alarmed and energized voters all over California and all over the country and brought out 7 percent more voters actually in my district. Proposition 226 was defeated 53 percent to 47 percent.

Flowing from that success is the failed attempt now to place a similar bill on Nevada's ballot. A Nevada court ruled that the proposal was a violation of the First Amendment right of free speech. But workers who try to gain decent, living wages and working conditions oftentimes have to pay dearly for their successes.

Were working conditions and wages adequate, working people would not spend the time or the money or expose themselves to the dangers, and there are some real dangers that come with fighting for economic justice.

A decision to strike only follows when workers collectively blow the whistle on work conditions. It is really the final straw used to get the attention of the employer.

The employer's retaliatory lockouts, business closures, and transfers of operation to Mexico, Indonesia, and China, with their pools of exploited labor, threaten the very livelihood of workers and their families here in America.

Workers take action knowing that the cost of gaining dignity at work is the likely destruction of their livelihood and family economic security. We need international unions to protect workers all over the world.

Let me just tell you, in California, workers who live in my district and who work in Burlington Northern/Santa Fe's Richmond Intermodal Yard were fired because they joined the ILWU last September. As soon as they negotiated decent wage and benefits at $12 an hour, the railroad took away the contract to load and unload its trains and gave it to another contractor, Parsec, a company with a long history of union busting.

According to the 1998 newsletter called Labor Notes, a worker named Sabrina Giles went to work 7 years ago keeping track of huge shipments at the

yard. Over the years, she trained one worker after another in the difficult art of tracking the million-dollar cargos shipped by giant corporations.

But while others moved up to better jobs and higher pay, she stayed on in one place watching her wages inch slowly from $8 to $9.50 an hour. The people she saw moving ahead were mostly white, she says, the friends and relatives of supervisors. According to Giles, who is an African American woman, this yard was full of favoritism, racism, and sexism.

A couple of points on the farm workers in California I would like to mention. Farm workers have been struggling for decades for the right to organize and have minimally decent working conditions. The situation of the strawberry workers in Watsonville, California is extreme and has consequences not only for the workers but for their children.

The most dangerous life-threatening aspect of their work is constant exposure to a wide range of very powerful pesticides and insecticides. Women farm workers suffer the additional burden of sexual harassment.

A third problem concerns not only the health of the worker, but the health of the consumers of strawberries and other produce because of the lack of toilet facilities in the field. Why do we wait until we have a severe epidemic of hepatitis before we react? The problem has persisted over and over and over again.

Also we are looking at the issue of janitors on the West Coast that are mostly immigrant men and women. They work for minimum wages, for no benefits, more than the normal workload, and many of these workers are employed by contractors who sometimes keep up to 50 percent of their wages.

We held hearings when I was in the California Senate, and we found that contractors negotiated a dollar amount for the contract. Subsequent to that, they paid the workers about 50 percent less than what they were being reimbursed for. Unfortunately, these workers now have no benefits. And now they are trying to circumvent the unions by having their employees form company unions, which offer substantial benefits and circumvent any effort to improve the working conditions.

So the Janitors for Justice effort to improve working conditions continues, and we will not rest until each and every janitor is treated with justice and with fairness.

Finally, and let me just say, most of my colleagues I know serve constituents, the majority of whom are not CEOs and millionaires. So I urge this Congress to react by enacting legislation that supports working people.

I want to thank the gentleman from Michigan (Mr. BONIOR) for allowing the American people to hear stories tonight of the importance of our labor union movement and the actual successes and the struggles of working men and women in this country.

Mr. BONIOR. I thank the gentlewoman from California (Ms. LEE) for her comments and her passionate concern about this issue and for talking about 226 and the farm workers and the janitors that need justice and for her comments. We thank her for participating tonight.

Mr. Speaker, I yield to my friend the gentleman from Texas (Mr. GREEN), my good friend, for comments.

Mr. GREEN. Mr. Speaker, I thank our Democratic whip for organizing this special order in recognition of June 24, when American workers will use the day to celebrate victories we have had in protecting the right to organize and bargain collectively to improve living standards and working conditions. This is an important day I think we need to remember but also recognize we still have a long way to go.

The right to join a union is a basic civil right, and unions are an avenue to equity, fair treatment, and economic stability for working people. I know hearing my colleagues tonight, and the gentleman mentioned it earlier, around the world, the right to bargain collectively and independently is so important to industrialized democracies; in Poland, the success of the solidarity union. Around the world, in China and some of our, both competitors and countries we try to work with, the right to organize and bargain collectively is so important.

□ 2215

Let me just give a small commercial. I have a bill, H.R. 2848, the Labor Relations First Contract Negotiations Act. The bill was introduced to allow rights of employees to organize and bargain collectively for living standards. This bill would require mediation and ultimately arbitration if an employer and newly elected representative had not reached a collective bargaining agreement within 60 days. We have time after time in our country right now where there is an election, yet there is no contract months and months afterwards. Yet the workers have voted to have union representation. That bill is important. I would like to see if we had a bill this session I could at least have a debate on that piece of legislation so we can move that further, so they do not necessarily get bogged down in NLRB by both sides oftentimes, and either management or labor could exercise that right.

Let me talk about something that is happening in Harris County, in Houston, Texas on the 24th. Our Harris County AFL–CIO is having a Justice Bus Tour. Let me talk about the five stops they are going to have. One of them is our new baseball stadium that a lot of us supported in downtown Houston that is being predominantly built by nonunion labor. The building trades are fighting for fair wages and a voice for those workers. In fact, the International Union of Operating Engineers is currently conducting an organizing campaign with the crane operators there at that site. All of us love baseball. I know the gentleman does, too. I love the Houston Astros. We would like to make sure that the people building that stadium are being paid a fair wage.

The second stop is not actually in my district, where the Oil, Chemical and Atomic Workers Union, Local 4–227 has been locked out of Crown Petroleum for 2 years. I have been out there for those anniversaries of that lockout, I have spoken at the union hall about Crown Petroleum's not being able to negotiate with their workers who are my constituents and live all over Harris County but the plant is actually in my district. That is so wrong for those workers there.

The third stop will be at Union Tank Car Company. Last April, the United Steel Workers won an election for the workers by a two to one margin. The company disregarded the workers' choice and used delaying tactics and legal challenges to overturn the election. The workers there will speak to the fact that Union Tank Car disrespected the decision made by its workers and is using a variety of tactics to keep the union out. Over 100 workers are expected to meet that justice bus there at that location. The event is also being coordinated with one of the company's headquarters in Chicago, so between Houston and Chicago hopefully we will get Union Tank Car's attention.

The fourth stop will be at a Kroger grocery store represented by United Food and Commercial Workers, both Locals 408 and 455. The grocery store workers will award Kroger for being such a good employer that respects their workers. They will also thank Kroger for its support for the United Farm Workers in their organizing efforts for the strawberry workers in California.

Mr. BONIOR. Mr. Speaker, I think that is a really important point, that we recognize the corporations and the companies who respect their workers and treat them with dignity. I am glad that part of the justice bus tour in Houston is going to do that, is going to let the community know that these people are really part of the community, they care about it, they care about the workers and the people who shop in their store. Kroger deserves a lot of credit.

Mr. GREEN. There is both positive and negative reinforcement in this tour. Another stop will be at Columbia Lighting, represented by the IBEW, International Brotherhood of Electrical Workers Local 716. The company tried to decertify, but they lost the election and so that company shut down that plant. That is so wrong at Columbia Lighting. The workers will talk about that company's attempt to get rid of the union. They failed on decertification but now they are just shutting the plant down.

We have a long way to go. We have a lot of success, a great history in our

country of recognizing workers, their right to organize. We have a long way to go. I want to thank the gentleman from Michigan (Mr. BONIOR) for his effort tonight and look forward to continue working with him to make sure that not only do we fight for justice all over the world for workers but we also recognize we have to fight for it in our own country.

Mr. BONIOR. Mr. Speaker, I thank the gentleman from Texas for all his support and help and for coming and staying late this evening to express his views on this.

Mr. Speaker, I yield to the gentleman from New Jersey (Mr. PAYNE).

Mr. PAYNE. I thank the gentleman for yielding.

Mr. Speaker, let me congratulate the gentleman from Michigan (Mr. BONIOR) for the outstanding work that he continues to do and my colleagues who have taken time tonight to talk about this very important issue. I applaud working Americans, because on Wednesday, June 24, we will support workers' rights to organize a union. We know that this voice will be heard nationwide. They will share with us their desire to improve the working conditions and how unions help them achieve their goals for a better workplace.

Unions are good for America. They emphasize the fact that organizing unions is the basic American way. I believe that it is also important that we come together to promote policies which will help working people.

It has been documented that 77 percent of employers distribute anti-union literature, and that 50 percent of employers in one study threatened to fire all workers if they joined a union. Such anti-union efforts harm working Americans. First, on average, nonunion workers earn 33 percent less than their union counterparts. Second, these activities hamper the ability of working Americans to express their views on their work experience to their employer.

Mr. Speaker, we have seen this Congress try to suppress the voices of workers. They have attempted to pass legislation which would eliminate the ability of working families to participate in political activity cloaked under the guise of campaign reform. They have attacked the National Labor Relations Board, the body responsible for enforcing the National Labor Relations Act. Because those efforts have been unsuccessful, they have sought to overturn the National Labor Relations Act itself.

ON WORKERS' RIGHTS TO ORGANIZE

The SPEAKER pro tempore (Mr. BLUNT). Under a previous order of the House, the gentleman from New Jersey (Mr. PAYNE) is recognized for 5 minutes.

Mr. PAYNE. Mr. Speaker, as I had indicated, there are a number of moves that have been done in this Congress.

I started to talk about the fact that there is a Section A(2)(a) in the National Labor Relations Act which gives the board equal footing. It is pro-labor, it is pro-corporate. But there is an attempt now to weaken the labor part of the National Labor Relations Act.

We have seen the TEAM Act, which is a bill that would allow the employer, the boss, to select a negotiating team. I think that we know that if you have the ability to pick the people who will negotiate with you, you will indeed select the weaker person.

There is an attempt in the District, in an appropriations bill, there was an attempt to eliminate Davis-Bacon on school construction in the District of Columbia. Davis-Bacon was a bill passed by two Republicans who wanted to keep the prevailing wage for working people when scalawags and carpetbaggers came in to drop the wages from the South into the North. Here we see an attempt to repeal the Davis-Bacon Act.

We have seen an attempt to end salting. Salting is simply a union worker who works in a nonunion shop, holds a card and on his time off, after work, on lunch hour, he may talk to other employees about perhaps becoming a member of a union. There is a bill working its way through the House to make it illegal for a person who is a salter to work.

We have seen the comp time. I worked on the clock. I drove a truck. I was a warehouseman, I was a lumber worker, I was a longshoreman, I was a waiter. Overtime was what was important as I worked my way through college and worked to keep my family's income high enough to support my family. The comp time bill will eliminate overtime. You will then get time off when the employer finds that there is time that things are slow. That is not fair. People need overtime. Low wage workers look forward to overtime. That is the only way they are able to make ends meet.

Mr. Speaker, I would just like to say that we must continue to push. June 24 is a time that we should all come together.

Mr. Speaker, I yield to the minority whip to allow him to wrap up this outstanding job that he has done.

Mr. Speaker, I rise this evening to applaud working Americans who on Wednesday, June 24th will make their support for the right to organize a union heard nationwide. They will share with us their desire to improve their working conditions and how unions have helped them achieve their goals for a better workplace. They will emphasize the fact that organizing unions is a basic legal right of all Americans. I believe that it is also a basic need for working Americans. Workers need to have the ability to join together and promote policies which advance their best interests. If workers are unable to express their views in an organized way, their voices will be silenced. Many companies and industry leaders support unions.

However, still others work to keep unions out of their shops and factories in an effort to silence the voices of their employees. For example, it has been documented that 77 percent of employers distribute anti-union literature and 50 percent of employers in one study threatened to fire all workers if they joined a union. Such anti-union efforts harm the working American in many ways. First, on average non-union workers earn 33 percent less than their union counterparts.

Second, these activities hamper the ability of working Americans to express their views on their work experience to their employer. And most importantly, anti-union efforts block working Americans from being involved with industry decisions that affect their lives and the lives of their families.

The Republican-led Congress has done their part to suppress the voices raised in support of working Americans. They have attempted to pass legislation which would have eliminated the ability of working families to participate in political activity cloaked under the guise of campaign finance reform.

They have attacked the National Labor Relations Board, the body responsible for enforcing the National Labor Relations Act. And because those efforts have been unsuccessful, they have sought to overturn the National Labor Relations Act itself. We have seen the TEAM Act which allows the employer to select the negotiating team for the employees which would give the employer, the boss, unfair advantage in the negotiations. In an attempt to repeal *Davis-Bacon,* the prevailing wage law here in the District of Columbia for school construction there is a move to pass a law which will eliminate salting, a person who is a union member working at a non-union shop who on his or her own time tries to encourage people to consider becoming a member of a union. The Republican Party is opposing the proposed increase in the minimum wage. The Comp Time Bill which eliminates overtime because workers will be required to work overtime at straight time and will be given comp time at a later time.

The stakes are high. With all the anti-union sentiment among employers and the support that they have here among the Republican leadership in Congress, workers now more than ever before, must be empowered to advocate for and effect change in their working conditions.

There is no doubt that without unions, we will silence the average hard-working American. Such silence will only widen the income gap and increase the number of dissatisfied workers. That is why June 24th is important.

On that day we must celebrate those who have come together and worked for better representation and respect through union involvement. We also must make more Americans aware of their right to organize and help them not to be discouraged by their employers in their effort to organize.

In closing, I urge my colleagues here in Congress to support American workers everywhere by recognizing and celebrating the importance of union organization on Wednesday, June 24th.

Mr. BONIOR. I thank the gentleman for yielding.

Mr. Speaker, let me just conclude with this final remark. The people that we are talking about tonight are the people who take care of our children in day care, the right for them to organize; the people who take care of our

parents and grandparents in elder care, the people who clean our offices, the people who make our roads and our bridges and build our buildings. These are the workers of the country. They have a right, a fundamental American, democratic right to come together and to organize and to bargain for their work, for decent wages, for good benefits. They are a part of the community. What we are saying this evening is that their rights to bargain collectively together, to organize, are being impeded in a way that none of us thought was possible nor would happen when the laws were developed, taking 2, 3, 4, 5, sometimes 6 and 7 years to get organized by the National Labor Relations Board because of all the loopholes in the law today. We need to come together as a community, religious leaders, civic leaders, political leaders, and stand up and say, ''This is wrong. Folks have a right to come together and to organize.''

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. CARSON (at the request of Mr. GEPHARDT) for today on account of official business.

Mr. OWENS, (at the request of Mr. GEPHARDT) for today, on account of business in the district.

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 Mrs. MINK of Hawaii) to revise and extend their remarks and include extraneous material:)

Mr. CONYERS, for 5 minutes, today.

Mr. FILNER, for 5 minutes, today.

Mr. MINGE, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. BERMAN, for 5 minutes, today.

Mr. FROST, for 5 minutes, today.

Mr. POMEROY, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mr. BONIOR, for 60 minutes, today.

Mr. OWENS, for 60 minutes, today.

(The following Members (at the request of Mr. FOX of Pennsylvania) to revise and extend their remarks and include extraneous material:)

Mr. INGLIS of South Carolina, for 5 minutes, on June 23.

Mr. MILLER of Florida, for 5 minutes, on June 23.

Mr. FOX of Pennsylvania, for 5 minutes, today.

Mr. SMITH of Michigan, for 5 minutes, on June 23.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. PAYNE, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mrs. MINK of Hawaii) and to include extraneous material:)

Mr. KANJORSKI.

Mr. LIPINSKI.

Mr. PASCRELL.

Mr. ROTHMAN.

Mr. MCDERMOTT.

Mr. BERMAN.

Ms. JACKSON-LEE of Texas.

Mr. KIND.

Mr. ACKERMAN.

Mr. MILLER of California.

Mr. PAYNE.

Mr. CONYERS.

Mr. RAHALL.

(The following Members (at the request of Mr. FOX of Pennsylvania) and to include extraneous material:)

Mr. BOB SCHAFFER of Colorado.

Mr. MCCOLLUM.

Mr. GILMAN.

Mr. DELAY.

Mrs. EMERSON.

Mr. HORN.

Mr. GUTKNECHT.

Mr. COBLE.

Mr. BLILEY.

(The following Members (at the request of Mr. BONIOR) and to include extraneous material:)

Mr. PRICE of North Carolina.

Mr. HALL of Texas.

Mr. ABERCROMBIE.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 10 o'clock and 28 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, June 23, 1998, at 9 a.m. for morning hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

9773. A letter from the Assistant Secretary, Office of Special Education and Rehabilitative Services, Department of Education, transmitting a notice of the Final Funding Priorities for Rehabilitation Research and Training Centers, pursuant to 20 U.S.C. 1232(f); to the Committee on Education and the Workforce.

9774. A letter from the Acting Assistant General Counsel for Regulations, Department of Education, transmitting the Department's final rule—Notice of Final Funding Priorities for Fiscal Years 1998–1999 for Certain Centers and Projects—received June 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

9775. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Safety Standards [Docket No. NHTSA 98–3949] (RIN: 2127–AG58) received June 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9776. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—License Applications for Certain Items Containing Byproduct Material (RIN: 3150–AF76) received June 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9777. A letter from the Director, Defense Security Assistance Agency, transmitting a copy of Transmittal No. 15–98 which is regarding Amendment 2 to the Agreement between the U.S. and Israel for the Arrow Deployability Program (ADP), pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

9778. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report of Political contributions by nominees as chiefs of mission, ambassadors at large, or ministers, and their families, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on International Relations.

9779. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

9780. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12–369, ''Police Officers, Fire Fighters, and Teachers Retirement Benefit Replacement Plan Act of 1998,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform and Oversight.

9781. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12–370, ''International Fuel Tax Agreement Amendment Act of 1998,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform and Oversight.

9782. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12–368, ''Public Employee Relations Board Amendment Act of 1998,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform and Oversight.

9783. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12–359, ''Uniform Statutory Form Power of Attorney Act of 1998,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform and Oversight.

9784. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12–362, ''Eastern Market Open Air Retailing Second Temporary Act of 1998,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform and Oversight.

9785. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12–361, ''Moratorium on the Issuance of New Retailer's Licenses Class B and Closing of a Public Alley in Square 5259, S.O. 92–45, Applicant Extension Temporary Amendment Act of 1998,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform and Oversight.

9786. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12–360, ''Designation of Excepted Service Positions Temporary Amendment Act of 1998,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform and Oversight.

9787. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12–358, ''Library and Public Housing Drug Free Zone Amendment Act of 1998,'' pursuant to D.C. Code section 1–

233(c)(1); to the Committee on Government Reform and Oversight.

9788. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12–373, ''Health Insurance Portability and Accountability Federal Law Conformity, Motor Vehicle Insurance, Regulatory Reform, and Consumer Law Temporary Amendment Act of 1998,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform and Oversight.

9789. 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; Additions and Deletions—received June 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

9790. A letter from the Acting Chair, Fish and Wildlife Service, transmitting the Service's final rule—Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D—1998–1999 Subsistence Taking of Fish and Wildlife Regulations (RIN: 1018–AE12) received June 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9791. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries Off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Whiting Closure for the Mothership Sector [Docket No. 971229312–7312–01; I.D. 052898A] received June 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9792. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Cessna Aircraft Company Model 182S Airplanes [Docket No. 98–CE–59–AD; Amendment 39–10598; AD 98–13–10] (RIN: 2120–AA64) received June 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9793. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Changes in accounting periods and in methods of accounting [Revenue Procedure 98–39] received June 16, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

9794. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Certain Transfers of Stock or Securities by U.S. Persons to Foreign Corporations and Related Reporting Requirements [TD 8770] (RIN: 1545–AP81; RIN: 1545–AI32) received June 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. YOUNG of Alaska: Committee on Resources. House Joint Resolution 113. Resolution approving the location of a Martin Luther King, Jr. Memorial in the Nation's Capital (Rept. 105–589). Referred to the Committee of the Whole House on the State of the Union.

Mr. LIVINGSTON: Committee on Appropriations. Report on the Suballocation of Budget Totals for Fiscal Year 1999 (Rept. 105–590). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Florida: Committee on Appropriations. H.R. 4103. A bill making appropriations for the Department of Defense for the fiscal year ending September 30, 1999, and for other purposes (Rept. 105–591). Referred to the Committee of the Whole House on the State of the Union.

Mr. KOLBE: Committee on Appropriations. H.R. 4104. A bill making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1999, and for other purposes (Rept. 105–592). Referred to the Committee of the Whole House on the State of the Union.

Mr. SOLOMON: Committee on Rules. House Resolution 482. Resolution providing for consideration of the bill (H.R. 4101) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1999, and for other purposes (Rept. 105–593). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of Rule X and clause 4 of Rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. SCHUMER:

H.R. 4102. A bill to establish an early childhood education services referral hotline; to amend the Child Care and Development Block Grant Act of 1990 to authorize additional appropriations and to authorize activities to improve the quality of child care services; to amend the Internal Revenue Code of 1986 to provide credit for employer expenses in providing certain dependent care services, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Florida:

H.R. 4103. A bill making appropriations for the Department of Defense for the fiscal year ending September 30, 1999, and for other purposes.

By Mr. KOLBE:

H.R. 4104. A bill making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1999, and for other purposes.

By Mr. COX of California:

H.R. 4105. A bill to establish a national policy against State and local interference with interstate commerce on the Internet, to exercise congressional jurisdiction over interstate commerce by establishing a moratorium on the imposition of exactions that would interfere with the free flow of commerce via the Internet, to establish a national policy against federal and state regulation of Internet access and online services, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Commerce, Ways and Means, and Rules, 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. ABERCROMBIE:

H.R. 4106. A bill to amend the Internal Revenue Code of 1986 to allow businesses a deduction for meals provided employees on premise, and for other purposes; to the Committee on Ways and Means.

By Mr. MCCOLLUM:

H.R. 4107. A bill to establish the United States Immigration Court; to the Committee on the Judiciary.

By Mr. GANSKE:

H. Con. Res. 293. Concurrent resolution expressing the sense of the Congress on the importance of enacting patient protection legislation; to the Committee on Commerce, and in addition to the Committees on Education and the Workforce, and 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 Ms. WATERS (for herself, Mr. CONYERS, Mr. CLAY, Mr. STOKES, Mr. RANGEL, Mr. DIXON, Mr. OWENS, Mr. TOWNS, Mr. LEWIS of Georgia, Mr. PAYNE, Ms. NORTON, Mr. JEFFERSON, Mrs. CLAYTON, Mr. BISHOP, Ms. BROWN of Florida, Mr. CLYBURN, Mr. HASTINGS of Florida, Mr. HILLIARD, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. MCKINNEY, Mrs. MEEK of Florida, Mr. RUSH, Mr. SCOTT, Mr. WATT of North Carolina, Mr. WYNN, Mr. THOMPSON, Mr. FATTAH, Ms. JACKSON-LEE, Mr. JACKSON, Ms. MILLENDER-MCDONALD, Mr. CUMMINGS, Ms. CARSON, Ms. CHRISTIAN-GREEN, Mr. DAVIS of Illinois, Mr. FORD, Ms. KILPATRICK, Mr. MEEKS of New York, and Ms. LEE):

H. Con. Res. 294. Concurrent resolution recognizing the 50th Anniversary of the integration of the Armed Forces, and for other purposes; to the Committee on National Security.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII,

Ms. LEE introduced a bill (H.R. 4108) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel SARAH B; which was referred to the Committee on Transportation and Infrastructure.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 306: Mr. TAYLOR of Mississippi, Mr. MENENDEZ, and Mr. PAPPAS.

H.R. 687: Mr. POSHARD and Ms. LEE.

H.R. 902: Mr. PICKERING.

H.R. 953: Mr. LEVIN and Ms. LEE.

H.R. 1061: Ms. STABENOW and Mr. LAFALCE.

H.R. 1126: Mr. MINGE and Mr. ROEMER.

H.R. 1134: Mr. LAZIO of New York.

H.R. 1202: Ms. HOOLEY of Oregon, Mr. KIND of Wisconsin, and Mr. BARRETT of Wisconsin.

H.R. 1689: Mr. ANDREWS.

H.R. 1712: Mr. HILL.

H.R. 1858: Ms. LEE.

H.R. 2124: Mr. BLILEY.

H.R. 2198: Mr. LAZIO of New York.

H.R. 2281: Mr. PICKERING.

H.R. 2380: Mr. NUSSLE.

H.R. 2733: Mr. BARCIA of Michigan, Ms. WOOLSEY, Mr. MORAN of Kansas, Mr. STARK, Mr. HOOLEY of Oregon, Mr. BILBRAY, and Mr. ROTHMAN.

H.R. 2923: Mr. BLUMENAUER.

H.R. 3179: Mr. NADLER.

H.R. 3240: Mr. FILNER.

H.R. 3293: Mr. LANTOS and Ms. KILPATRICK.

H.R. 3396: Mr. BISHOP, Mr. MINGE, Mr. METCALF, and Mr. LAMPSON.

H.R. 3400: Ms. JACKSON-LEE and Mr. FORD.

H.R. 3514: Mr. POSHARD.

H.R. 3594: Mr. PAUL and Mrs. EMERSON.

H.R. 3604: Mr. STARK.

H.R. 3605: Mr. BRADY of Texas.

H.R. 3634: Mr. HOYER, Mr. BEREUTER, Mr. MCINTYRE, Mr. CHAMBLISS, Mr. BOYD, Mrs. CLAYTON, Mr. BENTSEN, Mrs. MYRICK, Mr. PRICE of North Carolina, Mr. CAMPBELL, Mr. LEWIS of Kentucky, Mr. SOUDER, Mr. EHLERS, Mr. KNOLLENBERG, Mr. BACHUS, Mr. WATTS of Oklahoma, Mr. THORNBERRY, Mr. BAESLER, Mr. WALSH, Mr. HAYWORTH, Mr. SESSIONS, Mr. LARGENT, Mr. COMBEST, Mr. JOHN, Mr. SMITH of New Jersey, Mr. TANNER, Mr. SMITH of Texas, Mr. MANZULO, and Mr. RAHALL.

H.R. 3636: Mr. FARR and California.

H.R. 3684: Mrs. CUBIN.

H.R. 3722: Mr. REDMOND.

H.R. 3736: Mr. THORNBERRY and Mr. CAMPBELL.

H.R. 3783: Mr. DOOLITTLE.

H.R. 3795: Mrs. LOWEY and Mrs. ROUKEMA.

H.R. 3875: Ms. ROYBAL-ALLARD, Mr. DIXON, Mr. BLUMENAUER, and Mr. STARK.

H.R. 3923: Mr. BAESLER and Mr. BUNNING of Kentucky.

H.R. 3940: Mr. FILNER, Mr. TORRES, and Mr. MCDERMOTT.

H.R. 3941: Mr. BAESLER.

H.R. 3949: Mr. HOSTETTLER, Mr. NETHERCUTT, Mr. TURNER, Mr. GOODLING, Mr. BARTLETT of Maryland, Mr. BURTON of Indiana, Mr. BLILEY, Mr. PETERSON of Minnesota, Mr. GORDON, and Mr. PORTMAN.

H.R. 3975: Mr. SOUDER.

H.R. 3980: Mr. SANDLIN.

H.R. 3985: Ms. CARSON, Mr. LUTHER, and Mr. RILEY.

H.R. 3990: Mr. KANJORSKI and Mr. MANTON.

H.R. 4019: Mr. TAYLOR of North Carolina and Mr. PACKARD.

H.R. 4070: Mr. MCGOVERN.

H.R. 4078: Ms. CHRISTIAN-GREEN, Mr. PASCRELL, Mr. JACKSON, and Mr. SISISKY.

H.J. Res. 123: Mr. DUNCAN, Mr. CHAMBLISS, Mr. LEACH, Mr. WATTS of Oklahoma, and Mr. FOLEY.

H. Con. Res. 55: Mr. SAXTON.

H. Con. Res. 203: Mr. LAHOOD and Mr. WALSH.

H. Con. Res. 274: Mr. MCCOLLUM, Mr. SCARBOROUGH, Mr. FROST, and Mrs. MORELLA.

H. Con. Res. 278: Mr. FOSSELLA, Mr. PETERSON of Pennsylvania, Mr. HEFLEY, Mr. WATTS of Oklahoma, Mr. KIM, Mr. CHRISTENSEN, and Mr. HILLEARY.

H. Con. Res. 287: Ms. KILPATRICK.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 2908: Mr. WATT of North Carolina.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 4101

OFFERED BY: MR. BASS

AMENDMENT NO. 2: Insert before the short title the following new section:

SEC. (a) LIMITATION ON USE OF FUNDS.—Not more than $18,800,000 of the funds made available in this Act may be used for the Wildlife Services Program under the heading ''ANIMAL AND PLANT HEALTH INSPECTION SERVICE.''

(b) CORRESPONDING REDUCTION IN FUNDS.—The amount otherwise provided by this Act for salaries and expenses under the heading ''ANIMAL AND PLANT HEALTH INSPECTION SERVICE'' is hereby reduced by $10,000,000.

H.R. 4101

OFFERED BY: MR. DOOLEY OF CALIFORNIA

AMENDMENT NO. 3: Add after the final section the following new section:

SEC. ____. The amounts otherwise provided by this Act are revised by reducing the amount made available for the Department of Agriculture for special grants for agricultural research under the heading ''RESEARCH AND EDUCATION ACTIVITIES-COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE'' and providing an additional amount for the Department of Agriculture (consisting of $49,273,000 for section 401 of the Agricultural Research, Extension, and Education Act of 1998 notwithstanding section 730), both in the amount of $49,273,000.

H.R. 4101

OFFERED BY: MR. FOLEY

AMENDMENT NO. 4: Page 69, after line 14, insert the following section:

SEC. 739. None of the funds made available in this Act to the Food and Drug Administration may be expended to implement or enforce any rule that prohibits the manufacture, distribution, or sale of metered-dose inhalers that use chlorofluorocarbons.

H.R. 4101

OFFERED BY: MR. HALL OF OHIO

AMENDMENT NO. 5: Page 13, line 14, insert ''(reduced by $8,000,000)'' after the dollar figure.

Page 14, line 24, insert ''(reduced by $8,000,000)'' after the dollar figure.

Page 15, line 18, insert ''(reduced by $9,000,000)'' after the dollar figure.

Page 17, line 4, insert ''(reduced by $9,000,000)'' after the dollar figure.

Page 48, line 9, insert ''(increased by $10,000,000)'' after the dollar figure.

H.R. 4101

OFFERED BY: MR. NEUMANN

AMENDMENT NO. 6: Add after the final section the following new section:

SEC. ____. None of the funds appropriated or otherwise made available by this Act may be used to make available or administer, or to pay the salaries of personnel of the Department of Agriculture who make available or administer, a nonrecourse loan to a producer of quota peanuts during fiscal year 1999 under section 155 of the Agricultural Market Transition Act (7 U.S.C. 7271) at a national average loan rate in excess of $550 per ton for quota peanuts.

H.R. 4101

OFFERED BY: MR. OBEY

AMENDMENT NO. 7: Strike out section 736.

H.R. 4101

OFFERED BY: MR. PETRI

AMENDMENT NO. 8: At the end of section 736 (page 68, line 2), add the following new sentence: ''Notwithstanding section 147(3) of the Agricultural Market Transition Act (7 U.S.C. 7256(3)), congressional consent for the Northeast Interstate Dairy Compact shall terminate on April 4, 1999.

H.R. 4101

OFFERED BY: MR. PETRI

AMENDMENT NO. 9: Add after the final section the following new section:

SEC. ____. None of the funds made available in this Act may be used to assist or cooperate with, or to pay the salaries of personnel of the Department of Agriculture who assist or cooperate with, the Northeast Interstate Dairy Compact referred to in section 147 of the Agricultural Market Transition Act (7 U.S.C. 7256) after April 4, 1999.

H.R. 4101

OFFERED BY: MR. SANDERS

AMENDMENT NO. 10: In the item in title I relating to ''RESEARCH AND EDUCATION ACTIVITIES'' under the heading ''COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE'', insert after the dollar amount relating to ''sustainable agriculture research and education'' the following: ''(increased by $2,000,000)''.

In the item in title I relating to ''RESEARCH AND EDUCATION ACTIVITIES'' under the heading ''COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE'', insert after the final dollar amount the following: ''(increased by $2,000,000)''.

In the item in title I relating to ''SALARIES AND EXPENSES'' under the heading ''ANIMAL AND PLANT HEALTH INSPECTION SERVICE'', insert after the first dollar amount the following: ''(reduced by $2,000,000)''.

H.R. 4101

OFFERED BY: MR. SANDERS

AMENDMENT NO. 11: Page 35, line 3, insert after the dollar amount ''(increased by $10,000,000)''.

Page 53, line 13, insert after the second dollar amount ''(reduced by $10,000,000)''.

H.R. 4101

OFFERED BY: MR. SANDERS

AMENDMENT NO. 12: In the item in title III relating to ''SALARIES AND EXPENSES'' under the heading ''RURAL BUSINESS-COOPERATIVE SERVICE'', insert after the first dollar amount the following: ''(increased by $5,000,000)''.

In the item in title V relating to ''EXPORT CREDIT'' under the heading ''FOREIGN ASSISTANCE AND RELATED PROGRAMS'', insert after the dollar amount the following: ''(reduced by $5,000,000)''.

H.R. 4101

OFFERED BY: MR. SANDERS

AMENDMENT NO. 13: In the item in title IV relating to ''FOOD DONATIONS PROGRAMS FOR SELECTED GROUPS'', insert after the dollar amount ''(increased by $10,000,000)''.

In the item in title VI relating to ''FOOD AND DRUG ADMINISTRATION—SALARIES AND EXPENSES'', insert after the second dollar amount ''(reduced by $10,000,000)''.

H.R. 4101

OFFERED BY: MR. SANDERS

AMENDMENT NO. 14: Add after the final section the following new section:

SEC. ____. For an additional amount for the Department of Agriculture (consisting of an additional $10,000,000 for ''RURAL COMMUNITY ADVANCEMENT PROGRAM''), and none of the funds made available in this Act may be used to implement or otherwise carry out the amendments made by section 737, $10,000,000.

H.R. 4101

OFFERED BY: MRS. LINDA SMITH OF WASHINGTON

AMENDMENT NO. 15: Add after the final section the following new section:

SEC. ____. None of the funds made available in this Act to the Department of Agriculture may be used to make available or administer, or to pay the salaries of personnel of the Department of Agriculture who make available or administer, any crop insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) or noninsured crop disaster assistance under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333) for tobacco.

H.R. 4103

OFFERED BY: MR. SANDERS

AMENDMENT NO. 1: At the end of title VIII (page ____, after line ____), insert the following new section:

SEC. ____. None of the funds appropriated or otherwise made available by this Act may be used to enter into or renew a contract with any company owned, or partially owned, by the People's Republic of China or the People's Liberation Army of the People's Republic of China.

H.R. 4103

OFFERED BY: MR. SANDERS

AMENDMENT NO. 2: At the end of title VIII (page ____, after line ____), insert the following new section:

SEC. ____. The amounts otherwise provided by this Act are revised by reducing the total amount provided in title IV for research, development, test, and evaluation for federally funded research and development centers and increasing the amount provided in title II for the StarBase National Guard program by $9,000,000 and $6,000,000, respectively.

H.R. 4104

OFFERED BY: MR. SANDERS

AMENDMENT NO. 1: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. ____. None of the funds made available in this Act may be used to pay the salary of any officer or employee of the Federal Government (including any officer or employee of the Executive Office of the President) who certifies, approves, or processes any loan or credit to a foreign entity or government of a foreign country from any amount in the exchange stabilization fund under section 5302 of title 31, United States Code.

H.R. 4104

OFFERED BY: MR. SESSIONS

AMENDMENT NO. 2: In title III, in the item relating to ''OFFICE OF ADMINISTRATION—SALARIES AND EXPENSES'', after the dollar amount, insert ''(reduced by $5,000,000)''.

In title III, in the item relating to ''FEDERAL DRUG CONTROL PROGRAMS—HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM''—

(1) after the first dollar amount, insert ''(increased by $5,000,000)''; and

(2) after ''designated High Intensity Drug Trafficking Areas,'' insert the following: ''of which $5,000,000 shall be for a High Intensity Drug Trafficking Area in Dallas-Fort Worth, Texas, designated in compliance with existing law;''.

H.R. 4101

OFFERED BY: MR. SESSIONS

AMENDMENT NO. 3: In title III, in the item relating to ''OFFICE OF ADMINISTRATION—SALARIES AND EXPENSES'', after the dollar amount, insert ''(reduced by $5,000,000)''.

In title III, in the item relating to ''FEDERAL DRUG CONTROL PROGRAMS—HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM'', after the first dollar amount, insert ''(increased by $5,000,000)''.