the point of order that a quorum is not present.

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 220, nays 204, not voting 11, as follows:

[Roll No. 406]

YEAS—220

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Foley
Forbes
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutknecht
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Hulshof
Hutchinson
Hyde
Istook
Jenkins
Johnson, Sam
Jones
Kasich
Kelly
Kim
King (NY)
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas
Manzullo
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Moran (KS)
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oxley
Pappas
Parker
Paul
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Redmond
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stump
Sununu
Talent
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—204

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Goode
Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Houghton
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pickett
Pomeroy
Poshard
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Sherman
Sisisky
Skaggs
Skelton
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stenholm
Stokes
Strickland
Stupak
Tanner
Tauscher
Thompson
Thurman
Tierney
Torres
Towns
Turner
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn
Yates

NOT VOTING—11

Clay
Crapo
Cunningham
Dingell
Gonzalez
Hunter
Inglis
Manton
Packard
Royce
Stearns

□ 1602

Ms. DEGETTE changed her vote from ''yea'' to ''nay.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. EMERSON. Mr. Speaker, earlier on I made a mistake on rollcall vote No. 384, and inadvertently voted ''no'' when I meant to vote ''aye''.

GENERAL LEAVE

Mr. TAYLOR of North Carolina. Mr. Speaker, I ask consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 4380, and that I may include tabular and extraneous material.

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

There was no objection.

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 1999

The SPEAKER pro tempore. Pursuant to House Resolution 517 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. 4380.

□ 1604

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. 4380) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 1999, and for other purposes, with Mr. CAMP 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 North Carolina (Mr. TAYLOR) and the gentleman from Virginia (Mr. MORAN) each will control 30 minutes.

The Chair recognizes the gentleman from North Carolina (Mr. TAYLOR).

Mr. TAYLOR. Mr. Chairman, we are here to present the fiscal 1999 budget for the District of Columbia. Make no mistake, this committee and this Congress takes seriously Article 1, Section 8 of the Constitution, and I quote, ''. . . to exercise exclusive legislation in all cases whatsoever over the seat of government of the United States.''

We appreciate the work of the city in recommending a spending plan for the National Capital. I would also like to thank the gentleman from Louisiana (Chairman LIVINGSTON) for his support and guidance, and all the Members of the subcommittee who have worked on this bill and, of course, the subcommittee staff.

Mr. Chairman, last year the House passed a D.C. bill which created a debt relief fund, and if that fund had been in place today, the District would be in much better financial shape.

Mr. Chairman, we are recommending that we create a fund today. We are recommending the fund would have $250 million to replace the need for the District's seasonal borrowing, and then it would pay $43 million that the District owes the Water and Sewer Authority. Finally, it would retire any part of the $3.7 billion bonded debt that the surplus might be available for.

There is no new authorization language in this bill. We have been besieged with requests for authorizing language from a variety of sources, frequently by some of the most ardent and vocal supporters of the ''home rule

rights'' and ''regular order'' in the congressional authorizing process. Out of respect for both home rule and the rules of the House, our bill contains no new authorizing language.

This bill does contain a number of provisions which alternatively direct or limit the expenditure of public funds. These provisions are to ensure that the District Government and the Control Board clearly understand and comply with the intent of Congress in the expenditure of funds.

Last year, Congress made it illegal for District employees who are not city residents to take home city cars. We found that this law was routinely broken by city employees when a Deputy Police Chief driving a city-owned vehicle got into an accident near his Maryland home and filed a disability claim with the District. When the leadership of the city's law enforcement establishment routinely flouts the law, we have a serious problem.

Just last month the District auditor again reported on repeated and widespread financial mismanagement. Because of that, we are concerned about the Control Board's apparent disregard for a limitation on staff compensation. The bill requires repayment of salary overpayments to the Board's executive director and the Board's council which were found to be illegal by the General Accounting Office.

This bill also requires the Board to make more complete monthly financial reports. To ensure accuracy and independence of the annual audit, the bill requires that the D.C. Inspector General contract for the annual city audit, instead of the Control Board.

The bill directs the payment of invoices owed to the Boy Scouts by the D.C. public schools. The bill makes only modest changes in the $5.2 billion budget recommended by Congress. We provide $22 million in Federal funding to fully fund the 4,000 charter school students, as required by the per pupil formula adopted by the District Council and the Control Board.

Our bill fully funds the Federal activities requested by the President. The District courts, the Corrections Trustee, and the Offender Trustee are fully funded with Federal dollars at the levels requested by the administration.

The bill also adds some $4 million to the Offender Trustee for the creation of a detention center to assist in the monitoring of drug offenders, at the request of the gentleman from Virginia (Mr. MORAN).

Additional Federal funds are provided for: $25 million for the engineering and design for the Mount Vernon Square Metro stop; $4 million, to be matched by $3 million in private funds, for the expansion of Boys Town in the District; $2 million, to be matched by private funds, for the establishment of a city museum by the D.C. Historical Society at the Carnegie library; $8.5 million to the U.S. Park Police for the purchase of a replacement helicopter for District-related law enforcement activities, and we certainly want to commend the Park Police for their part in the emergency that the House has recently had.

There is $3.3 million for a pay raise, to bring fire fighters to parity with the police; $3 million for rehabilitation of the Washington Marina; $250,000 for the Peoples' House Hotline and monitoring program; $1.2 million to the Metropolitan Police Department to fund the Civilian Review Board, at the request of the chief; $7 million for the environmental study at the Lorton Prison site; and $21 million to the District's infrastructure fund.

For the RECORD, Mr. Chairman, I include the following document:

DISTRICT OF COLUMBIA APPROPRIATIONS BILL, 1999 (H.R. 4380)

	FY 1998 Enacted	FY 1999 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
FEDERAL FUNDS					
Federal payment for management reform	8,000,000			-8,000,000	
Federal contribution to the operations of the Nation's Capital	190,000,000			-190,000,000	
D.C. National Capital Revitalization Corporation		50,000,000			-50,000,000
Federal support for economic development		25,000,000			-25,000,000
Management Reforms to improve the District of Columbia's Economic Development Infrastructure		25,000,000			-25,000,000
Metrorail improvements and expansion			25,000,000	+25,000,000	+25,000,000
Nation's Capital Infrastructure Fund 1/		(254,000,000)	21,000,000	+21,000,000	+21,000,000
Environmental Study and Related Activities at Lorton Correctional Complex			7,000,000	+7,000,000	+7,000,000
Offender Supervision, Defender, and Court Services Agency			4,000,000	+4,000,000	+4,000,000
Federal payment to the District of Columbia corrections trustee operations	169,000,000	184,800,000	184,800,000	+15,800,000	
Corrections Trustee for Correctional Facilities, construction and repair 2/	(302,000,000)			(-302,000,000)	
Federal payment to the District of Columbia Criminal Justice System	108,000,000			-108,000,000	
Federal payment to the District of Columbia Courts		142,000,000	142,000,000	+142,000,000	
District of Columbus Offender Supervision, Defender, and Court Services Agency	43,000,000	59,400,000	59,400,000	+16,400,000	
U.S. Park Police (Sec. 141)	12,000,000			-12,000,000	
Medicare Coordinated Care Demonstration Project (Sec. 160)	3,000,000			-3,000,000	
Federal payment for Metropolitan Police Department			1,200,000	+1,200,000	+1,200,000
Federal payment for Fire Department			3,240,000	+3,240,000	+3,240,000
Federal payment for Boys Town U.S.A			4,000,000	+4,000,000	+4,000,000
Federal payment to Historical Society for City Museum			2,000,000	+2,000,000	+2,000,000
United States Park Police			8,500,000	+8,500,000	+8,500,000
Federal payment for waterfront improvements			3,000,000	+3,000,000	+3,000,000
Federal payment for mentoring services			200,000	+200,000	+200,000
Federal payment for hotline services			50,000	+50,000	+50,000
Federal payment for public education			20,391,000	+20,391,000	+20,391,000
Total, Federal funds to the District of Columbia	533,000,000	486,200,000	485,781,000	-47,219,000	-419,000
DISTRICT OF COLUMBIA FUNDS					
Operating Expenses					
Governmental direction and support	(105,177,000)	(164,717,000)	(164,144,000)	(+58,967,000)	(-573,000)
Economic development and regulation	(120,072,000)	(156,039,000)	(159,039,000)	(+38,967,000)	(+3,000,000)
Public safety and justice	(529,739,000)	(751,346,000)	(755,786,000)	(+226,047,000)	(+4,440,000)
Public education system	(672,444,000)	(773,334,000)	(793,725,000)	(+121,281,000)	(+20,391,000)
Human support services	(1,718,939,000)	(1,514,751,000)	(1,514,751,000)	(-204,188,000)	
Public works	(241,934,000)	(266,912,000)	(266,912,000)	(+24,978,000)	
Washington Convention Center Transfer Payment	(5,400,000)	(5,400,000)	(5,400,000)		
Repayment of Loans and Interest	(384,430,000)	(382,170,000)	(382,170,000)	(-2,260,000)	
Repayment of General Fund Recovery Debt	(39,020,000)	(38,453,000)	(38,453,000)	(-567,000)	
Payment of Interest on Short-Term Borrowing	(12,000,000)	(11,000,000)	(11,000,000)	(-1,000,000)	
Certificates of Participation	(7,923,000)	(7,926,000)	(7,926,000)	(+3,000)	
Human Resources Development	(6,000,000)	(6,674,000)	(6,674,000)	(+674,000)	
Productivity Savings		(-10,000,000)	(-10,000,000)	(-10,000,000)	
Receivership Programs		(318,979,000)	(318,979,000)	(+318,979,000)	
Deficit reduction and revitalization	(201,090,000)			(-201,090,000)	
District of Columbia Financial Responsibility and Management Assistance Authority	(3,220,000)	(7,840,000)	(7,840,000)	(+4,620,000)	
Total, operating expenses, general fund	(4,047,388,000)	(4,395,541,000)	(4,422,799,000)	(+375,411,000)	(+27,258,000)
Enterprise Funds					
Water and Sewer Authority and the Washington Aqueduct	(297,310,000)	(273,314,000)	(273,314,000)	(-23,996,000)	
Lottery and Charitable Games Control Board	(213,500,000)	(225,200,000)	(225,200,000)	(+11,700,000)	
Cable Television Enterprise Fund	(2,467,000)	(2,108,000)	(2,108,000)	(-359,000)	
Public Service Commission	(4,547,000)	(5,026,000)	(5,026,000)	(+479,000)	
Office of People's Counsel	(2,428,000)	(2,501,000)	(2,501,000)	(+73,000)	
Department of Insurance and Securities Regulation	(5,683,000)	(7,001,000)	(7,001,000)	(+1,318,000)	
Office of Banking and Financial Institutions	(600,000)	(640,000)	(640,000)	(+40,000)	
Starplex Fund	(5,936,000)	(8,751,000)	(8,751,000)	(+2,815,000)	
D.C. General Hospital (Public Benefit Corporation)	(52,684,000)	(66,764,000)	(66,764,000)	(+14,080,000)	
D.C. Retirement Board	(16,762,000)	(18,202,000)	(18,202,000)	(+1,440,000)	
Correctional Industries Fund	(3,332,000)	(3,332,000)	(3,332,000)		
Washington Convention Center Enterprise Fund	(41,000,000)	(48,139,000)	(48,139,000)	(+7,139,000)	
Total, Enterprise Funds	(646,249,000)	(660,978,000)	(660,978,000)	(+14,729,000)	
Total, operating expenses	(4,693,637,000)	(5,056,519,000)	(5,083,777,000)	(+390,140,000)	(+27,258,000)
Capital Outlay					
General fund	(269,330,000)	(1,711,160,737)	(1,711,160,737)	(+1,441,830,737)	
Total, District of Columbia funds	(4,962,967,000)	(6,767,679,737)	(6,794,937,737)	(+1,831,970,737)	(+27,258,000)
Total:					
Federal Funds to the District of Columbia	533,000,000	486,200,000	485,781,000	-47,219,000	-419,000
District of Columbia funds	(4,962,967,000)	(6,767,679,737)	(6,794,937,737)	(+1,831,970,737)	(+27,258,000)

1/ Requested by District, but not in President's budget
2/ FY 1999 request included in Commerce Justice Bill.

Mr. Chairman, I urge my colleagues to support this bill, and I reserve the balance of my time.

Mr. MORAN of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I thank the gentleman from North Carolina (Mr. TAYLOR) for many of the provisions that are in this bill. As this D.C. appropriations bill came through the full committee, I think it struck a proper balance between meeting the needs of the city and respecting the decisions of its government, and yet fulfilling our own fiscal and legislative responsibilities.

Mr. Chairman, this is never an easy bill to pass. It may be the least consequential to some Members but it is the most consequential to the community in which the Capitol is located. It is the smallest in dollar amount in terms of all the appropriations bills, and yet it can be the most contentious.

Ordinarily, the reason it is so contentious is because amendments are attempted to be added to this appropriations bill that do not belong in any appropriations bill, because they are designed to be divisive. I think we have that situation today with many of the amendments that we will be discussing. They are divisive amendments. For the most part, these are not decisions that should be made here, but rather should be made by the constituency that is most directly affected by the result of those decisions; in other words, the people that live within the District of Columbia.

I do appreciate the fact that after the subcommittee mark, a number of changes were made to this bill that I think considerably improve this bill. For example, in the subcommittee, while charter schools were increased by $21 million to meet the increased demand and about 4,000 students now apparently want to attend charter schools this year, all that money was taken out of the traditional D.C. public school system.

Mr. Chairman, that is not fair. We cannot eliminate teachers or classrooms just because one, two, or three students leave a classroom to go to a charter school. Some of the new charter school students are coming from private schools. So the policy of paying for charter school expansion by cutting the traditional public school system has been rectified, so that in fact the D.C. public school system will get all of its money, as will the charter school movement.

In addition, there are a number of new economic developments taking place within the District of Columbia. This bill enhances their ability to realize their potential.

For example, this bill includes $25 million that can be used for a metro stop at the new civic convention center; it includes $46 million out of the potential $75 million that the Senate had added for infrastructure. We think $46 million should go a long ways to meeting the infrastructure demands on the city.

□ 1615

This bill does address the problem we have at the Lorton Reservation in Virginia where a prison is closing down and we need to determine what toxicity exists in the soil, what kinds of environmental cleanup is necessary. We will have to make some changes both to the report language and to the bill in order to do it properly. The General Services Administration is the proper agency to conduct an environmental assessment, so I hope that we will be able to accomplish that on the floor today.

The amendments, though, that will probably take the most time are ones that were meant to be divisive. For example, there will be an amendment on needle exchanges. Nobody wants to deal with needle exchanges. Nobody really wants to address a problem of HIV infection that is tied to drug addiction. But the reality is that we have a serious problem in the District of Columbia and, in fact, the new cases of HIV infection are as a result of dirty needles, particularly among women, particularly among the minority community. In the committee, we fixed the problem by saying, we will not use Federal money but they can use their local money and their private money.

I would hope that we would sustain that full Appropriations Committee decision and reject the amendment that will be offered by the gentleman from Kansas (Mr. TIAHRT).

Likewise there will be an amendment with regard to adoption. This amendment says that if you are not in a traditional marriage arrangement, then you cannot adopt. Yet by implication it suggests that if you cannot engage in a long-term commitment with another adult, whether it be heterosexual or homosexual, albeit unmarried, then you are worthy of adopting a child. We do not think that is the kind of thing we ought to get involved in.

There will also be an amendment on the so-called DC voucher system. I know everyone is trying to figure out ways to improve the D.C. public school system. If we can do that, we can go a long ways to enabling the District of Columbia to be economically and socially self-sufficient. But if the D.C. voucher amendment is added to this bill, we may as well not go any further, because it is a poison pill. The President has stated quite clearly it will be vetoed if the voucher amendment is added. So while you may want to vote for vouchers independently, I would suggest that it should not be added to the appropriations bill, and so we would expect that would merit a no vote.

Now, there is another bill, there is another amendment that will be offered by the gentlewoman from the District of Columbia (Ms. NORTON), and I think it is a very legitimate amendment to offer. The gentlewoman from the District of Columbia (Ms. NORTON) would prefer that we sustain a provision that the D.C. government, in fact, has voted in favor of, which would require that any new hires within the D.C. Government be residents of the District of Columbia. The problem is that that restricts the personnel pool from which the District can choose its new hires, much too severely. We do not think it is in the interest of the District of Columbia, and we would argue against that provision.

We will have other amendments dealing with the use of local funds for abortion. Again, if we do not pass those amendments, it is going to be severely restricting local funds. We have got another provision that prohibits the District of Columbia government from being able to spend their own funds on advisory neighborhood commissions. The gentleman from California (Mr. DIXON), I trust, will address that.

This could be a long debate. I would hope throughout this debate, though, that the Members would show sensitivity and respect for the prerogatives of local government and in the long run what is in the very best interest of the District of Columbia citizens. That is our ultimate responsibility.

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

Mr. TAYLOR of North Carolina. Mr. Chairman, I would like to announce also that a member of our committee, the gentleman from California (Mr. CUNNINGHAM), is in the hospital for surgery. The surgery was successful and he is doing fine and we wish him well. He submitted a letter today showing his support for the bill and his constant concern for education, for which he has made a major contribution to this committee. I ask that his letter be included for the RECORD.

CHAIRMAN TAYLOR: As you know, I would much rather be with you today working on the people's business than to be where I am now. I appreciate everyone's get well wishes, and want you to know that I'm doing fine. I'm keeping an eye on you via C–SPAN. And I'll be back in action very soon.

Mr. Chairman, as a member of the DC Appropriations subcommittee, I appreciate you entrusting me with the task of working on the education provisions of the District of Columbia Appropriations bill. This is tough work. Washington is a world capital, but the educational opportunities for the District's children have for years fallen far short of world-class.

However, I am pleased to say that we are seeing real signs of progress for the children of the District:

First, math and reading test scores are up in every grade—not as much as we would like, but they are up.

Second, the evidence shows that the children of Washington, D.C., want to learn. This is true of children everywhere. But when the Washington Scholarship Fund offered 1,000 opportunity scholarships to children of low-income families to have the same educational choice as Washington's wealthy citizens, the Fund received over 7,000 education scholarship applications. And this summer, some 20,000 students signed up for summer school—many of them without having been assigned to attend.

And third, the DC Schools new superintendent, Dr. Arlene Ackerman, has cut bloated central office bureaucracy, and is placing the schools' focus on the things that

count: teaching and learning. She's getting it done.

So we are seeing changes in the right direction—changes that this DC Appropriations bill rewards with out support and our confidence. This bill provides $545 million in local funds for DC schools, which is the full funding request. And the bill fully funds innovative public charter schools—32.6 million, sufficient for a significant increase in enrollment and in the number of charter schools.

The House will have an additional chance to provide the children of the district even more educational choice and opportunity. I want to express my support for Rep. ARMEY's amendment to provide opportunity scholarships for tuition and tutoring for thousands of the district's least fortunate young people. Last April, my Irish colleague Mr. MORAN, the subcommittee's ranking member, gave an eloquent speech for opportunity scholarships for the District's children.

He said, ''85 percent of the children in Ward 3, the wealthiest ward in this city, have a choice of schools, and they choose to send their kids to private schools. Why should the parents in other wards of the city not have the same choice? Why should their kids suffer so because of the accident of their birth?'' He went on to say, ''It is not fair to deny hope to even 2,000 children. What is fair is to support this bill.'' And I agree.

Let's give the District's children a fighting chance to achieve the American Dream. Let's make sure they get a good education. For the children,, and for their future, I urge my colleagues to support the DC bill.

With warm regards,

Your wingman,

RANDY ''DUKE'' CUNNINGHAM,
Member of Congress.

Mr. Chairman, I yield 3 minutes to the gentleman from Virginia (Mr. DAVIS), who is the authorizing chairman for D.C.

Mr. DAVIS of Virginia. Mr. Chairman, I thank my friend for yielding me the time.

This is generally one of the most controversial and contentious appropriation bills that hits the House floor, mainly because of the riders and the interference in local government and the strong passions that some of the amendments evoke among Members with strong feelings on both sides. This year's bill is no exception.

I support this bill on the theory that the longer it hangs around the House floor, the more amendments get added, and it tends to get worse. Traditionally, we have moved it off the House floor into conference, worked in a collegial way, and gotten back something that works in the interest of the District of Columbia and the entire region. I am hopeful that that will happen in this case. I think I have assurances that is going to happen.

Let me address some of the items in this bill that I think are beneficial to the city and beneficial to the region. Both of my colleagues have spoken about the $25 million for the metro improvements at Mount Vernon Square metro. This is critical. We passed a bill out of this House last week on unanimous consent that will allow a new Washington Convention Center to be built downtown.

This is critical for the City of Washington for this reason: They need a tax base. This will help revitalize the downtown and, working in concert with the MCI Center down there, this will, I think, enliven and revitalize the downtown area, increase taxes and job opportunities for District residents.

There are parts of the convention authority legislation that guarantee jobs and give incentives for jobs for District residents, many of them unskilled, who will no longer have to be on welfare. It will help the welfare to work, help some of them from having to commute to the suburbs to work downtown. When it is established, I think we will see the long-term establishment of tens of thousands of jobs downtown, particularly in the hospitality interests. The District of Columbia residents and the tax base and charitable organizations that are going to benefit from that need this to happen. Without the $25 million in this particular bill, the dollars fall short. It is very difficult for the city to come up with it. I thank the chairman for including that in this mark of the legislation.

Seven million for environmental assessment at the Lorton complex where the city has housed for over 75 years a correctional facility. We know now there are severe environmental problems at the site. But we also know that if we can get the EPA in, do the environmental assessment, we can start the cleanup there and deal with the site. Over the long-term that is in the best interest of the taxpayers, not just in the District of Columbia but of the entire Nation. This is the time to do it. This is the starting place. I thank the chairman for including this money in the bill as well.

There are some controversial amendments in this. I want to note early, and I will speak at the appropriate time, the gentlewoman from the District of Columbia (Ms. NORTON) has an amendment to allow the city to expend its own dollars for a lawsuit to help a pro bono firm that is trying to establish what the city's voting rights are. For this Congress, which took what little voting authority the city had away from the city, I think we should not deprive them of the money to at least confer with pro bono counseling to find out what their rights are, and then this Congress can deal with it up or down. I intend to support that.

The residency requirement is one that evokes some controversy, but I think the city needs the best employees it can find, wherever they can find them, and I think that the protection that is offered by the Committee on Rules on this is important. I will speak against that at the appropriate time.

I urge approval of this bill.

Mr. MORAN of Virginia. Mr. Chairman, I yield 5 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

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

Let me begin by saying that Article I, section 8, clause 17 is repeatedly cited as the basis for anti-democratic, authoritarian control over the District of Columbia. Almost a century after the Article I language was added by the framers, new language was added that must be read in conjunction with the Article I language. It reads as follows: No State shall deny any person within its jurisdiction equal protection of the laws.

Legislating for District residents and overturning its laws deprives the citizens I represent of equal protection of the laws. I ask that out of respect for the sanctity of the Constitution, if Members insist upon undemocratic actions, you do so in your own name, not in the name of the Constitution of the United States.

Once again, Congress is about to engage in a game of self-torture. For the District, this annual appropriation has become a profoundly punitive exercise. The District appropriation bill is replete with undemocratic interference and amendments that concern only the over half million people who live in the District. Yet we are about to spend hours on a city council agenda.

No serious national legislature should be voting on a residency law for city employees or on funding for neighborhood commissions or on funding of a voting rights lawsuit or on local tobacco legislation. Nor should Members be dragged to the floor only for the purpose of putting them on record on a litany of controversial amendments. Are there no limits to political opportunism even when it hurts Members on your own side?

Clearly there are no compunctions about hurting District residents. The city council, the mayor and the control board have done what Congress has urged for years. They have produced a tight, balanced budget with a surplus. One would think that the Congress that has been critical of the city would want to acknowledge the good work of the control board and elected officials who have brought the District back from the ashes of insolvency.

One would think that the Congress would say, amen, and get on with the Nation's business. Instead, this body is treating the city today no differently now from how the District was treated when it was at its nadir just a couple years ago.

Is not the District entitled to deference when it submits a tough budget that uses all of its surplus to pay down the debt?

The Congress itself has yet to be so fiscally responsible about its finances. The District's need for investment in technology and in its many residents who have been hurt by the financial crisis is palpable. Yet the city has submitted a budget that puts compelling needs aside to pay down the debt.

What is the congressional response to this fiscal responsibility? An irresponsible set of controversial legislative ornaments that undemocratically overturn the wishes of local residents. It is

time this body showed District residents the respect they are entitled to as American citizens.

This appropriation disrespects the District's elected officials. It disrespects Congress' own agent, the appointed control board, and it profoundly disrespects the people I represent.

It shows hardly more respect for the Members of this body who will be forced to vote on local trivia and controversial social issues alike, none of them national matters. There is only one appropriate way to respond to this appropriation. Send it back where it came from.

□ 1630

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield myself such time as I may consume to say that I do not wish to get into a long constitutional debate with my good friend, the gentlewoman from the District of Columbia (Ms. NORTON). Of course, in the Federalist Papers Mr. Madison specifically addressed this at some length, about the duty of the Congress to administer the Capital city. And he said, among other things, ''It is the indispensable necessity of complete authority at the seat of government that carries its own evidence.''

Each of us in the Congress have a duty to administer the budget of the city of Washington. It is our Nation's Capital. And I would hope if it is ever changed, it will be changed in the due course of a constitutional amendment that would require us to do our duty within the law.

Ms. NORTON. Mr. Chairman, will the gentleman yield?

Mr. TAYLOR of North Carolina. I yield to the gentlewoman from the District of Columbia.

Ms. NORTON. Mr. Chairman, is the gentleman citing the Federalist Papers for the proposition that the national legislature should be able to overturn any law of a local legislature?

Mr. TAYLOR of North Carolina. No, I am pointing out that Congress had an experience in Philadelphia where they determined as a body, and it was enacted and in the Constitution in the beginning, deliberately wanting to have control of the capital city. It was not a mistake. It was not something that was meant to be abrogated by some section of the Constitution later on. It was the deliberate intent of the framers of the Constitution. And I say that we will have to amend that by a constitutional amendment.

Ms. NORTON. Mr. Chairman, will the gentleman further yield?

Mr. TAYLOR of North Carolina. I will yield to the gentlewoman from the District of Columbia one more time.

Ms. NORTON. Is it the gentleman's view that the framers intended democracy to obtain in every other jurisdiction of the United States except the District of Columbia because they enacted Article I?

Mr. TAYLOR of North Carolina. They certainly did. But Madison pointed out there are situations throughout this land where the Federal Government will have its own rules, and the capital city will be one.

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

Mr. MORAN of Virginia. Mr. Chairman, I yield myself 30 seconds to say that the gentleman from California (Mr. CUNNINGHAM) would normally be speaking at this point, after the chairman of the committee. Mr. Chairman, Mr. Cunningham has been immensely helpful, particularly in the education area. He fought not just for money for charter schools but also for the D.C. regular public education system, and so we miss him.

He is right now in the hospital. He just had surgery, but he says he feels like a million bucks and he will be back with us after the Labor Day recess. But we want to recognize the fact that normally he would be very much engaged in this debate.

Mr. Chairman, I yield 4 minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Chairman, I thank the gentleman from Virginia and the ranking member for yielding me this time.

I rise to express my pleasure at the fact that this bill, again this year, deals with a disparity that has existed for some period of time, which the gentleman from California (Mr. DIXON) and I worked on, and now the committee is continuing to work on, and I congratulate the gentleman from Virginia (Mr. MORAN) and the gentleman from North Carolina (Mr. TAYLOR), and that is the effecting of equitable pay for the fire fighters of the District of Columbia.

For many, many years, the fire fighters of the District of Columbia have not only received less pay than their counterparts in this region outside of the District of Columbia, but also have been paid disparately with respect to the police in the District of Columbia. Indeed, the police themselves went for long periods of time with a freeze on their pay. The gentleman from California (Mr. DIXON) and I were concerned about that. Action has been taken, and we believe that that has moved in the proper direction.

When we talk about police and fire in the District of Columbia, we obviously talk about those agencies that are charged with the protection not only of the non-Federal part of the District of Columbia but the Federal part as well. Obviously, the Federal Government does not have fire fighters. They are, in fact, the fire fighters of the District of Columbia, charged with the responsibility of responding to fires.

Most recently we saw the fire at the Longworth Building to which the D.C. Fire Department and rescue squads responded. They did an outstanding job. They, along with the Capitol police, ensured we exited the building and we confronted the fire.

So that when we talk about the D.C. Fire Department, we are talking about those individuals, those Americans who daily are called upon to respond to emergencies of literally millions of visitors from throughout the United States that come to this capital, visit other monuments and office buildings around this city, and generally come to see their capital city and to share the pride that we have in that which it represents.

So I want to congratulate the gentleman from North Carolina and the gentleman from Virginia for their leadership, and the gentleman from California for his leadership over so many years, and others, as well as Mr. Miconi, the staff member who has so ably staffed this committee for over, I guess two decades. I am not sure, but a long time.

It is appropriate that we do this, and it is appropriate that we do it not just for the city, though doing it for the city alone would be appropriate, but we do it for all the citizens of the United States who have invested much of their resources in building this capital city and then visiting it, and these brave men and women of the D.C. Fire Department and rescue squads who ensure their safety while visiting here. And the fact that we are now going to pay them appropriately is a testament to the good judgment that the committee is showing. I will certainly enthusiastically support that and congratulate the committee for its actions.

I want to say as well that he sits here not as the ranking member or as the chairman, but I do not know anybody who has paid closer attention, been more supportive, is more knowledgeable about the District of Columbia as it relates to the Federal Government than my friend from California, the distinguished member of this subcommittee, but formerly the chairman for many, many, many years of this subcommittee, under whom I had the privilege of serving for many years on this committee. And I want to congratulate the gentleman from California (Mr. DIXON) for all the work that he has done, and thank the gentleman from North Carolina (Mr. TAYLOR) and the gentleman from Virginia (Mr. MORAN), and look forward at some future point to discussing other aspects of this bill.

Generally, I want to say that I am a strong supporter of home rule. And where home rule affects citizens who live in the District of Columbia solely, I think it ought to be left to its own devices, whether we agree or not. When it affects others, I think it is appropriate for us to intervene, and we will discuss that at a later time.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 5 minutes to the gentleman from Kansas (Mr. TIAHRT), who is an outstanding member of our subcommittee.

Mr. TIAHRT. Mr. Chairman, I want to thank the chairman for yielding me this time, and also acknowledge that I have enjoyed working with the ranking minority member, the gentleman from

Virginia (Mr. MORAN). Although we occasionally do not agree, we have had a good relationship in working together.

I think we have put together a pretty good bill here, although I hope to amend it. I will talk about that a little later, but I am going to vote for this bill whether I am successful in my amendment or not.

I think the District of Columbia is headed in the right direction. The direct Federal contribution is down. The District is running a surplus. We have certainly seen some changes that have been dramatically positive, and I am very pleased by that.

This bill also includes repeal of the residency requirement, which I think is good policy. It will allow the District to hire qualified personnel to work for their police and fire departments.

It also appropriates $32.6 million for charter schools, a concept that I think has been successful in my home city of Wichita and my home State of Kansas, as well as here in the District of Columbia. It provides $156 million for special education projects. It allocates $4 million in Federal funds for the Boys Town facilities in the District.

It stipulates that any excess revenues be applied to eliminating D.C.'s accumulated deficit and creates a reserve fund to replace seasonal borrowing, paying water and sewer fund debt, and retiring the outstanding long-term debt.

It also requires teachers to pass competency tests in order to receive pay raises, something that my friend, the gentleman from California (Mr. DUKE CUNNINGHAM), who could not be here today because of his operation, did support.

We also have in there some small programs where we are using public capital to help with the private initiatives. One is the People's House Hotline. It is a small amount of money, but it is a program where we have both the public sector and the private sector being able to come together and provide a wonderful service to those who are truly in need.

This hotline, which is housed in a building that was provided through the effort of the gentleman from Virginia (Mr. FRANK WOLF), the gentleman from Ohio (Mr. TONY HALL), and Senator DAN COATS, connects people with the services that are available to them. All they have to do is call a number and there is a memory bank of nearly 4,000 social services and churches that offer a wide variety of assistance, including food, clothing, shelter, housing, GED courses, tutoring, a vast array of services, and it puts them together.

They keep them on the line. When they call in, it keeps them on the line until they are able to directly hook up with these facilities, so that they do not get shuffled off into some pattern where they do not get the services they so desperately need.

We also have funding for the first time that matches private sector funds for the Mentoring Friends Program. This is a concept that was developed with private funds in Portland, Oregon, in 1993. They currently serve about 200 children.

This is a situation where mentors spend time with 5- and 6-year-olds. They make a commitment to spend time with them over the next 10 years. They are there to coordinate with their families and the schools, to help them fight off drug abuse, to help them with any school failure, to keep them out of gangs, to give them hope for the future.

This is one of those instances where we see something positive happening in the District of Columbia that could spread to other cities. Big parts of this city are in desperate need of attention, and a macro approach has not been very effective. But here in a micro approach, where one-on-one these kids' lives are being changed, it is an investment in the future.

Now, I want to talk just a little bit about an amendment I am going to offer. It is going to be an attempt to limit any funds from being used for a needle exchange program. Currently, the Whitman Walker Clinic has a van that drives around the D.C. area and exchanges needles with drug abusers. Not only is that bad public policy, but the police turn their heads. According to the office of the District of Columbia Police Chief, Charles Ramsey, they have to turn their heads.

I just want to say the needle exchange program is spreading HIV and we could reduce this loss of life. The police chief has to have an unofficial policy of looking the other way when these drug addicts approach this van because these people are doing things that are illegal. Drug use equipment is illegal.

In his June 8th Wall Street Journal editorial, Dr. Satel, a psychiatrist and lecturer at Yale University, said that most needle exchange studies have been full of design errors, and that more rigorous studies actually show there is an increase in HIV infection among participants in the needle exchange program.

Our White House drug policy czar, General Barry McCaffrey, is opposed to the needle exchange program.

In Vancouver, a large study was done and they found out that the needle exchange program actually increased HIV infection among those who are using the program. The death rate went from 18 in 1988 attributed to drugs, to more than 10 per week, 600 deaths this year because of drug use, and it is related to the expansion of the needle exchange program. In Montreal there was another study that said that people are twice as likely to get infected.

So I want to support the bill, and I would like support for my amendment.

Mr. MORAN of Virginia. Mr. Chairman, I yield 8 minutes to the gentleman from California (Mr. JULIAN DIXON), a man who for several years sacrificed career opportunities, spending an extraordinary amount of time and attention all in the interest of the people of the District of Columbia as chairman of this D.C. Committee on Appropriations.

Mr. DIXON. Mr. Chairman, I thank the ranking member for yielding this time to me, and thank him for his very fine comments, and those from the gentleman from Maryland (Mr. HOYER) also.

I just want to inform the House that I am not retiring. I am looking forward to returning here in January.

Mr. Chairman, I too would like to join and say that this is a good bill, but this is a horrible bill.

I have the greatest respect and admiration for the chairman of this subcommittee for many, many reasons. The chairman of this subcommittee, unfortunately, fell on ill health, and he is a hero to me because I know that at some point in time I will fall on ill health, and I hope I will have the courage, the dignity, and the tenacity to fight back the way he did.

□ 1645

But I must say that there is a chill in this bill. My colleagues will hear the chairman say, and he has said on the floor today, that he has left basically intact the D.C. budget, as he should. It was proposed by the mayor, scrubbed by the City Council, and rescrubbed by the agency that we delegated, that is the Financial Control Board, to deal with this budget.

But another issue that the chairman raised, and that is that two of the employees of the Financial Control Board, the executive director and legal counsel, he is, in this bill, repealing a pay raise that they received and causing them to return some $20,000.

Now, at first blush, the gentleman from Florida (Mr. MICA) might think this is inappropriate. But I want him to listen to me for a second.

In April of last year, the chairman of the committee asked GAO to take a look at some pay raises. And, in fact, the GAO looked at four individuals under the jurisdiction of the Control Board. And they came to the conclusion, which, by the way, I disagree with, I think that reasonable people could argue about the merits of the GAO conclusion, but they came to the conclusion that all four of the pay raises were inappropriately given.

There will be no dispute about that. When the chairman gets up to rebut me, listen to see if he says I am wrong on the number and what was said. All four of the GAO analyses said the pay raises were inappropriate. Why is it mean-spirited? Because the chairman has reached in and singled out two of these people to give back the money.

Now, the chairman in the Committee on Rules yesterday said, well, he could not reach the other two. For some reason, I did not understand. So I went back and I looked at the GAO report again. And it says on page 11, it is referring to the third and fourth persons, ''Since the Authority's budget currently is under review, the appropriations process for Fiscal Year 1999 provides an opportunity for Congress to

consider whether the appointment of the Chief Management Officer, with pay and benefits in excess of the limitation provided in section 102 of this act, is desirable and, if so, to enact additional legislation to specifically so provide.''

Well, the clear meaning of that language is that the GAO did not think the document that he relies on, did not think that it was beyond their authority to reach the Chief Management Officer. That is mean-spirited.

I do not think any of us would like to go home and feel that, well, we got two people who were doing a good job, there is some controversy about that, that we reached in and that we take off four of them and repeal their raise, obviously two are in favor and the other two are in disfavor. That is mean-spirited.

The second issue I want to talk about that is mean spirit in this bill, before we ever get to the amendments, we have in Washington D.C. what is called Advisory Neighborhood Commissions. Many jurisdictions may be familiar. The concept is that, at some very local level, that people will have an opportunity through an election to participate in a council at the neighborhood level.

Washington D.C. has some 37 of these. The budget contained $546,000 for allowances for these ANCs to operate. If we figure it out, it is about $15,000 or $16,000 per year for each one. Some of them rent a store front for an office. Some use it for beautification, Neighborhood Watch, and what have you.

It has been called to our attention through the press that two wrongdoers, two wrongdoers in two of these associations had, let us say, stolen money. They were convicted in a court of law and they have paid their penalty.

What is the remedy of the chairman for this? He zeros out all of the funds for the 37 advisory councils. That is mean-spirited.

These councils have people in various parts of this District that have some pride in their community and participation in government. And because two out of 300 act inappropriately and pay the penalty, we do not like the ANCs, we will zero them out.

And so, Mr. Chairman, I would like to say that this is a good bill. My colleagues have not reached into the structure of D.C. and rearranged the chairs on the Titanic. But rather, they have taken a thin pin and reached the heart of home rule. So the carcass, the anatomy is in shape, but they have sure gotten the patient with the shock and taken away what limited authority they have to exercise their own judgment and their own government prerogatives.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 5 minutes to the gentleman from Florida (Mr. MICA) who is a member of the Committee on Government Reform and Oversight.

Mr. MICA. Mr. Chairman, first, I do chair the Subcommittee on Civil Service. And the gentleman has referenced me, and I have always in my position tried to be very evenhanded and fair. The gentleman does point out that there may be some inequities and that some people may have been singled out. And if that has happened, I commit to him to make certain that we are fair, that we are evenhanded, and that we will reconsider that matter and those affected individuals because we are trying to be fair.

I did not come really to speak just on that particular issue that was raised, but I came to speak because I heard earlier in the rule debate criticism of some of the reforms that our side of the aisle, that the Republican new majority, has instituted and provided for in this bill funding the District activities.

Let me say I cannot think of any other example in which we have a greater responsibility. The District is not a State. The District is in our care under the Constitution and laws. And this District is made up of tens of thousands of hard-working men and women who are trying to make a living, raise their children, get an education, and participate in our society, and we need to do everything we can to make certain that they get a fair opportunity.

But I can tell my colleagues, I have never seen a greater example of big government gone wrong than the District of Columbia.

I was dismayed when I heard the criticism of what we were doing here. It is not unfair, it is not harsh. Let me tell my colleagues what we inherited some 40 months ago after 40 years of rule from the other side. I heard criticism of our drug proposals and our school proposals.

We inherited a disaster here. The deaths in this District of Columbia of males between the age of 14 to 40 are a national shame. I have been coming to this city for the past 18 years; and year after year, the slaughter every week, every weekend, should offend every D.C. resident, every citizen of this country.

So, yes, we will make some changes, and we have made some changes. Whether we want the Barry plan or the Giuliani plan, we are going to have a different set of rules when it comes to the conduct of drug programs in the District of Columbia. We have also responsibility; for schools, where they have spent more money than almost any district and had some of the lowest scores, highest dropout rates. My colleagues would not send their student or their children there.

So, yes, we have proposed some changes. Job training programs we looked at where the money went for administration and no one got a job, with one of the highest unemployment and welfare roles in the Nation.

Yes, we have a responsibility. The Housing Authority I saw recently portrayed on television. My colleagues would not put their dog in the Housing Authority projects that they let go. So, yes, we have proposed some tough love and some changes. But even the water system was broken. The morgue. The morgue was broken down even the hospitals.

I remember a story several years ago about emergency medical service. They said if they ordered a pizza and they called EMS, they might get the pizza faster than they got emergency medical service in the District of Columbia. It would almost be a joke if it was not so sad. It would almost be a joke if it did not affect the people of this District that are trying to live and to make this their home.

My colleagues, we have only had responsibility for 40 months. They have had responsibility for 40 years. These are God's people, and these are our charge under the Constitution and law.

What we need to do is take the District from the Nation's shame to the Nation's pride. This is our Nation's Capital. And that is what we propose.

I never thought I would be here promoting an appropriations measure after I saw billions of dollars wastefully in the past put into the District of Columbia. But, yes, the reforms that we are asking for here may be tough love, but these people deserve that love, they deserve that attention, they deserve that opportunity that has been neglected.

They had their 40 years. We have had our 40 months. These reforms, my colleagues, are long overdue. I urge everyone to come down here and support this legislation, this appropriations measure.

Mr. MORAN of Virginia. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio (Mr. TRAFICANT).

Mr. TRAFICANT. Mr. Chairman, one of the greatest reforms Congress could make would probably would be to grant statehood to the citizens of D.C. There are more taxpayers in the District than in some of our States. I do not want to get off on that subject.

But there are a couple things I want to say here because I have an amendment and this amendment has been worked out, and I want to thank the gentlewoman from the District of Columbia (Ms. NORTON), maybe one of the best representatives in the country. And I thank her because I know she is a bulldog in taking care of her constituents, and I appreciate it.

I want to discuss what my amendment will do and what it will not do. It will not demean D.C. and does not attempt to close the prison or to slam D.C. at all.

D.C. closed Lorton. They had a problem. They had to do something with their prisoners. The country was wide open; and my district, desperate for jobs, signed a contract, and the district has lived up to their commitment. The question is, are we getting and have we been getting medium security level risks?

To clarify and codify, my amendment will state that none of the funds in the bill can be used to transfer or confine

inmates in that Youngstown private, for-profit prison that are above the medium security level. And we will use the Federal Bureau of Prisons standards to make such determination.

□ 1700

But what I am saying to the Congress has nothing to do with D.C. at this point. There is a tremendous development around the Nation of private for-profit prisons. And this whole system now is going to have to look for some uniformity, some standards, to ensure adequate staffs and training. So this is not an indictment of D.C. at all. I want to make sure that private for-profit prison lives up to the contract they have with the District, because the District has placed it on the line, signed a contract, and I just want to make sure it is right. So I am not trying to close our prison. There are some politicians jumping all over this. But I want it to be safe. I want my community to be safe. And I want us to ensure, since we do have an obligatory responsibility with D.C. under current law that we ensure that every opportunity to protect both D.C. and my district is taken care of and that there would be a limited reaction and potential for these types of problems to develop somewhere else. It is a good learning experience for us, so I thank the committee for listening to my plight and for helping with my concern.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 5 minutes to the gentleman from California (Mr. RIGGS) from the Committee on Education and the Workforce.

Mr. RIGGS. Mr. Chairman, I want to thank my very good friend and my classmate for yielding me this time because I know he has done once again yeoman's work in producing this bill. It is a bill that while it has some issues that pretty much divide the parties along party lines, on partisan terms, I think should be very strongly supported.

First of all, let me tell my colleagues I support the provision that is in the bill that would prohibit Federal money from being spent on needle exchange programs but believe we should go one step further and adopt the Tiahrt amendment because that would extend or broaden that provision to include District money, which after all is money that is subject to reappropriation by the Congress. I cannot believe that this body would seriously consider sanctioning legal needle exchange. I cannot believe that by inference we are willing to go on record as supporting illegal drug use, or drug abuse. I cannot believe that we would seriously consider a provision in the D.C. appropriations bill that would actually encourage addiction and chemical dependency. I am amazed that we can have this debate in the People's House and actually get off on these tangents where we buy into this sort of fuzzyheaded liberal thinking that to stand up and take a position on principle opposing these provisions somehow contradicts the Constitution or the notion of home rule for the District of Columbia. Look at what Mayor Giuliani is talking about doing in New York City. He is talking about eliminating the methadone program there. Yes, I think he calls it tough love. But we need, I think, to send that signal, that we will and we are willing to take a position based on principle and, yes, tough love.

I also want to speak to the other provision that would continue the annual prohibition on using Federal or District-related funding to implement programs that extend the same rights as married couples to cohabitating unmarried couples, such as domestic partners. I support this provision. I support the provision by the gentleman from Oklahoma (Mr. LARGENT) that would prohibit joint adoptions in the District of Columbia by persons who are not related by blood or marriage. Let me tell you again why, as clearly as I can. I think we as Federal lawmakers have a duty to oppose policies and laws that confer partner benefits or marital status on same-sex couples. The reason for that is very clear. First, to support those kind of policies sends a signal to local governments, it sends a signal to private sector companies that marriage no longer be considered a priority in making policies and laws, that marriage should not be a priority to be encouraged above all other relationships. Secondly, it would deny, I think, the clear imperative of procreation that underlies any society's traditional protection of marriage and family as the best environment in which to raise children. Lastly, I think it is wrong, again fuzzyheaded, on the part of those who would seek to legitimize same-sex activity and the claim by homosexuals that they should be able to adopt children, because there is, I think, clear evidence that that presents a danger to the child's development or to children's development of healthy sexual identities.

I hope that we will stand very firm on these provisions. I know that a little later today we are going to get caught up in the great haste to adjourn for the traditional congressional summer recess or district work period, but I think these provisions deserve full and ample debate. I do want to salute the gentleman for what he and other members of the committee, I assume the gentleman from Virginia (Mr. MORAN), certainly the gentleman from California (Mr. CUNNINGHAM), who has been mentioned here today, have done in the area of education, promoting increased funding but coupling that with greater accountability for the District of Columbia public schools. I think it bears note that the subcommittee has decided to increase funding substantially above last year and even above the District's own budget request this year, but has coupled that to reforms that would require that in order to receive pay raises, no school administrators or teachers can falsify attendance or enrollment and require that all teachers must pass competency tests.

I also salute the gentlemen for what they have done to promote greater school choice for parents in the District of Columbia. I will have more to say on that later as we discuss the Armey proposal, but the bottom line is that if you look at the increased funding for charter schools, if you look at what the Armey proposal would do, we have a potential here to provide greater parental choice for parents of almost 8,400 children, giving those parents more choice where their children go to school and encouraging hopefully better educational results and a brighter future for those children.

Again I salute the gentlemen for what they have done in the area of educational accountability and reform.

Mr. MORAN of Virginia. Mr. Chairman, I yield the balance of my time to the gentleman from Washington (Mr. MCDERMOTT).

The CHAIRMAN. The gentleman from Washington is recognized for 1½ minutes.

Mr. MCDERMOTT. Mr. Chairman, I think that the gentleman from California indicated the mean-spiritedness of this bill, but the last speaker from California really laid out the Republicans' plan for going home with a message to the American people, and it is mean-spirited all the way down the line. The amendments that are laid out are directed at specific groups to come out here and have a one last bash before we go home. In my view, that is not the way we should be treating the capital of the United States. If you really consider, are worried about this city and what has gone on here, these amendments all ought to be rejected. We ought to let the city deal with the problems.

Now, I will say some more things as we get to this needle exchange question, but if you look at that issue and ask yourself when the leading cause of death among African-American women in this country between the ages of 15 and 45 is AIDS, and then you do not want to use every possible means to protect people, including needle exchange, which has been successful in Seattle and San Francisco and a variety of other cities in this country, you simply are being mean-spirited to the people of this city. You do not care about the women of this city.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield myself the balance of my time.

In this year's bill we have appropriated $500 million more to the city than was appropriated last year. So we have not denied this city financially. It has always been a question of management, not money. In fact, every day you read about mismanagement in this city. In today's newspapers there was an article about $11,376 used over a two-month period by the Child Welfare Department for sex calls. The article was printed in this morning's papers.

Every day there is mismanagement pointed up in the press. It is not a question of money. It has been a question of discipline, of obeying the law and of moving forward. We have tried to put all of this together, adequate funds with adequate discipline. We hope this body will vote for this bill.

Mrs. MALONEY of New York. Mr. Chairman, I rise in support of Mrs. NORTON's amendment to allow the District of Columbia to use its own locally raised revenue to provide abortion services for poor women.

Mr. Speaker, I'd like to put this vote in perspective. This is the 96th vote on choice since the Republican majority came to power in 1995. And they've been successful in restricting abortions for many women—women in the military, poor women on Medicaid, federal employees, women in the Peace Corps, and women in federal prisons.

Today, I stand with Delegate ELEANOR HOLMES NORTON to stop this House from trampling on the rights of women in the District of Columbia. Prohibiting the District of Columbia from using its own locally-raised funds to provide abortion services is misguided and unfair. It is bad enough that D.C. residents are not allowed a voting representative in this House. This provision is a second slap in the face to all D.C. women.

I believe it is highly unfair that the District of Columbia is singled out in this way. In New York State, where I represent, we provide funding for poor women to obtain abortions. Why should the federal government step in to restrict abortion for poor women in D.C.? Especially since we're talking about their own locally raised revenue. It is simply unfair, and I urge my colleagues to support Mrs. NORTON in her efforts to delete this misguided provision.

The Supreme Court has already ruled that each state may use its own revenue to provide abortions to poor women. Unfortunately, because D.C. residents are not treated as all other citizens are, they are doubly penalized by measures such as this one.

We should really be working to eliminate the Hyde restrictions on the use of federal funds for abortion. But this amendment doesn't even go that far. It simply brings the District in line with the 50 states where the decision to use locally raised revenue for such a purpose is constitutionally protected.

Mr. STOKES. Mr. Chairman, I rise in opposition to the Armey ''Private School Vouchers for DC'' amendment. This measure would assist only 3 percent of the District's school population. It would do nothing to address the critical needs within the District's public schools such as the need to: Increase academic standards, reduce class size or modernize school facilities.

Previous attempts by Congress to enact legislation that would provide for private school vouchers in the District of Columbia have failed. And, the President has indicated that he will veto H.R. 4308 if an amendment to provide for the use of such vouchers in the District is adopted.

I do not support drastic initiatives that drain critical financial resources from our Nation's public schools. And that is exactly what school vouchers do.

The city of Cleveland has had a crash course in school vouchers. And, we have learned—the hard way—that education vouchers programs are expensive, they do not work. It is well known that the Cleveland Scholarship and Tutoring Grant Program has provided little benefit to the low-income students it was intended to reach. In fact, a recently released independent audit and an evaluation of the Cleveland Scholarship and Tutoring Grant Program shows that: This program has attracted better achieving students away from the Cleveland public schools; there are not significant differences in third-grade achievement between voucher students and their Cleveland city shool district peers; and the large number of private and parochial schools participating in the program make it very difficult to monitor the quality of education that voucher students receive.

The actual benefit to low-income Cleveland city school students is even more questionable as 45 percent of the scholarship students in grades 1–3, had already been enrolled in private school prior to being awarded a scholarship.

Supporters of school vouchers claim that vouchers would infuse much needed competition into the school system and end the problems of poor management, inadequate facilities and bad teachers because low-income families would choose to send their children to better schools. They are completely wrong.

School voucher supporters also believe that voucher programs ensure safer schools. They may, but only for a select few students. If we want to make our public schools safer, we must look at common-sense solutions that our young people need in order to learn, succeed and be safe. Such efforts range from proven academic programs with high standards for conduct and achievement to high-quality summer programs and activities that encourage students to stay engaged in the learning process throughout the summer months.

Vouchers are not the silver bullet for what ails our Nation's public schools. They merely offer empty promises to low-income students that deserve a much more substantial commitment to their education. Our children need us to make real investments in public education. Given limited resources, our scarce taxpayer dollars should be used to lower class size. This is a proven, cost effective means of promoting student academic achievement.

I strongly believe that we have a moral obligation to ensure that every boy and girl has equal access to quality education. Public education was intended to provide a level playing field for all Americans, regardless of their socioeconomic status. Unfortunately for many, it does not. School voucher programs, however, are not the answer to this problem. We cannot afford to abandon our Nation's beleaguered public schools for costly, ineffective initiatives. Rather, it is absolutely critical that we focus our attention and resources on strengthening and improving them.

It is for these reasons that I urge my colleagues to join me in voting ''no'' on the Army ''Private School Vouchers For DC'' Amendment.

Mr. BEREUTER. Mr. Chairman, this Member is pleased to support H.R. 4380, the fiscal year 1999 District of Columbia Appropriations. This Member also wishes to thank the distinguished gentleman from Louisiana (Mr. LIVINGSTON), the Chairman of the Appropriations Committee, and the distinguished gentleman from North Carolina (Mr. TAYLOR), the Chairman of the D.C. Appropriations Subcommittee, as well as the distinguished gentleman from Wisconsin (Mr. OBEY), the Ranking Member of the Appropriations Committee, and the distinguished gentleman from Virginia (Mr. MORAN), the Ranking Member of the D.C. Appropriations Subcommittee, for including an appropriation of 4 million dollars for the Washington, DC Boys Town Facility.

As you may know, Father Flanagan founded Boys Town in 1917 to provide care to homeless, abandoned boys in the Omaha, Nebraska, area. Since then, Boys Town has taken its successful formula of helping troubled and needy children to all party of the country, including Washington, DC. The DC facility opened its doors in 1993, and since then has served hundreds of boys and girls through its short-term emergency shelter, Common Sense Parenting program, recruiting and training foster parents, and by providing long-term residential homes for at-risk youth. The Boys Town method of providing education and care to children had been a proven success nationwide and in the Washington, DC, area, but more help is needed. Because of the large demand in this area, and because other local shelters have recently closed their doors, Boys Town is expanding its DC service to provide assistance to more children who will be able to receive this greatly needed help.

The generous amount provided in this appropriations bill will help Boys Town begin to give hundreds of DC children the opportunity to experience a stable, home-like atmosphere where they can learn and prosper. Again, this Member thanks the Chairmen and Ranking Members, as well as all of the members of the Appropriations Committee, for providing Boys Town with these greatly-needed funds.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

The amendments printed in House Report 105–679 may be offered only by a Member designated in the report and only at the appropriate point in the reading of the bill, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

The Clerk will read.

The Clerk read as follows:

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 District of Columbia for the fiscal year ending September 30, 1999, and for other purposes, namely:

FEDERAL FUNDS

METRORAIL IMPROVEMENTS AND EXPANSION

For a Federal contribution to the Washington Metropolitan Area Transit Authority for improvements and expansion of the Mount Vernon Square Metrorail station located at the site of the proposed Washington Convention Center project, $25,000,000, to remain available until expended.

NATION'S CAPITAL INFRASTRUCTURE FUND

For a Federal contribution to the District of Columbia towards the costs of infrastructure needs, which shall be deposited into an escrow account of the District of Columbia Financial Responsibility and Management Assistance Authority and disbursed by the Authority from such account for the repair and maintenance of roads, highways, bridges, and transit in the District of Columbia, $21,000,000, to remain available until expended.

ENVIRONMENTAL STUDY AND RELATED ACTIVITIES AT LORTON CORRECTIONAL COMPLEX

For a Federal contribution for an environmental study and related activities at the Lorton Correctional Complex, to be transferred to the Federal agency with authority over the Complex, $7,000,000, to remain available until expended.

AMENDMENT OFFERED BY MR. MORAN OF VIRGINIA

Mr. MORAN of Virginia. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MORAN of Virginia:

Page 2, line 23, strike ''Lorton Correctional Complex'' and insert ''property on which the Lorton Correctional Complex is located''.

Mr. MORAN of Virginia. Mr. Chairman, this is simply a technical perfecting amendment. The language says Lorton Correctional Complex, which would refer to the facility. We want the environmental study done of the property on which the facility is located. We do not want to spend $7 million to sweep the floors within the prison. We want to determine what toxins might exist around the complex. Obviously most of the toxins were dumped out of the prison, they are throughout the property on which the prison facility is located. I have to say that this would not have been necessary but for the fact that we only got this bill language yesterday morning. As a result, we were only able to look through the bill at the last minute. I would expect that this would not be a problem, that we can clarify it. I cannot imagine why it would be controversial.

Mr. DAVIS of Virginia. Mr. Chairman, will the gentleman yield?

Mr. MORAN of Virginia. I yield to the gentleman from Virginia.

Mr. DAVIS of Virginia. Is it not a fact that there have been environmental cleanups and pipes breaking well off the correctional facility property, that have in fact leaked into the Occoquan River that flows through there and has polluted that water and there have been in fact many lawsuits against the city of the District of Columbia for these and these are well off the prison complex reservation itself?

Mr. MORAN of Virginia. Taking back my time, the gentleman is absolutely correct. There is an aquifer that runs under the complex. That is why if the language is as restrictive as is stated in the bill, then we really do not accomplish the objective of determining what the cost of a complete environmental cleanup would be. I am glad the chair of the authorizing committee is familiar with the situation as he obviously is and understands the necessity of perfecting this language so that it can accomplish its objective.

Mr. DAVIS of Virginia. Is it not also a fact that to actually dispose of this property, the GSA or the Department of Interior or whatever Federal agency would be given that task, that they would need to know what those environmental cleanup costs are before they could dispose of it to anyone?

Mr. MORAN of Virginia. Reclaiming my time, the gentleman is absolutely correct. We did attempt to put further language in this bill. I think it should have been included, obviously, that could have facilitated the transfer from the Department of Interior to the General Services Administration. They made the estimate of $7 million as to what would be necessary to do the environmental assessment and other related activities. I would hope that perhaps in conference we could take care of that.

□ 1715

But without this clarifying language then the $7 million is not of any real use because it is only confined to the facility. I appreciate the gentleman's comments though.

Mr. TAYLOR of North Carolina. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I am not going to object to the amendment at this time, I am not going to object to this language at this time. The gentleman came to me for a $7 million study for the EPA to determine the extent of the environmental pollution at Lorton. We put that together and submitted the language to the gentleman as quickly as we could, and the gentleman stated through the staff, that the report language regarding those funds was adequate.

Now, as the gentleman knows, there are a number of attempts to use this appropriations bill to remove the Lorton prison from the rightful control of the Department of Interior and to make transfers for the land, either part or all of it, without compensation to the city of D.C. which has a $3.7 billion debt unwritten by the American taxpayer, and the thought is to pass it to northern Virginia.

Now I am sure the gentleman would agree that the authorizing committee of jurisdiction should deal with these issues and the entire Congress should be apprised as to what disposal is made of that money, and I would hate to think that it would be taken away from the District of Columbia to go to a park in northern Virginia.

I can only say that there are a number of Democrats and a number of Republicans who have expressed concern about this transfer if it should happen, and I have reason to believe that it might. One Member of Congress in northern Virginia stated in a statement that was sent out by hundreds of thousands of leaflets: My preference is to devote a substantial amount of this property; that is, these 3,000 acres of Lorton prison, to the Northern Virginia Park Authority, to provide for a quality affordable golf course and some other things.

Now this is one of the most wealthy parts of the State of Virginia, and I would hate to see the people of D.C. deprived of the money or the exchange of this property and realize nothing.

I would also point out some nine pages have been presented to the Committee on Rules that would have set the matter up for transfer under the General Services Administration of any property on which the Lorton Correction Complex shall be transferred, to the Northern Virginia Recreation Park Authority.

Now what I am saying is I will not object to the gentleman's amendment, but I will fight very strongly in conference any attempt to change language that would allow this property to be taken away from the people of this Nation and the people of DC without any compensation or recognition without the full understanding and agreement by this body.

Mr. DIXON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to the gentleman from Virginia (Mr. MORAN), the ranking member of the committee.

Mr. MORAN of Virginia. Mr. Chairman, I would like to point out to the chairman of the committee that the D.C. Revitalization Act transferred this property to the Federal Government, the Department of Interior. So, it is not the citizens of the District of Columbia now that are responsible for it, but the Department of the Interior recognizes it does not have the resources, nor the will, to maintain this property, and thus it is at their request that it is the General Services Administration that would assume responsibility for the property as well as the environmental assessment and subsequent clean up.

Mr. DAVIS of Virginia. Mr. Chairman, will the gentleman yield?

Mr. DIXON. I yield to the gentleman from Virginia.

Mr. DAVIS of Virginia. Mr. Chairman, first of all the Northern Virginia Regional Park Authority right now has 150 acres of leased land from the Lorton complex. It is not city property, it is Federal property; I think we need to understand that. If and when the property is sold, I think at that point it would be appropriate to determine if the city should receive any of those proceeds, and I think hopefully the whole body would be involved with that at this time.

But it is noted that I am not going to elaborate on this except to say the

Chairman has said he will accept this amendment. I think that is in good faith, and we can deal with some of these other authorizing issues later.

But I want to note that the White House, the Department of Interior and GSA all agree that the Department of Interior, who this land is conveyed to at this point, is not the appropriate agency at this point to make the environmental assessment and later to decide how that land should be sold, divided, developed, discarded or whatever, and it is only for that reason that we have asked ultimately that GSA make those determinations. They are the appropriate Federal agencies that would do that.

I do not know of any other conspiracy or news letters except to say on a personal basis I do not favor massive development at that site. Anyone who has driven down that I–395 corridor during rush hour knows that the infusion of thousands and thousands and thousands of more cars is not an appropriate use.

But I think at this point that is not the purpose of this amendment. The purpose of this amendment is simply to get the environmental costs so that the GSA can go about their job, make the appropriate environmental evaluation, and we can move ahead and work with the chairman and others to decide what should happen from there.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia (Mr. MORAN).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

OFFENDER SUPERVISION, DEFENDER, AND COURT SERVICES AGENCY

For a Federal contribution for the District of Columbia Offender Supervision, Defender, and Court Services Agency for establishment of a residential sanctions center and drug testing, intervention, and treatment, to be used to ensure adequate response to persons who violate conditions of supervision and to implement recommendations of the District of Columbia Truth-in-Sentencing Commission, $4,000,000.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA CORRECTIONS TRUSTEE OPERATIONS

For payment to the District of Columbia Corrections Trustee, $184,800,000 for the administration and operation of correctional facilities and for the administrative operating costs of the Office of the Corrections Trustee, as authorized by section 11202 of the National Capital Revitalization and Self-Government Improvement Act of 1997, Public Law 105–33.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

Notwithstanding any other provision of law, $142,000,000 for payment to the Joint Committee on Judicial Administration in the District of Columbia; of which not to exceed $121,000,000 shall be for District of Columbia Courts operation, and not to exceed $21,000,000, to remain available until September 30, 2001, shall be for capital improvements for District of Columbia courthouse facilities: *Provided,* That said sums shall be paid quarterly by the Treasury of the United States based on quarterly apportionments approved by the Office of Management and Budget, with payroll and financial services to be provided on a contractual basis with the General Services Administration, said services to include the preparation and submission of monthly financial reports to the President and the Committees on Appropriations of the Senate and House of Representatives, the Committee on Governmental Affairs of the Senate, and the Committee on Government Reform and Oversight of the House of Representatives.

DISTRICT OF COLUMBIA OFFENDER SUPERVISION, DEFENDER, AND COURT SERVICES AGENCY

For payment to the District of Columbia Offender Supervision, Defender, and Court Services Agency, $59,400,000, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, Public Law 105–33; of which $33,802,000 shall be for necessary expenses of Parole Revocation, Adult Probation and Offender Supervision; $14,486,000 shall be available to the Public Defender Service; and $11,112,000 shall be available to the Pretrial Services Agency.

FEDERAL PAYMENT FOR METROPOLITAN POLICE DEPARTMENT

For payment to the Metropolitan Police Department, $1,200,000, for the administration and operating costs of the Citizen Complaint Review Office.

FEDERAL PAYMENT FOR FIRE DEPARTMENT

For payment to the Fire Department, $3,240,000, for a 5.5 percent pay increase to be effective and paid to firefighters beginning October 1, 1998.

FEDERAL PAYMENT FOR BOYS TOWN U.S.A.

For a Federal contribution to the Board of Trustees of Boys Town U.S.A. for expansion of the operations of Boys Town of Washington, located at 4801 Sargent Road, Northeast, $4,000,000, to remain available until expended, to be paid upon certification by the Inspector General of the District of Columbia that $3,100,000 in matching funds from private contributions have been collected by Boys Town of Washington.

FEDERAL PAYMENT TO HISTORICAL SOCIETY FOR CITY MUSEUM

For a Federal payment to the Historical Society of Washington, D.C., for the establishment and operation of a Museum of the City of Washington, D.C. at the Carnegie Library at Mount Vernon Square, $2,000,000, to remain available until expended, to be deposited in a separate account of the Society used exclusively for the establishment and operation of such Museum: *Provided,* That the Secretary of the Treasury shall make such payment in quarterly installments, and the amount of the installment for a quarter shall be equal to the amount of matching funds that the Society has deposited into such account for the quarter (as certified by the Inspector General of the District of Columbia): *Provided further,* That notwithstanding any other provision of law, not later than January 1, 1999, the District of Columbia shall enter into an agreement with the Society under which the District of Columbia shall lease the Carnegie Library at Mount Vernon Square to the Society beginning on such date for 99 years at a rent of $1 per year for use as a city museum.

UNITED STATES PARK POLICE

For a Federal payment to the United States Park Police, $8,500,000, to acquire, modify and operate a helicopter and to make necessary capital expenditures to the Park Police aviation unit base.

FEDERAL PAYMENT FOR WATERFRONT IMPROVEMENTS

For a Federal payment to the District of Columbia Department of Housing and Community Development for a study by the U.S. Army Corps of Engineers of necessary improvements to the Southwest Waterfront in the District of Columbia (including upgrading marina dock pilings and paving and restoring walkways in the marina and fish market areas) for the portions of Federal property in the Southwest quadrant of the District of Columbia that consist of Lots 847 and 848, a portion of Lot 846, and the unassessed Federal real property adjacent to Lot 848 in Square 473, and for carrying out the improvements recommended by the study, $3,000,000: *Provided,* That no portion of such funds shall be available to the District of Columbia for carrying out such improvements unless the District of Columbia executes a 30-year lease with the existing lessees, or with their successors in interest, of such portions of property not later than 90 days after the date of enactment of this Act.

FEDERAL PAYMENT FOR MENTORING SERVICES

For a Federal payment to the International Youth Service and Development Corps, Inc. for a mentoring program for at-risk children in the District of Columbia, $200,000: *Provided,* That the International Youth Service and Development Corps, Inc. shall submit to the Committees on Appropriations of the House of Representatives and the Senate an annual report on the activities carried out with such funds due November 30 of each year.

FEDERAL PAYMENT FOR HOTLINE SERVICES

For a Federal payment to the International Youth Service and Development Corps, Inc. for the operation of a resource hotline for low-income individuals in the District of Columbia, $50,000: *Provided,* That the International Youth Service and Development Corps, Inc. shall submit to the Committees on Appropriations of the House of Representatives and the Senate an annual report on the activities carried out with such funds due November 30 of each year.

FEDERAL PAYMENT FOR PUBLIC EDUCATION

For a Federal contribution to the public education system for public charter schools, $20,391,000.

DISTRICT OF COLUMBIA FUNDS

OPERATING EXPENSES

DIVISION OF EXPENSES

The following amounts are appropriated for the District of Columbia for the current fiscal year out of the general fund of the District of Columbia, except as otherwise specifically provided.

GOVERNMENTAL DIRECTION AND SUPPORT

Governmental direction and support, $164,144,000 (including $136,485,000 from local funds, $13,955,000 from Federal funds, and $13,704,000 from other funds): *Provided,* That not to exceed $2,500 for the Mayor, $2,500 for the Chairman of the Council of the District of Columbia, and $2,500 for the Chief Management Officer shall be available from this appropriation for official purposes: *Provided further,* That any program fees collected from the issuance of debt shall be available for the payment of expenses of the debt management program of the District of Columbia: *Provided further,* That no revenues from Federal sources shall be used to support the operations or activities of the Statehood Commission and Statehood Compact Commission: *Provided further,* That the District of Columbia shall identify the sources of funding for Admission to Statehood from its own locally-generated revenues: *Provided further,* That all employees permanently assigned to work in the Office of the Mayor shall be paid from funds allocated to the Office of the Mayor.

AMENDMENT NO. 1 OFFERED BY MS. NORTON

Ms. NORTON. 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 Ms. NORTON:

Page 8, line 22, insert ''(increased by $573,000)'' after ''$164,144,000''.

Page 8, line 23, insert ''(increased by $573,000)'' after ''$136,485,000''.

Page 9, line 4, insert after ''purposes:'' the following: ''*Provided further,* That $573,000 of such amount shall be for Advisory Neighborhood Commissions established pursuant to section 738 of the District of Columbia Home Rule Act''.

Ms. NORTON. Mr. Chairman, I ask that $570,000 in local funds be restored to the advisory neighborhood commissions. These neighborhood elected bodies were included in the original Home Rule Charter to allow residents at the block and neighborhood level participation that would otherwise be unavailable to them.

ANCs keep neighborhoods from being overloaded with liquor stores and porno shops and from being disproportionately affected by transfer stations or illegal dumping. ANCs keep parks from becoming open-air drug markets, and the Anacostia River from being polluted by people who dump refrigerators and contaminated waste.

ANCs assure community comment and feedback on matters such as the placement of facilities and thus save the central government from making many mistakes.

No government agency could possibly monitor daily the minutia of neighborhood life and ensure rapid responses to neighborhood needs.

Without the ANCs, the District's huge loss of population would have been far greater. The almost 300 unpaid commissioners achieve what it would take a legion of civil servants to accomplish.

The ANCs have already taken a 50 percent cut in funding since 1994, forcing some out of business and leaving citizens in many District neighborhoods with no neighborhood representation.

So great have been the cuts and so detrimental to the neighborhoods that the control board actually recommended a $78,000 increase in funding for FY 1999, not zero funding, as proposed here.

Ironically, the cut in the appropriation comes as an auditor's report shows that controls are working. The ANCs are audited on a regular basis and must submit quarterly reports. The D.C. auditor's 1997 annual report of ANCs reads much like a GAO report of Federal agencies.

Congress does not defund Federal agencies when we find problems. We fix the problems. The amounts involved here are minimal and some ANCs do not even spend their small allotments. This is local and only local money and it is spent on bare necessities: Office expenses, faxes, phones, neighborhood anticrime patrol equipment, and the like.

I would have no objection if the gentleman from North Carolina (Mr. TAYLOR) were to propose more stringent fiscal controls than the admirable controls that already exist.

I could not agree more that the District cannot afford to waste a cent. The auditor's report could provide a road map for further reforms. Cutting off residents' lifeline to neighborhood improvement will only increase the already astonishing flight from the city.

Restore this small amount in the appropriation. Give local residents, who are doing more than their share, a break.

Mr. TAYLOR of North Carolina. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I agree, when you are talking about $5.2 billion, which is an enormous amount of money for a city that is a little over 500,000 people, $600,000 or a little under $600,000 is not a lot of money.

What we are going to do as a body in performing our duty many times is to speak about, in small sums, to make points about what has happened to this city over a number of years.

As I mentioned a moment ago, it has not been just the money. It does not need a new or additional appropriation, but it has been mismanaged in such a callous way that the entire nation knows that it has been mismanaged.

I pointed out a moment ago about the latest newspaper story about the welfare department making almost $12,000 of 1–900 sex calls from the department. That was today. If you look at the ANCs, you will see that there have been numerous abuses. In fact, the newspapers point out that for 20 years, the ANC has fallen short of what its purpose was aimed for in the beginning.

The District Auditor has pointed out that numerous times the ANC has failed to meet the requirements that the city provides in accounting or any other phase.

In fact, the auditor in this headline points out, the D.C. auditor's office has recommended the city cut off funds to the Advisory Neighborhood Commission in the northwest until its books are balanced.

□ 1730

In addition, we have a letter from the D.C. Federation of Civic Associations, and they recommend, by resolution, Resolved, that it is the sense of the Executive Committee that the Federation of Civic Associations should work through the Committee of the ANC toward recommendations that the Advisory Neighborhood Commissions be abolished.

Now, we have the auditor recommending abolition, we have the D.C. Federation of Civic Associations, and your own good judgment should tell you, we should not continue to fund these associations.

We have internal financial controls, and I will point out that grants awarded by the ANC are in violation of laws, internal financial control procedures are not followed, questionable disbursements are disallowed, diversions of funds to personnel use of the commissioners, noncompliance with financial guidelines, inadequate record keeping. Thirty-two percent of the ANCs had not filed required quarterly reports, 19 percent have not filed those reports in a year, and one has not filed in four years. Over one-half of the money appropriated to the ANCs are not spent due to the ANC failures.

Now, this is an example. It harkens back to a time in D.C. that we are trying to remedy. It should not be kept in a thought of reminiscence. It should be abolished. We should abolish this fund, and then talk with the City Council, and they would have the right to come forward to see if there is really a need for the ANCs.

Now, the purpose of the ANC essentially is to represent people in the District with a number of their problems. Few communities get $600,000 for the community to come forward and represent them. We have a City Council with Members paid $85,000 per member to represent the people of this city. We have the Control Board, not elected, but appointed, that represents in some sense the people of the city. We have the gentlewoman from the District of Columbia (Ms. NORTON), who is a nonvoting Member of Congress, who represents the people of the city, and she does it quite effectively. Every Member of Congress represents the people of this city.

So, I would say, let us delete this $600,000 expenditure and move forward.

Mr. DIXON. Mr. Chairman, I rise to support the amendment.

Mr. Chairman, in the Committee on Appropriations when we had this discussion and dialogue, the chairman of the subcommittee said that he had many, many examples of waste, fraud and abuse. Today he used the same two examples, so I assume that he did not have the time to get them. He said at the subcommittee meeting he did not have the time to get them, but there were stacks of them. He used the same two today, so I assume that he could not find those stacks.

But, more importantly, this has nothing to do with phone sex, this has nothing to do with the associations. What it has to do with is in the Home Rule Act, the people of the District decided that they would like to have a layer of government at the neighborhood level.

Now, I am not here to defend the associations and say that they have been perfect in every instance. If they have not, and the DC auditor has looked at some of the irregularities, they have not filed reports for the $16,000. There are not jobs involved in this; this is community participation. I would think it would be a lot more constructive if we tried to work with the auditor and work with the organizations to improve them.

One of the pictures that was held up, it said that after two decades DC has

not met its dream. I think, Mr. Chairman, we should try to help them meet their dream of having involvement at the neighborhood level.

The $600,000 is not the important issue here. The important issue is that the communities want to be involved in the government and in the beautification and the neighborhood watch of their local community, and the City Council has given all 36 of them less than $600,000 total to deal with it, and you have just stripped it out of the budget and stripped the desire for them to participate.

Mr. LATHAM. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in opposition to the amendment of the gentlewoman from the District of Columbia (Ms. NORTON).

First of all, I would like to remind my colleagues that money is fungible. The Federal tax dollars we spend are all printed with green and not identified by account. In recognizing that fact, we cannot come before the American taxpayers and say these dollars are not Federal tax dollars. Members of Congress vote to appropriate these funds. These are federally appropriated funds, and we have the right to judge how the money is spent and withhold funds that are destined to be spent improperly.

A case in point is the Advisory Neighborhood Commissions, also known as the ANCs. They have existed in the District of Columbia for over 20 years. Unfortunately, 20 years has provided plenty of time for the District's corrupt political machine to use the funds irresponsibly and inappropriately.

It is time for Congress to put a stop to these slush funds. Why? Because an audit of the ANCs' annual budget found that 12 of the 37 ANCs failed to submit one or more quarterly financial reports for fiscal year 1997, and at least 5 of those 12 failed to submit reports for a whole fiscal year.

In addition, the audit reported, internal control procedures were not followed, and some ANC officers were found to have signed checks made payable to themselves, including an ANC chairperson diverting over $10,000 of these federally appropriated dollars for personal use and a treasurer diverting another $2,400 for personal use.

ANC treasurers have failed to provide regular financial reports to the commissioners. ANC officers have spent funds without obtaining commission approval. Reimbursements were not often supported by receipts or invoices. Bank statements, balances, were not reconciled with checkbook balances. Voided checks were not consistently canceled, mutilated or maintained in ANC files.

I oppose this amendment because this Congress should support funding proposals that can help our Nation's Capital. This proposal simply funds further corruption in this city.

The ANCs have had over 20 years to do the right job, and they simply have failed. This amendment makes the Federal Government a coconspirator in an effort to expand DC's corrupt bureaucratic spiderweb into 37 separate neighborhood commissions.

In conclusion, I want Members of this body to think about a few interesting facts: The State of Iowa, where I am from, appropriates about $4.3 billion a year. Washington, DC has a $6.7 billion appropriation. To compare, Iowa has over five times more people than DC, has a much larger infrastructure than DC, spends less than one-half per student on education, and Iowa is ranked number one in the Nation. Washington, DC, spending more than twice that much, is ranked dead last. Iowa was just named the best place in the country to raise a child. Compare that to what we are seeing here in DC Obviously, we do things a little differently in Iowa, but I can safely bet we do them a little better.

We should stop wasting money on ANCs and use these dollars to actually help the people of our Nation's great capital. DC does not need more money, it needs honest leadership and management.

Mr. DAVIS of Virginia. Mr. Chairman, will the gentleman yield?

Mr. LATHAM. I yield to the gentleman from Virginia.

Mr. DAVIS of Virginia. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, let me just say, I know in a city where democracy has been stifled and a strong thirst for participation, how deep the feelings run on this, but in my judgment you can have civic involvement, you can have grassroots organizing, without appropriated funds. Out in my County of Fairfax we have hundreds of civic associations. They are the lifeblood of the community, but we do it without government money moving down, and in many instances getting misspent and misappropriated through time.

So I think the gentleman from North Carolina (Chairman TAYLOR) has it right on this particular amendment, and, with all due respect to my friend, the delegate from the District of Columbia, I join the chairman in opposing this amendment.

Mr. LATHAM. Mr. Chairman, reclaiming my time, I may just ask the gentleman, you are saying actually people do these things in communities without getting paid for them?

Mr. DAVIS of Virginia. Absolutely, with great pride. They either raise the money locally, or they do it just the old-fashioned way, with volunteer time.

Mr. LATHAM. That is kind of way we do it in Iowa.

Mr. MORAN of Virginia. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am going to rise in support of this amendment. The reason is a pretty basic principle. What we are appropriating, Federal money is directed. This is local money. This really is the money that comes from the citizens of the District of Columbia, and it would seem they should be able to spend it as they would like. I admire the gentlewoman from the District of Columbia (Ms. NORTON) for wanting to sustain the Advisory Neighborhood Commissions, because she lives in D.C., and it is not always convenient to have these ANCs.

For example, the gentlewoman wanted to build a deck, and she had to go before the ANC before she can build a deck because it affects the quality of life of her neighbors. The former Speaker wanted to put in a garage, he wanted to close an alley. He could not do it because he had to go to the Advisory Neighborhood Commission himself. Mr. Michel, the former minority leader, had to go through the same kind of thing. I am sure it is annoying, but the fact is it provides a kind of vigilance to protect these individual neighborhoods.

Now, I thought that the gentleman from North Carolina (Mr. TAYLOR) brought up a very important point when he showed the newspaper article, because the newspaper article pointed out that the woman, who happened to be the mayor's former wife, Mrs. Treadwell, but the woman did misappropriate funds. That was a crime. But the point is that an audit caught it and she was punished for it. So the system is working. When we have these egregious instances, the people that commit them are caught, they are brought to justice, and it shows that the people of the District of Columbia are not going to tolerate this kind of thing. I think that is good.

I am sure that the ANCs do not work at maximum efficiency nor effectiveness, and we have read articles that show that there are a lot of deficiencies. What the gentlewoman from the District of Columbia (Ms. NORTON) suggested is try to fix it; suggest some things that will tighten it up. Already suggestions have been made by Members of the D.C. council, and I understand they are going to be implemented, that will tighten it up, and we could do more than that.

But I think to impose our will upon something that thousands of people are involved in, to say no, you cannot do this, you cannot do it with your own money, you have to give up what is really the most directly representative government that the District of Columbia has, is contrary to the principle that I thought the other side stood for, which is the maximum devolution of authority and responsibility down to the lowest level possible, where people can exercise their civic duties and responsibilities, and that is this Advisory Neighborhood Commission structure.

I do not want to fall on our sword on this, and some of the things they have done are clearly indefensible.

□ 1745

But I think it is more indefensible for us to stand here as judge and jury and

to say that the citizens of the District cannot use their own money as they would choose.

If this was a direct appropriation I think it would be something different, and I trust that we would not be appropriating directly Federal funds. But that is not what this is. This is really an imposition from the Federal Government in a way that not only is micromanagement, but I think is a real slap in the face to the efforts of the District of Columbia to gain maximum representation for their citizens, and particularly, opportunities for their civic leaders.

Ms. WATERS. Mr. Chairman, I move to strike the requisite number of words.

Ms. NORTON. Mr. Chairman, will the gentlewoman yield?

Ms. WATERS. I yield to the gentlewoman from the District of Columbia.

Ms. NORTON. Mr. Chairman, I thank the gentlewoman for yielding.

Mr. Chairman, it is my obligation to rise and respond to the gentleman from Iowa, who claimed that the funds involved, the funds before us, are ''Federally appropriated funds,'' leaving the impression that the funds we are discussing as ANC funds are Federal funds somehow fungible to the Federal budget.

Let me be clear. Every cent of the funds involved here was raised in the District of Columbia from District taxpayers. These funds are found in the budget of the District of Columbia. These funds were scrubbed and approved by the Control Board, which did so after looking at the auditor's report, after satisfying itself that the kinds of inevitable abuses we will find in this kind of operation were being addressed.

It is bad enough for the Federal Government to be appropriating somebody else's money, as I speak. We should not be appropriating a cent of the money before us. It is not Federal money, it was raised by my constituents in my city. It is bad enough for Members to appropriate it, but then to insist that because they appropriated it, it is fungible with the Federal budget, is an insult to the hardworking people of the District of Columbia, and I will not have it.

This is their money. Let them use their money as they please, as long as that money is used honestly and there are controls, and we have seen that there are.

Ms. WATERS. Reclaiming my time, Mr. Chairman, this debate is unbelievable. Everything that I have been taught as an elected official, and prior to ever being elected to office, had to do with involvement in community.

I was taught that it is important to be involved in neighborhood watch programs, to be involved in tree planting programs, to be involved in cleanup programs in the neighborhood, to be involved in one's city in ways that will help drive the politics at City Hall, in the State, and even in the Federal Government, oftentimes. Community involvement is very, very special.

For communities with a lot of money, oftentimes people do that because they have assistance that frees them up to be able to do it. They have money that they can put in, they have resources. They can call on their wealthy friends.

But not all communities are free to be involved in those ways. Many poor people, many average workers, give what they can of their time and their resources, but I firmly believe that every local government ought to have support for citizens who want to be involved in their government.

One of the things I have been very pleased about, as I have come to spend time in the District of Columbia, is the local involvement of the ANCs. I have seen the work they do and the notices they put out in the neighborhood. I am absolutely appalled, and really do not understand why anybody, particularly my friends on the other side of the aisle who claim to be about the business of involving citizens, good citizenship, about people being involved in their government, would pull the rug out from under local citizens who are doing just that with their own resources and their own money.

I dare tell the Members that none of the persons on the other side of the aisle can tell us what dollars are being spent in their many cities and towns for all kinds of activities. They would not dare confront the citizens of any of those towns and cities in their district and tell them they could not accept money from their city for involvement in ways that they have decided.

It is easy to come to Washington and pick on the District. Oh, yes, the District has had its problems. They would not do this kind of mess at home. They would not do it, because their citizens would not stand for it.

Well, maybe the citizens do not have all they need to fight them back. But for them to stand here and look the gentlewoman in the face and tell her that they are going to dictate to her citizens in the District of Columbia, using their own money, that they cannot be involved in local government, is outrageous.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON).

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

Ms. NORTON. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 517, further proceedings on the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON) will be postponed.

The Clerk will read.

The Clerk read as follows:

ECONOMIC DEVELOPMENT AND REGULATION

Economic development and regulation, $159,039,000 (including $45,162,000 from local funds, $83,365,000 from Federal funds, and $30,512,000 from other funds), of which $12,000,000 collected by the District of Columbia in the form of BID tax revenue shall be paid to the respective BIDS pursuant to the Business Improvement Districts Act of 1996 (D.C. Law 11–134; D.C. Code, sec. 1–2271 et seq.), and the Business Improvement Districts Temporary Amendment Act of 1997 (D.C. Law 12–23): *Provided,* That such funds are available for acquiring services provided by the Federal General Services Administration: *Provided further,* That Business Improvement Districts shall be exempt from taxes levied by the District of Columbia.

PUBLIC SAFETY AND JUSTICE

Public safety and justice, including purchase or lease of 135 passenger-carrying vehicles for replacement only, including 130 for police-type use and five for fire-type use, without regard to the general purchase price limitation for the current fiscal year, $755,786,000 (including $531,660,000 from local funds, $30,327,000 from Federal funds, and $193,799,000 from other funds): *Provided,* That the Metropolitan Police Department is authorized to replace not to exceed 25 passenger-carrying vehicles and the Department of Fire and Emergency Medical Services of the District of Columbia is authorized to replace not to exceed five passenger-carrying vehicles annually whenever the cost of repair to any damaged vehicle exceeds three-fourths of the cost of the replacement: *Provided further,* That not to exceed $500,000 shall be available from this appropriation for the Chief of Police for the prevention and detection of crime: *Provided further,* That the Metropolitan Police Department shall provide quarterly reports to the Committees on Appropriations of the House and Senate on efforts to increase efficiency and improve the professionalism in the department: *Provided further,* That notwithstanding any other provision of law, or Mayor's Order 86–45, issued March 18, 1986, the Metropolitan Police Department's delegated small purchase authority shall be $500,000: *Provided further,* That the District of Columbia government may not require the Metropolitan Police Department to submit to any other procurement review process, or to obtain the approval of or be restricted in any manner by any official or employee of the District of Columbia government, for purchases that do not exceed $500,000: *Provided further,* That the Mayor shall reimburse the District of Columbia National Guard for expenses incurred in connection with services that are performed in emergencies by the National Guard in a militia status and are requested by the Mayor, in amounts that shall be jointly determined and certified as due and payable for these services by the Mayor and the Commanding General of the District of Columbia National Guard: *Provided further,* That such sums as may be necessary for reimbursement to the District of Columbia National Guard under the preceding proviso shall be available from this appropriation, and the availability of the sums shall be deemed as constituting payment in advance for emergency services involved: *Provided further,* That the Metropolitan Police Department is authorized to maintain 3,800 sworn officers, with leave for a 50 officer attrition: *Provided further,* That no more than 15 members of the Metropolitan Police Department shall be detailed or assigned to the Executive Protection Unit, until the Chief of Police submits a recommendation to the Council for its review: *Provided further,* That $100,000 shall be available for inmates released on medical and geriatric parole: *Provided further,* That commencing on December 31, 1998, the Metropolitan Police Department shall provide to the Committees on Appropriations of the Senate and House of Representatives, the Committee on Governmental Affairs of the Senate, and the Committee on Government

Reform and Oversight of the House of Representatives, quarterly reports on the status of crime reduction in each of the 83 police service areas established throughout the District of Columbia: *Provided further,* That funds appropriated for expenses under the District of Columbia Criminal Justice Act, approved September 3, 1974 (88 Stat. 1090; Public Law 93–412; D.C. Code, sec. 11–2601 et seq.), for the fiscal year ending September 30, 1999, shall be available for obligations incurred under the Act in each fiscal year since inception in the fiscal year 1975: *Provided further,* That funds appropriated for expenses under the District of Columbia Neglect Representation Equity Act of 1984, effective March 13, 1985 (D.C. Law 5–129; D.C. Code, sec. 16–2304), for the fiscal year ending September 30, 1999, shall be available for obligations incurred under the Act in each fiscal year since inception in the fiscal year 1985: *Provided further,* That funds appropriated for expenses under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986, effective February 27, 1987 (D.C. Law 6–204; D.C. Code, sec. 21–2060), for the fiscal year ending September 30, 1999, shall be available for obligations incurred under the Act in each fiscal year since inception in fiscal year 1989.

PUBLIC EDUCATION SYSTEM

Public education system, including the development of national defense education programs, $793,725,000 (including $640,135,000 from local funds, $130,638,000 from Federal funds, and $22,952,000 from other funds), to be allocated as follows: $644,805,000 (including $545,000,000 from local funds, $95,121,000 from Federal funds, and $4,684,000 from other funds), for the public schools of the District of Columbia; $18,600,000 from local funds for the District of Columbia Teachers' Retirement Fund; $32,626,000 (including $12,235,000 from local funds and $20,391,000 from Federal funds not including funds already made available for District of Columbia public schools) for public charter schools: *Provided,* That if the entirety of this allocation has not been provided as payments to any public charter schools currently in operation through the per pupil funding formula, the funds shall be available for new public charter schools on a per pupil basis: *Provided further,* That $485,000 be available to the District of Columbia Public Charter School Board for administrative costs: *Provided further,* That if the entirety of this allocation has not been provided as payment to one or more public charter schools by May 1, 1999, and remains unallocated, the funds shall be deposited into a special revolving loan fund described in section 172 of Public Law 95–100 (111 Stat. 2191), to be used solely to assist existing or new public charter schools in meeting startup and operating costs: *Provided further,* That the Emergency Transitional Education Board of Trustees of the District of Columbia shall report to Congress not later than 120 days after the date of enactment of this Act on the capital needs of each public charter school and whether the current per pupil funding formula should reflect these needs: *Provided further,* That until the Emergency Transitional Education Board of Trustees reports to Congress as provided in the preceding proviso, the Emergency Transitional Education Board of Trustees shall take appropriate steps to provide public charter schools with assistance to meet capital expenses in a manner that is equitable with respect to assistance provided to other District of Columbia public schools: *Provided further,* That the Emergency Transitional Education Board of Trustees shall report to Congress not later than November 1, 1998, on the implementation of their policy to give preference to newly created District of Columbia public charter schools for surplus public school property; $72,088,000 (including $40,148,000 from local funds, $14,079,000 from Federal funds, and $17,861,000 from other funds) for the University of the District of Columbia; $23,419,000 (including $22,326,000 from local funds, $686,000 from Federal funds and $407,000 from other funds) for the Public Library; $2,187,000 (including $1,826,000 from local funds and $361,000 from Federal funds) for the Commission on the Arts and Humanities: *Provided further,* That the public schools of the District of Columbia are authorized to accept not to exceed 31 motor vehicles for exclusive use in the driver education program: *Provided further,* That not to exceed $2,500 for the Superintendent of Schools, $2,500 for the President of the University of the District of Columbia, and $2,000 for the Public Librarian shall be available from this appropriation for official purposes: *Provided further,* That in using funds for repair and improvement of the District of Columbia's public school facilities made available under this or any other Act, the District of Columbia Financial Responsibility and Management Assistance Authority (or its designee) may place orders for engineering and construction and related services with the U.S. Army Corps of Engineers: *Provided further,* That the U.S. Army Corps of Engineers may accept such orders on a reimbursable basis and may provide any part of the services under such orders by contract. In providing such services, the U.S. Army Corps of Engineers shall follow the Federal Acquisitions Regulation and the implementing regulations of the Department of Defense: *Provided further,* That $244,078 shall be used to reimburse the National Capital Area Council of the Boy Scouts of America for services provided on behalf of 12,600 students at 39 public schools in the District of Columbia during fiscal year 1998 (including staff, curriculum, and support materials): *Provided further,* That the Inspector General of the District of Columbia shall certify not later than 30 days after the date of the enactment of this Act whether or not the services were so provided: *Provided further,* That the reimbursement shall be made not later than 15 days after the Inspector General certifies that the services were provided: *Provided further,* That up to $500,000 shall be available for services provided by the National Capital Area Council of the Boy Scouts of America for services provided at 78 schools in the District of Columbia during fiscal year 1999 (including staff, curriculum, and support materials): *Provided further,* That none of the funds contained in this Act may be made available to pay the salaries of any District of Columbia Public School teacher, principal, administrator, official, or employee who provides false enrollment or attendance information under article II, section 5 of the Act entitled ''An Act to provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes'', approved February 4, 1925 (DC Code, sec. 31–401 et seq.): *Provided further,* That funds in this Act shall not be available for pay raises to teachers in the District of Columbia Public Schools who have not passed competency tests in literacy, communications, and subject matter skills: *Provided further,* That this appropriation shall not be available to subsidize the education of any nonresident of the District of Columbia at any District of Columbia public elementary or secondary school during fiscal year 1999 unless the nonresident pays tuition to the District of Columbia at a rate that covers 100 percent of the costs incurred by the District of Columbia which are attributable to the education of the nonresident (as established by the Superintendent of the District of Columbia Public Schools): *Provided further,* That this appropriation shall not be available to subsidize the education of nonresidents of the District of Columbia at the University of the District of Columbia, unless the Board of Trustees of the University of the District of Columbia adopts, for the fiscal year ending September 30, 1999, a tuition rate schedule that will establish the tuition rate for nonresident students at a level no lower than the nonresident tuition rate charged at comparable public institutions of higher education in the metropolitan area.

HUMAN SUPPORT SERVICES

Human support services, $1,514,751,000 (including $614,679,000 from local funds, $886,682,000 from Federal funds, and $13,390,000 from other funds): *Provided,* That $21,089,000 of this appropriation, to remain available until expended, shall be available solely for District of Columbia employees' disability compensation: *Provided further,* That a peer review committee shall be established to review medical payments and the type of service received by a disability compensation claimant: *Provided further,* That the District of Columbia shall not provide free government services such as water, sewer, solid waste disposal or collection, utilities, maintenance, repairs, or similar services to any legally constituted private nonprofit organization, as defined in section 411(5) of the Stewart B. McKinney Homeless Assistance Act (Public Law 100–77; 42 U.S.C. 11371), providing emergency shelter services in the District, if the District would not be qualified to receive reimbursement pursuant to such Act (101 Stat. 485; Public Law 100–77; 42 U.S.C. 11301 et seq.).

PUBLIC WORKS

Public works, including rental of one passenger-carrying vehicle for use by the Mayor and three passenger-carrying vehicles for use by the Council of the District of Columbia and leasing of passenger-carrying vehicles, $266,912,000 (including $257,242,000 from local funds, $3,216,000 from Federal funds, and $6,454,000 from other funds): *Provided,* That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels and places of business.

WASHINGTON CONVENTION CENTER FUND TRANSFER PAYMENT

For payment to the Washington Convention Center, $5,400,000 from local funds.

REPAYMENT OF LOANS AND INTEREST

For reimbursement to the United States of funds loaned in compliance with An Act to provide for the establishment of a modern, adequate, and efficient hospital center in the District of Columbia, approved August 7, 1946 (60 Stat. 896; Public Law 79–648); section 1 of An Act to authorize the Commissioners of the District of Columbia to borrow funds for capital improvement programs and to amend provisions of law relating to Federal Government participation in meeting costs of maintaining the Nation's Capital City, approved June 6, 1958 (72 Stat. 183; Public Law 85–451; D.C. Code, sec. 9–219); section 4 of An Act to authorize the Commissioners of the District of Columbia to plan, construct, operate, and maintain a sanitary sewer to connect the Dulles International Airport with the District of Columbia system, approved June 12, 1960 (74 Stat. 211; Public Law 86–515); sections 723 and 743(f) of the District of Columbia Home Rule Act, approved December 24, 1973, as amended (87 Stat. 821; Public Law 93–198; D.C. Code, sec. 47–321, note; 91 Stat. 1156; Public Law 95–131; D.C. Code, sec. 9–219, note), including interest as required thereby, $382,170,000 from local funds.

REPAYMENT OF GENERAL FUND RECOVERY DEBT

For the purpose of eliminating the $331,589,000 general fund accumulated deficit as of September 30, 1990, $38,453,000 from local funds, as authorized by section 461(a) of the District of Columbia Home Rule Act, approved December 24, 1973, as amended (105 Stat. 540; Public Law 102–106; D.C. Code, sec. 47–321(a)(1)).

PAYMENT OF INTEREST ON SHORT-TERM BORROWING

For payment of interest on short-term borrowing, $11,000,000.

CERTIFICATES OF PARTICIPATION

For lease payments in accordance with the Certificates of Participation involving the land site underlying the building located at One Judiciary Square, $7,926,000.

HUMAN RESOURCES DEVELOPMENT

For human resources development, $6,674,000.

PRODUCTIVITY SAVINGS

The Chief Financial Officer of the District of Columbia shall, under the direction of the District of Columbia Financial Responsibility and Management Assistance Authority, make reductions of $10,000,000 in local funds to one or more of the appropriation headings in this Act for productivity savings.

RECEIVERSHIP PROGRAMS

For agencies of the District of Columbia government under court ordered receivership, $318,979,000 (including $188,439,000 from local funds, $96,691,000 from Federal funds, and $33,849,000 from other funds).

DISTRICT OF COLUMBIA FINANCIAL RESPONSIBILITY AND MANAGEMENT ASSISTANCE AUTHORITY

For the District of Columbia Financial Responsibility and Management Assistance Authority, established by section 101(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 97; Public Law 104–8), $7,840,000: *Provided*, That none of the funds contained in this Act may be used to pay the compensation of the Executive Director or General Counsel of the Authority during any period after April 1, 1999, for which such individual has not repaid the Treasury of the District of Columbia for compensation paid during any fiscal year which is determined by the Comptroller General (as described in GAO letter report B–279095.2) to have been paid in excess of the maximum rate of compensation which may be paid to such individual during such year under section 102 of such Act: *Provided further*, That none of the funds contained in this Act may be used to pay any compensation of the Executive Director or General Counsel of the Authority at a rate in excess of the maximum rate of compensation which may be paid to such individual during fiscal year 1999 under section 102 of such Act, as determined by the Comptroller General (as described in GAO letter report B–279095.2): *Provided further*, That not later than 5 calendar days after the end of each month (beginning with September 1998), the Authority shall provide to the Chief Financial Officer of the District of Columbia a statement of the balance of each account held by the Authority as of the end of the month, together with a description of the activities within each such account during the month: *Provided further*, That none of the funds contained in this or any other Act may be used to pay the salary or expenses of any officer or employee of the Authority who is required to provide information under the preceding proviso and who fails to provide such information in accordance with such proviso.

WATER AND SEWER AUTHORITY AND THE WASHINGTON AQUEDUCT

For the Water and Sewer Authority and the Washington Aqueduct, $273,314,000 from other funds (including $239,493,000 for the Water and Sewer Authority and $33,821,000 for the Washington Aqueduct) of which $39,933,000 shall be apportioned and payable to the District's debt service fund for repayment of loans and interest incurred for capital improvement projects.

LOTTERY AND CHARITABLE GAMES CONTROL BOARD

For the Lottery and Charitable Games Control Board, established by the District of Columbia Appropriation Act for the fiscal year ending September 30, 1982, approved December 4, 1981 (95 Stat. 1174, 1175; Public Law 97–91), as amended, for the purpose of implementing the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia, effective March 10, 1981 (D.C. Law 3–172; D.C. Code, secs. 2–2501 et seq. and 22–1516 et seq.), $225,200,000: *Provided*, That the District of Columbia shall identify the source of funding for this appropriation title from the District's own locally generated revenues: *Provided further*, That no revenues from Federal sources shall be used to support the operations or activities of the Lottery and Charitable Games Control Board.

CABLE TELEVISION ENTERPRISE FUND

For the Cable Television Enterprise Fund, established by the Cable Television Communications Act of 1981, effective October 22, 1983 (D.C. Law 5–36; D.C. Code, sec. 43–1801 et seq.), $2,108,000 from other funds.

PUBLIC SERVICE COMMISSION

For the Public Service Commission, $5,026,000 (including $252,000 from Federal funds and $4,774,000 from other funds).

OFFICE OF THE PEOPLE'S COUNSEL

For the Office of the People's Counsel, $2,501,000 from other funds.

DEPARTMENT OF INSURANCE AND SECURITIES REGULATION

For the Department of Insurance and Securities Regulation, $7,001,000 from other funds.

OFFICE OF BANKING AND FINANCIAL INSTITUTIONS

For the Office of Banking and Financial Institutions, $640,000 (including $390,000 from local funds and $250,000 from other funds).

STARPLEX FUND

For the Starplex Fund, $8,751,000 from other funds for expenses incurred by the Armory Board in the exercise of its powers granted by An Act To Establish A District of Columbia Armory Board, and for other purposes, approved June 4, 1948 (62 Stat. 339; D.C. Code, sec. 2–301 et seq.) and the District of Columbia Stadium Act of 1957, approved September 7, 1957 (71 Stat. 619; Public Law 85–300; D.C. Code, sec. 2–321 et seq.): *Provided*, That the Mayor shall submit a budget for the Armory Board for the forthcoming fiscal year as required by section 442(b) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 824; Public Law 93–198; D.C. Code, sec. 47–301(b)).

D.C. GENERAL HOSPITAL (PUBLIC BENEFIT CORPORATION)

For the District of Columbia General Hospital, established by Reorganization Order No. 57 of the Board of Commissioners, effective August 15, 1953, $113,599,000 of which $46,835,000 shall be derived by transfer from the general fund, and $66,764,000 shall be derived from other funds.

D.C. RETIREMENT BOARD

For the D.C. Retirement Board, established by section 121 of the District of Columbia Retirement Reform Act of 1979, approved November 17, 1979 (93 Stat. 866; D.C. Code, sec. 1–711), $18,202,000 from the earnings of the applicable retirement funds to pay legal, management, investment, and other fees and administrative expenses of the District of Columbia Retirement Board: *Provided*, That the District of Columbia Retirement Board shall provide to the Congress and to the Council of the District of Columbia a quarterly report of the allocations of charges by fund and of expenditures of all funds: *Provided further*, That the District of Columbia Retirement Board shall provide the Mayor, for transmittal to the Council of the District of Columbia, an itemized accounting of the planned use of appropriated funds in time for each annual budget submission and the actual use of such funds in time for each annual audited financial report.

CORRECTIONAL INDUSTRIES FUND

For the Correctional Industries Fund, established by the District of Columbia Correctional Industries Establishment Act, approved October 3, 1964 (78 Stat. 1000; Public Law 88–622), $3,332,000 from other funds.

WASHINGTON CONVENTION CENTER ENTERPRISE FUND

For the Washington Convention Center Enterprise Fund, $53,539,000, of which $5,400,000 shall be derived by transfer from the general fund.

CAPITAL OUTLAY

(INCLUDING RESCISSIONS)

For construction projects, a net increase of $1,711,160,737 (including a rescission of $114,430,742 of which $24,437,811 is from local funds and $89,992,931 is from highway trust funds appropriated under this heading in prior fiscal years, and an additional $1,825,591,479 of which $718,234,161 is from local funds, $24,452,538 is from the highway trust fund, and $1,082,904,780 is from Federal funds), to remain available until expended: *Provided*, That funds for use of each capital project implementing agency shall be managed and controlled in accordance with all procedures and limitations established under the Financial Management System: *Provided further*, That all funds provided by this appropriation title shall be available only for the specific projects and purposes intended: *Provided further*, That notwithstanding the foregoing, all authorizations for capital outlay projects, except those projects covered by the first sentence of section 23(a) of the Federal-Aid Highway Act of 1968, approved August 23, 1968 (82 Stat. 827; Public Law 90–495; D.C. Code, sec. 7–134, note), for which funds are provided by this appropriation title, shall expire on September 30, 2000, except authorizations for projects as to which funds have been obligated in whole or in part prior to September 30, 2000: *Provided further*, That upon expiration of any such project authorization the funds provided herein for the project shall lapse.

Mr. TAYLOR of North Carolina (during the reading). Mr. Chairman, I ask unanimous consent that the bill through page 28, line 7, 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 North Carolina?

There was no objection.

The CHAIRMAN. Are there any amendments to that portion of the bill?

If not, the Clerk will read.

The Clerk read as follows:

GENERAL PROVISIONS

SEC. 101. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant

to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 102. Except as otherwise provided in this Act, all vouchers covering expenditures of appropriations contained in this Act shall be audited before payment by the designated certifying official and the vouchers as approved shall be paid by checks issued by the designated disbursing official.

SEC. 103. Whenever in this Act, an amount is specified within an appropriation for particular purposes or objects of expenditure, such amount, unless otherwise specified, shall be considered as the maximum amount that may be expended for said purpose or object rather than an amount set apart exclusively therefor.

SEC. 104. Appropriations in this Act shall be available, when authorized by the Mayor, for allowances for privately owned automobiles and motorcycles used for the performance of official duties at rates established by the Mayor: *Provided*, That such rates shall not exceed the maximum prevailing rates for such vehicles as prescribed in the Federal Property Management Regulations 101–7 (Federal Travel Regulations).

SEC. 105. Appropriations in this Act shall be available for expenses of travel and for the payment of dues of organizations concerned with the work of the District of Columbia government, when authorized by the Mayor: *Provided*, That the Council of the District of Columbia and the District of Columbia Courts may expend such funds without authorization by the Mayor.

SEC. 106. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of judgments that have been entered against the District of Columbia government: *Provided*, That of such appropriations, the District of Columbia is directed to refund by September 30, 1999, up to $17,800,000 of overpayments collected by the District of Columbia Department of Public Works for parking ticket violations as reported by the District of Columbia Auditor in a report dated March 19, 1998: *Provided further*, That nothing contained in this section shall be construed as modifying or affecting the provisions of section 11(c)(3) of title XII of the District of Columbia Income and Franchise Tax Act of 1947, approved March 31, 1956 (70 Stat. 78; Public Law 84–460; D.C. Code, sec. 47–1812.11(c)(3)).

SEC. 107. Appropriations in this Act shall be available for the payment of public assistance without reference to the requirement of section 544 of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4–101; D.C. Code, sec. 3–205.44), and for the non-Federal share of funds necessary to qualify for Federal assistance under the Juvenile Delinquency Prevention and Control Act of 1968, approved July 31, 1968 (82 Stat. 462; Public Law 90–445; 42 U.S.C. 3801 et seq.).

SEC. 108. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 109. No funds appropriated in this Act for the District of Columbia government for the operation of educational institutions, the compensation of personnel, or for other educational purposes may be used to permit, encourage, facilitate, or further partisan political activities. Nothing herein is intended to prohibit the availability of school buildings for the use of any community or partisan political group during non-school hours.

SEC. 110. None of the funds appropriated in this Act shall be made available to pay the salary of any employee of the District of Columbia government whose name, title, grade, salary, past work experience, and salary history are not available for inspection by the House and Senate Committees on Appropriations, the Subcommittee on the District of Columbia of the House Committee on Government Reform and Oversight, the Subcommittee on Oversight of Government Management, Restructuring and the District of Columbia of the Senate Committee on Governmental Affairs, and the Council of the District of Columbia, or their duly authorized representative.

SEC. 111. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making payments authorized by the District of Columbia Revenue Recovery Act of 1977, effective September 23, 1977 (D.C. Law 2–20; D.C. Code, sec. 47–421 et seq.).

SEC. 112. No part of this appropriation shall be used for publicity or propaganda purposes or implementation of any policy including boycott designed to support or defeat legislation pending before Congress or any State legislature.

SEC. 113. At the start of the fiscal year, the Mayor shall develop an annual plan, by quarter and by project, for capital outlay borrowings: *Provided*, That within a reasonable time after the close of each quarter, the Mayor shall report to the Council of the District of Columbia and the Congress the actual borrowings and spending progress compared with projections.

SEC. 114. The Mayor shall not borrow any funds for capital projects unless the Mayor has obtained prior approval from the Council of the District of Columbia, by resolution, identifying the projects and amounts to be financed with such borrowings.

SEC. 115. The Mayor shall not expend any moneys borrowed for capital projects for the operating expenses of the District of Columbia government.

SEC. 116. None of the funds appropriated by this Act may be obligated or expended by reprogramming except pursuant to advance approval of the reprogramming granted according to the procedure set forth in the Joint Explanatory Statement of the Committee of Conference (House Report No. 96–443), which accompanied the District of Columbia Appropriation Act, 1980, approved October 30, 1979 (93 Stat. 713; Public Law 96–93), as modified in House Report No. 98–265, and in accordance with the Reprogramming Policy Act of 1980, effective September 16, 1980 (D.C. Law 3–100; D.C. Code, sec. 47–361 et seq.): *Provided*, That for the fiscal year ending September 30, 1999 the above shall apply except as modified by Public Law 104–8.

SEC. 117. None of the Federal funds provided in this Act shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of the District of Columbia.

SEC. 118. None of the Federal funds provided in this Act shall be obligated or expended to procure passenger automobiles as defined in the Automobile Fuel Efficiency Act of 1980, approved October 10, 1980 (94 Stat. 1824; Public Law 96–425; 15 U.S.C. 2001(2)), with an Environmental Protection Agency estimated miles per gallon average of less than 22 miles per gallon: *Provided*, That this section shall not apply to security, emergency rescue, or armored vehicles.

SEC. 119. (a) Notwithstanding section 422(7) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 790; Public Law 93–198; D.C. Code, sec. 1–242(7)), the City Administrator shall be paid, during any fiscal year, a salary at a rate established by the Mayor, not to exceed the rate established for level IV of the Executive Schedule under 5 U.S.C. 5315.

(b) For purposes of applying any provision of law limiting the availability of funds for payment of salary or pay in any fiscal year, the highest rate of pay established by the Mayor under subsection (a) of this section for any position for any period during the last quarter of calendar year 1998 shall be deemed to be the rate of pay payable for that position for September 30, 1998.

(c) Notwithstanding section 4(a) of the District of Columbia Redevelopment Act of 1945, approved August 2, 1946 (60 Stat. 793; Public Law 79–592; D.C. Code, sec. 5–803(a)), the Board of Directors of the District of Columbia Redevelopment Land Agency shall be paid, during any fiscal year, per diem compensation at a rate established by the Mayor.

SEC. 120. Notwithstanding any other provisions of law, the provisions of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2–139; D.C. Code, sec. 1–601.1 et seq.), enacted pursuant to section 422(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 790; Public Law 93–198; D.C. Code, sec. 1–242(3)), shall apply with respect to the compensation of District of Columbia employees: *Provided*, That for pay purposes, employees of the District of Columbia government shall not be subject to the provisions of title 5, United States Code.

SEC. 121. The Director of the Office of Property Management may pay rentals and repair, alter, and improve rented premises, without regard to the provisions of section 322 of the Economy Act of 1932 (Public Law 72–212; 40 U.S.C. 278a), based upon a determination by the Director, that by reason of circumstances set forth in such determination, the payment of these rents and the execution of this work, without reference to the limitations of section 322, is advantageous to the District in terms of economy, efficiency, and the District's best interest.

SEC. 122. No later than 30 days after the end of the first quarter of the fiscal year ending September 30, 1999, the Mayor of the District of Columbia shall submit to the Council of the District of Columbia the new fiscal year 1999 revenue estimates as of the end of the first quarter of fiscal year 1999. These estimates shall be used in the budget request for the fiscal year ending September 30, 2000. The officially revised estimates at midyear shall be used for the midyear report.

SEC. 123. No sole source contract with the District of Columbia government or any agency thereof may be renewed or extended without opening that contract to the competitive bidding process as set forth in section 303 of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6–85; D.C. Code, sec. 1–1183.3), except that the District of Columbia government or any agency thereof may renew or extend sole source contracts for which competition is not feasible or practical: *Provided*, That the determination as to whether to invoke the competitive bidding process has been made in accordance with duly promulgated rules and procedures and said determination has been reviewed and approved by the District of Columbia Financial Responsibility and Management Assistance Authority.

SEC. 124. For purposes of the Balanced Budget and Emergency Deficit Control Act of 1985, approved December 12, 1985 (99 Stat. 1037; Public Law 99–177), as amended, the term ''program, project, and activity'' shall be synonymous with and refer specifically to each account appropriating Federal funds in this Act, and any sequestration order shall be applied to each of the accounts rather

than to the aggregate total of those accounts: *Provided*, That sequestration orders shall not be applied to any account that is specifically exempted from sequestration by the Balanced Budget and Emergency Deficit Control Act of 1985, approved December 12, 1985 (99 Stat. 1037; Public Law 99–177), as amended.

SEC. 125. In the event a sequestration order is issued pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, approved December 12, 1985 (99 Stat. 1037: Public Law 99–177), as amended, after the amounts appropriated to the District of Columbia for the fiscal year involved have been paid to the District of Columbia, the Mayor of the District of Columbia shall pay to the Secretary of the Treasury, within 15 days after receipt of a request therefor from the Secretary of the Treasury, such amounts as are sequestered by the order: *Provided*, That the sequestration percentage specified in the order shall be applied proportionately to each of the Federal appropriation accounts in this Act that are not specifically exempted from sequestration by the Balanced Budget and Emergency Deficit Control Act of 1985, approved December 12, 1985 (99 Stat. 1037; Public Law 99–177), as amended.

SEC. 126. (a) An entity of the District of Columbia government may accept and use a gift or donation during fiscal year 1999 if—

(1) the Mayor approves the acceptance and use of the gift or donation, except that the Council of the District of Columbia may accept and use gifts without prior approval by the Mayor; and

(2) the entity uses the gift or donation to carry out its authorized functions or duties.

(b) Each entity of the District of Columbia government shall keep accurate and detailed records of the acceptance and use of any gift or donation under subsection (a) of this section, and shall make such records available for audit and public inspection.

(c) For the purposes of this section, the term ''entity of the District of Columbia government'' includes an independent agency of the District of Columbia.

(d) This section shall not apply to the District of Columbia Board of Education, which may, pursuant to the laws and regulations of the District of Columbia, accept and use gifts to the public schools without prior approval by the Mayor.

SEC. 127. None of the Federal funds provided in this Act may be used by the District of Columbia to provide for salaries, expenses, or other costs associated with the offices of United States Senator or United States Representative under section 4(d) of the District of Columbia Statehood Constitutional Convention Initiatives of 1979, effective March 10, 1981 (D.C. Law 3–171; D.C. Code, sec. 1–113(d)).

SEC. 128. The University of the District of Columbia shall submit to the Congress, the Mayor, the District of Columbia Financial Responsibility and Management Assistance Authority, and the Council of the District of Columbia no later than fifteen (15) calendar days after the end of each month a report that sets forth—

(1) current month expenditures and obligations, year-to-date expenditures and obligations, and total fiscal year expenditure projections versus budget broken out on the basis of control center, responsibility center, and object class, and for all funds, non-appropriated funds, and capital financing;

(2) a list of each account for which spending is frozen and the amount of funds frozen, broken out by control center, responsibility center, detailed object, and for all funding sources;

(3) a list of all active contracts in excess of $10,000 annually, which contains the name of each contractor; the budget to which the contract is charged, broken out on the basis of control center and responsibility center, and contract identifying codes used by the University of the District of Columbia; payments made in the last month and year-to-date, the total amount of the contract and total payments made for the contract and any modifications, extensions, renewals; and specific modifications made to each contract in the last month;

(4) all reprogramming requests and reports that have been made by the University of the District of Columbia within the last month in compliance with applicable law; and

(5) changes made in the last month to the organizational structure of the University of the District of Columbia, displaying previous and current control centers and responsibility centers, the names of the organizational entities that have been changed, the name of the staff member supervising each entity affected, and the reasons for the structural change.

SEC. 129. Funds authorized or previously appropriated to the government of the District of Columbia by this or any other Act to procure the necessary hardware and installation of new software, conversion, testing, and training to improve or replace its financial management system are also available for the acquisition of accounting and financial management services and the leasing of necessary hardware, software or any other related goods or services, as determined by the District of Columbia Financial Responsibility and Management Assistance Authority.

SEC. 130. (a) None of the funds contained in this Act may be made available to pay the fees of an attorney who represents a party who prevails in an action brought against the District of Columbia Public Schools under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) if—

(1) the hourly rate of compensation of the attorney exceeds the hourly rate of compensation under section 11–2604(a), District of Columbia Code; or

(2) the maximum amount of compensation of the attorney exceeds the maximum amount of compensation under section 11–2604(b)(1), District of Columbia Code, except that compensation and reimbursement in excess of such maximum may be approved for extended or complex representation in accordance with section 11–2604(c), District of Columbia Code.

(b) None of the funds contained in this Act may be made available to pay the fees of an attorney who represents a party who prevails in an administrative proceeding under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).

SEC. 131. None of the funds contained in this Act may be available for the operations of any department, agency, or entity (other than the District of Columbia Water and Sewer Authority, the Washington Convention Center Authority, or any operations for borrowing activities under part E of title IV of the District of Columbia Home Rule Act) unless appropriated by Congress in an annual appropriations Act.

Mr. TAYLOR of North Carolina (during the reading). Mr. Chairman, I ask unanimous consent that the bill, through page 42, 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 North Carolina?

There was no objection.

The CHAIRMAN. Are there any amendments to that portion of the bill?

POINT OF ORDER

Mr. DAVIS of Virginia. Mr. Chairman, I rise to make a point of order.

The CHAIRMAN. The gentleman from Virginia will state his point of order.

Mr. DAVIS of Virginia. Pursuant to clause 2 of rule XXI, I make a point of order against Section 131 of the bill on the ground that it legislates on an appropriation bill.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

Mr. TAYLOR of North Carolina. Mr. Chairman, I wish to be heard on the point of order.

The CHAIRMAN. The gentleman from North Carolina (Mr. TAYLOR) is recognized.

Mr. TAYLOR of North Carolina. Mr. Chairman, I believe that this is not legislating. It is not subject to a point of order. The Board wishes to spend and does spend interest earned on the money that it has without this body's appropriating it. It would be somewhat analogous to the Treasurer of the United States investing money of the people of the United States, and then stating that he, himself, could spend that money without it being appropriated by the people of the United States.

So I do not believe that this is subject to a point of order.

The CHAIRMAN. The gentleman from Virginia (Mr. DAVIS) makes a point of order against Section 131. Section 131 precludes the use of funds contained in this act unless appropriated.

Because the funds contained in the Act include funds derived from transfer or from interest on District accounts, Section 131 is in direct contravention of Section 106(d) of the District of Columbia Responsibility Management Assistance Act. Section 106(d) permits the use of such funds without congressional approval.

Accordingly, the point of order is sustained, and Section 131 is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

SEC. 132. None of the funds appropriated under this Act shall be expended for any abortion except where the life of the mother would be endangered if the fetus were carried to term or where the pregnancy is the result of an act of rape or incest.

AMENDMENT NO. 2 OFFERED BY MS. NORTON

Ms. NORTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Ms. NORTON:

Page 42, line 3, strike ''funds'' and insert ''Federal funds''.

Mr. TAYLOR of North Carolina. Mr. Chairman, I ask unanimous consent that all debates on this amendment and all amendments thereto close in 30 minutes, and that the time be equally divided among the parties.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The CHAIRMAN. The time will be designated equally for 30 minutes between the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from North Carolina (Mr. TAYLOR).

The Chair recognizes the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chairman, the present bill contains language barring the use of both Federal and District funds to pay for abortion services for low-income women. I do not rise to ask for an exception to the strongly-held views of this Congress on abortion. I ask only that the District of Columbia be treated no better and no worse than other districts.

I must accept that the rule of this body on a prohibition on Federal funds should yield to no exception, except in the case of protecting the life of the mother, rape, or incest.

Barring the use of Federal funds for abortion for low-income women creates a special hardship for a jurisdiction that has been in financial crisis. Considering its financial position, the District is unlikely to choose to fund abortions on its own.

However, no city should be put in the position where it would be unable to respond even to catastrophic pregnancies by using its own locally-raised funds, if necessary. This is a Federal Republic built on the premise that there are vast differences among us. No issue shows these differences more than reproductive choice.

The Congress is within its rights to say, use your funds, not ours. It is out of line when it tells a local jurisdiction how to spend its own taxpayers' funds. The real test of democracy is whether we are prepared to allow others to make lawful choices we ourselves would not make.

I have profound respect for the conscientious and religious scruples of those who oppose abortion. The District has the right to the same respect. I ask Members to allow the District to spend its own local funds as it may need for abortions for indigent women.

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

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 5 minutes to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, I thank the gentleman for yielding me the time. I want to thank Mr. TAYLOR for his courage and leadership, and especially his compassion, in including this very important amendment that will prevent the use of all public funds, taxpayer funds, whether they be Federal or locally-raised, but all of which are under the jurisdiction of the Congress and so under the jurisdiction of the United States Constitution. Thank you, Mr. Chairman, for taking the lead in ensuring that the legislation you have brought to the floor will in no way put unborn children at risk.

It will save lives.

Let me remind Members, when this provision was not in effect, the District of Columbia used to perform, with public funds, taxpayer funds, something on the order of over 3,000 abortions every year.

□ 1800

All you have to do is open up the phone book and you see that many of the organizations, like Planned Parenthood and others, are doing abortions right up to the 24th week, 24 weeks! These are precious babies, worthy of respect. Rather than killing children, our debate ought to be how we can best mitigate disease or do microsurgery, to treat that baby as a patient rather than something that is to be destroyed like a tumor or something that is unwanted.

Unwantedness makes children objects—throwaways.

Let me remind my colleagues, I think it cannot be said enough, abortion is child abuse. One of these days my friends on the other side of this issue are going to take the time, and I think for a few that has already begun, at least to some extent, with the partial-birth abortion debate. For the first time, Americans—Members of Congress— are taking the time to recognize that it is the deed that we are talking about. Abortion is a violent act. Dismembering an unborn child by literally taking off and hacking off the arms and the legs and even the head, that is not a benign or a compassionate act. It is child abuse. It is violence.

If you dismembered a child after he or she were born, you would rightfully be brought up on charges of abusing children. A child before birth is no less human and no less alive. Yes, he or she happens to be dependent and they are less mature than a newborn infant or toddler, but they are no less human.

I truly believe that the abortion issue, the respect for unborn children is the ultimate human rights issue. I have been in Congress for 18 years. I work day and night, my Subcommittee on International Operations and Human Rights is the lead committee in Congress on human rights. We have had about 70 or more hearings since I assumed the chair on Indonesia, China, Cuba, Turkey, Iraq to name a few, promoting human rights.

Human rights are dear to my heart. Respect for life is of surpassing importance. The right to life is the most elemental of all human rights. And to arbitrarily say that birth, which is only an event that happens to each and every one of us, it is not the beginning of life, and to say that just because the baby is in utero, just because the baby is seemingly out of sight, although even that has changed with ultrasound and sonograms. Now we can see. My wife and I have four children. We saw our children before birth moving, doing somersaults. That is a common occurrence now. So anyone who clings to the dark ages myth that somehow an unborn child is not a human being really needs to update their sources and undergo a reality check.

Let me also focus for a moment on some other abortion methods, which are also acts of violence against children. These are used in the District of Columbia because they are used elsewhere in the later term. Consider the abomination called salting out, injecting high concentrated salt solutions or other poisons into later term babies so as to procure their death, a very silent but painful death, I would add, it usually takes about two hours.

I say to my friends on the other side of the issue, once that salt is pumped into the amniotic fluid and the baby breathes it in, because babies do breathe in the amniotic fluid to develop the organs of respiration, that salt has a corrosive effect and chemically poisons and ultimately kills the infant. The salt solution goes to the brain and other parts of the body, stops the heart and badly burns the skin of the baby.

Without the Taylor amendment, without what the distinguished chairman has done in his committee, we will subsidize these violent acts against children. Abortion on demand would be subsidized by the public, by the taxpayers, by monies over which this Congress has a right and, I would argue, a duty to manifest a concern about.

If we have an opportunity to stand up and save just one child, it is worth it. No one should so callously mistreat and murder kids.

When you realize that abortion methods are routinely employed that destroy and maim yet are sanitized by the men and women in white coats, good people on the other side of this issue who I think will get it some day. Some day they are going to wake up and say, my God, what kind of Holocaust have we participated in. Why did we fail to see? Nationwide the body count is over 36 million and counting.

When you subsidize abortion, the predictable consequence is that more children do end up dying. The United States and other countries that are part of the abortion culture are missing kids. They are the lost generation—kids who will never play soccer or baseball or even take a first step. When this prohibition on funding went into effect, we went from over 3000 subsidized abortions per year in the district down to 1. This amendment has been in effect almost continuously since the early 1980s—thanks to Bob Dornan and now, Mr. TAYLOR—and it has saved children's lives.

I just strongly urge a no vote on the Norton amendment. It is a pro-abortion anti-life amendment. It will subsidize the slaughter of unborn children.

Ms. NORTON. Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Chairman, this is not and should not be a debate necessarily about the act itself. We all know where some of our colleagues

stand on the issue. We know that they take every opportunity to remind us of where they stand on the issue. We certainly do not need to be reminded about how special the birth of a child is. We are mothers.

He has got four; I have got two. Most of us have children. We did not watch somebody else's child being born. We watched our own children being born. So we do not need to be told about that.

This is about local control. This is about the District of Columbia that is being trampled on by my friends on the other side of the aisle. This is about the District of Columbia using its own funds, not Federal money, for poor women.

This, again, is about whether or not the Congress of the United States is going to not only exercise its will but simply run over these citizens and deny them the ability to use their own taxpayer dollars for those services that they deem important and necessary.

This is about local control. It has been said over and over again, local control is fine when it acts in ways that some want it to act, but they do not like it so much when people are providing services they do not like.

This District deserves more respect than it is being given. There is something strange about power. Really powerful people really do understand how to use power. You never, ever step on folks simply because you have the power to do it. I think this is an abuse of power.

The Members of this House who would deny the District the ability to be in control of the decisions about its own dollars are disrespecting and abusing the citizens. Local control, that is what this is all about, not all of the abortion arguments that are being brought in at this time.

Let us ask the gentleman who just raised the question, what happens in his own State? I believe they have State-funded abortions. Why does he not spend his time there trying to deny? They would run him out of town. That is why he cannot do it there. But he can come here with the majority, because they have got more votes, and they can step on this District, and that is precisely what is happening.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Chairman, I rise in opposition to the Norton amendment to the D.C. appropriations bill. The amendment would gut the abortion funding ban that has been in place in D.C. appropriations for the past 3 years. Although the gentlewoman might claim that her amendment simply inserts the word ''Federal'' so that the ban would still be in effect if her amendment were passed, in reality the Norton amendment places no limitations on the use of D.C. revenues to pay for abortion on demand.

In 1994 and 1995, when then Mayor Sharon Pratt Kelly announced that the District would start paying for abortions on demand, she then authorized the use of $1 million from the Medical Charities Fund which was intended to help poor AIDs patients to pay for abortions. So instead of helping AIDs patients who were in need to live longer healthier lives, the District chose to use those funds to abort babies.

Then the District could request more Federal funds to make up for the money they had taken out of the Medical Charities Fund. This type of bookkeeping is wrong. It is a misuse of funds. It is deceptive.

We have a responsibility. We cannot shirk our responsibility to D.C. residents. Article I, section 8 of the Constitution authorizes Congress to exercise exclusive legislation in all cases whatsoever over the District of Columbia.

Further, Public Law 93–198, commonly known as the home rule law, charges Congress with the responsibility for the appropriations of all funds for our Nation's capital.

We are morally responsible for how taxpayer funds are spent in D.C., all funds, not just Federal funds, as the gentlewoman from the District of Columbia (Ms. NORTON) may argue. It is our responsibility not to use any taxpayer dollars to fund abortion on demand in the District of Columbia. I urge a no vote on the Norton amendment.

Ms. NORTON. Mr. Chairman, I yield 2 minutes to the gentlewoman from Oregon (Ms. FURSE).

Ms. FURSE. Mr. Chairman, a couple of things that maybe Members are not quite clear about, first of all, abortion is legal in this country. That is the first thing.

Secondly, how dare Members talk about women making these choices in that derogatory fashion. Have they gone through this decision? I have. I have. How dare they make those disgusting statements.

How many of these Members who are going to vote against this amendment pay taxes in the District of Columbia? I would like to know that. I pay taxes in the District of Columbia. I own a home in the District of Columbia. I am proud to live in the District of Columbia. I do not live outside of the District. I live right here. My property taxes, they should be used by the District.

If you are very, very upset about the death of children, I would suggest you get on the floor and talk about the 10 kids a day who die from gunshot wounds. I have not seen you out here talking about gun control, 10 kids a day. Not children in utero, live children.

So I think that this is absolutely a terrific amendment. Remember, again, that abortion is legal. You may not like it. I bet there are lots of things you do not like about what is legal. But it is legal. If you are not a taxpayer, I do not think you have anything to say about this. I am a taxpayer in the District of Columbia. I think the District should use its funds for something that is legal.

I will support the gentlewoman's amendment, and I would suggest that Members keep their hands out of the District of Columbia as much as possible.

Mr. TAYLOR of North Carolina. Mr. Chairman, I reserve the balance of my time.

Ms. NORTON. Mr. Chairman, may I inquire as to how much time remains?

The CHAIRMAN. The gentlewoman from the District of Columbia (Ms. NORTON) has 9½ minutes remaining, and the gentleman from North Carolina (Mr. TAYLOR) has 7 minutes remaining.

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

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

Ms. JACKSON-LEE of Texas. Mr. Chairman, let me thank the gentlewoman for allowing me this time.

I was in my office and I was watching this debate. I thought it was appropriate to come and maybe set the record straight.

I do not take issue with the passion of those on the other side of the aisle who speak about these issues of abortion in the manner in which they speak. But I would ask America what the Constitution stands for. It stands for a representative democracy.

I happen to be against the position that this District of Columbia, with 600,000 or 700,000 Americans plus, cannot decide for themselves to use local funds to save the health of the mother. That is what is wrong with the Republicans' argument. They do not let you know that even if a mother's health was violated and she could not come forward and be fertile again because of the carrying of a child that may cause damage to her health or that was failing or a decision on that basis, even that could not be included under this position of the Republicans.

But what I have really come to say to America, Americans who live in California and New York, Houston, Texas or South Carolina, the gentlewoman from the District of Columbia (Ms. Norton), who comes here every single day to represent the constituents of this great capital, cannot vote, cannot stand for her constituents, denied by this Republican Congress.

How would you like it if your representative from California came here with an issue of concern needing more money for schools, needing more money for health care and your representative had no voice in this House?

□ 1815

How would my colleagues like it if adoptions in their State were made illegal? How would they like it if public schools were closed and only private schools could be supported, as amendments that we will see on this floor?

How would my colleagues like it if their State attorney general could not sue on behalf of the constituents of that great State?

This is a travesty. I am against what is going on in this House. The people of the District of Columbia are Americans as well. The gentlewoman deserves the right to vote and deserves the right to be respected in this House.

Ms. NORTON. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. MORAN), the ranking member.

Mr. MORAN of Virginia. Mr. Chairman, I thank the distinguished delegate from the District of Columbia for yielding me this time.

The 1980 Supreme Court decision entitled Harris v. McRea upheld the right of Congress to restrict the use of Federal funds to provide abortions to poor women, but it clearly asserted that State funds used to provide abortions for poor women is a State not a Federal decision. In fact, to quote, it said, ''A participating State is free, if it so chooses, to include in its own Medicaid plan those medically necessary abortions for which Federal reimbursement is unavailable.''

The District of Columbia has its own State Medicaid plan. It used this very language for medically necessary abortions. It really is wrong for us to be superimposing Federal will on a decision that may be a difficult one but really needs to be made by the duly-elected representatives of the citizens of the District of Columbia.

They made that decision because they understand that there are thousands of women in this city who do not have the resources to provide for their own medical care and do not have adequate insurance. Their only resort is the Medicaid program. So they set up a separate Medicaid program. No Federal funds. Local funds.

That is all the Norton amendment applies to. It does not affect the Hyde amendment, which applies in all 50 States and the District of Columbia. We do not do this to any other State.

And while the gentleman from New Jersey (Mr. SMITH) made a very good argument, I thought, with regard to late-term abortions, the reality is, from the studies that have been done, they have determined that most of those late-term abortions, certainly on the part of poor women, became late term because the women did not have the resources to fund an abortion early in the pregnancy when it was most appropriate and when the Supreme Court decision in Roe v. Wade expected them to be performed.

Ms. NORTON. May I inquire how much time I have remaining, Mr. Chairman?

The CHAIRMAN. The gentlewoman from the District of Columbia (Ms. NORTON) has 5½ minutes remaining and the gentleman from North Carolina (Mr. TAYLOR) has 7 minutes remaining.

Ms. NORTON. Mr. Chairman, I yield 2 minutes to the gentleman from Washington (Mr. MCDERMOTT).

Mr. McDERMOTT. Mr. Chairman, here we are back at the same old stand. Women, if the Republican Congress has anything to say about it, will not have the right to choose. They found a place where they could pick on people who did not even have a representative who could vote, and so they have taken it away.

Now, anybody, as the gentlewoman from Oregon (Ms. FURSE) says, who has been through this knows what a difficult choice it is. It is even more difficult for a physician taking care of a patient who realizes that they cannot recommend the thing that ought to happen.

Now, can these women go to New York State and get an abortion? Well, if they have the money, they can. Can they go to Illinois; can they go to Indiana; can they go anywhere else? Yes, but they have to travel, 300, 400, 500, 600 miles away from their home, away from their physician, to have it done in some place all by themselves.

Why? Simply because the Republicans want to take it out on women. They want to make them have babies. And then we watch this Congress operate with welfare reform. We do not want to feed them. We do not want to take care of them. Poor women who say ''I am not prepared to have a baby'' or ''I am sick'' or ''It is going to cause a problem for me and my other children'' or whatever, they have to have a baby or they have to travel somewhere. Why? Simply because we say they cannot make their own decisions about their own existence. We, the Congress of the United States, from our far distant place will make the decision for them.

Now, California would not tolerate this. There would be an absolute uproar in this House. Or New York State, or anywhere. Texas, Florida, any of the States in these United States would not tolerate this, but we have this helpless bunch that do not have representation on this floor and we pick on them. That is wrong. We ought to adopt this amendment.

Ms. NORTON. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. WOOLSEY).

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

Ms. WOOLSEY. Mr. Chairman, I rise in strong support of the Norton amendment to the D.C. appropriations bill. Since the far right has controlled Congress, there have been a shameful 94 votes attacking abortion and family planning here on the floor. These are truly cynical and mean-spirited times.

This same Congress, these same leaders on the Republican side, tell us that they believe in local control. Yet when it comes to women, when it comes to the District of Columbia, suddenly the Federal Government is in control. Congress should be providing women with the tools to make good educated decisions about their reproductive health. Where is that support? Where is the support for family planning? Where is the support for educating youngsters and young women on how not to become pregnant in the first place?

The Norton amendment is fair and just and I urge my colleagues vote for it.

Ms. NORTON. Mr. Chairman, I yield 1 minute to the gentlewoman from New York (Mrs. LOWEY).

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

Mrs. LOWEY. Mr. Chairman, I thank the gentlewoman for yielding me this time, and I rise in strong support of the Norton amendment.

Once again this Congress is attempting to impose yet another restriction on women's reproductive choices. This bill would prevent the District of Columbia from using its own locally raised funds to provide poor women with abortions, as many States, including my home State of New York, have chosen to do. I strongly support the efforts of my colleague from the District of Columbia to remove this language and free the District from a restriction that has not and, indeed, cannot be placed on any State in this Nation.

So far this year the anti-choice forces of this Congress have prevented Federal employees, military women overseas, and women in prison from receiving abortion services. Now we are about to impose a restriction that would prevent the District from using locally raised revenues to pay for its needy citizens.

Make no mistake, if the anti-choice leadership of this body could restrict the use of local funds in the rest of the country, they would do so in a second. They are attempting to restrict these funds in D.C. because they can.

Ms. NORTON. Mr. Chairman, may I inquire how much time I have remaining?

The CHAIRMAN. The gentlewoman from the District of Columbia (Ms. NORTON) has 1½ minutes remaining.

Ms. NORTON. Mr. Chairman, I yield 1 minute to the gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. Mr. Chairman, I thank the gentlewoman for yielding me this time, and I rise in support of the Norton amendment.

I just want to simplify the concept of the amendment. All it does is allow the District of Columbia to decide whether to use its own locally raised revenues to pay for Medicaid abortions, while still retaining the ban on the use of Federal funds for abortions, except in the cases of rape, incest, or to save the life of the mother.

The bill's language, without this amendment, in effect creates, in fact it cements into place a two-tiered health care system, prohibiting poor women from receiving the same reproductive health care services provided for other District women in their private health care plans.

Because of poverty and a lack of access to adequate health care services,

low-income women are more likely to experience high-risk pregnancies and the need for abortion services. The right to reproductive freedom is meaningless if access to the full range of services is denied.

All I say is let the District of Columbia decide, just like other States can make that same decision, to use their own locally raised revenues to pay for Medicaid abortions.

The CHAIRMAN. The gentleman from North Carolina (Mr. TAYLOR) has the right to close.

Ms. NORTON. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I am not asking for anything special for the District of Columbia. I am asking for what this body has already ceded to every other district in the country. District residents have decided this question. Cruel consequences could flow, unique consequences will surely flow, if the District does not have the right to spend its own money as it sees fit, the way every other district does.

Do not single the people I represent out. I ask my colleagues to not do to District residents what they cannot do to other Americans.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 7 minutes to the gentleman from Oklahoma (Mr. COBURN).

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

Mr. COBURN. Mr. Chairman, I am happy to have this time to address this issue, and I would want the people who are proposing this amendment to know that there is no disrespect for me in their position and their thought on this. We just happen to differ a great deal on this issue.

I want to clarify something first. I want to read the U.S. Constitution to my colleagues. It says the Congress is to exercise exclusive legislation in all cases whatsoever over the seat of the government of the United States. It is absolute. It is unequivocal.

The gentlewoman from the District, in her opening comments, said that the real test of a democracy is whether or not we will allow someone to make a choice that we would not make. Well, I disagree with that statement. I think the real test of a democracy is whether or not it will stick with the moral base under which it was founded.

Abortion is a moral question. I understand what the Supreme Court has said. What the Supreme Court has said is wrong. It is wrong morally, it will always be held wrong morally.

We heard the gentlewoman from Oregon talking about this issue, and I know she made a mistake when she said it, but she said children in utero. And that is exactly what they are.

The Supreme Court, when they ruled in Roe v. Wade, they said they did not know when life began. But we do know, and we can now prove the presence of life. And we never get an answer to this question. In our country we define death as the absence of brain waves and the absence of a heartbeat. That is in all 50 States, all Territories and the District of Columbia.

Scientifically it is proven that at 19 days post conception there is a heartbeat. We can measure it. We can see it. At 41 days post conception we can measure the brain waves of our unborn children. Most women do not know they are pregnant when those two events have occurred. So we really are faced with a choice. Is our definition of death wrong, and are we not dead when we do not have a heartbeat or brain waves? Or are we not alive if we do have a heartbeat and brain waves?

The reason we are in this quagmire is because we have not addressed what abortion really is. Abortion is the making of one moral error because we have previously made a moral error.

□ 1830

Now, I know the people who believe in choice do not agree with that. And I respect that. But if we are going to continue to have the foundation of our society that is based on moral truth, we cannot disregard the fact that we can measure life.

I personally believe life begins at the moment that a sperm and an egg unite. I cannot prove it yet. Some day we will prove that and we will show that to the Supreme Court, and Roe v. Wade then will be meaningless.

In the meantime, we should do everything we can to protect the lives of those children in utero, as the gentlewoman from Oregon so rightly mentioned. We take great pains today to repair unborn babies. We spend great amounts of our money saving lives in utero, operating on children while they are still in their mother's womb.

How do I know this? Because I have been involved in it. I have delivered over 3,500 babies. I have seen every complication and I have seen the way we sometimes handle those complications by choosing death of the baby instead of what life is there.

It is not a lack of sensitivity on the part of the ''Republicans'' and the ''pro-life Democrats.'' It is a sensitivity to the very moral foundation under which our documents of democracy and our Republic were founded. As we abandon those moral principles, we abandon democracy.

I would urge my colleagues to vote down this amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, thank you for the opportunity to speak on this important amendment to H.R. 4380. Congresswoman NORTON has proposed an amendment to the D.C. Appropriations Act which will allow the use of local funds for women seeking abortions. The Appropriation Act itself prohibits the District from using any funds for abortions except to save the life of the woman in the case of rape or incest.

Since 1980, Congress has prohibited the use of federal funds appropriated to the District of Columbia for abortion services for low income women with the exception for life endangerment, rape and incest. This restriction on the ability of the District to use its own locally raised revenues for abortions usurps the prerogatives of the local D.C. government and tramples the rights of District residents. No other jurisdiction is told how to use it locally raised revenue.

The past restriction violates the 1980 Supreme Court decision Harris v. McRea which upheld the right of Congress to restrict the use of federal funds to provide abortions to poor women, but clearly asserted that State funds used to provide abortions for poor women is a state not a federal decision. This leaves a participating state as free if it so choose to include in its Medicaid plan those medically necessary abortions for which federal reimbursement is unavailable.

In the words of Rosann Wisman, executive director of Planned Parenthood of Metropolitan Washington, the women who come to the clinic have struggled with problems in their lives relating to jobs, education, marriage, drugs or crime which resulted in a grim existence—not only for themselves but for the children they have already borne. Those women deserve the option to choose an abortion by making a very personal choice not to bring a child into the world which they feel they can not provide sufficient emotional or financial support.

Congress must protect these women and allow the District of Columbia the same choice as all other states to use their own locally raised revenue for abortions.

Mr. NADLER. Mr. Chairman, I rise to support the Norton Amendment to the D.C. Appropriations bill which is now before us. I am strongly opposed to the bill without the Nortion amendment, as it singles out low-income women in D.C. and steals from them their right to choose. Many states provide for the women who were left out in the cold by the Hyde amendment, which limits the use of federal funds for abortion to instances in which the women is the victim of rape or incest, or in which the life of the mother is in danger. To use this body's control over funding for the District of Columbia to make a political point would be a disgrace.

Our control, as a Federal body, over the local spending of the District is unique. In no other instance do we wield such a discrete power over a locality's own discretionary funds. I find it curious that my colleagues, who purport to be so concerned with maintaining ''state's rights'', are willing to blatantly disregard local automony when it comes to the District of Columbia.

I urge all of my colleagues to support this amendment so that low-income women who reside in the District of Columbia may exercise their right to choose as women in many states can. I regret that I need to remind this body once again, that the women of America have the right to choose to have abortions. I urge my colleagues to support this amendment to restore the right of low-income women of D.C. to exert the same controls over their bodies which other women throughout America have.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON).

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

Ms. NORTON. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 517, further proceedings on

the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON) will be postponed.

The Clerk will read.

The Clerk read as follows:

SEC. 133. None of the funds made available in this Act may be used to implement or enforce the Health Care Benefits Expansion Act of 1992 (D.C. Law 9–114; D.C. Code, sec. 36–1401 et seq.) or to otherwise implement or enforce any system of registration of unmarried, cohabiting couples (whether homosexual, heterosexual, or lesbian), including but not limited to registration for the purpose of extending employment, health, or governmental benefits to such couples on the same basis that such benefits are extended to legally married couples.

SEC. 134. The Emergency Transitional Education Board of Trustees shall submit to the Congress, the Mayor, the District of Columbia Financial Responsibility and Management Assistance Authority, and the Council of the District of Columbia no later than fifteen (15) calendar days after the end of each month a report that sets forth—

(1) current month expenditures and obligations, year-to-date expenditures and obligations, and total fiscal year expenditure projections versus budget broken out on the basis of control center, responsibility center, agency reporting code, and object class, and for all funds, including capital financing;

(2) a list of each account for which spending is frozen and the amount of funds frozen, broken out by control center, responsibility center, detailed object, and agency reporting code, and for all funding sources;

(3) a list of all active contracts in excess of $10,000 annually, which contains the name of each contractor; the budget to which the contract is charged broken, out on the basis of control center, responsibility center, and agency reporting code; and contract identifying codes used by the D.C. Public Schools; payments made in the last month and year-to-date, the total amount of the contract and total payments made for the contract and any modifications, extensions, renewals; and specific modifications made to each contract in the last month;

(4) all reprogramming requests and reports that are required to be, and have been, submitted to the Board of Education; and

(5) changes made in the last month to the organizational structure of the D.C. Public Schools, displaying previous and current control centers and responsibility centers, the names of the organizational entities that have been changed, the name of the staff member supervising each entity affected, and the reasons for the structural change.

SEC. 135. (a) IN GENERAL.—The Emergency Transitional Education Board of Trustees of the District of Columbia and the University of the District of Columbia shall annually compile an accurate and verifiable report on the positions and employees in the public school system and the university, respectively. The annual report shall set forth—

(1) the number of validated schedule A positions in the District of Columbia public schools and the University of the District of Columbia for fiscal year 1998, fiscal year 1999, and thereafter on full-time equivalent basis, including a compilation of all positions by control center, responsibility center, funding source, position type, position title, pay plan, grade, and annual salary; and

(2) a compilation of all employees in the District of Columbia public schools and the University of the District of Columbia as of the preceding December 31, verified as to its accuracy in accordance with the functions that each employee actually performs, by control center, responsibility center, agency reporting code, program (including funding source), activity, location for accounting purposes, job title, grade and classification, annual salary, and position control number.

(b) SUBMISSION.—The annual report required by subsection (a) of this section shall be submitted to the Congress, the Mayor, the District of Columbia Council, the Consensus Commission, and the Authority, not later than February 15 of each year.

SEC. 136. (a) No later than October 1, 1998, or within 15 calendar days after the date of the enactment of this Act, which ever occurs later, and each succeeding year, the Emergency Transitional Education Board of Trustees and the University of the District of Columbia shall submit to the appropriate congressional committees, the Mayor, the District of Columbia Council, the Consensus Commission, and the District of Columbia Financial Responsibility and Management Assistance Authority, a revised appropriated funds operating budget for the public school system and the University of the District of Columbia for such fiscal year that is in the total amount of the approved appropriation and that realigns budgeted data for personal services and other-than-personal services, respectively, with anticipated actual expenditures.

(b) The revised budget required by subsection (a) of this section shall be submitted in the format of the budget that the Emergency Transition Education Board of Trustees and the University of the District of Columbia submit to the Mayor of the District of Columbia for inclusion in the Mayor's budget submission to the Council of the District of Columbia pursuant to section 442 of the District of Columbia Home Rule Act, Public Law 93–198, as amended (D.C. Code, sec. 47–301).

SEC. 137. The Emergency Transitional Education Board of Trustees, the Board of Trustees of the University of the District of Columbia, the Board of Library Trustees, and the Board of Governors of the University of the District of Columbia School of Law shall vote on and approve their respective annual or revised budgets before submission to the Mayor of the District of Columbia for inclusion in the Mayor's budget submission to the Council of the District of Columbia in accordance with section 442 of the District of Columbia Home Rule Act, Public Law 93–198, as amended (D.C. Code, sec. 47–301), or before submitting their respective budgets directly to the Council.

SEC. 138. (a) CEILING ON TOTAL OPERATING EXPENSES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 1999 under the caption ''Division of Expenses'' shall not exceed the lesser of—

(A) the sum of the total revenues of the District of Columbia for such fiscal year; or

(B) $5,216,689,000 (of which $132,912,000 shall be from intra-District funds and $2,865,763,000 shall be from local funds), which amount may be increased by the following:

(i) proceeds of one-time transactions, which are expended for emergency or unanticipated operating or capital needs approved by the District of Columbia Financial Responsibility and Management Assistance Authority; or

(ii) after notification to the Council, additional expenditures which the Chief Financial Officer of the District of Columbia certifies will produce additional revenues during such fiscal year at least equal to 200 percent of such additional expenditures, and that are approved by the Authority.

(2) RESERVE FUND.—To the extent that the sum of the total revenues of the District of Columbia for such fiscal year exceed the total amount provided for in paragraph (2)(B), the Chief Financial Officer of the District of Columbia, with the approval of the Authority, may credit up to ten percent (10%) of the amount of such difference, not to exceed $3,300,000, to a reserve fund which may be expended for operating purposes in future fiscal years, in accordance with the financial plans and budgets for such years.

(3) ENFORCEMENT.—The Chief Financial Officer of the District of Columbia and the Authority shall take such steps as are necessary to assure that the District of Columbia meets the requirements of this section, including the apportioning by the Chief Financial Officer of the appropriations and funds made available to the District during fiscal year 1999, except that the Chief Financial Officer may not reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

(b) ACCEPTANCE AND USE OF GRANTS NOT INCLUDED IN CEILING.—

(1) IN GENERAL.—Notwithstanding subsection (a), the Mayor, in consultation with the Chief Financial Officer, during a control year, as defined in section 305(4) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (Public Law 104–8; 109 Stat. 152), may accept, obligate, and expend Federal, private, and other grants received by the District government that are not reflected in the amounts appropriated in this Act.

(2) REQUIREMENT OF CHIEF FINANCIAL OFFICER REPORT AND AUTHORITY APPROVAL.—No such Federal, private, or other grant may be accepted, obligated, or expended pursuant to paragraph (1) until—

(A) the Chief Financial Officer of the District of Columbia submits to the Authority a report setting forth detailed information regarding such grant; and

(B) the Authority has reviewed and approved the acceptance, obligation, and expenditure of such grant in accordance with review and approval procedures consistent with the provisions of the District of Columbia Financial Responsibility and Management Assistance Act of 1995.

(3) PROHIBITION ON SPENDING IN ANTICIPATION OF APPROVAL OR RECEIPT.—No amount may be obligated or expended from the general fund or other funds of the District government in anticipation of the approval or receipt of a grant under paragraph (2)(B) of this subsection or in anticipation of the approval or receipt of a Federal, private, or other grant not subject to such paragraph.

(4) MONTHLY REPORTS.—The Chief Financial Officer of the District of Columbia shall prepare a monthly report setting forth detailed information regarding all Federal, private, and other grants subject to this subsection. Each such report shall be submitted to the Council of the District of Columbia, and to the Committees on Appropriations of the House of Representatives and the Senate, not later than 15 days after the end of the month covered by the report.

(c) REPORT ON EXPENDITURES BY FINANCIAL RESPONSIBILITY AND MANAGEMENT ASSISTANCE AUTHORITY.—Not later than 20 calendar days after the end of each fiscal quarter starting October 1, 1998, the Authority shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Government Reform and Oversight of the House, and the Committee on Governmental Affairs of the Senate providing an itemized accounting of all non-appropriated funds obligated or expended by the Authority for the quarter. The report shall include information on the date, amount, purpose, and vendor name, and a description of the services or goods

provided with respect to the expenditures of such funds.

(d) APPLICATION OF EXCESS REVENUES.—Local revenues collected in excess of amounts required to support appropriations in this Act for operating expenses for the District of Columbia for fiscal year 1999 under the caption ''Division of Expenses'' shall be applied first to the elimination of the general fund accumulated deficit; second to a reserve account not to exceed $250,000,000 to be used to finance seasonal cash needs (in lieu of short term borrowings); third to accelerate repayment of cash borrowed from the Water and Sewer Fund; and fourth to reduce the outstanding long term debt.

SEC. 139. The District of Columbia Emergency Transitional Education Board of Trustees shall, subject to the contract approval provisions of the District of Columbia Financial Responsibility and Management Assistance Act of 1995 (Public Law 104–8)—

(1) develop a comprehensive plan to identify and accomplish energy conservation measures to achieve maximum cost-effective energy and water savings;

(2) enter into innovate financing and contractual mechanisms including, but not limited to, utility demand-side management programs, and energy savings performance contracts and water conservation performance contracts so long as the terms of such contracts do not exceed 25 years; and

(3) permit and encourage each department or agency and other instrumentality of the District of Columbia to participate in programs conducted by any gas, electric or water utility of the management of electricity or gas demand or for energy or water conservation.

SEC. 140. (a) Notwithstanding any other provision of law, rule, or regulation, an employee of the District of Columbia public schools shall be—

(1) classified as an Educational Service employee;

(2) placed under the personnel authority of the Board of Education; and

(3) subject to all Board of Education rules.

(b) School-based personnel shall constitute a separate competitive area from nonschool-based personnel who shall not compete with school-based personnel for retention purposes.

SEC. 141. (a) RESTRICTIONS ON USE OF OFFICIAL VEHICLES.—(1) None of the funds made available by this Act or by any other Act may be used to provide any officer or employee of the District of Columbia with an official vehicle unless the officer or employee uses the vehicle only in the performance of the officer's or employee's official duties. For purposes of this paragraph, the term ''official duties'' does not include travel between the officer's or employee's residence and workplace (except in the case of a police officer who resides in the District of Columbia).

(2) The Chief Financial Officer of the District of Columbia shall submit, by November 15, 1998, an inventory, as of September 30, 1998, of all vehicles owned, leased or operated by the District of Columbia government. The inventory shall include, but not be limited to, the department to which the vehicle is assigned; the year and make of the vehicle; the acquisition date and cost; the general condition of the vehicle; annual operating and maintenance costs; current mileage; and whether the vehicle is allowed to be taken home by a District officer or employee and if so, the officer or employee's title and resident location.

(b) SOURCE OF PAYMENT FOR EMPLOYEES DETAILED WITHIN GOVERNMENT.—For purposes of determining the amount of funds expended by any entity within the District of Columbia government during fiscal year 1999 and each succeeding fiscal year, any expenditures of the District government attributable to any officer or employee of the District government who provides services which are within the authority and jurisdiction of the entity (including any portion of the compensation paid to the officer or employee attributable to the time spent in providing such services) shall be treated as expenditures made from the entity's budget, without regard to whether the officer or employee is assigned to the entity or otherwise treated as an officer or employee of the entity.

SEC. 142. (a) COMPLIANCE WITH BUY AMERICAN ACT.—None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with the Buy American Act (41 U.S.C. 10a–10c).

(b) SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.—

(1) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products to the greatest extent practicable.

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each agency of the Federal or District of Columbia government shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) 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. 143. Notwithstanding any provision of any federally granted charter or any other provision of law, the real property of the National Education Association located in the District of Columbia shall be subject to taxation by the District of Columbia in the same manner as any similar organization.

SEC. 144. None of the funds contained in this or any other Act may be used to pay the salary or expenses of any officer or employee of any department or agency of the District of Columbia government or of any entity within the District of Columbia government who fails to provide information requested by the Chief Financial Officer of the District of Columbia.

SEC. 145. None of the funds contained in this Act may be used for purposes of the annual independent audit of the District of Columbia government (including the District of Columbia Financial Responsibility and Management Assistance Authority) for fiscal year 1999 unless—

(1) the audit is conducted (either directly or by contract) by the Inspector General of the District of Columbia; and

(2) the audit includes a comparison of audited actual year-end results with the revenues submitted in the budget document for such year and the appropriations enacted into law for such year.

SEC. 146. Nothing in this Act shall be construed to authorize any office, agency or entity to expend funds for programs or functions for which a reorganization plan is required but has not been approved by the District of Columbia Financial Responsibility and Management Assistance Authority (hereafter in this section referred to as ''Authority''). Appropriations made by this Act for such programs or functions are conditioned only on the approval by the Authority of the required reorganization plans.

Mr. TAYLOR of North Carolina (during the reading). Mr. Chairman, I ask unanimous consent that the bill through page 57, line 14, 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 North Carolina?

There was no objection.

The CHAIRMAN. Are there any amendments to that portion of the bill?

If not, the Clerk will read.

The Clerk read as follows:

SEC. 147. Notwithstanding any other provision of law, rule, or regulation, the evaluation process and instruments for evaluating District of Columbia public schools employees shall be a non-negotiable item for collective bargaining purposes.

SEC. 148. None of the funds contained in this Act may be used by the District of Columbia Corporation Counsel or any other officer or entity of the District government to provide assistance for any petition drive or civil action which seeks to require Congress to provide for voting representation in Congress for the District of Columbia.

AMENDMENT NO. 3 OFFERED BY MS. NORTON

Ms. NORTON. Mr. Chairman, I offer an amendment.

The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Ms. NORTON:

Page 57, strike line 20 and all that follows through page 58, line 2 (and redesignate the succeeding provisions accordingly).

Ms. NORTON. Mr. Chairman, I rise to oppose gratuitous language that would forbid the District to use its own funds as part of a lawsuit testing whether American citizens who happen to live in the Nation's capital are constitutionally entitled to voting rights in the Congress of the United States.

I stand here as the only Member who represents taxpaying American citizens who are denied full representation in the Congress. Are we to add to this basic denial an attempt to deny the right to seek redress in the courts, as well? Do we really want to add one basic denial onto another, first denial of fair representation, then denial of the right to test that notion in a court of law?

This provision is unworthy of this House unless we want to be in the company of the authoritarian regimes of the world. The denial of court redress is gratuitous and futile because the lawsuit is being carried pro bono by a major downtown law firm. The District's involvement is marginal, involving only such occasional advice from the City's Corporation Counsel, as should be responsibly required. It

would be hard to even calculate the amount of District funds, so great is the responsibility of the private lawyers.

Please, do not allow history to add to the litany of denials to the people I represent. Remember the most brazen and the most recent of the denial of basic rights already on the record of this Congress: that I won the right to vote in the Committee of the Whole; that the District Court and the U.S. Court of Appeals upheld that right; that the Republican majority retracted that right. For good measure, will that same majority shame itself today by forbidding the right to seek redress in a court of law, knowing not what that court will find, having an equal chance to prevail if they disagree with my position?

What is to be gained by keeping the Corporation Counsel altogether out of the picture? Whom does it hurt if he provides an occasional piece of advice to those bringing the suit? Not one cent of Federal funds is involved. The District expenditures supporting this suit are too small even to calculate. Please remove this provision. Let us be.

Mr. TAYLOR of North Carolina. Mr. Chairman, spending the taxpayers' money, first of all, I somewhat resent the fact that we talk about D.C.'s money or the Federal tax dollars. We have a budget here that is $5.2 billion.

The Federal taxpayer picks up about 40 percent of that, over $2 billion of that money, to do ordinarily in the District what the citizens of the District would have to do. We just picked up, for instance, $800 million approximately to handle the area's prisoners that the District had paid for a number of years. And we will continue to work together in maintaining this city.

So it is disingenuous to talk about what the local residents pay versus the national taxpayers pay because what the national taxpayer pays usually is in place of services that the local taxpayers have to pay.

I am also a taxpayer here, as are most of us in this room. Every time we eat, every time we have lodging, D.C. has a tax rate in sales that is twice what it is across the river. They have a local income tax twice as greater as it is across the river. And so, most of us are paying a property tax or sales tax or other tax here in D.C.

Now, I can share the desire of the gentlewoman to bring forth her argument. But there is a proper way to bring it forth. It is to bring the motion before the Congress of the United States, have a debate, have a vote.

If the Congress decides for a Constitutional amendment, it will go out to three-fifths of the States and they will decide whether or not the District of Columbia will be changed from what the framers of the Constitution intended, that is a Federal district, a special consideration, we have them throughout the country in military bases, in other areas, where the Federal Government chose specifically to have total control in that area, or whether or not we will have a State or some other type of organization. And that is the proper way to do it.

What the gentlewoman from the District of Columbia (Ms. NORTON) is asking us to do is to spend U.S. taxpayers' money to bring forth an argument that the same U.S. taxpayers will have to answer on the other side, and that I think is a waste of the taxpayers' money when we have a solution to this problem.

I am not necessarily saying that I would vote for it, but it is a solution. It is a way that anytime the gentlewoman from the District of Columbia (Ms. NORTON) wants to bring that before this body, we will debate it, vote on it, and if it moves forward it will go out to the people to see whether or not the Constitution will be changed. It is wasteful for us to sue ourselves on this issue year after year.

I would point out that the Corporation Counsel's office has increased this year from 271 attorneys up to 503 attorneys in the District of Columbia. We have increased the number of attorneys by 232 members. And to spend the millions of dollars that it will take to fund this type of argument is I think unjust to the people of the United States and the city of Washington, especially with the number of needs we have in this country and in this city.

Mr. DIXON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to support the Norton amendment.

I hope that we can stay on the track of what we are talking about. We are talking about whether any funds in this bill, and in this case District funds, can be used for a basic right; and that is to bring a lawsuit to fruition in court, the right to be heard by an impartial arbitrator and make a decision.

This language prohibits the District from aiding anyone who wants to bring a lawsuit on the merits of representation of the District. It has nothing to do with the fact that the Counsel's office has gone from 200 to 400, or 300 to 500.

If, in fact, as the chairman says, he thinks it is inappropriate, then the court will not take jurisdiction over it. But for this Congress to say that the District cannot exercise a fundamental right of our Constitution and our society to allow someone to go to court to settle what they perceive is a grievance is, basically, wrong.

Now, I understand the fact that Federal money should not be used. But it goes much further than that. It should not be our individual opinions that matter in this body. It should be, basically, what the Constitution says and, basically, what is fair.

It is unfair to not allow the District to petition the court, and that is exactly what this does, notwithstanding what our individual opinions are. That is the reason we have the judiciary to make these decisions, and that is the reason I support the Norton amendment.

Ms. WATERS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, again I find myself taking the floor to support the gentlewoman from the District of Columbia (Ms. NORTON) in her efforts to keep Members of this House from running roughshod over the District of Columbia. I support her efforts to strike the bar to the use of local funds again.

It is absolutely amazing to me that we can in this House, on this floor, representatives of the people who sent us here because they believe in representative government, they believe in democracy and they believe in the right of the citizens to have a voice and to be represented, find myself on the floor of Congress arguing to allow the District of Columbia residents the right to go to court.

On July 4, a group of 51 District residents filed a petition to Congress declaring that they lack political representation in the House and the Senate. The D.C. Corporation Counsel signed the petition, and they have a law firm that is going to, basically, agree to represent the petitioners pro bono.

It is inconceivable that a serious legislator of any stripe could come on this floor with legislation that says, citizen, I do not care what you are attempting to do. Citizen of the District of Columbia, you do not have the same rights as other citizens in this Nation. We are going to use our awesome power to deny you the right to go to court on a very fundamental question of whether or not you have representation and that representation can vote in the House and in the Senate to represent the people of the District of Columbia.

We know what the long struggle has been in this District, and we know that this representative, the gentlewoman from the District of Columbia (Ms. NORTON), worked hard to be able to exercise her right to vote on the floor.

My colleagues took it away from her. They literally came into power and snatched away from this representative the right to vote in this House. Again, this abuse of power.

I am almost ashamed for them that they would say not only to this representative that she indeed cannot represent her constituents on the floor but to tell the residents who organized and who petitioned that they are going to shut down their right to go to court.

Every American citizen deserves the right to fight, to struggle, and to go to our court system and to ask that they be heard. It is inconceivable that they would use their power in this way. But since they have decided one more time to do that, let me remind them that this is beyond the question of local control.

□ 1845

But again, you are saying that they cannot use their own funds, the taxpayers' money, not Federal money,

they cannot use their own funds to petition and to go into court on a very basic and fundamental right that most citizens in this country enjoy without thought. This again is a local argument.

I would ask any Member on the other side of the aisle who is opposed to this amendment to justify to your voting constituents, to justify to your constituents who see the court as something that is guaranteed to them in this democracy for use when they feel they need to go there to be heard, to get an opportunity to voice their opinions and to petition their government, I dare you to make an argument that would indeed conclude that somehow it is all right for your citizens in your district, in your State, in your city or your town but somehow it is not good enough for the citizens of this District.

Again, the gentlewoman from the District of Columbia (Ms. NORTON), a woman that you must look in the face every day and refer to as the gentlelady, a woman whom you say you respect, a woman who is an attorney, who is a professor, who gets on this floor with facts, with the kind of background and knowledge that is necessary to represent her people, you would deny her and take it away from her with this kind of action.

Mr. TIAHRT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, as I understand this, this would strike the entire section 148 which simply says that none of the funds contained in this act will go to provide assistance for any petition drive or civil action which seeks to require Congress to provide for voting representation in Congress for the District of Columbia.

Now, there is nothing in this bill or nothing that is in the language here or in the funding that says that this cannot occur. If they want to go forward with some petition drive or with some civil action, there is nothing in this act that would prevent that. The people of the District of Columbia are completely free under the Constitution and under the laws of this land to pursue that agenda. What this simply says is we are not going to use taxpayer dollars to fund both sides of the argument. We are not going to let people who may disagree be compelled to provide the dollars to argue both sides of this. In fact, it was Thomas Jefferson that said, ''To compel a man to furnish contributions of money for the propagation of opinions which he disbelieves is sinful and tyrannical.'' Today we would call it wrong and say to compel a man or a woman, we would change it a little differently, but basically what we are saying is that we are not going to push ideas, force people to push ideas that they do not believe in. But yet there is still the freedom here. There is complete freedom to move these arguments forward, we are just not going to have the taxpayers fund through the District of Columbia.

There has been some question on the floor today just who is a taxpayer of the District of Columbia. The chairman of the subcommittee on D.C. appropriations pointed out aptly that if you live here in the District, if you eat here in the District, if you have some exchange, you do have some vested interest. Many of us have paid parking tickets in the District. We have contributed to the overall funds that are involved here. But we may not want to use these contributions to fund this type of effort.

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

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

Mr. DIXON. Is the gentleman suggesting that each individual taxpayer has the right to make a decision about the collective wisdom of the D.C. government? In other words, if I do not like something, I should just come to the floor and say, ''They can't do that anymore because I own property here''? Is that what you are saying?

Mr. TIAHRT. Taking back my time, what I am saying is that there is nothing in this legislation that prohibits people living in the District of Columbia from moving forward with a petition drive or any civil action requiring Congress to provide for voting representation in Congress for the District of Columbia.

Mr. DIXON. If the gentleman will yield further, maybe I interpret it different, but I assume that some officers of the District live in the District. This says that any officer or entity of the District shall not provide assistance for the petition.

Mr. TIAHRT. There is nothing that prohibits the people of the District of Columbia, the people in here, to go ahead forward with this petition drive or with this civil action.

Mr. DIXON. I thank the gentleman for yielding to me. I just read it differently. I assume there are officers that live in the District and in reading the plain language here, it says if you are an officer of the District.

Mr. TIAHRT. Reclaiming my time, the reading is correct. But these are people who are paid, their salaries are paid by the taxpayers in the District of Columbia. And it follows with the same logic that none of these funds contained shall be used for this petition drive or this civil action. I want to make one last point. We are not going to prohibit such action, we are just going to say the taxpayer funds will not argue both sides of the case.

Mr. HOYER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the gentlewoman's amendment. Many of these amendments go at the very heart of home rule, none more than this, and this is broader, I would suggest. We will argue an amendment at some point in time tonight where I will disagree with the gentlewoman, and I will disagree on the proposition that it affects individuals outside of the District of Columbia. My position has historically been if legislation affects people inside the District of Columbia, that is for the District of Columbia government to decide.

It seems to me that this amendment deals with one of the most basic rights that Americans have. It is a unique right. It is a right that conservatives and liberals and moderates, Republicans and Democrats, those from the east and west, north and south all should adhere to with a religious passion. That right is articulated in the first amendment of the United States Constitution. It says, not only do we have the right to freely speak our views. That is an extraordinary right when you compare it with the abridgment of that right around the world. Those of us who have had the opportunity to travel, not just to the Soviet Union but to nations that espouse democracy and are in fact democracies but who limit, far more than we do, the right of those in a democracy to speak, to articulate their view, to address the issues of the day, and try to make their point made to their fellow citizens. Our Founding Fathers in the first amendment thought that right so fundamental that they articulated it first. The first amendment probably is one of the most historic provisions of any political document in the world.

It is significant, I think, that the last phrase of that amendment says this, or let me read more of it: ''Congress shall make no law, no law, no law, respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press, or the right of the people peacefully to assemble.'' And then they concluded this historic amendment with this phrase: ''And to petition the government for a redress of grievances.''

There is no more basic right in a democracy for the people than the right to petition their government for the redress of grievances. That is what this section speaks to and tries to, by law, impede, deny and diminish.

I would hope that in this greatest body of democracy in the world, in this palace of freedom, this center of democracy, we would not only not say to the District of Columbia government but we would say to no one in America that we will pass a law with its obvious intent of undermining your ability to petition this government and your fellow citizens for the redress of grievances. Clearly what section 148 tries to do is to diminish that most fundamental of rights. For that reason alone, I suggest to my colleagues it should be rejected.

Mr. DAVIS of Virginia. Mr. Chairman, I move to strike the requisite number of words. I am going to try to be brief and speak in support of the Norton amendment on this. The

amount of money involved here is minuscule. There is no savings to the taxpayer. We are talking about the Corporation Counsel or some other District entity having the right to coordinate a lawsuit, to touch it up, to go through briefs that is being done by a pro bono law firm. So the money involved here is nothing. Let us get this straight.

We go to Hong Kong, we go to China, we stand in the face of Jiang Zemin and we look at him and say you are diminishing Democratic rights in Hong Kong because you are not letting all of the participants participate and we do not like the way they have structured the electorate. But here in Washington, we do not give our Nation's capital the right to vote in the Senate or in the House of Representatives.

Now, the Congress treats the District of Columbia differently than other entities. There are long, historical reasons for this. I think reasonable people can disagree over what that voting representation ought to be, what it is today, what it was in the 103rd Congress when there was a semblance of a vote for the delegate along with other delegates and what it was when Republicans took control, but even then it was not a full vote and there were constitutional prohibitions or perceived constitutional prohibitions that would have not allowed the delegate from D.C. to have full voting rights. But what are we afraid of, allowing the city to go to court to try to find out and define what their constitutional rights are for voting representation in the House?

□ 1900

If the Constitution gives the citizens a right to a Member of Congress, so be it. What are we afraid of? That is a constitutional guarantee they should not be denied. If it simply defines a mechanism whereby Congress can grant that voting right without having to go through the constitutional process, perhaps by statute or House rule, so be it. Then we can act accordingly. What are we afraid of?

It is one thing to be able to go and say to them they cannot have a vote on the House floor. We have had many debates here, and reasonable people can agree or disagree. But it is another thing to not allow the city to petition, to in any way participate in a lawsuit that would help define a mechanism where they may be going about achieving these rights.

I support the Norton amendment. I hope it is successful, and I think it would just give the city basic guarantees that every other citizen and noncitizen in this country enjoy under the Constitution.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. TAYLOR of North Carolina. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 517, further proceedings on the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON) will be postponed.

The Clerk will read.

The Clerk read as follows:

SEC. 149. The Residency Requirement Reinstatement Amendment Act of 1998 (D.C. Act 12–340) is hereby repealed.

AMENDMENT NO. 4 OFFERED BY MS. NORTON

Ms. NORTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Ms. Norton:

Page 58, strike lines 3 through 5 (and redesignate the succeeding provision accordingly).

Ms. NORTON. Mr. Chairman, the outright repeal of the District's residency law in this bill is an abuse of congressional power that even Congress has been reluctant to do. This repeal would mark only the fourth time that a District law has been overturned in 24 years of home rule. Despite the fact that this residency law does not threaten the job of a single suburban worker employed by the District Government, regional Members have placed the repeal in the D.C. appropriation bill.

The residency bill applies prospectively to new hires only, and even then a suburban worker could be hired so long as he or she moves to the city within 6 months. The strongest reason against a residency law has been eliminated by the requirements in the law itself. Residency may be waived for hard-to-fill positions. In the District today this could range from modestly paid 911 operators, where problems of competence and sick leave have been found, to technology talent that may be in short supply. To assure work force quality, waivers could be exercised for entire units, even agencies.

Mr. Chairman, the residency repeal in this bill is selfish special interest legislation, pure and simple. The repeal is opposed by the Control Board for financial reasons. The residency law would strengthen the District's economy because city employees would pay city taxes, spend most of their disposable income within the city, and improve their own neighborhoods. Suburban employees earn 60 percent of the total annual salaries paid to District employees. If District employees who live in Maryland, Virginia and other States paid D.C. income taxes, the income tax revenue generated from their payments would be almost $60 million.

Most of the employees about whom residents and Congress alike so often complain are not District residents. Almost 45 percent live in Maryland; 8.5 percent live in Virginia. If more of them lived where they work, then, as the courts upholding residency laws have found, absenteeism would be reduced and employee performance improved because employees would have a stake in their community.

Half of all American cities with a population of over 500,000 have residency laws, and 11 States have laws mandating that local government employees live in the State. Regional Members have succeeded in denying the city the right to tax commuters who use our services. Now they want to deny us the right to have employees who live in the District and would automatically pay taxes. They want it all their way.

Mr. Chairman, it takes real special interest, tunnel vision to repeal a provision that does them no harm but could help a city coming out of fiscal crisis. This repeal is not just a slap in the face, Mr. Chairman, it is a fist in the gut. No city on the planet deserves to be denied the right to decide whom to employ and whom to pay. We reach a new low with this repeal.

Let this democratically passed measure by the D.C. City Council stand.

Mr. TAYLOR of North Carolina. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I join the gentlewoman from the District of Columbia (Ms. NORTON) in her statement. Certainly I support the striking of this provision. It was in the full committee that this measure was added.

And I know there is a strong feeling on both sides, but throughout this country we have major cities that have residency requirements. This act did not, for instance, affect established workers. It only is for the new employees, new hires. It also provided a broad exemption for hard-to-fill positions.

And so the City Council has asked for something in this case that is truly a local consideration. In many of the items where money was involved, the Congress has, I repeat, the Congress has the duty to respond if it feels the money should not be spent. But clearly in residency requirements this should be an authorizing decision, and the authorizing committee did not act upon it, and the Committee on Appropriations should not.

Mr. MORAN of Virginia. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the implication is that the suburbs around the District of Columbia are acting in their own parochial self-interest and not in the interests of the District of Columbia.

I rise to let my colleagues know that from my perspective we are doing just the opposite. The fact is that if this residency requirement were to become law, it is the suburbs who will be benefited because we will have an even larger pool of the most qualified experienced applicants for the kinds of municipal jobs that the District of Columbia needs. We are not suffering from a lack of employment opportunities, certainly not in the suburbs. We have less than a 2 percent unemployment rate. We do not need this residency requirement to be repealed, but the District of Columbia does.

The District of Columbia needs to be able to draw upon the widest personnel pool that it can so that it can get the very best people working for D.C. That is what we hope to accomplish by preventing a residency requirement, because the District of Columbia is a city of only 500,000 people. It is not like Chicago that has 8 million people. They have a residency requirement. That works. Chicago doesn't have a restricted pool of personnel from which they can draw.

Let us talk about one particular job that many people might cite, that of law enforcement officer. If a law enforcement officer has just graduated from college, and I know in the suburbs, hopefully it is the case in the District of Columbia too, they look for college graduates because there is a lot of demand for law enforcement jobs now. We have raised the caliber, and the compensation.

When that young law enforcement person tries to determine what is in their best interest, they look to the future. They are not like some highly paid professional athlete that figures they can go with one team for a few years and then move on to another one, whoever offers them the right money. They want to sink in their roots. They want to make a commitment to a community.

When they look at the District of Columbia and make that determination, that if they work for D.C. they will never be able to choose where they want to live, they are not going to look any longer at D.C., they are going to look at the suburbs, and we are going to be able to get even more people applying for our jobs. That is not in D.C.'s interest, it is only in our interest.

Let me give you a specific example. We have a Capitol police force of highly qualified professional people. We lost two who in fact were typical of the professionalism, the quality of people that work for us. One of the reasons that we have such high quality is they know they can choose to live anywhere they want. They have all those options open to them.

The two people that were lost in that tragedy happened to live outside of the District of Columbia; one of them because they wanted a larger garden, another who lived down in Lake Ridge.

We would never impose a residency requirement on the Capitol Hill police force because we know that we want the best people available working for us, protecting us. If you impose a residency requirement on the District of Columbia Government, D.C. will never have the best people working for their citizens. We know that. It only makes common sense.

There are far better ways to address this problem, if there is a problem. One is to give incentives. In Alexandria, we do that. We give them discounts on home purchases. Give them a number of things to make D.C. more attractive. Work with the carrot, not the stick. This is a punitive provision that will hurt D.C. in the long run. I urge the Members to reject this amendment.

Mr. DAVIS of Virginia. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this may be selfish and special interest legislation but it is not on the part of suburban Members. This is an election year in the city and every election year people are coming up, whipping up the electorate, and now it is trying to promise city residents that they are going to get jobs that they may or may not otherwise be qualified for, and it is a sham, and it is a shame.

The District Government does not operate well. I do not think anyone can sit here and say we would not have had legislation that imposes a Control Board on the city and taken some of the other stringent actions that the authorizing and appropriations committees have taken if the city were functioning well.

The potholes are unfilled, applications and permits are routinely lost, garbage not picked up. To solve these problems, the city needs the very best workers they can find to make the government operational once again.

If the city restricts its hiring to the 20 percent of the metropolitan region that resides within the confines of the Nation's Capital, their chances for hiring and retaining the best and the brightest, the people they need to man their fire department, their police department, to operate permits, to run their computers, to work in the hospitals, are greatly diminished, because their applicant pool is diminished from 100 percent of the eligible employees and trained and qualified employees in the metropolitan region to only 20 percent of those individuals.

□ 1915

My friend from Virginia is absolutely correct, this amendment does not help the suburbs. Our unemployment rate is less than 2 percent. It does, however, open up some unneeded regional wounds, where we have tried as a region to work together, where we in the suburbs have voted for tax breaks for the city that we do not get in the suburbs that in some way give the city some advantages we would not have. We have worked to try to build a convention center downtown, instead of taking it out to the suburbs, because we recognize that bringing this city back is critical, not just for our Nation's capital, but critical for the metropolitan region as well.

We have 19,000 jobs today in Northern Virginia that we cannot find qualified employees to fill. These are high-tech jobs, average salary over $40,000 a year. This amendment does not hurt the suburbs, but this amendment does hurt the District of Columbia.

Ultimately, to make this a livable city, the city solves its population exodus problems by being an attractive city, where people want to live; not coming to the city because they have to to get a job, or to relocate here to keep their job because they cannot find one somewhere else. Because what you will find is people working for the city, or who otherwise may be attracted to come to the city, will find preferable jobs where they live, where they can get a good education for their children, where they can live in safe neighborhoods that they are not getting in the city.

But to make the city school system better, you need to attract the best teachers. To make the neighborhood safe, you need to attract the best police officers, and to do that by diminishing the pool of applicants to one-fifth of the eligible people in the metropolitan region greatly hinders that effort.

Ms. NORTON. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Virginia. I yield to my good friend, the gentlewoman from the District of Columbia.

Ms. NORTON. Does the gentleman realize that within the bill is a liberal waiver provision?

Mr. DAVIS of Virginia. The gentleman has read the bill and is familiar with the waiver provision.

Ms. NORTON. Why does that not deal with the gentleman's problem with the quality of the work force?

Mr. DAVIS of Virginia. Mr. Chairman, reclaiming my time, because my experience with waiver provisions has been that it not only creates a huge paperwork backlog, there is the question in the mind of applicants whether they can achieve the waiver, there is a huge time lag, and when it comes to attracting quality people, you need to move very quickly sometimes to get the people who otherwise could take 2 or 3 or 4 different jobs. They just do not work. It sounds great on paper, but operationally, these are just not successful.

Finally, let me just say, we want to bring people to the Nation's capital because they want to live there, not because that is the only way they can keep their job. We want people who want to live here because it is a safe city, because they can get their kids an education here, because the garbage is picked up, because the city will be able to attract the best and brightest from throughout the metropolitan region.

This legislation does not allow that. This says only 1 in 5 are eligible to come and work in the city, despite these waivers provisions and others that are not administered very well. In fact, the political pressure is not to grant waivers from some of the groups within the city, and it just does not satisfy the requirement.

So, despite I think the best intentions of my friend from the District of Columbia, I have to rise to oppose the amendment, and ask my friends to join with me in trying to make the Nation's capital a model city throughout the country. Let us get the best employees we can. Let us not put these artificial restrictions on who can work for the city.

Mr. WOLF. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in very strong opposition to the amendment. Let me explain why.

We are all products of our environment. My dad was a Philadelphia policeman for 20 years. He had to live in the City of Philadelphia. My dad wanted the opportunity for a garden. He wanted to raise his own vegetables and tomatoes, and just never had that opportunity. We never could move out of the city. In fact, I can still hear him tell my mom, ''Virginia,'' he said, ''when I retire, we are going to move out of the city and we will get that garden.'' My mom died at age 52, and they never got outside of the city. My dad did, by himself, after he retired.

Secondly, you are going to lose some of the best people. My daughter has worked in the City of Washington at 14th and Belmont in one of the toughest areas for four years, taught then for a year in the Gage-Eckington School, and lived in the State of Virginia, but she had a commitment to the District of Columbia. She and her husband and other young staffers up here on the Hill are opening a school in the District of Columbia, because they are committed to the District, they care about the District.

The District ought to be a better place, and it can be a better place, but do not put a residency requirement on it to say that people that happen to live in Crystal City or Chevy Chase or some other place cannot participate and be active.

Thirdly, in Philadelphia, when you had the residency requirements and everybody had to live in the city, you found cases where people were not completely truthful. They would give their sister's address or their brother's address or somebody else's address just so they could have that place out in the suburbs or the country, but still could comply.

Fourthly, it divides the area. We need things that bring us together. Arlington, Fairfax, Montgomery County, Prince George's County, no one has a residency requirement. You can work in Fairfax County and live in the District of Columbia or any other place. So we do not want anything that divides us, that puts up barriers. We want things that bring us together.

Lastly, where you live is so important. You may have a child that has special ed needs, and you may pick a particular school or particular school district because they have the program for your child, and maybe that is not in the District or some other place. You may be very active in your church or synagogue or temple and want to live there so you can participate and do all those things. That does not mean you have to live in the District of Columbia. Your wife or your husband may work somewhere else, and you may want to divide the difference, whereby he or she can drive 30 miles that way and you can drive 30 miles this way, whereby you can live in a central location whereby both of you can have the job.

Lastly, this would be a bad amendment for the District of Columbia. The District of Columbia does not need this. I urge colleagues on both sides, deleting this amendment was supported on a bipartisan basis, Republicans and Democrats, in the committee.

I would ask everyone, how many of your policemen and firemen can live in many homes in the District of Columbia? They cannot afford it. Therefore, many that I know live in Woodbridge and live in Dale City, and some of them live in the western part of my district, in Clark County and Winchester, and drive all the way in, and work very difficult hours, because you know policemen work around the clock. Let us not take that opportunity away from policemen and from firemen and from teachers.

Lastly, the waiver, the waiver idea, the big boss gets the waiver. He is the person that you need. So then you have a division where the boss can live in Fairfax or Chevy Chase, but everybody else has to live in the District. So the waiver is a division. It divides, it separates out.

So I strongly urge Members on both sides, for the policemen, the firemen, the teachers and everybody else, oppose the Norton amendment and allow people to live wherever they want to live.

Mrs. MEEK of Florida. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, of all the arguments I have heard against the residency law, what I have heard on the floor today pretty much points up the weakness of the rationale of those who have offered these arguments. It would appear to me that there are certain inferences that have been made here today regarding the residency law.

One inference is that D.C. residents are incompetent. I say to you that they are not. D.C. residents are not incompetent. They have the same kind of ability that people who live in suburbia have. The chairman of the subcommittee did not agree to this. This amendment was put on in the Committee on Appropriations. Therefore, at this point I speak in support of the amendment.

The other inference that I hear is that this amendment is bad for the District. Nothing could be further from the truth. The arguments are superfluous. How can you take an amendment that says weaken our tax base? That is good for you, to weaken our tax base? Take away some instance of our home rule. That is good for you.

It is so paternalistic, until it is aggravating. It is saying to the residents of the District of Columbia, you are not good enough. We live in suburbia. Where did this meritocracy come, that you must live in suburbia to be able to serve in the District of Columbia?

Think of it this way, Mr. Chairman. Suppose you had a residency law here and people needed jobs. They would come into D.C., they would remain in D.C., they would work because they would be able to gain a living here. If they want to live in suburbia, that is fine. There is nothing wrong with that. But that is a choice that the individual would make. If any one of us had the ability to make a choice and in making a living, we would.

I have been through many situations in my life where I had to make some choices, and that choice, naturally, would lead, number one, to my economic betterment, or it would lead to my social betterment, or my political betterment. The same way with suburbia.

Now, why is it that 60 percent of the people who work in this District live outside the District? It is a drain on the District to have that here. Why is it do they live there? If that is the case, then it appears from the emphasis that is made here that we need these people who live outside the District. If the District did not have the firemen and police and all of that, that this place would go down. It would go down.

I will tell you how it would go down. If you continue to have those people draining it, and every afternoon running to suburbia, because the people in the District are not good enough to hold their own jobs, to keep their own tax base, this whole thing, Mr. Speaker, that is why I did not want to speak, it sounds just like colonialism. ''We know what is best for you. You cannot know what is better for you. You are not educated enough. You have some ethnic differences, so we do not think you can carry these jobs.''

I do not care what you say, Mr. Speaker, these are the inferences that are here. When you have this many people staying outside of the District, if they had a real emergency here, it would take them forever to face it, because they have got to call every suburb in this whole area to get them back into the city because of the demographics.

So if it is good enough for other cities that have had financial problems, it is good enough for the District.

This whole thing has a lot to do with unemployment. Do you realize that where people are poor, they do not have jobs, that there are disturbances? This thing is feeding disturbances in the District of Columbia. Pull the jobs out. Local people do not have a job, so that is unemployment. Then we come to the Congress, put a stain glass window behind us, and we begin to dictate or mandate what should happen in this District.

This is wrong, Mr. Chairman. There is nothing here to say to the people, look, you can build your own government, you can be proud of your own government.

Weed out the people not doing the right thing in D.C. Let us build a strong government here. This is the

Nation's capital. We are setting a very bad record. It is so important. The Supreme Court has supported this. If it were wrong constitutionally, then the Supreme Court would not have supported it.

So the whole thing means there have to be some order in this community. I think one thing the District should be given is a residency requirement.

Mr. HOYER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I cannot remember a time since I have served in the Congress of the United States, since 1981, that there has been any more supported delegation in the Washington metropolitan area of the District of Columbia than this time.

□ 1930

In our suburban delegation, there are no D.C. baiters or bashers. They are uniformly supporters of a healthy, vibrant region that we call the Washington metropolitan area.

The previous speaker is one of my very close friends, but I tell her, ethnic inferences go both ways. There are all types of ethnic identities that may or may not be welcome.

I will tell my friends and my colleagues, there are some 4.3 million people in this metropolitan area, and 3.8 million of us live outside of Washington, D.C., the Nation's Capitol. It is a distinct and unique city. It is the Nation's city.

Let me tell the Members how the Nation's city came about. Our early forefathers decided to have a Capitol here, and they asked some States to donate some land. They did so. Maryland donated all the land on which the District of Columbia now resides. Virginia donated some, and it was reverted to the State of Virginia.

Frankly, we in Maryland think it is very ironic that we would donate land, the Nation's Capitol would grow thereon, and subsequently, we would be told, you need not apply.

Let me tell the Members where there is not a residency requirement, where all those who live in this metropolitan area are welcome to apply and to work: In Montgomery County, Maryland, the District of Columbia residents are welcome to apply and work; Prince Georges County, Maryland, District of Columbia residents are welcome and can work; Fairfax County, the District of Columbia residents are welcome and can work there, while at the same time choosing where they want to raise their families, where they want to send their kids to school.

There has been some discussion of a waiver. Yes, there are waivers. The distinguished gentlewoman from California, who probably knows more about this issue than anybody on the floor and with whom I was involved for some period of time, discussed this matter during the 1980s and early 1990s. We had a lot of discussions.

Guess what, it was the District of Columbia City Council that decided to repeal the then existing residency requirement. Why? Because it was replete with exceptions. It was replete with exceptions for the special people, mostly who earned a lot of money. It is the average worker who does not have much clout who was squeezed by this, who cannot choose where to raise their children, where to grow that garden.

This is America's Capitol. Every United States citizen ought to be welcome, wherever they choose to live, to work in the government of the Nation's Capitol. That is why Americans come to Washington, they are proud of their Capitol, not just the 1,535,000.

Do they have a unique ability and responsibility? They do. Do I support that? I do. But when they say to the rest of us, you need not apply, stay out, yes, I say to the gentlewoman from Florida, ethnic inferences run both ways. They run both ways, I say to the gentlewoman. It is not healthy for either side to exacerbate those inferences, I tell my friend.

Yes, the two police officers gunned down defending America's House of freedom, one lived in Woodbridge, Virginia, in the District of the gentleman from Virginia (Mr. TOM DAVIS), and one in the District of my friend, the gentleman from Maryland (Mr. AL WYNN), because they wanted to raise their children in a suburban setting. But they wanted to come into Washington and defend freedom's House.

Mr. Chairman, I ask Members to reject this amendment, and allow every American to be welcome to work in their Nation's Capital.

Mrs. MORELLA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in very strong opposition to restoring the residency requirement in the District of Columbia. Requiring new workers to live in the District would make nonresidents second-class citizens, and really, could only endanger public safety and education.

When I first came to Congress in the 1980s, the District government was already showing signs of the deficiencies that marked the beginning of a spiraling economic crisis. Services in the District were deteriorating, businesses were relocating, and middle class residents were moving to the suburbs in search of lower taxes, safer streets, and better schools. From 1990 to 1995, the District lost more than 22,000 households, most of them middle-class taxpayers.

Many of the people who moved to the suburbs have bought homes, and if this residency requirement is implemented, these people will be looking for alternatives to working for the District, and we will lose many competent employees.

This proposal will divert attention from the more important issues that affect the District. If we work hard to make the streets safer and improve the schools, those former residents will want to move back to the District, closer to their jobs, and others will move into the District of Columbia. Indeed, we are trying to do that.

As mention was made, we in the region and others in this Congress really do feel that we have added luster and vitality to the District of Columbia, and it is going up, up, up.

Many of the workers who do live in the District are underserved and undereducated, at this point. I think we have to work very hard to make sure that we have good training programs for District residents, so they will meet the needs of the changing work force.

I also want to point out that this amendment is really rather myopic, because when we look around in Montgomery County, Maryland, that I represent, Prince Georges' County, other parts of Maryland and in the State of Virginia, we do not have any residency requirements.

We have many people, many people who live in the District of Columbia, who live in the District of Columbia but who work in the neighboring areas. In fact, we have many who even live in West Virginia that come into Maryland or other places to work, but there are no residency requirements. So this would be unfair. The District needs the best employees that can be found to meet the city's day-to-day needs. If in fact we were to limit the pool of workers to residents of the city, we shortchange the District of Columbia, the Capital city, and the people who live there.

I urge my colleagues to oppose this amendment.

Mr. WYNN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong opposition to this amendment, not because I oppose the District of Columbia. Quite to the contrary, I consider myself a friend of the District of Columbia, and more importantly, as a resident of the suburbs, I believe the citizens of the suburbs consider themselves friends of the District of Columbia.

Earlier today I stood on this floor and I said that we ought to allow the District of Columbia to manage its affairs. I and all of us in the Washington metropolitan area have worked closely with the District of Columbia to support the District. We believe that they should manage their affairs.

But when the District of Columbia contemplates erecting a wall and stretching outside of its jurisdiction to say to those people who live across the line, so to speak, no, you cannot come in, then I have a serious concern. That is why I am here to object to the Norton amendment.

Mr. Chairman, I know it is tempting to establish a residency requirement. We in Prince Georges County contemplated it, and Montgomery County has contemplated it. It is always good to say, why do we not keep all these jobs here to ourselves. But that is not a sound policy, and thankfully, the jurisdictions that I have mentioned resisted that temptation and said, we

will have an open door policy. People can live where they want to live, and bring their resources and talents into our jurisdiction and work. That is what we think the District of Columbia ought to do.

The citizens who live outside of the District of Columbia and work in D.C. contribute a great deal. They spend a lot of money here. They support art, culture. They contribute to the District of Columbia. I often see my colleague, and say that I am in the District of Columbia and I am spending an hour, I am supporting the District's tax base. Those folks who work in the District of Columbia do that on a regular basis.

One of the things I would have to mention in this debate is that the folks that live in the suburbs are not ''them'' and ''they.'' For the most part, they are people who used to live in the District of Columbia, who perhaps even go to church in the District of Columbia, have families in the District of Columbia, and travel out to the suburbs to find a place to live with more room or a different type of lifestyle, but still have a great affinity and love for the District of Columbia. So the notion that there is some sort of division between the people out there and the people in here I think is absolutely false.

One of the interesting ironies is that, and it was pointed out earlier, that the ''big bosses,'' the top level appointees, already are subject to residency requirements. That is to say, if you make the big bucks, you can be required to live within the city. But for the average person, the fireman, schoolteacher, whatever, if they can find a better housing value in the suburbs they ought to be able to take advantage of that. They ought not to be considered to be somehow colonial in their thinking or abandoning the District of Columbia.

The other thing I would add is that this policy could cut both ways. There are a lot of opportunities in the suburbs. Not only did we resist the temptation to apply residency requirements for government jobs, and our governments are much larger than that of the District of Columbia and offer more opportunities, but we also resisted it in the form of taxes on out-of-State employees. We have not done that. We have not started that practice.

I daresay that this attempt or this concept by the District of Columbia would move us in the wrong direction. It would begin to make jurisdictions wary of each other. It would make jurisdictions start talking about residency requirements in Prince Georges, Fairfax, Arlington, Montgomery County. That is not good for the region.

We want to do the right thing for the entire Washington metropolitan region. The right thing is to allow people to live where they want to live, where their lifestyle justifies their living, and allow them to work where they want to work.

I think it is a sad fact that if Members have to have a residency requirement, it is almost a tacit admission that they can not attract people to live in their town, they have to compel them to live in their town.

I do not believe that is what the District of Columbia is saying. I believe the District of Columbia is a viable and desirable place to live. I think people will want to come and live in the District of Columbia, and there is no need, no fundamental need, for a residency requirement that would impose this mandatory requirement.

I would like to return to and maintain the notion of regional cooperation. That is why I am here to oppose the residency requirement for the District of Columbia.

Mr. SERRANO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment. Mr. Chairman, I do not find it easy to disagree with some of the Members who have spoken here today, because they are my friends and I respect them a lot. But I understand what they are doing. They are speaking on behalf of their constituents who work in the District of Columbia and live in their districts. That is an honorable thing to do, and that is a proper thing to say.

However, those who know me know that I do not like embargoes and I do not like colonialism. This is colonialism at its worst. What it basically says is that on a daily basis, we bash the District of Columbia. We basically say, every time their appropriation bill comes up or their authorization bill comes up, that they are not doing the right thing, that they do not know how to govern themselves, that they do not know how to conduct themselves. They get bashed more than any other group in this Nation except for immigrants. That is a fact of life.

Now, when the District of Columbia begins to move ahead and tries to deal with issues as other people in inner cities and suburban communities are doing throughout this country, by saying, part of the way we want to better ourselves is to require you, for certain jobs, to live within the community that you work in so that you will have an interest in that community, so that you will be a force, a presence in that community, so that you will be a leader in that community, then we step in and say, no, you cannot do that. You cannot do that. You cannot do that. You cannot try to improve your schools by suggesting having teachers who live in that neighborhood and know those children and see those children, and have to worry about whatever crime those children commit, and want to celebrate when those children graduate; you cannot do that.

□ 1945

We will not let you do that, or that a gentleman who is living in an area where fires may be a problem and he is a city fireman would not take special interest in finding out where the people are who could be committing the kind of crime that leads to those fires, you cannot do that, that is improving your community. We understand but, you see, you are trampling with something we want to talk about, about some of the people who live outside the District, so you cannot do that.

The fact of life is that D.C. is not alone. There are communities throughout this country that are moving in this direction, that have established in fact residency requirements. Today what you are being asked to do here is to interfere once again with a local decision, a decision that affects only a certain group of workers.

Some of my colleagues have mentioned the Capitol Police as an example. We all love the Capitol Police, and we pay respect to them more than ever these days for their sacrifice to us. But that is not the same thing. The Capitol Police and the Federal workers are not covered under this, and the Congress is not covered under this. And the Congress is a unique community, Nation, if you will, that lives within the District of Columbia. So we are not saying that the people, for instance, who are on this floor or back in our offices are subjected to this. What we are saying is, let us hear it clearly, that the District of Columbia said, if Mrs. Smith or Mr. Jones paid taxes to pay your salary to be our fireman, Mrs. Smith and Mr. Jones, who pay those taxes because they reside within the District of Columbia, are asking you to do the same thing and reside within the District of Columbia. You do not want to do that, well, you do not have to take that job.

The other comment I heard which really troubled me is, it does not hurt us, it hurts the people in the District of Columbia. Well, that makes two assumptions that are incorrect. One, that all jobs are in the suburbs. That is why 8 million people, 5 million people come into New York City every day to work. Because all the jobs are in the suburbs. And secondly, that you cannot find qualified people in the District of Columbia. That sends an additional message. It tells young people, do not educate yourself because once you have educated yourself, there are people who think you are not qualified to hold the jobs that are locally in this economy.

This does not make any sense. Most of you know it does not make any sense. So the right vote is to support the Norton amendment.

In addition, I would make a special plea to those of you who think this is a special, unique situation. The District of Columbia, Puerto Rico, Guam, the Virgin Islands, American Samoa do not have a vote on this floor. Every so often we should take that into consideration and accept that what their delegates and representatives tell us carry a certain emotional weight, the weight of trying to represent people without any vote on this floor. That means something to me.

That means that I take my vote and transfer it to the gentlewoman from

the District of Columbia (Ms. NORTON) tonight. I will by supporting her amendment. I hope we all do the same.

Mr. CARDIN. Mr. Chairman, I move to strike the requisite number of words and I rise in opposition to the amendment.

Mr. Chairman, I rise in opposition to the gentlewoman's amendment. I think it is very important for the District of Columbia that there be regional cooperation. I have worked very hard during my career here in Washington as well as my service in our State capital to try to help the District of Columbia to work in a regional way to do what is right. In response to the last gentleman's comments, I do believe in local rule for local issues. But this matter goes beyond what is local. It deals with what is in the best interest of this area.

Mr. Chairman, when I first was elected to the State legislature, I represented Baltimore City. Baltimore City had at that time an earnings tax. We in the State saved Baltimore City from itself and repealed that earnings tax that was discriminatory against people who lived outside of Baltimore City.

Some might say, why did the State of Maryland do that? Because the State of Maryland had responsibility, a good deal of responsibility for the fiscal condition of Baltimore, and it was in Baltimore's interest that the entire State be sensitive to its problems.

Mr. Chairman, I would suggest that it is in the Nation's interest and in the District of Columbia's interest that we all show the appropriate concern and welfare for the people that live within our Nation's capital. But then that requires cooperation and understanding. When you tell people that they must live in that jurisdiction in order to work for it, you are drawing a wall around the District. That is not healthy. That is not good. That will not help the District in solving its problems here in this body.

Mr. Chairman, I know that the gentlewoman is well-intentioned in her amendment. I know that she fights as hard as anyone does for the people that she represents. But there are times that we have to speak for what is important from what we represent and the Nation's interest.

It is important that all people in our country pay attention to the problems of the District, but in order for us to have that type of compassion and concern, it is only fair that we have a system within the District on employment that does not discriminate against people because they just do not happen to live within the District of Columbia. That is not fair.

I urge my colleagues to reject this amendment to allow the regional cooperation which is so important to the health of our Nation's capital to continue.

Reject the gentlewoman's amendment.

Mr. DIXON. Mr. Chairman, I move to strike the requisite number of words, and I yield to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chairman, I ask my colleagues, in the words of the old adage, to consider the source or, shall I say, consider the sources.

The only Members who have come to the floor to support the repeal of the District's residency law have been suburban Members who are selfishly interested in the outcome of this repeal. Exclusively, we have heard from suburban Members. They have ignored every argument in favor of the bill. Waiver, we are told, is not good enough. There will be a bureaucracy, and it will not be waived.

Of course, it is in our interest to fill positions. They do not know whether it will be waived or not. But since they do not have an answer, the answer is, I simply reject it without any proof.

We are told it is class legislation. Although I have indicated a perfect example, the 911 operators who are likely to be filled by anyone who is competent. I tell my colleagues right now that with all of the movement out of the District, we probably could not fill a police class in the District alone because the standards have been raised. Kids must not have gotten into trouble and the like, for example. There is no class bias here.

People who voted for this would hardly have done so considering that they have to run for office in the District of Columbia if there were class bias.

We are told in one of the most innovative arguments that the land to form the District of Columbia was donated by the State of Maryland; ergo, the District must, therefore, grant whatever the State, what is in the interest of the State of Maryland and not in its own interest.

We are told that this is an election year, that this was done for political reasons. Well, that must mean that it was done because those who voted for it believe that the people of the District of Columbia wanted it.

We are told that there is no reciprocity here. If you find that two-thirds of your workers do not in fact live in your city, then you are free to enact this kind of proposal as well. That is why we are doing it, because we are recovering from insolvency. We need the tax money here. And you suburban Members, you are the same Members who keep us from having a commuter tax, even a commuter tax on people who earn their living from the taxpayers of the District of Columbia.

Mr. Chairman, there is a conflict of interest on the part of every Member who has spoken for repeal. They want it their way. They want to have us coming, and they want to have us going.

The fact is that the District government has provided a safe Civil Service job for their residents. They have taken those safe jobs and used those jobs to move out of town.

This legislation gives the words ''special interest'' new meaning, new meaning and pregnant meaning.

I ask my colleagues to support me on this matter, to support the District as it recovers from insolvency, as it passes a law that allows liberal waiver to preserve the quality of the work force, to allow us to decide whom to employ and whom to pay and not to allow that decision to be made by suburban Members of this body, all of whom have exclusively been those who have spoken for repeal.

Mr. BARR of Georgia. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I inform the gentlewoman that I am not from the suburbs, and I oppose this amendment and urge repeal of the residency requirement.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON).

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

Ms. NORTON. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 517, further proceedings on the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON) will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 517, proceedings will now resume on those amendments on which further proceedings were postponed in the following order:

Amendment No. 1 offered by the gentlewoman from the District of Columbia (Ms. NORTON); amendment No. 2 offered by the gentlewoman from the District of Columbia (Ms. NORTON); amendment No. 3 offered by the gentlewoman from the District of Columbia (Ms. NORTON); and amendment No. 4 offered by the gentlewoman from the District of Columbia (Ms. NORTON).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MS. NORTON

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment No. 1 offered by the gentlewoman from the District of Columbia (Ms. NORTON) on which further proceedings were postponed and on which the noes prevailed by 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 187, noes 237, not voting 10, as follows:

[Roll No. 407]

AYES—187

Abercrombie	Baldacci	Bentsen
Ackerman	Barcia	Berman
Allen	Barrett (WI)	Berry
Andrews	Becerra	Bishop

Blagojevich
Blumenauer
Bonior
Borski
Boswell
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Campbell
Capps
Cardin
Carson
Castle
Clayton
Clyburn
Condit
Conyers
Coyne
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Dunn
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gordon
Green
Gutierrez
Hall (OH)
Hamilton
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Horn
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
Kolbe
Kucinich
LaFalce
Lampson
Lantos
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Poshard
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Scarborough
Schumer
Scott
Serrano
Sherman
Skaggs
Skelton
Slaughter
Smith, Adam
Snyder
Stabenow
Stark
Stokes
Strickland
Stupak
Tanner
Tauscher
Thurman
Tierney
Torres
Towns
Traficant
Turner
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn

NOES—237

Aderholt
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boucher
Boyd
Brady (TX)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clement
Coble
Coburn
Collins
Combest
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cubin
Danner
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Doyle
Dreier
Duncan
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Foley
Forbes
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lucas
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Moran (KS)
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oxley
Pappas
Parker
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Redmond
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sanford
Saxton
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Sisisky
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stump
Sununu
Talent
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—10

Cunningham
Gonzalez
Harman
Manton
McDade
Moakley
Packard
Paul
Thompson
Yates

□ 2015

Mrs. MYRICK, Mr. HEFLEY and Mr. COSTELLO changed their vote from ''aye'' to ''no.''

Messrs. BECERRA, MASCARA, OBERSTAR, ORTIZ, POMEROY, KOLBE and CLYBURN changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. SNOWBARGER).

Pursuant to House Resolution 517, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 2 OFFERED BY MS. NORTON

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment No. 2 offered by the gentlewoman from the District of Columbia (Ms. NORTON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 180, noes 243, answered ''present'' 1, not voting 10, as follows:

[Roll No. 408]

AYES—180

Abercrombie
Ackerman
Allen
Andrews
Baldacci
Barrett (WI)
Bass
Becerra
Bentsen
Berman
Bishop
Blagojevich
Blumenauer
Boehlert
Bonilla
Boswell
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Campbell
Capps
Cardin
Carson
Castle
Clay
Clayton
Clyburn
Conyers
Coyne
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Dunn
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fawell
Fazio
Filner
Ford
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gejdenson
Gephardt
Gilchrest
Gilman
Gordon
Green
Greenwood
Gutierrez
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Hobson
Hooley
Horn
Houghton
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kilpatrick
Kind (WI)
Kleczka
Klug
Kolbe
Lantos
Lazio
Lee
Levin
Lewis (GA)
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moran (VA)
Morella
Nadler
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pickett
Pomeroy
Price (NC)
Pryce (OH)
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Shays
Sherman
Sisisky
Skaggs
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stokes
Strickland
Tanner
Tauscher
Thurman
Tierney
Torres
Towns
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
White
Wise
Woolsey
Wynn

NOES—243

Aderholt
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bateman
Bereuter
Berry
Bilbray
Bilirakis
Bliley
Blunt
Boehner
Bonior
Bono
Borski
Boucher
Boyd
Brady (TX)
Bryant
Bunning
Burr
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chabot
Chambliss
Chenoweth
Christensen
Clement
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cubin
Danner
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Doyle
Dreier
Duncan
Ehlers
Ehrlich
Emerson
English
Ensign
Etheridge
Everett
Ewing
Foley
Forbes
Fossella
Fowler
Fox
Gallegly
Ganske
Gekas
Gibbons
Gillmor
Goode
Goodlatte
Goodling

Goss
Graham
Granger
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
John
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kildee
Kim
King (NY)
Kingston
Klink
Knollenberg
Kucinich
LaFalce
LaHood
Lampson
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lucas
Manzullo
Mascara
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
McNulty
Metcalf
Mica
Mollohan
Moran (KS)
Murtha
Myrick
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Oxley
Pappas
Parker
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Poshard
Quinn
Radanovich
Rahall
Redmond
Regula
Riggs
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shimkus
Shuster
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stenholm
Stump
Stupak
Sununu
Talent
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Turner
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Weygand
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—1

Lofgren

NOT VOTING—10

Burton
Cunningham
Gonzalez
Harman
Manton
McDade
Moakley
Packard
Thompson
Yates

□ 2024

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MS. NORTON

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment No. 3 offered by the gentlewoman from the District of Columbia (Ms. NORTON) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 181, noes 243, not voting 10, as follows:

[Roll No. 409]

AYES—181

Abercrombie
Ackerman
Allen
Andrews
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Bereuter
Berman
Berry
Bishop
Blagojevich
Bliley
Blumenauer
Bonior
Borski
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Campbell
Capps
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cummings
Davis (FL)
Davis (IL)
Davis (VA)
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Filner
Ford
Frank (MA)
Franks (NJ)
Frost
Furse
Gejdenson
Gephardt
Gilman
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Hastings (FL)
Hilliard
Hinchey
Holden
Hooley
Horn
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Poshard
Rahall
Rangel
Reyes
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Sherman
Sisisky
Skaggs
Snyder
Spratt
Stabenow
Stark
Stokes
Strickland
Stupak
Tauscher
Thurman
Tierney
Torres
Towns
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Wolf
Woolsey
Wynn

NOES—243

Aderholt
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bilbray
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boucher
Boyd
Brady (TX)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Cramer
Crane
Crapo
Cubin
Danner
Deal
DeFazio
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Etheridge
Everett
Ewing
Fawell
Foley
Forbes
Fossella
Fowler
Fox
Frelinghuysen
Gallegly
Ganske
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Greenwood
Gutknecht
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hinojosa
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King (NY)
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lucas
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Moran (KS)
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Ortiz
Oxley
Pappas
Parker
Paul
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Redmond
Regula
Riggs
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Turner
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Young (AK)
Young (FL)

NOT VOTING—10

Cunningham
Gekas
Gonzalez
Harman
Manton
McDade
Moakley
Packard
Thompson
Yates

□ 2032

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MS. NORTON

The CHAIRMAN pro tempore (Mr. SNOWBARGER). The pending business is the demand for a recorded vote on the amendment No. 4 offered by the gentlewoman from the District of Columbia (Ms. NORTON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 109, noes 313, answered ''present'' 1, not voting 11, as follows:

[Roll No. 410]

AYES—109

Abercrombie
Aderholt
Barrett (WI)
Becerra
Bentsen
Berry
Bishop
Blumenauer
Bonior
Borski
Brady (PA)
Brady (TX)
Brown (CA)
Brown (FL)
Brown (OH)

Campbell
Capps
Carson
Clay
Clayton
Clement
Clyburn
Coble
Conyers
Costello
Coyne
Cramer
Cummings
Davis (IL)
DeLauro
Doggett
Duncan
Ehlers
Farr
Fattah
Filner
Ford
Frank (MA)
Gephardt
Goodling
Gutierrez
Hastings (FL)
Hilliard
Hobson
Holden
Hooley
Horn
Hyde
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (WI)
Johnson, E. B.
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kucinich
Lampson
Lazio
Lee
Levin
Lewis (GA)
Lipinski
Lucas
Luther
Markey
McDermott
McGovern
McKinney
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Mink
Obey
Owens
Pallone
Pastor
Paul
Payne
Poshard
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sanchez
Sanders
Sandlin
Sawyer
Schaffer, Bob
Scott
Serrano
Smith (MI)
Smith, Adam
Stark
Stokes
Taylor (NC)
Tierney
Towns
Velazquez
Vento
Visclosky
Waters
Watkins
Watt (NC)

NOES—313

Ackerman
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berman
Bilbray
Bilirakis
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boucher
Boyd
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Crane
Crapo
Danner
Davis (FL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dooley
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Fawell
Fazio
Foley
Forbes
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hinchey
Hinojosa
Hoekstra
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Inglis
Istook
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lofgren
Lowey
Maloney (CT)
Maloney (NY)
Manzullo
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McNulty
Meehan
Metcalf
Mica
Miller (CA)
Miller (FL)
Minge
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Olver
Ortiz
Oxley
Pappas
Parker
Pascrell
Paxon
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Sabo
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schumer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stenholm
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Thomas
Thornberry
Thune
Thurman
Tiahrt
Torres
Traficant
Turner
Upton
Walsh
Wamp
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—1

Dixon

NOT VOTING—11

Cubin
Cunningham
Gonzalez
Harman
Manton
McDade
Moakley
Packard
Stearns
Thompson
Yates

□ 2039

Mr. MEEHAN and Mr. NADLER changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

THOUGHTS OF HONORABLE DUKE CUNNINGHAM ON SUCCESSFUL CANCER SURGERY

Mr. LEWIS of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, all of our colleagues have become aware of the fact that our friend from California (DUKE CUNNINGHAM) is currently in the hospital. I would like to share with my colleagues for just a moment thoughts our friend DUKE CUNNINGHAM would say to us:

''I have engaged the enemy and won—and once more I shall win due to the attentiveness of the outstanding staffs at both Bethesda Medical Center and the House Attending Physician's office.

''As you may know, I had surgery for prostate cancer on Wednesday morning. I did so eagerly. I am very thankful that the cancer was found at the earliest stages during a routine annual physical. My doctor has said that waiting a few years could have brought a totally different prognosis. I cannot emphasize enough the importance of each of you—men and women alike—making it a priority to have a yearly checkup. It has saved my life.

''To paraphrase General MacArthur (who wasn't Navy): I shall return, eager to press on and finish our Republican reforms.

''The wind stays strong in my sails.

''God bless you all. DUKE.''

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 150. Notwithstanding any other provision of this Act, no Federal funds appropriated under this Act shall be used to carry out any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

AMENDMENT OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT:

Insert at the appropriate place the following new section:

SEC. . None of the funds contained in this Act may be used to transfer or confine inmates classified above the medium security level, as defined by the Federal Bureau of Prisons classification instrument, to the Northeast Ohio Correctional Center located in Youngstown, Ohio.

Mr. TRAFICANT (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 Ohio?

There was no objection.

Mr. TRAFICANT. Mr. Chairman, the District of Columbia had closed its prison at Lorton and had engaged in a contract with a private for-profit prison that ended up being in my district that desperately needs jobs.

Since that time, there have been 13 stabbings, two of them fatal, an escape of six prisoners, four of them murderers, and one still at large. I am not here to lay blame and I am not here for any political purposes of any party back in the State of Ohio. I believe the Governor and everybody has done the best they can. And I am not here to lay a big blame on D.C. Private for-profit prisons are a thing of the future and we will learn much about them from what happens in my district. But one of the main problems for Congress to understand is this is a low to medium security level facility that has been built. The contract calls for low to medium level security inmates. What we are getting is prisoners and inmates that qualify for supermax type of maximum security prisons.

The Traficant amendment basically says none of the funds in the bill can be used to transfer or to place inmates in the Youngstown facility that are above a medium security level risk as defined by the Federal Bureau of Prisons classification system. This way we get a standard on the matter.

In Commerce, Justice, State we passed a general amendment that said we will study the issues on safety, the development of these prisons on standards, how their security and training measures are.

□ 2045

It is a modest amendment.

But before I do that, I would also like to ask the gentleman from North Carolina (Mr. TAYLOR), the chairman of the

subcommittee, to engage in a colloquy. I am also asking that the committee place, along with the ranking member, report language into the bill that asks for the General Accounting Office to do an in-depth review and inspection of the security and management procedures of this facility and the job opportunities that were presented to it.

Mr. TAYLOR of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the distinguished gentleman.

Mr. TAYLOR of North Carolina. Mr. Chairman, we have reviewed the gentleman's amendment on this side, and it is a good amendment and we will accept it. We will work with the gentleman in the conference to get the report language that he desires.

Mr. TRAFICANT. Mr. Chairman, with that I would ask to have the support of the Congress. I think it is very important for the Nation with the development of these private for-profit prisons, and I think our handling of this will serve as the prototype to handle these around the country.

Mr. Chairman, with that I ask for support.

Mr. MORAN of Virginia. Mr. Chairman, I move to strike the last word.

Mr. Chairman, this actually is a very important issue. It is going to become more important in the future because we are talking about moving 7,000 Lorton inmates around the country as we close down the Lorton prison.

There was a front-page article in Wednesday's Wall Street Journal, talking about this situation at Youngstown, but I think we need to address the larger issue and give a little background in the time I have.

I support this amendment, and I support the efforts the gentleman from Ohio (Mr. TRAFICANT) has taken to improve the security at the Northeast Ohio Correctional Center in Youngstown.

I represent the communities surrounding the Lorton Correctional Complex, and I can understand the frustration of the gentleman from Ohio (Mr. TRAFICANT) with the housing of inmates from the District of Columbia. Although the facility in Youngstown is operated by the Corrections Corporation of America, the root of the problems faced there stems from the inability to adequately and properly classify the inmates of the District of Columbia.

In the late 1980's the District was experiencing a tremendous increase in its inmate population and court orders capping the number of inmates that could be housed in each of its facilities. To escape the court-ordered cap on the number of inmates that could be housed in the maximum facility, the District created a category known as ''high medium'' but they were really maximum security prisoners. The District is still operating under this court-imposed cap and continues to house medium and high medium inmates together. That policy has led to numerous problems at the Occoquan facility at Lorton; has continued when the inmates was transferred to the Youngstown facility.

Under current law all District inmates who are in prison for more than one year are in the custody of the Attorney General of the United States. When inmates are transferred to various facilities around the country, the Attorney General must approve all of those transfers. Before the Department of Corrections could transfer inmates to the Youngstown facility, the Department of Justice had to inspect the Youngstown facility and certify that it was acceptable for the housing of the inmates that were being transferred from Occoquan to Youngstown, and the transfer had to be approved. According to the Director of the Department of Corrections this had been done before every transfer.

Under the contract between the District and the Corrections Corporation of America, CCA has 5 days to challenge the transfer on the grounds that the inmate should not be housed in that facility because he is too much of a security risk. The District, however, has made the process impossible to implement because it has shipped 1,700 inmates without their records.

This is the problem. We ship 1,700 inmates without their records, so it is impossible for the Attorney General to approve each one of them. In fact, the Department of Corrections did not send the records until Judge Bell from Ohio ordered the records to be transferred. This decree was ordered 1 year after the original transfer, and even with Judge Bell's order, all of the records have not been sent to Ohio, and there is some question whether the records even exist.

I raise these points to highlight ongoing problems with how the District of Columbia classifies and houses its inmates. It is not the first time that we have had a problem like this. In 1996 Congress required the Justice Department to study D.C.'s inmate classification system and create a more appropriate system for the inmate population. It was done by the National Council of Crime and Delinquency, but there has not been any follow-up to that study.

So I support this amendment wholeheartedly, and I hope we can work with the gentleman from Ohio (Mr. TRAFICANT) and the Department of Justice and the Corrections Corporation of America to go even further and address the fundamental problems with how the District's prisoners are classified. That is what this problem is. And only by ensuring the District's inmate population is fairly classified can we ensure that the inmates, the guards and the communities in which the prisoners are housed are safe and secure.

I raise these issues because it is going to be an ongoing problem, and basically the problem is that when we transfer 1,700 inmates without their records there is no way that we can ensure that the people in the proper classification are going where they should be going.

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

Mr. MORAN of Virginia. I yield to the gentleman from Ohio.

Mr. TRAFICANT. Mr. Chairman, I would like to say that the amendment in the Commerce-Justice-State appropriation bill will give us a snapshot around the country of the whole business of security training, how they match up and compare it to standards, but in this bill the gentleman is exactly right. We are dealing with that specific transfer, and I am not an individual who wants to stop this contract, I am not out waving the banner to close the prison. I just want to make sure that the delineation of medium security level prisoners is the risk we take in housing those prisoners.

Ms. NORTON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I do not object to this amendment. I regret that it has been offered because I think it unnecessary. The reason I do not object to it is that it is not a violation of Home Rule but comports with an existing court order that already prohibits above medium classification prisoners from being shipped to Ohio.

The gentleman has every reason to be very concerned that there were misclassified prisoners who were sent to this facility. Moreover, unlike some of the amendments that have been brought forward in this body, this matter directly adversely affects this Member's district.

The fact is, however, that the court order has been agreed to by the District and is better protection for the Member's concerns than the amendment he has offered. The District has gone further and adopted the Bureau of Prisoners classification for prisoners because part of what happened in Youngstown was the difference between the District and other jurisdictions, as one might imagine would be the case, on what indeed is medium classification, what is a low classification prisoner and the like.

In order to straighten that out the District now simply adopts the Bureau of Prisons' classifications, which is of course the right thing to do, considering that these prisoners are on their way to being in the custody of the Federal Bureau of Prisons, because under the revitalization package passed by Congress, last year, these are no longer District of Columbia inmates. We are in a transition period, and that transition period means that gradually these prisoners are being moved from the custody of the District of Columbia to the custody of the Federal Government.

I accept this amendment. I believe it is unnecessary. I do not oppose it, however, because the District has already agreed to it.

I absolutely sympathize with the gentleman's concerns. The gentleman

has been a strong supporter of Home Rule. The gentleman did not spring this on me but came and talked with me about it so that we could reach an agreement.

I only ask that other Members, before they decide what to do with respect to a District issue, do me the courtesy of approaching me so that we can seek to work out an understanding.

Mr. TRAFICANT. Mr. Chairman, will the gentlewoman yield?

Ms. NORTON. I yield to the gentleman from Ohio.

Mr. TRAFICANT. Mr. Chairman, the reason for the amendment, however, is to ensure that there is no mistaking that the Federal Bureau of Prisons classification system shall now be codified into law as the measurement device for that medium security level inmate.

In addition to that, many of these court orders, although they speak to specifics, they at times are violated and get involved in a very long, sophisticated hassle. Meanwhile, people are worried.

Ms. NORTON. Mr. Chairman, reclaiming my time, I understand your concern and I do not blame you, considering that there has been a breakout up there, but if I may say so, there is no better protection than a court order that says you are in contempt if you violate what I say, because you can break a law that this body passes and nobody can do anything to you until somebody decides to go in and go through a long rigmarole to bring a court suit.

Contempt proceedings are fast and sure. In any case, the gentleman and I, as usual, are not in disagreement.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. TRAFICANT).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. TIAHRT

Mr. TIAHRT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment printed in House Report 105–679 offered by Mr. TIAHRT:

Page 58, strike lines 6 through 10 and insert the following:

SEC. 150. None of the funds contained in this Act may be used for any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug, or for any payment to any individual or entity who carries out any such program.

The CHAIRMAN. The gentleman from Kansas (Mr. TIAHRT) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Kansas (Mr. TIAHRT).

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

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

Mr. TIAHRT. Mr. Chairman, this amendment will restrict any funds from being used to distribute sterile needles or syringes to people who abuse drugs. It is commonly called the needle exchange program.

The reason we are doing this is because it is bad public policy, and we base this decision on whether it is bad public policy on current research. I want to cite a June 8 Wall Street Journal editorial by Dr. Satel, a psychiatrist and lecturer at Yale University School of Medicine, who reported that most needle exchange studies have been full of design errors and, in fact, the more rigorous studies have actually shown an increase in HIV infection among participants in needle exchange programs.

They cite two studies, one which was done in Vancouver, which was a study that goes over 10 years, where they have distributed as many as a million needles per year. What they found out is that HIV rates among participants in the needle exchange program is higher than the HIV rate among injecting drug users who do not participate.

They also found out that the death rate due to illegal drugs in Vancouver has skyrocketed since the needle exchange program was introduced. In 1988 only 18 deaths were attributed to drugs. This year they are averaging 10 deaths due to drugs per week. They anticipate 600 deaths due to drugs this year, and they attribute that primarily to the needle exchange program and the proliferation of drug abuse.

They also found that the highest property crime rates in Vancouver are within a few blocks of the needle exchange program. The place has become a 24-hour drug market. There is open drug injection activity, and it has been bad for the general vicinity and obviously bad for the people who have been involved in the needle exchange program.

The other extensive study was done in Montreal, and they find out in Montreal that participants in the needle exchange program were two times more likely to become infected with HIV than those who did not participate in the study. These increased risks were substantial and consistent despite extensive adjustment to the program.

Dr. Bruneau, who participated in the study, said that these programs, needle exchange programs, may have facilitated formation of new sharing networks, with the programs becoming a gathering place for isolated addicts. So what we have is a policy that is a bad public policy, and we are hoping to stop that.

This policy is also opposed by the drug czar. General Barry McCaffrey has said that as public servants, citizens and parents, we owe to our children an unambiguous no use message, and if they should become ensnared in drugs, we must offer them a way out, not a means to continue this addictive behavior.

□ 2100

We have also had local police authorities who, when they stopped the needle exchange program, gave an opinion in Alexandria. Police Chief Charles Samarra said the message of government supplying needles to addicts is clearly contradictory to our Nation's national and local antidrug efforts.

This is poor public policy, and it does place the police in a very poor position. Here in the District of Columbia it is the unofficial policy, according to the Office of the District of Columbia Police Chief Charles Ramsey, to look the other way when drug addicts approach this van that distributes the needles. Even though these people may be holding illegal drugs, even though they may be holding illegal drug paraphernalia, even though they may be drug pushers, they have to turn their head. So we think it is bad policy, and we hope we get support for this amendment.

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

The CHAIRMAN. Who seeks to control time in opposition?

Mr. MORAN of Virginia. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Virginia (Mr. MORAN) is recognized for 15 minutes.

Mr. MORAN of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, first some facts: The District of Columbia has one of the highest incidences of HIV infection in the country.

Intravenous drug use in the District is the District's second highest mode of transmission, accounting for over a quarter of all the new AIDS cases.

For women, where the rate of infection is growing faster than among men, intravenous drug use represents the highest mode of HIV transmission. The growth of HIV infections is highest among women and where is it coming from? It is coming from dirty needles.

In the African-American community, listen to this, 97 percent of the transmission occurs through dirty needles, 97 percent.

The District of Columbia has had a local needle exchange program in place since last year. This program, operated by the Whitman Walker Clinic, uses scarce D.C. appropriated funds to allow the clinic to exchange on a one-to-one basis between 15,000 and 17,000 dirty needles each month. The program facilitates access to HIV testing counseling, which they provide on the spot. So what they are doing is providing the needles so that they can get hold of people so that they can counsel them and treat them to rid them of addiction. Without doing that, they are not getting access to the people that they need to.

We think Whitman Walker should be free to structure the most locally appropriate response to the greatest public health crisis that has ever faced this city. Every other state and municipality in the United States is entitled to use locally raised tax revenue

to determine the course of their own public health initiatives unhampered by Congressional restrictions. We think the District should be accorded the same standing.

The gentleman from Kansas (Mr. TIAHRT) cites two Canadian studies on needle exchanges that allegedly show needle exchange programs have worsened the AIDS epidemic. But in a New York Times editorial, the authors of those very same studies made clear that opponents of needle exchanges have totally misinterpreted the research.

While it is true that the addicts that took part in needle exchange programs in Vancouver and Montreal had higher HIV infection rates than those who did not participate in the program, that was not surprising since those participating in the program consistently engaged in the riskiest behavior. The authors of the Canadian studies that the gentleman from Kansas (Mr. TIAHRT) has cited point to a larger study by Lancet, the British Medical Journal, that found in 29 cities worldwide where programs are in place, HIV infections in fact dropped by an average of 6 percent a year among drug users. In 51 cities that had no needle exchange programs, drug-related infection rose by 6 percent more.

They conclude their article by stating that clean needles are only part of the solution. A comprehensive approach should be used, which includes health care, treatment, social support and counseling. The authors that were cited called for expansion of needle exchange as a gateway to these other services, and urged Congress to consider this approach.

The Whitman Walker needle exchange program is a gateway to treatment. We should not be shutting off that gate just when its positive impact is beginning to show. We should not be telling Whitman Walker either that Federal funds for other programs will be cut off even if solely private funds are used to finance the needle exchange program. That is bad policy, and that is why we oppose this amendment.

The people that were cited as the experts say in a New York Times editorial that you should not interpret their study the way that the gentleman from Kansas (Mr. TIAHRT) has. In fact, the conclusion is just the opposite, that needle exchange programs are working.

I was surprised by this data, I was surprised by the statistics, but I think when you do look at the statistics, you will realize there is merit to this, particularly in the ability of a city to use its own local funds for this purpose.

Mr. Chairman, I include the New York Times editorial entitled ''The Politics of Needles and AIDS'' for the RECORD.

[From the New York Times, Apr. 1998]

THE POLITICS OF NEEDLES AND AIDS

(By Julie Bruneau and Martin T. Schecter)

Debate has started up again in Washington about whether the Government should renew its ban on subsidies for needle-exchange programs, which advocates say can help stop the spread of AIDS. In a letter to Congress, Barry McCaffrey, who is in charge of national drug policy, cited two Canadian studies to show that needle-exchange plans have failed to reduce the spread of H.I.V., the virus that causes AIDS, and may even have worsened the problem. Congressional leaders have cited these studies to make the same argument.

As the authors of the Canadian studies, we must point out that these officials have misinterpreted our research. True, we found that addicts who took part in needle exchange programs in Vancouver and Montreal had higher H.I.V. infection rates than addicts who did not. That's not surprising. Because these programs are in inner-city neighborhoods, they serve users who are at greatest risk of infection. Those who didn't accept free needles often didn't need them since they could afford to buy syringes in drugstores. They also were less likely to engage in the riskiest activities.

Also, needle-exchange programs must be tailored to local conditions. For example, in Montreal and Vancouver, cocaine injection is a major source of H.I.V. transmission. Some users inject the drug up to 40 times a day. At that rate, we have calculated that the two cities we studied would each need 10 million clean needles a year to prevent the re-use of syringes. Currently, the Vancouver program exchanges two million syringes annually, and Montreal, half a million.

A study conducted last year and published in The Lancet, the British medical journal, found that in 29 cities worldwide where programs are in place, H.I.V. infection dropped by an average of 5.8 percent a year among drug users. In 51 cities that had no needle-exchange plans, drug-related infection rose by 5.9 percent a year. Clearly these efforts can work.

But clean needles are only part of the solution. A comprehensive approach that includes needle exchange, health care, treatment, social support and counseling is also needed. In Canada, local governments acted on our research by expanding needle exchanges and adding related services. We hope the Clinton Administration and Congress will provide the same kind of leadership in the United States.

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

Mr. TIAHRT. Mr. Chairman, I yield two minutes to the gentleman from New York (Mr. SOLOMON), the distinguished chairman of the Committee on Rules and sage counsel of the Republican side of the House.

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

Mr. Chairman, there are two major issues in this country that we always have to be aware of. One is the national defense of our country, to protect us against those that would take away our precious democracy. The other is dealing with the illegal use of drugs in this country. It is literally wiping out an entire new generation of people, whether it is 9, 10, 11, 12, 13, 14-year-olds, and it is so sad.

I have been involved with trying to correct this for many, many years. I come from New York. In New York City we have a needle exchange program, and I can tell you it is a failure; that you have increased drug use, you have increased crime because of the needle exchange programs, where they are not just exchanging needles, but they are bringing in one, taking out 40. That is not doing anything for people that are sadly hooked with drugs.

If you go to Vancouver, which is on our northern border, if you go to Montreal, just above my house in New York, you will see a pathetic situation. If you go to Amsterdam, Holland, where I was the other day, and it is so, so terribly sad to see what is happening to the younger generation of people in the Netherlands. The same if you go into even Switzerland, where they have permissiveness.

Permissiveness towards illegal drugs, including needle exchange programs, leads to increased drug addiction, which leads to increased crime, including violent crime. The worst part about that, right here in America, 75 percent of all the crime, violent crime in America, is drug-related, and it is against women and children. That is how sad this situation is.

The only way to reduce drug use in America is certainly not to do it with drug programs. You need to wean drug addicts from using drugs. You do not do it by making them more available to them. That is why you really need to pass this. Not just for the District of Columbia, you need to do it for Albany, New York, for New York City, and every city in America, to show the example, that we just want to save this new generation of Americans.

Mr. MORAN of Virginia. Mr. Chairman, I yield two minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

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

Mr. Chairman, the Congress has banned the use of Federal funds for needle exchange programs and left local jurisdictions to decide for themselves how to handle the AIDS epidemic. I ask you not to read the District out of our federalist democracy by imposing the Congressional will on this life or death issue.

Let us be clear who we are talking about. The District is in the throes of an AIDS epidemic that is totally out of control. It ranks first in the Nation in HIV–AIDS. The majority of District residents are African-Americans.

Nationally, AIDS is the leading killer of African-American men and women 25–34, and half of these deaths are needle-related. New infections in young men and women age 13 to 24 are rising so rapidly they have become the focus of special concern. Two-thirds of AIDS in women and 50 percent of AIDS in children can be traced to the needle chain of transmission.

All of the world class investigators that Congress asked to look at this issue have come to the same conclusion. The entire medical and scientific establishment, among them six federally funded investigations, have found that these programs reduce infections markedly and do not promote drug use.

The Vancouver study has been, according to its authors, misinterpreted.

They have said so in an article in the New York Times. The use of that research on this floor is bogus.

Wherever you stand on needle exchange, even if you are willing to disregard the findings of the NAS, the CDC, the GAO, the National Commission on AIDS, the University of California, the Office of Technology Assessment and the National Institutes of Health, I ask you not to place the District in a class by itself, unable to make decisions for its own residents that are a matter of life or death.

Mr. TIAHRT. Mr. Chairman, I yield two minutes to the gentleman from California (Mr. RIGGS).

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

Mr. Chairman, I spoke on this earlier, but I rise again because I think it is a matter of such great importance. I think, first of all, we ought to stipulate that the ''District funds'' are still subject to appropriation, or, more correctly, reappropriation by the Congress, so I think there is a very legitimate reason for us taking an active role in this particular debate.

I think every Member of Congress on a bipartisan, or, better yet, nonpartisan basis has to be concerned about the spread of HIV-related illnesses. But the distinction on our part is while we agree with the comprehensive approach that includes beginning with our children in the youngest grades in school, education, prevention, treatment and rehabilitation, attacking the problem on both the demand side as well as the supply side, we cannot, we should not, be in a position where we somehow sanction illegal drug use. We do not really want to be in a position here where we use taxpayer funding or other tax revenues to promote illegal drug use, to promote further drug addiction and drug dependency in the District of Columbia. What message are we sending to our young people if we go along with this kind of policy?

Now, all of us, many, many millions of Americans, have had a personal experience with a family member whose life has been affected, sometimes ruined, by drug use, and we are all too familiar with the situation where other family members, out of their love and concern for that individual, turn a blind eye. We condone or in some other way facilitate that drug use.

That is called enabling behavior, and I cannot believe that we would consider for a moment in this distinguished body allowing, on an official governmental basis, making as a matter of public policy in the District of Columbia, with District funding and/or Federal taxpayer funding, allowing enabling behavior for people involved in illegal drug use.

Support the Tiahrt amendment.

Mr. MORAN of Virginia. Mr. Chairman, I yield one minute to the gentlewoman from California (Ms. WOOLSEY).

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

Ms. WOOLSEY. Mr. Chairman, when we are talking about AIDS, we are talking about an epidemic. This should not be a discussion that is an opportunity to play politics. Banning needle exchange will not help save our children, or anyone else. In fact, a ban on needle exchange actually threatens lives.

More than half of all children with AIDS contracted the virus from mothers who were intravenous drug users or the partners of intravenous drug users. That is right, we are talking about how our children contract AIDS.

In 1995, the National Academy of Sciences found that needle exchange programs do reduce the spread of AIDS and do not lead to the increase of drug use. In fact, do not overlook the fact that a drug user ready to take the first positive step through a needle exchange program is apt to take further steps towards recovery.

As well, this amendment prevents communities from using their own private funds, and that is what I call a violation of local control.

Mr. TIAHRT. Mr. Chairman, I yield two minutes to the gentleman from Virginia (Mr. DAVIS), the chairman of the Subcommittee on the District of Columbia.

□ 2115

Mr. DAVIS of Virginia. Mr. Chairman, I think this is an issue that is complicated. It is emotional. It is one where people of good will I think can reasonably disagree. We have not too bad objectives, but we have competing public policy objectives.

On the one hand we have groups who say the best way is to stop drug use in its entirety, to just say no, and that ought to be the overriding public policy concern. On the other hand, we have some data that I find is persuasive in many cases saying that exchanging needles, giving people clean needles that are using illegal drugs, can stop the spread of AIDS and hepatitis and can bring down those areas.

Those are both good objectives, but they are competing objectives. We cannot have it both ways. The question comes down to, are we better off giving drug users free, taxpayer-funded needles to use illegal drugs in the hope cleaner needles will stop the spread of disease, or are we better off sending a strong just-say-no message to preventing more drug users from starting illegal drug use in the first place, so they will never start using illegal drugs and will not need needles in the first place?

It is complicated. I think the criteria are different. Here is where I come down, when I look at it. It seems most inconsistent to me that we have veterans, we have patients in HMOs, we have Medicaid patients who are charged, in many cases, for having needles, using legal drugs, while at the same time we are giving free needles to people to use a product in a usage that is illegal.

So I think the amendment of the gentleman from Kansas is one that, on a public policy basis, I support. I realize I have friends on the other side with strong and persuasive feelings, but I think the message here ought to be that we are not going to use taxpayer dollars to fund free needles for people to do illegal acts.

Mr. MORAN of Virginia. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Chairman, this Congress voted not to use any Federal funds for needle exchange programs. That is done. If that is done already, what is this extra measure that is being used, directed right at the District of Columbia? Again, it is that running roughshod, it is that disrespect.

At the time that this is going on, 33 Americans are infected each day with HIV because of injection drug use. We had better get our heads out of the sand. Members know that needle exchange is not about promoting drug use, needle exchange is about saving lives. It is about saving lives, because 75 percent of babies diagnosed with HIV/AIDS are infected as a result of tainted needles used by their parents.

If we get drug users coming in to exchange needles, we get a chance to talk with them. We get a chance to know who they are. We get a chance to convince them, and God forbid, if we ever have drug rehab on demand, we can get them into the hospitals, into the clinics, and we can begin to change lives.

Maybe Members do not care, but let me tell the Members why I care so much. It is the leading killer of African Americans between the ages of 25 and 44. People are dying, babies are dying. We need to have a sensible policy to deal with drug use. Needle exchange is such a policy.

Members ought to be ashamed of themselves for denying it to the District of Columbia, using their own money.

Mr. TIAHRT. Mr. Chairman, I yield myself such time as I may consume. I would remind the gentlewoman that there is nothing that prevents private funding from doing the needle exchange program.

Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Arizona (Mr. SHADEGG).

Mr. SHADEGG. Mr. Chairman, I rise in strong support of this amendment. First of all, this is not a ban on needle exchange programs. What this is is an amendment that says we are not going to use Federal taxpayer dollars, taxpayer dollars taken from people in Arizona and across the country, to send the message that it is okay to break the law, that it is okay to destroy your lives with drugs.

I want to cite Dr. James L. Curtis, a medical doctor and a clinical professor of psychiatry at Harlem Hospital Center, a black American himself. He says point blank, ''There is no evidence that such programs work.'' I also want to

cite Dr. Janet D. Lapey, medical doctor, president, Drug Watch International. She points out that in Montreal, deaths from overdoses have increased fivefold since that program started, and in fact, they now have the highest heroine death rate in this country.

I also want to cite Nancy Sossman, who appeared before our committee, and who explained how these programs work in the real world. It is not in fact an exchange. She asked for needles, and was given 40 needles without surrendering one. With regard to programs cleaning up the situation, she said she was a short-term user. She just started, and they did not even encourage her to go for treatment. In the real world these programs do not work, and we should not subsidize them with government dollars.

Mr. MORAN of Virginia. Mr. Chairman, I yield 1 minute to the gentlewoman from Maryland (Mrs. MORELLA).

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

Mrs. MORELLA. Mr. Chairman, let us be clear about this amendment. I just want to clarify what was just stated, that this bill already prohibits the use of Federal funds for needle exchange programs in the District of Columbia. But the amendment that has been offered goes beyond the ban on the Federal funding to also include local funding, funding that is raised in the District of Columbia for this purpose.

Frankly, I think to prohibit the District from using its own, and I emphasize, its own local revenues for its needle exchange program which was started a year ago, is really clearly a violation of local control.

I remember when we discussed this whole issue on the floor of the House. Some of us believed that HIV prevention strategy in terms of needle exchange was well worth it. But I do remember when a majority of our colleagues voted for the ban on the use of Federal funds. During that debate, many of the Members argued that States and localities could still use their own revenues for these programs.

Therefore, a vote against this amendment will give us the opportunity to follow through on our promise. Let the District decide how best to prevent new HIV infections within its own community, with its own money. My State of Maryland does that very successfully in the Baltimore area and Prince George's area. Let us vote against this amendment.

Mr. Chairman, I rise in opposition to the Tiahrt amendment. This amendment will prohibit the use of both federal and local funds for the city's needle exchange program to prevent new HIV infections in injection drug users and their partners.

Trying to micromanage D.C. would be counterproductive for the Congress and would encroach on the legitimate roles of the City Council and the Control Board. We in Congress have worked to give back local control to our communities. These provisions would run counter to that objective.

The District of Columbia has one of the highest HIV infection rates in the country. Intravenous drug use is the District's second highest mode of transmission, accounting for over 25 percent of all new AIDS cases. For women, where the rate of infection is growing faster than among men, it is the highest mode of transmission.

Scientific evidence supports the fact that needle exchange programs reduce HIV infection and do not contribute to illegal drug use. The American Medical Association, the American Bar Association, the American Public Health Association, the Association of State and Territorial Health Officials, the National Academy of Sciences, the American Academy of Pediatrics, the American Nurses Association, the National Black Caucus of State Legislators, and the United States Conference of Mayors all have expressed their support for needle exchange, as part of a comprehensive HIV prevention program. A number of federally funded studies have reached the same conclusion and have found that needle exchange programs do not increase drug use—including a consensus conference convened by the National Institutes of Health last year.

Despite this consensus, on April 29, 1998, the House voted to prohibit the expenditure of federal funds for needle exchange programs. The District of Columbia has had a local needle exchange program in place since last year, an important tool in the city's fight against the spread of HIV and an important bridge to drug treatment services. Now, some Members want to tell D.C. that it cannot spend its own funds to prevent new HIV infections. This is simply wrong. Local jurisdictions should be able to decide for themselves how best to fight the HIV epidemic in their own communities. In my own state of Maryland, Baltimore City's needle exchange program has been associated with a 40% reduction in new cases of HIV among participants, and evaluation of the program has demonstrated that needle exchange did not increase drug use. In fact, a bill was approved to continue the program by an overwhelming vote in the Maryland State Legislature last year—it passed by a vote of 113–23 in the House of Delegates and by a vote of 30–17 in the State Senate. And, earlier this year, the Maryland State Legislature voted to allow Prince George's County to establish a needle exchange program.

Mr. Chairman, with so few days left In the legislative calendar, Congress cannot afford to hold up the appropriations process by politicizing public health decisions. I urge my colleagues to reject such efforts and allow the district to make its own decision on how best to prevent new HIV infections. Vote "no" on Tiahrt.

Mr. MORAN of Virginia. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. DIXON).

Mr. DIXON. Mr. Chairman, we might as well just vote on these issues. If we come to the floor and debate the wrong amendments or the wrong language of the amendment, if we come to the floor and say that studies say one thing, misrepresentations, I said in my opening statement 2 or 3 hours ago, now the gentleman is going to use the statement claiming something about a study. We have something here that refutes that entirely. We might as well just vote.

The language that we are debating says, no funds contained in this act. It does not say, no Federal funds in this act, it says no funds. The gentleman can certainly adjust his argument to say, well, I think that, but the point is, the gentleman was debating something that is not so.

The gentleman comes to the floor and he cites a study as if it supports his argument. It does not. The authors have already said that. So if this is just a matter of philosophy, let us just roll the amendments up here and vote.

Mr. MORAN of Virginia. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois (Mr. DAVIS).

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

Mr. DAVIS of Illinois. Mr. Chairman, I rise in opposition to this amendment.

Mr. Chairman, I rise to oppose the Tiahrt amendment because all the scientific data from experts suggests needle exchange programs reduce HIV infection and do not increase drug use. While AIDS deaths are down, clearly HIV infection continues to increase especially in inner city areas where injection drug use is prevalent.

Needle exchange does not increase drug use, rather it encourages a society that would have fewer individuals infected with HIV. These programs make needles available on a replacement basis only, and refer participants to drug counseling and treatment. The National Institutes of Health's march 1997 study concluded that needle exchange programs have shown a reduction in risk behaviors as high as 80 percent in injecting drug users, with estimates of 30 percent or greater reduction of HIV.

In addition, this amendment puts children at risk. The Centers for Disease Control reported that the rate of HIV/AIDS in the African American community is 7 times that of the general population. Make no mistake about it—this is not an African American problem this is an American problem. This is a public health issue and the Surgeon General, and the Secretary of Health and Human Services both support needle exchange programs. When we help save American lives—America is stronger.

The Federal Government must provide leadership on this critical issue and therefore, I urge my colleagues to oppose this amendment.

Mr. MORAN of Virginia. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. CUMMINGS).

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

Mr. Chairman, I have listened to this debate, and I will tell the Members it really upsets me. I go to the funerals. I see the shrivelled up bodies in the caskets. I see the people suffering. I see my people dying over and over and over again.

Members can cite any study they want to cite. Come to Baltimore, which has a similar program as this one. We are saving lives. It is real simple to sit

here and say that these programs should not exist. This is life and death, life and death. So over and over and over again, I hear the arguments.

But let me tell the Members something. In Baltimore, there is reduction of HIV because of these programs; in Baltimore, reduction of drug use because of these programs; in Baltimore, reduction of crime because of these programs. It is very simple.

Members can cite anything they want to cite. The reason why I am so upset about it is because, like I said, I go to the funerals. I watch them die. I see the babies in the hospital as they cry out. So I say to the Members, I beg them that as this debate goes forward, understand that there are people who are dying. All of the amendments that we have had so far will not save lives, but this one, this amendment, if it goes through, will kill people. That is a fact.

Mr. MORAN of Virginia. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Chairman, I think that the gentleman from Maryland (Mr. CUMMINGS) was so eloquent in his presentation about what we do know, those of us who take the bite of this wormy apple of the spread of HIV in our communities. We know something about how to prevent the suffering, suffering that these families experience. We know something about saving taxpayers' dollars, if that is the only issue that concerns people here tonight.

Can we all stipulate that we are all against the spread of drug abuse in our country, and IV drug use? Let us all respect each other on that score. But respect is the word that I think tonight's debate is about.

The gentleman from Maryland (Mr. CUMMINGS) and others have clearly laid out that the science says that the needle exchange programs save lives. Nobody less than the head of the National Institutes of Health, Dr. Varmus, a Nobel Prize winner himself, has stated that over and over again.

The gentleman from Arizona (Mr. SHADEGG) described a needle exchange program that I would not support myself, and that is not what we are talking about tonight. We are talking about a needle exchange program that is part of an HIV prevention program that gets people into treatment and prevention.

I want to share just another thought here. When I was born my father was in Congress. He was chair of the District of Columbia Subcommittee of the Committee on Appropriations. They did not have home rule then, but he was a big supporter of home rule because he respected the people of Washington, D.C.

Why is it that every time this bill comes up, we see these assaults on local autonomy, and assaults on the intelligence and the decision-making ability of the people of the District of Columbia? These people have to deal with an important and dangerous public health issue that is facing them. They have drawn conclusions scientifically about how to stop the spread of HIV and all the suffering that goes with it, and all the expense to the taxpayer that goes with it.

This Congress has already passed legislation prohibiting Federal funds to be used for these kinds of programs. Why do we have to go through this again, and say no local funds? Would Members want this Congress to be interfering in the business of Members' own communities? I do not think so. I urge my colleagues to vote against the Tiahrt amendment.

Mr. TIAHRT. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. BARR).

Mr. BARR of Georgia. I thank the gentleman for yielding time to me, Mr. Chairman.

I just walked by the Chamber and I heard loud noises, very pious sounds coming out. I knew that we were once again hearing those who believe that we can attack and cure the drug problem by fostering the drug problem; that we can solve one problem by giving people the means to kill themselves with mind-altering drugs. I knew it is that season again.

The reason, I would tell my colleagues on the other side, why every time this bill comes up we present an amendment to prohibit the use of funds for needle giveaway programs, what they like to more benignly talk about as needle exchange programs, is because there is a serious problem with drugs in the District of Columbia, as there is in communities all across America.

□ 2130

The reason that it is appropriate and fitting to address this issue in this bill is because these are Federal monies. Now, if citizens of some other country want to engage in the absurdity of saying we can solve a problem by giving people drugs or giving people the means to kill themselves with drugs and that that is, indeed, in some other cultures perceived as a great virtue, then so be it. Other countries such as the Netherlands and Switzerland are dealing with that these very days.

We here in this Congress do not stand for that. The people of this country do not stand for that. There are ways to attack health problems in our communities, but I would prefer to see us attack those health problems in our communities, not by telling our children, here, have this needle, ingest drugs, it is good for you, and yet, I dare say, that probably many of those who propose this chastise the tobacco companies endlessly.

Let us get our priorities in order, Mr. Chairman. This is an appropriate piece of legislation on which to attach this amendment. This is an appropriate amendment. The people of this country do not want drug dealing. I urge the adoption of this amendment.

Mr. TIAHRT. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I want to point out that since Republicans took over the House, we have significantly increased the funds for HIV and AIDs awareness. We have significantly increased the funds for research and development to find a solution for this problem. But sometimes you have to come to a point where tough love is the message that you have to send. It has to be a clear message. Do not get involved with drugs.

When we go about a program that enables the drug abuser to carry on this kind of activity, we are not sending that clear message. We are sending a message of some type of confirmation from the government, and that is not the message we need to send.

Nothing in this bill prevents private funds from conducting a needle exchange program. This just says that any money that goes through this committee is not going to be doing it.

There is talk about how this study could be misinterpreted. There is one part of this study that cannot be misinterpreted. The deaths in Vancouver. There were only 18 in 1988. This year they anticipate 600 deaths. They are averaging 10 per week. Those are the bodies in the casket that we heard about earlier here. Those are the people that through this needle exchange program have proliferated their drug use. They have made groups that exchange needles, and the result has been higher HIV, higher deaths.

It is time that we break this drug cycle, send a clear message. Do not start. It is time that we slow the spread of HIV infection and the AIDs virus. It is time that we reduce the loss of life in America by quit bringing this enabling program forward.

It is opposed by the administration's drug czar. It does not have the blessing of the Secretary of Health and Human Services, Donna Shalala, local police are opposed to it, leading researchers are opposed to it. The people of America are opposed to needle exchange programs.

I think the only compassionate thing to do is to vote for the Tiahrt amendment and stop this activity that is proliferating drug abuse and also allowing for additional loss of life.

Mr. DIXON. Mr. Chairman, I ask unanimous consent to proceed for 1 minute, with the time to be equally divided between myself and the gentleman from Georgia (Mr. BARR).

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN. The gentleman from California (Mr. DIXON) and the gentleman from Georgia (Mr. BARR), each will be recognized for 30 seconds.

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

Mr. DIXON. Mr. Chairman, I yield myself such time as I may consume. I would ask the gentleman from Georgia if he has read this amendment before he spoke on it?

Mr. BARR of Georgia. Mr. Chairman, will the gentleman yield?

Mr. DIXON. I yield to the gentleman from Georgia.

Mr. BARR of Georgia. Mr. Chairman, does the gentleman have a question?

Mr. DIXON. I was asking if in fact the gentleman had read the amendment before he spoke on it?

Mr. BARR of Georgia. What is the point?

Mr. DIXON. My point is that if he had read the amendment, he would see that this applies to all funds.

Mr. BARR of Georgia. Yes.

Mr. DIXON. The gentleman said it applied to Federal funds.

Mr. BARR of Georgia. Mr. Chairman, if the gentleman will continue to yield, it is even better if it applies to all funds.

Mr. DIXON. That is what I thought he would say.

Mr. MORAN of Virginia. Mr. Chairman, I yield myself the balance of my time.

I want to tell my colleagues that I will be offering an amendment after this Tiahrt amendment, whether it passes or fails, and that amendment will be very similar to a substitute amendment that was offered in the full Committee on Appropriations that passed, I believe, with a bipartisan vote.

What it does, it is to simply apply the same restriction on Federal funds that the bill that was passed back in April of this year applies to all 50 States so that the Members will have an opportunity to vote to restrict Federal funds, in other words, the only funds over which we have control, from being used for needle exchange programs in the District of Columbia. So we will treat D.C. like we do every other State.

I think after the debate, Members understand that there are good, thoughtful, fair Members on both sides of this very difficult issue. So is it not best to resolve this by limiting the funds that we are responsible for expending, Federal taxpayers funds? We limit those with this subsequent amendment, but do not dictate to the District how they can use their own funds if they choose to decide differently than this United States Congress.

Ms. JACKSON-LEE of Texas. Mr. Chairman, thank you for the opportunity to speak on this important amendment to H.R. 4380. Congressman TIAHRT has offered an amendment, to prohibit federal and local funds from being spent on any program to distribute needles for the hypodermic injection of any illegal drug. The amendment also prevents payments from being given to any persons or entities who carry out such a program.

I oppose Mr. TIAHRT's amendment. This issue has already been fully addressed by the House Appropriations committee who previously voted to reject this intrusion into the funding priorities of the District of Columbia. This legislation would set a dangerous precedent for many states and localities where needle exchange save lives and operate effectively to prevent the transmission of HIV and other dangerous diseases by using state and local funds.

Needle exchange has been shown as an effective HIV prevention too, and is supported by numerous medical and health related organizations and scientists. In April of this year, the Secretary of Health and Human Services, the Director of NIH and the National Institute on Drug Abuse issued a determination that scientific evidence indicates that needle exchange reduces HIV transmission and absolutely does not encourage the use of illegal drugs.

Washington, DC, has chosen to use its own funds to address this urgent local need. Congress should not encroach on DC's choice to implement successful programs which will undoubtedly prevent the transmission of HIV.

Mr. DELAHUNT. Mr. Chairman, I rise in opposition to the amendment by the gentleman from Kansas.

The amendment would not only bar the use of federal funds for needle exchange programs in the District of Columbia. It would also prohibit DC government from using its own money of this purpose—money obtained through local taxation for programs that are widely supported by the local citizenry.

The gentleman is evidently doing this because he knows that a prohibition on the use of federal funds is both unnecessary and meaningless. Secretary Shalala announced this past Spring that the Administration does not intend to make federal funds available for needle exchange programs.

But the gentleman is not satisfied with this. He objects to the fact that local governments across the is country are using their own funds to conduct these programs.

Under our federal system of government, there is nothing he can do about this with respect to Boston, or New York, or even Kansas City. So he has chosen to express his displeasure by targeting the one city in the United States in which the normal rules of local autonomy do not apply.

This is unfair to the residents of the District of Columbia, who find themselves subject to the gentleman's whim even though they do not live in the gentleman's Congressional district.

But it is also a terrible precedent for the country as a whole. Because despite the squeamishness of some Members of Congress at the mere sight of a needle, the truth is that these programs work. They prevent HIV infection. They do not encourage or increase drug abuse. In fact, there is overwhelming evidence that they actually help reduce drug abuse by encouraging injection drug abuser to enter treatment.

As a former prosecutor and a member of the Judiciary Committee, I take very seriously the epidemic of drug addiction on our society. But we cannot make responsible public policy based on fear and ignorance.

Study after study—by such respected agencies as the National Research Council, the Centers of Disease Control and Prevention, and the National Institutes of Health—have all reached the same conclusion.

So have the American Medical Association, the American Public Health Association, the Association of State and Territorial Health Officers, the American Nurses Association, the American Academy of Pediatrics, the U.S. Conference of Mayors, and the American Bar Association.

In April, the Secretary of Health and Human Services followed suit. Yet instead of announcing that federal funds would be made available, the Administration bowed to political pressure and announced a continuation of the status quo.

In other words, needle exchange programs save lives, but cities and towns that want to have these programs must pay for them out of their own funds.

That is unfortunate, Mr. Chairman, but at least local jurisdictions are free to do that. If the gentleman's amendment is adopted, the District of Columbia will no longer have that option.

That is wrong, Mr. Chairman. It is bad enough for legislators to overrule local decision makers in matters of this kind. But it is the worst kind of irresponsibility for us to substitute our own uninformed opinions for the sound judgment of the public health community. To say, in effect, ''our minds are made up. Don't confuse us with facts.''

I have seen what needle exchange programs can accomplish in Massachusetts, Mr. Chairman, and I know that they have saved lives.

If this amendment becomes law, more people in Washington, D.C. will become infected with the AIDS virus. More people will die of AIDS. And their blood will be on our hands, Mr. Chairman.

I urge my colleagues to vote ''no'' on the Tiahrt amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas (Mr. TIAHRT).

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

Mr. TIAHRT. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 517, further proceedings on the amendment offered by the gentleman from Kansas (Mr. TIAHRT) will be postponed.

AMENDMENT OFFERED BY MR. MORAN OF VIRGINIA

Mr. MORAN of Virginia. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MORAN of Virginia:

Page 58, strike lines 6 through 10 and insert the following:

SEC. 150. No Federal funds appropriated in this Act shall be used to carry out any program of distributing sterile needs of syringes for the hypodermic injection of any illegal drug.

PARLIAMENTARY INQUIRY

Mr. TIAHRT. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. TIAHRT. Mr. Chairman, is this not the same language that is currently in the bill?

Mr. MORAN of Virginia. Mr. Chairman, will the gentleman yield?

Mr. TIAHRT. I yield to the gentleman from Virginia.

Mr. MORAN of Virginia. Mr. Chairman, I appreciate the gentleman yielding to me so that I can explain. This is not the same language that is in the bill.

The CHAIRMAN. The Chair recognizes the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, what this amendment does is what the full Committee on Appropriations decided to do, given the fact that we had a similar, very informative, very heartfelt debate in the full Committee on Appropriations.

The best way to resolve this issue was to treat the District of Columbia in the same way that we treat all other 50 States with regard to the use of Federal taxpayers funds.

What this amendment would do is to say that no Federal taxpayers' funds can be used in the District of Columbia for needle exchange programs. It obviously remains silent on local funds.

Much of the debate that we heard addressed Federal funds. We do not disagree with that, but we do feel that the majority of the Members would feel satisfied that they had acted as responsibly as possible with Federal funds but left the District of Columbia's own government to resolve this issue in the way they thought best.

We heard from the gentleman from Maryland. In Baltimore it works. Baltimore is an urban area with a very serious drug problem. We hear from the delegate from the District of Columbia. We have an urban area with a very serious drug problem. Given the unique and drastic crisis that they are facing, they have decided to take drastic, unique measures that may not be appropriate for other areas of the country that do not have the severity of this problem.

So should we not recognize that at the local level of government they ought to have some autonomy? I thought that we wanted to devolve as much responsibility and authority to the local level of government as possible. That is all we do. Let them decide how to use their own local funds and their own private funds. The legislation even affects private funds. It says all funds are prohibited.

Let them use private funds, let them use local funds. They cannot use Federal funds if this amendment passes.

That is why I would urge acceptance of this amendment as the best way to deal with a very difficult, complex subject.

I do not argue with the sincerity of the gentleman from Kansas that has offered this amendment, and I would trust that most cities in Kansas might be well represented by his conclusion, but we know that the people in the District of Columbia feel that their crisis dictates an alternative response.

We know Baltimore has decided to do that, and we know it has worked in Baltimore. We heard a passionate appeal, let Baltimore do it. Let D.C. do it. Let those local governments do what they think is in their best interest. That is the intent of this amendment. I would hope that all my colleagues would agree with the full Committee on Appropriations, vote for this amendment and do the right thing by the citizens of the District of Columbia.

Mr. TIAHRT. Mr. Chairman, I rise in opposition to the amendment.

I am very disappointed. I find out that this is the same language that is currently in the bill. On a voice vote my amendment went down, so he is, in effect, trying to put the same language back in the bill that is already in the bill. It is very redundant. I believe that the gentleman told me that it was not the same language. Maybe it was semantic, because there is a short, nonessential phrase that is missing, but essentially it is the same language that is in the bill.

I had hoped that we would deal more on an honest basis here and that I would have a clear understanding of what the gentleman was trying to do, but apparently there is some attempt to mislead the House and the chairman before we had a chance to raise a point of order.

Be that as it may, we will continue on and oppose the gentleman's amendment.

I would like to point out that constitutionally we have a responsibility, an oath that we swore when we took this office, to oversee the funds of the District of Columbia. It is called local control, and that is a misused term. This is a Federal area. It is the District of Columbia. According to the Constitution, in Article I, section 8, we have this responsibility, a responsibility that we cannot shirk.

We have to establish public policy. We have this responsibility to deal with what is going on here. This is a public policy that affects us all. It affects us all not only in our pocketbook but affects us all because this is the city, the capital city of the greatest democracy on this globe.

We have an obligation to talk about public policy here. It is very important to know that the facts of the studies that were brought forward here talked about the additional drug abuse that this policy has brought on, facts that cannot be disputed, that there are additional deaths, facts that cannot be disputed, and additional crime in the area where needles are distributed, and the fact that the police are forced, they are forced to turn their backs on this activity even though they know there is illegal drugs going on, even though they know there is illegal drug paraphernalia being transported and that there may be drug dealers who prey on the most innocent of our society, our children, that they are right there in the vicinity. Yet they must turn their head as a general unwritten policy.

It is a bad public policy. It is a bad public policy. That is why it is so important that we defeat the amendment that has just been presented by the gentleman from Virginia (Mr. MORAN), that we vote in favor of the Tiahrt amendment.

□ 2145

Mr. DIXON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would ask the gentleman, who keeps repeating the same nontruths, now; I have heard him in committee, in the Committee on Rules and on the floor cite a study: What study is the gentleman citing and who are the authors of the study that support the contention that the needle exchange programs do not work?

And while the gentleman is looking for it, once again I will say, I do not know if the gentleman has seen it, but there has been an op-ed piece in The New York Times by the authors, I believe, of the study that the gentleman has cited, at least the one listed by the gentleman.

The gentleman from Virginia (Mr. MORAN) read it to the gentleman, where they say that, in fact, ''As the authors of the Canadian study, we must point out that the officials have misrepresented our research.'' And it goes on and on.

My only point, and then I will yield to the gentleman, is the gentleman keeps repeating the big lie over and over and over again. The gentleman from Virginia got up and refuted it; I told the gentleman in my opening statement, as I said, 3 hours ago, but the gentleman keeps saying it. Now, is the gentleman referring to some other study? Is it the Montreal study that the gentleman is referring to? The gentleman has said it was.

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

Mr. DIXON. I am be glad to yield to the gentleman from Kansas.

Mr. TIAHRT. It is the Montreal study. It is the Vancouver study. It was study done by the American Journal of Epidemiology. I am not sure I said that exactly correctly. But let me say one thing. I am not disputing that the gentleman has an editorial where he thinks that some of the conclusions may have been——

Mr. DIXON. Mr. Chairman, reclaiming my time, I do not have an editorial. I have an editorial opinion piece written by the authors of the study. And they go on to say that in 25 or 26 cities using the needle exchange program that infection dropped 5.8 percent. But they go on to say that needle exchange was not the whole thing.

My only point is, if we are having honest debate and exchanging ideas, for the gentleman to consistently get up and distort it, it is wrong.

Mr. TIAHRT. Mr. Chairman, will the gentleman continue to yield?

Mr. DIXON. I am pleased to yield to the gentleman from Kansas.

Mr. TIAHRT. I think the gentleman is interpreting what I am saying incorrectly. What I am saying is that we can draw our own conclusions from the facts that in 1988 they had only 18 deaths from drug use and by 1998, a decade later, it has increased dramatically to over 10 a week. Now, what conclusion can we draw from that?

I do not need an opinion piece in The New York Times to tell me that this activity is encouraging drug abuse and it ends up with more deaths.

Mr. DIXON. The bottom line is that the gentleman says that this study

supports his proposition. The people who conducted the study say it does not; that they approve of needle exchange programs; that it reduces HIV infection. That is the bottom line.

Ms. PELOSI. Mr. Chairman, will the gentleman yield?

Mr. DIXON. I yield to the gentlewoman from California.

Ms. PELOSI. Mr. Chairman, if I may, I thank the gentleman for yielding. Further to the point that the gentleman has made, the authors of this study, one of them, in testimony before a Senate staff briefing in July, said, ''The conclusion of our study was entirely misrepresented in the U.S. Congress as evidence that needle exchange did not work.'' In fact, the author points out, ''In Canada, local governments acted on our research,'' the author is speaking, ''on our research by expanding needle exchange programs.'' That was the correct conclusion to be drawn from that research.

Mr. DIXON. Reclaiming my time, Mr. Chairman, my only point is that if we are going to have legitimate debate on public policy, let us have a legitimate debate and cite factual material. We should not just get up and distort it and mumble something and say it represents what it does not represent, particularly when we have been told three times.

PARLIAMENTARY INQUIRY

Mr. RIGGS. Parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. RIGGS. Mr. Chairman, I think Members may be a little confused at this point. It appears to me that we are having a debate on an amendment to an amendment which, while I supported it, the Chair ruled was defeated on a voice vote. So I am trying to confirm my understanding, number one.

And the second part of the parliamentary inquiry is at what point would the Chair intend, then, to put the question on the Moran amendment to the Tiahrt amendment, which again the Chair ruled had been defeated on a voice vote prior to the gentleman requesting?

The CHAIRMAN. The Chair will state this is not an amendment to the Tiahrt amendment. The Moran amendment is a separate amendment to the bill.

Mr. RIGGS. I see.

The CHAIRMAN. The Tiahrt amendment will be voted on on a postponed vote first; and then, if ordered, there will be a postponed recorded vote on the Moran amendment.

Mr. RIGGS. Further parliamentary inquiry, then Mr. Chairman, just to make sure we understand the sequence of votes. The vote on the Tiahrt amendment would precede the vote, then, on the Moran amendment.

The CHAIRMAN. If the vote on the Moran amendment is requested, it will follow the Tiahrt amendment which has been postponed.

Mr. RIGGS. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. RIGGS. I yield to the gentleman from Kansas.

Mr. TIAHRT. Mr. Chairman, I would just like to say that the studies that I was using as the basis for my testimony are going to be submitted for the record, and the one that was conducted in Montreal, I would just like to read from it so the Members can understand. It is in the summary, and I will point to this.

It says, ''In summary, Montreal needle exchange program users appear to have higher HIV zero conversion rates than any program nonusers. This study also indicates that, at least in Montreal, HIV infection is associated with needle exchange program attendance.''

Now, I am just taking this at face value. It says if people show up, they have a higher chance of getting it, getting the HIV virus or HIV infection.

Mr. RIGGS. Mr. Chairman, reclaiming my time. I simply want our colleagues to be clear, since earlier one of the speakers on the other side referred to Dr. Varmus. Dr. Varmus does have a lot of credibility and respect in his very important position as the director of the National Institutes of Health, and as the gentleman from Kansas (Mr. TIAHRT) pointed out, we have made a bipartisan commitment in this Congress over the last 4 years to substantially increase Federal taxpayer funding for HIV-related research and, we hope, eventually a cure of that disease.

But the gentleman from Kansas is absolutely correct when he cites the leading spokesman for the Clinton Administration, General McCaffery, as being dead set in his opposition to needle giveaway or needle exchange programs. And I think that needs to be said, because there is, at least with respect to the drug czar or the chief drug spokesman and enforcement officer of the Clinton Administration, there is bipartisan agreement on his part with congressional Republicans that we should not endorse needle giveaway or exchange programs and, by inference, sanction drug use and all the social ills and consequences that result from that.

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

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

Mr. DIXON. Well, I am glad that my friend from California marches to the step of the drug czar. I hope to remind him of that on some other issues that may come up before us here.

But the point I would like to make to the gentleman is that the drug czar should not dictate the policy of California as it relates to their own programs. And I do not think the drug czar should dictate how D.C. residents spend their money.

But let me just go further. We are all after the same thing: Cut down infectious disease infections and, in particular, HIV, and get people off of drugs. Now, which comes first, the chicken or the egg? If an individual is already addicted to drugs, the chances are greater before he dies from the drugs that he will die from HIV in Washington, D.C. So the clean needle is not to encourage anyone to use drugs, but maybe to keep them alive so they can get some rehabilitation.

I think it is absurd to suggest that people use drugs because they can get clean needles. That just does not happen. But the purpose that the District has, they believe that the exchange program works. And they are not trying to encourage the use of drugs. These people are going to use drugs. They are addicted. But we want them to use clean needles to keep them alive long enough so that we can withdraw them from drugs.

Mr. RIGGS. Reclaiming my time, I understand the gentleman. He makes a passionate point. We just respectfully disagree on that point. And I would point out that, again, I do not see how we can, because these funds are still subject to appropriation by the Congress, I do not see how we can support a policy that, as I certainly said earlier, facilitates, furthers illegal drug use and actually, as a matter of public policy, puts us as lawmakers and puts the funders, taxpayers in the District and Federal taxpayers, in the position of, as I said earlier, sort of engaging in enabling behavior.

And, furthermore, it sends the worst possible message that we could send to young people in the District of Columbia. And I hope we are going to get around to debating here in a short time the amendments to provide more hope, more educational opportunity to young people in the District of Columbia.

Mr. COBURN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I could not help hearing the numbers floated around by the studies. I dare to say that nobody in this body besides myself have actually read the studies on this; have actually read the scientific studies.

There have been two long-term prospective studies on this issue. And it is not about whether we feel it does something good, it is about whether scientifically it does. There have only been two studies done in North America that are long-term, large quantity studies in which the people who are studied at the end of the study are the same people who were studied at the beginning of the study.

Those two studies are Montreal and Vancouver. They are the only two studies in the world that are prospective, long-term, large quantity studies that have the same patients in them at the end of the study as they had at the beginning. All the other studies, that is not true. They have a different set of people in them.

And both those studies, the only two studies that are truly reputable under scientific standards that I have read, and I dare to say nobody else in this body has read, show without a doubt

that needle exchanges increase HIV infection. They do not decrease it.

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

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

Mr. DIXON. Mr. Chairman, I thank the gentleman for yielding. I just want to make clear what I said. I never made any representation that I read the studies. I made a representation that I had read an op-editorial piece by two people who claim that they did the study. And I claimed that based on that, that the gentleman from Kansas (Mr. TIAHRT) was misrepresenting it.

So maybe the gentleman is the only one that should be speaking on this issue, neither the gentleman from Kansas (Mr. TIAHRT) nor I should speak on it, but I never claimed to read the study.

Mr. COBURN. Mr. Chairman, let me reclaim my time, if I may, and tell the gentleman that I am sorry, I did not mean to mistake, in what I said, about the gentleman's intention.

What I think we need to be focusing on is we need to solve the drug problem. That is the real issue. Washington has this wonderful habit of fixing the wrong problems. The problem is drug addiction. It is not clean needles, it is not dirty needles, it is not HIV. It is drug addiction. We need to not confuse what the two issues are.

There is no question in the D.C. drug program that they left 45,000 needles out there last year that they did not re-collect. So 45,000 more needles are out there than were there at the beginning of the year previously, that are contaminated, that are dirty needles.

So I would want this body to know, we should not enable failure on drug addicts. And we should make sure we know that the issue is drug addiction and not enabling drug addiction. And that, in fact, clean needle studies, the only two reputable studies that have, in fact, been done that are cohort prospective longitudinal studies, that have the exact same people at the end of the study as they had at the beginning of the study, are the studies in Montreal and Vancouver, and they show increased HIV.

Ms. PELOSI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I will be very brief, because the gentleman just referred to the so called only reputable studies that have been made and, of course, the people who did that study have already said that their conclusions have been misrepresented here.

Our colleagues are going to vote the way they vote, ignoring probably the fact that we are talking about an issue that has already been dealt with by this Congress. But I want the record to show that this Congress, and as my colleague has pointed out, that we have supported the National Institutes of Health. We take great pride in supporting the National Institutes of Health, and take great pride in advertising our support for increasing the funding for the National Institutes of Health.

□ 2200

Why, then, would we run away way from the conclusions of the National Institutes of Health? And the National Institutes of Health, the Director, Dr. Harold Varmus; the National Institute of Allergy and Infectious Diseases, Direcrtor Dr. Anthony Fauci, Dr. Allen Leshner, Director of the National Institute on Drug Abuse; Dr. Claire Broome, Acting Director of the Centers for Disease Control, another organization; Dr. Helene Gayle, National Center for HIV, STD and TB prevention; and the CDC.

So the National Institutes of Health and the CDC leadership in their official capacity issued a consensus statement which states, after reviewing all of the research, ''After reviewing all of the research, we have unanimously agreed that there is conclusive scientific evidence that needle exchange programs, as part of a comprehensive HIV prevention strategy, are an effective public health intervention that reduces the transmission of HIV and does not encourage the use of illegal drugs.''

The science says that needle exchange does not increase drug abuse. The National Institutes of Health consensus statement says, ''A preponderance of evidence shows either no change or decreased drug use. Individuals in areas with needle exchange programs have increased likelihood of entering drug treatment programs.''

The scientific and public health groups that support the needle exchange programs include the American Medical Association, the American Public Health Association, the National Academy of Sciences, the American Nurses Association, the American Academy of Pediatrics.

Scientific leaders in our country are united in their conclusion that needle exchange reduces HIV infection and does not increase drug abuse. Do not take public health out of the hands of the science and public health experts.

I urge my colleagues to separate themselves from any of these measures that prohibit the use of funds for HIV prevention and have needle exchange programs to do that.

Members are going to vote the way they are going to vote, for political or whatever reasons, and everybody has to decide on his or her own vote. But we cannot ignore the science. If they want to outweigh the science with other considerations, make sure they know the responsibility that they have when they do so.

But if we take pride in funding the National Institutes of Health, we at least should give some respect to the conclusions that they draw when they say the preponderance of scientific evidence, when we have studied all of the research, draws us to the conclusion that needle exchange programs reduce the spread of HIV and do not increase, and in fact in some instances reduce substance abuse.

PARLIAMENTARY INQUIRY

Mr. TIAHRT. Mr. Chairman, parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. TIAHRT. Mr. Chairman, there is a phrase I think is confusing in here and I am not sure the Members will understand what they are voting on. It says, ''distributing sterile needs the syringes.''

The CHAIRMAN. The gentleman will state his inquiry.

Mr. TIAHRT. My inquiry is, if this is a phrase that is unknown to the Members, will they have a good idea what they are voting on in this amendment?

The CHAIRMAN. The gentleman from Kansas (Mr. TIAHRT) has not stated a parliamentary inquiry, but there may be a request to modify the amendment.

MODIFICATION TO AMENDMENT OFFERED BY MR. MORAN OF VIRGINIA

Mr. MORAN of Virginia. Mr. Chairman, I ask unanimous consent to modify the amendment to correct a small typo in the way that it was actually typed up. It was typed up quickly. And I think the correction is at the desk.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Amendment, as modified, offered by Mr. MORAN of Virginia:

At the end of the bill, insert the following new section:

No Federal funds appropriated in this Act shall be used to carry out any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

Mr. TIAHRT. Mr. Chairman, reserving the right to object, is this a new amendment that we are now bringing forward or is this something that is a clarification of what was previously brought forward?

The CHAIRMAN. This is a modification of an existing amendment.

Mr. TIAHRT. Mr. Chairman, I think the gentleman is trying to rewrite his amendment to the point that I brought up earlier, in that this is exactly what is in the bill now. So why would we have another waste of the Members' time, when everyone is trying to get out of here and go back to their districts to carry on very important business, that we bring an amendment that is exactly like the language that is in the bill?

Mr. MORAN of Virginia. Mr. Chairman, will the gentleman yield?

Mr. TIAHRT. I yield to the gentleman from Virginia.

Mr. MORAN of Virginia. Mr. Chairman, I would like to explain to the gentleman from Kansas (Mr. TIAHRT) that the Parliamentarian has explained that this is not the exact language that is in the bill. And all we are trying to do, there was a typo here, it was clear that it was meant to say ''sterile needles or syringes.''

If this is not acceptable, we would simply have to introduce a new amendment, which we are prepared to do, just

to fix this small typo. I am not offering any new language to the amendment that was offered. But the amendment that was offered was cleared by the Parliamentarian as being different from what is in the bill.

Mr. TIAHRT. Mr. Chairman, further reserving the right to object, I think it is obvious that what the gentleman is doing. It is not the exact same language, but I would dare say that the gentleman from Virginia (Mr. MORAN) could not explain the significant difference between his amendment and what is currently in the bill.

And I would just go on to say that I think that what the gentleman is doing here is replacing the exact same language and it is a great waste of our time.

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The CHAIRMAN. The amendment is modified.

The question is on the amendment offered by the gentleman from Virginia (Mr. MORAN), as modified.

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

Mr. MORAN of Virginia. Mr. Chairman, 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 CHAIRMAN. Pursuant to House Resolution 517, further proceedings on the amendment offered by gentleman from Virginia (Mr. MORAN) will be postponed.

The point of no quorum is considered withdrawn.

AMENDMENT OFFERED BY MR. LARGENT

Mr. LARGENT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment printed in House Report 105–679 offered by Mr. LARGENT:

Page 58, insert after line 10 the following:

The CHAIRMAN. Pursuant to House Resolution 517, the gentleman from Oklahoma (Mr. LARGENT) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Oklahoma (Mr. LARGENT).

Mr. TAYLOR of North Carolina. Mr. Chairman, if we can have an agreement that the time of the gentleman from Oklahoma (Mr. LARGENT) would be 15 minutes, the gentleman from California (Mr. BILBRAY) would be 10 minutes, and the gentleman from Georgia (Mr. BARR) would be 10 minutes, and the gentleman from Texas (Mr. ARMEY) will be 30 minutes equally divided between the two sides, if the gentleman from Virginia (Mr. MORAN) would agree to that, we could proceed and save a lot of time.

Mr. MORAN of Virginia. Mr. Chairman, will the gentleman yield?

Mr. TAYLOR of North Carolina. I yield to the gentleman from Virginia.

Mr. MORAN of Virginia. Mr. Chairman, I would agree with all of the preceding except for the last item. There are so many speakers on the Armey amendment, I wonder if the gentleman would consider, say, 50 minutes?

Mr. TAYLOR of North Carolina. Reclaiming my time, I will do anything to cut time, so I would do that.

Mr. MORAN of Virginia. Mr. Chairman, with that modification, we would have no objection on this side.

Mr. TAYLOR of North Carolina. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. TIAHRT) having assumed the chair, Mr. CAMP, 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. 4380) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 1999, and for other purposes, had come to no resolution thereon.

LIMITING FURTHER AMENDMENTS AND DEBATE IN THE COMMITTEE OF THE WHOLE DURING FURTHER CONSIDERATION OF H.R. 4380, DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 1999

Mr. TAYLOR of North Carolina. Mr. Speaker, I ask unanimous consent that during the further consideration of H.R. 4380 in the Committee of the Whole, pursuant to H. Res. 517, no amendment shall be in order thereto except for the following amendments, which shall be considered as read, shall not be subject to amendment or to a demand for a division of the question in the House or in the Committee of the Whole, and shall be debatable for the time specified, equally divided and controlled by the proponent and a Member opposed thereto:

Mr. LARGENT, made in order under the rule for 15 minutes;

Mr. BILBRAY, made in order under the rule for 10 minutes;

Mr. BARR of Georgia regarding ballot initiative and the Controlled Substances Act for 10 minutes; and Mr. ARMEY made in order under the rule for 50 minutes.

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

There was no objection.

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 1999

The SPEAKER pro tempore (Mr. TIAHRT). Pursuant to House Resolution 517 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 4380.

□ 2211

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 4380) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 1999, with Mr. CAMP in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole House rose earlier today, pending was amendment No. 2 offered by the gentleman from Oklahoma (Mr. LARGENT).

Pursuant to the order of the House of today, the gentleman from Oklahoma (Mr. LARGENT) and a Member opposed each will control 7½ minutes.

Mr. LARGENT. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. BLILEY), chairman of the Adoption Caucus here at the U.S. House of Representatives and the chairman of the Committee on Commerce.

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

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

First of all, let me say this: I rise in support of the amendment of the gentleman from Oklahoma (Mr. LARGENT). It has nothing to do with gender. It has everything to do with children.

My wife and I are proud parents of two adoptive children. But when they have two people, as is currently under the law in the District, who have no contract between them come together and petition and obtain a child through adoption, what are the rights of the child? The people decide that they no longer want to be together. What happens to the child? What rights does the child have?

That is a very, very serious thing. It has nothing to do with gender. It has nothing to do with whether single people adopt children or whether two women or two men. The thing is that there is no contract, there is nothing there legally to protect this child.

Remember this, the child may have been in a foster home. He has already been through possibly a traumatic experience. Now they are going to put him in another traumatic experience or her in another traumatic experience because there is nothing in the law to say what happens. What if one of the parents decides to go to California, another one is to go to Maine? What do you do?

I think it was never intended when the adoption laws were adopted. They just assumed that there were couples who would do the adoption, but times change.

I think the gentleman from Oklahoma (Mr. LARGENT) has a very good amendment, and I hope my colleagues would support it.