United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, FIRST SESSION

Vol. 145 WASHINGTON, TUESDAY, MARCH 2, 1999 No. 32

House of Representatives

The House met at 10:30 a.m. and was called to order by the Speaker pro tempore (Mr. STEARNS).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 2, 1999.

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

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

MORNING HOUR DEBATES

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

The Chair recognizes the gentleman from Guam (Mr. UNDERWOOD) for 5 minutes.

INTRODUCTION OF GUAM IMMIGRATION BILL AND MAGISTRATE BILL

Mr. UNDERWOOD. Mr. Speaker, today I am introducing two pieces of legislation which are important to the people of Guam. Today I am introducing a bill which will significantly impact human rights violations and criminal activity on Guam. During the past year, Guam has experienced a significant influx of Chinese illegal immigrants. Chinese crime syndicates organize boatloads of Chinese to illegally enter the United States for an exorbitant fee of $8,000 to $10,000 per person. After undergoing an arduous journey under fetid, unsanitary conditions, the Chinese reach Guam dehydrated, hungry, disease-ridden and sometimes beaten. Upon arrival, the smuggled Chinese become indentured servants as they attempt to pay their passage to America.

Unlike other streams of illegal immigrants coming into the United States, these immigrants come as a result of a well-organized series of activities organized by crime syndicates. What they do, Mr. Speaker, is they utilize the existing INS regulations, they utilize the INA law in order to apply for political asylum when they arrive on Guam.

Guam's geographical proximity and asylum acceptance regulations make it a prime target for crime syndicates. According to Guam's INS officer in charge, Mr. David Johnston, about 700 illegal Chinese immigrants traveled to Guam last year. Since the beginning of this year alone, 157 have been apprehended by INS, local Guam officials and the U.S. Coast Guard. Since the INS does not have enough funds to detain the Chinese illegal immigrants on Guam, they have proposed to release them to the general populace without assistance. Fortunately, the Government of Guam has offered its already strained resources to detain the illegal aliens until they are ready to be adjudicated.

Mr. Speaker, Chinese crime syndicates have exploited Immigration and Nationality Act asylum regulations for too long. The bill I introduce does three things:

It would prohibit immigrants from applying for political asylum on Guam, an exception from the INA law which is applicable to territories; it would stipulate that the illegal immigrants have to be shipped or deported out of Guam within 30 days; and that the Government of Guam should be compensated for funds spent on the detention of immigrants pursuant to this act. We must put a stop to this gross offense of human rights and promotion of criminal activities.

Secondarily, Mr. Speaker, I am introducing a companion measure introduced in the other body by Senator DANIEL INOUYE, S. 184. This legislation permanizes a temporary judgeship in the State of Hawaii and authorizes the addition of another judgeship for the State. It also extends statutory authority for magistrate positions in Guam and the CNMI.

Guam and the CNMI are the only jurisdictions, the only territories, that are not allowed to have additional magistrates, and Guam's district court is ranked number five in terms of its caseload nationwide. We get a lot of cases because of the illegal immigrants, because Guam is a central location. We have opportunities for drug dealers and gun runners to use Guam as a transshipment point. Bankruptcy, tax and civil cases have tripled in 1998.

This is a cost-saving measure. This will allow the Federal judiciary to send an additional magistrate and not send one temporarily, which runs about $400,000 a year.

UNFAIRNESS IN TAX CODE: MARRIAGE TAX PENALTY

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

Mr. WELLER. Mr. Speaker, I have the privilege of representing a very diverse district, probably the most diverse district in the State of Illinois representing part of the City of Chicago and the south suburbs, Cook and Will counties, and a lot of bedroom and rural and farm communities.

When you represent a district as diverse as the one I have the privilege of

Printed on recycled paper.

representing, you really have to listen to learn the common concerns of such a diverse constituency. I find a pretty clear message as I listen and learn the concerns of the people of the south side of Chicago and the south suburbs and that is that the folks back home want us to work together, they want us to find solutions, they want us to meet the challenges, they want us to offer and work together to find solutions.

I am pleased that, over the last 4 years, this Congress has responded to that request to get things done. We have got some real accomplishments that we all should be proud of:

Balancing the budget for the first time in 28 years, a balanced budget that is now projected to produce a $2.7 trillion overpayment of extra tax revenue that is now known as a surplus.

The first middle-class tax cut in 16 years. It is going to benefit 3 million Illinois children who qualify for the $500 per child tax credit.

The first welfare reform in a generation. That has now seen the results of reducing Illinois welfare rolls by 28 percent.

And IRS reform that tames the tax collector and shifts the burden of proof off the backs of the taxpayer and onto the IRS, so a taxpayer is innocent until proven guilty with the IRS.

Folks back home say, ''That's pretty good. What are you going to do next?'' When I listen to the folks back home over the last few weeks, they tell me they want good schools, they want lower taxes, they want a secure retirement. And it is our obligation to respond. That is really what our Republican agenda is: to help our schools, to put more dollars into the classroom and ensure that our schools are run by local teachers and local parents and local administrators and locally elected school board members, to lower the tax burden on the middle class and to secure retirement by saving Social Security, providing greater incentives to save for your own retirement.

But we also face what can be considered a great challenge but also an opportunity and that is, what do we do with this so-called surplus, this $2.7 trillion of extra money that is burning a hole in the pocket of Washington? Somebody wants to do something with it. We know that. But what are we going to do? That is a big debate, what to do with the overpayment of $2.7 trillion.

The President says we should take 62 percent of that so-called surplus and use it to save Social Security, and then he wants to spend the rest on new government programs. Republicans say, we agree. We will take 62 percent of the surplus for saving Social Security, but we want to give the rest back in paying down the debt and lowering the tax burden on the middle class, because our philosophy is that you can spend your hard-earned dollars better back at home than we can for you here in Washington.

Some say, ''Well, gee, why do we really need to lower taxes? You know, people don't mind paying taxes.'' Here is why. Today our tax burden is at its highest level ever in peacetime history for our country. Today, for the average family back home in Illinois, 40 percent of their income goes to government at local, State and Federal levels. In fact, 21 percent of our gross domestic product goes to the Federal Government alone. And, since 1992, and I find this very disturbing, the amount of taxes collected from individuals has gone up 63 percent. Clearly, the tax burden is too high, and the middle class is paying the price.

I believe as we focus on ways to lower the tax burden on the middle class that we should start with simplifying our Tax Code, looking for the provisions in our Tax Code that discriminate against the middle class, that discriminate against families. I believe it is time that we eliminate discrimination in the Tax Code and work to simplify the Tax Code.

As we set priorities, let us make the top priority eliminating the discrimination against 21 million married working couples who, on average, pay $1,400 more in higher taxes just because they are married under our Tax Code. Is it not wrong that, under our Tax Code, if you are married and work, you are going to pay higher taxes than an identical couple living together outside of marriage? That is wrong.

$1,400 back home in Illinois is a year's tuition at Joliet Junior College. It is 3 months of day care at a local day care center. It replaces a washer and a dryer in a home for a middle-class Illinois family.

I am pleased to tell you that 230 Members of this House, Republicans and Democrats, have joined together to sponsor the Marriage Tax Elimination Act. This year, as we work to lower the tax burden on middle-class families, let us make elimination of the marriage tax penalty the number-one priority to help families.

Mr. Speaker, we can do it if we work together. The same way that we balanced the budget, the same way that we cut taxes for the middle class, the same way that we reformed welfare, the same way that we tamed the IRS, we can eliminate the marriage tax penalty.

Mr. Speaker, I rise today to highlight what is arguably the most unfair provision in the U.S. Tax Code: the marriage tax penalty. I want to thank you for your long term interest in bringing parity to the tax burden imposed on working married couples compared to a couple living together outside of marriage.

Many may recall in January, President Clinton gave his State of the Union Address outlining many of the things he wants to do with the budget surplus. Although we were prepared to dedicate 90 percent of the budget surplus to saving Social Security, we agree with the President that at least 62% of the Budget Surplus must be used to save Social Security.

A surplus provided by the bipartisan budget agreement which: cut waste, put America's fiscal house in order, and held Washington's feet to the fire to balance the budget.

While President Clinton paraded a long list of new spending for new big government programs—we believe that a top priority after saving Social Security and paying down the national debt should be returning the budget surplus to America's families as additional middle-class tax relief.

This Congress has given more tax relief to the middle class and working poor than any Congress of the last half century.

I think the issue of the marriage penalty can best be framed by asking these questions: Do Americans feel it's fair that our tax code imposes a higher tax penalty on marriage? Do Americans feel it's fair that the average married working couple pays almost $1,400 more in taxes than a couple with almost identical income living together outside of marriage? Is it right that our tax code provides an incentive to get divorced?

In fact, today the only form one can file to avoid the marriage tax penalty is paperwork for divorce. And that is just wrong.

Since 1969, our tax laws have punished married couples when both spouses work. For no other reason than the decision to be joined in holy matrimony, more than 21 million couples a year are penalized. They pay more in taxes than they would if they were single. Not only is the marriage penalty unfair, it's wrong that our tax code punishes society's most basic institution. The marriage tax penalty exacts a disproportionate toll on working women and lower income couples with children. In many cases it is a working women's issue.

Let me give you an example of how the marriage tax penalty unfairly affects middle class married working couples.

For example, a machinist, at a Caterpillar manufacturing plant in my home district of Joliet, makes $31,500 a year in salary. His wife is a tenured elementary school teacher, also bringing home $31,500 a year in salary. If they would both file their taxes as singles, as individuals, they would pay 15%.

MARRIAGE PENALTY EXAMPLE

	Machinist	School teacher	Couple	H.R. 6
Adjusted gross income	$31,500	$31,500	$63,000	$63,000
Less personal exemption and standard deduction	6,950	6,950	12,500	13,900 (singles 2)
Taxable income	24,550 (.15)	24,550 (.15)	50,500 (partial .28)	49,100 (.15)
Tax liability	3,682.5	3,682.5	8,635	7,365

Marriage penalty: $1,270.
Relief: $1,270.

But if they chose to live their lives in holy matrimony, and now file jointly, their combined income of $61,000 pushes them into a higher tax bracket of 28 percent, producing a tax penalty of $1,400 in higher taxes.

On average, America's married working couples pay $1,400 more a year in taxes than individuals with the same incomes. That's serious money. Millions of married couples are still stinging from April 15th's tax bite and more married couples are realizing that they are suffering the marriage tax penalty.

Particularly if you think of it in terms of: a downpayment on a house or a car, one year's tuition at a local community college, or several months worth of quality child care at a local day care center.

To that end, U.S. Representative DAVID MCINTOSH (R–IN) and U.S. Representative

PAT DANNER (D–MO) and I have authored H.R. 6, The Marriage Tax Elimination Act.

H.R. 6, The Marriage Tax Elimination Act, will increase the tax brackets (currently at 15% for the first $24,650 for singles, whereas married couples filing jointly pay 15% on the first $41,200 of their taxable income) to twice that enjoyed by singles; H.R. 6 would extend a married couple's 15% tax bracket to $49,300. Thus, married couples would enjoy an additional $8,100 in taxable income subject to the low 15% tax rate as opposed to the current 28% tax rate and would result in up to $1,215 in tax relief.

Additionally the bill will increase the standard deduction for married couples (currently $6,900) to twice that of singles (currently at $4,150). Under H.R. 6 the standard deduction for married couples filing jointly would be increased to $8,300.

H.R. 6 enjoys the bipartisan support of 230 co-sponsors along with family groups, including: American Association of Christian Schools, American Family Association, Christian Coalition, Concerned Women for America, Ethics and Religious Liberty Commission of the Southern Baptist Convention, Family Research Council, Home School Legal Defense Association, the National Association of Evangelicals and the Traditional Values Coalition.

It isn't enough for President Clinton to suggest tax breaks for child care. The President's child care proposal would help a working couple afford, on average, three weeks of day care. Elimination of the marriage tax penalty would give the same couple the choice of paying for three months of child care—or addressing other family priorities. After all, parents know better than Washington what their family needs.

We fondly remember the 1996 State of the Union address when the President declared emphatically that, quote "the era of big government is over."

We must stick to our guns, and stay the course.

There never was an American appetite for big government.

But there certainly is for reforming the existing way government does business.

And what better way to show the American people that our government will continue along the path to reform and prosperity than by eliminating the marriage tax penalty.

Ladies and gentlemen, we are on the verge of running a surplus. It's basic math.

It means Americans are already paying more than is needed for government to do the job we expect of it.

What better way to give back than to begin with mom and dad and the American family—the backbone of our society.

We ask that President Clinton join with Congress and make elimination of the marriage tax penalty . . . a bipartisan priority.

Of all the challenges married couples face in providing home and hearth to America's children, the U.S. tax code should not be one of them.

Let's eliminate the marriage tax penalty and do it now!

[From the Chicago Tribune, January 31, 1999]

HOW TO HANDLE THE BUDGET SURPLUS

WASHINGTON.—Four years ago when I was first elected to Congress, I ran on the need for fiscal restraint in Washington, D.C., and a return of power to people back home. We fought for our belief that we could balance the budget and provide tax relief for America's working families. For months we were told by Washington insiders and the media that it couldn't be done. Well, we proved them wrong, and we did it ahead of schedule.

Today Congress has a great opportunity as well as a significant challenge before it. A massive surplus of extra tax revenue is projected as a result of a balanced budget. The challenge lies in what Congress chooses to do with the budget surplus.

Saving Social Security is the first priority for the surplus. It's a bipartisan consensus. Last fall, House Republicans showed tremendous responsibility and leadership by passing a plan that earmarked 90 percent of the surplus for Social Security. President Clinton used this month's State of the Union message to call for setting aside a minimum of 62 percent of the surplus ($2.7 trillion over 15 years) for Social Security.

Although we were prepared to set aside much more to save Social Security, Republicans agree to the president's request to set aside 62 percent of the surplus for Social Security. But the question remains of what to do with the rest. President Clinton proposes to spend it on big, new, expensive programs; Republicans want to give this back as tax relief.

Those who oppose tax cuts will fight tooth and nail against lowering today's tax burden. According to the U.S. Treasury, the total income tax take from individuals and families has increased 63 percent since 1992. In fact, according to the Tax Foundation, if you add up the local, state and federal tax burden, taxes are almost 40 percent of the average family's income. Wouldn't most people agree that today's tax burden is too high?

We can save Social Security and cut taxes at the same time. Some say we can't—they were the same ones who opposed balancing the budget and cutting taxes. We proved them wrong. For example, using only 25 percent of the surplus (allowing for an additional 13 percent of the surplus to be dedicated to shoring up Social Security or paying down the national debt) we could enact a 10 percent across-the-board tax cut for all American taxpayers while still eliminating the unfair marriage tax penalty and relieving family farms and family businesses of the inheritance or "death" tax.

The president's step gives us a window of opportunity to save Social Security. We commend the president for his new-found willingness to work with us to save Social Security, secure retirement savings, provide sorely needed tax relief and equip the next generation to compete in a global economy. But now that we have agreed on the first step in saving Social Security, we need to focus on the details. It is irresponsible to spend the people's surplus on new, big government programs. We must give this money back to the American people. Saving Social Security, paying down our national debt and offering real and substantial tax relief to all working Americans are three strong ways to spur our economy and lead the way into the next century.

U.S. Rep. Jerry Weller (R–Ill.)

INTRODUCTION OF LEGISLATION REQUIRING POST OFFICE TO OBEY LOCAL LAND USE LAWS

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

Mr. BLUMENAUER. Mr. Speaker, as somebody who has worked for years on helping communities find ways to promote livability, I am excited to see the attention that has been accorded lately to the livable communities movement.

It is clear that we do not need a lot of new rules and regulations and mandates and stipulations to be able to make sure that we achieve that goal. It is indeed the simplest step for us to take for the Federal Government to just be a constructive partner with State, local governments and the private sector, working with them to make communities work better. One small but important step would be to have Federal agencies like the post office obey the same rules and regulations requirements that we require on homeowners and businesses.

There are over 40,000 post offices all across America who are these little outposts that bring communities together, and there are opportunities from coast to coast, border to border to be able to promote livable communities by being constructive partners. Unfortunately, the post office has not always lived up to that ideal. Today, in the USA Today, there is an article about Tully, New York, and their struggle with the post office. Last week, it was Byron, California, and Discovery Bay.

Now, I bring this forward not with any animosity toward the Postal Service. To the contrary. I think it is terrific that we can, for less than a dollar, send three handwritten letters all across the country, have them be delivered in a matter of days, that they are delivered by employees who give back to the community, who usually do not just give the postal service but they do so with a smile.

It is a critical function that helps unite and bring people together. In fact, main street post offices are one of the anchors of small town America that add to the business district, that add to the flavor of those communities; and, in fact, that is why it is so important that the post office be a good citizen and a full partner for livability.

That is why my legislation has been endorsed by the Trust for Historic Preservation, by main street associations representing small- and medium-sized businesses all across the country, why the National Governors Association is concerned about this, why the post office itself has recently declared a moratorium on closing and is readdressing its relationship with the community. They claim far fewer problems than in the past and that there is a new era under Postmaster Henderson.

I have met with the Postmaster General. I am impressed with his commitment, but I think the best way to express this commitment is to stop fighting this legislation and get behind it, to make clear its support for a new era of partnership.

Why should the post office be exempt from planning, zoning and building codes that homeowners and businesses in communities across the country

must adhere to? Why, since the post office is such a critical part of our community, should the community not be as involved with potential relocation issues as they are in helping pick which version of the Elvis stamp we are going to have?

I have discussed on the floor of this House in the past problems we have had in Leon County, Florida, where the Postal Service decided that it would not abide by the same groundwater environmental standards for runoff on their parking lot as other private businesses; or where in Ball Ground, Georgia, the Postal Service was not going to abide by a comprehensive plan to help metropolitan Atlanta deal with its critical environmental problems.

□ 1045

Well, after making, as it were, a Federal case out of it, the personal intervention, I think, of the Postmaster General, it looks like we are moving towards resolution in Leon County, Florida, and in metropolitan Georgia. But it should not have to be a major battle. It is time for the post office to stop fighting this legislation. It is time for the post office to institutionalize with us to make sure that the Postal Service is a full partner for the next millennium of livable communities in America.

Mr. Speaker, this small step can lead the way for the Federal Government itself across the country to provide that sort of partnership for livability.

ANNOUNCEMENT REGARDING SUBMISSION OF AMENDMENTS ON H.R. 416, FEDERAL RETIREMENT COVERAGE CORRECTIONS ACT

Mr. DREIER. Mr. Speaker, I would like to make an announcement. I want to inform the House of the Committee on Rules' plans in regard to H.R. 416, the Federal Retirement Coverage Corrections Act. The bill was favorably reported by both the Committee on Government Reform and the Committee on Ways and Means.

The Committee on Rules will meet on Wednesday to grant a rule which may require that amendments be preprinted in the CONGRESSIONAL RECORD and which may limit amendments to the bill. In this case, amendments to be preprinted would need to be signed by the Member and submitted to the Speaker's table by the close of legislative business on Wednesday. Members should use the Office of Legislative Counsel to assure that their amendments are properly drafted and should check with the Office of the Parliamentarian to be certain that their amendments comply with the rules of the House. It is not necessary to submit amendments to the Committee on Rules or to testify as long as the amendments comply with House rules.

Mr. Speaker, a Dear Colleague letter announcing this potential amendment process was mailed to all Member offices yesterday.

COMMANDANCY OF THE ALAMO

The SPEAKER pro tempore (Mr. STEARNS). Under the Speaker's announced policy of January 19, 1999, the gentleman from Texas (Mr. SESSIONS) is recognized during morning hour debates for 3 minutes.

Mr. SESSIONS. Mr. Speaker, today I rise, as is tradition by members of the Texas delegation. Today is Texas Independence Day, and today I would like to follow in the tradition that has been done for years, to read a letter that was written from Colonel Travis, who was the commandant, who was the head of the Texans who were in the Alamo that was written on February 24, 1836, from Bexar in Texas.

To all people of Texas and all Americans in the world:

Fellow citizens and compatriots, I am besieged by a thousand or more of the Mexicans under Santa Anna. I have sustained a continual bombardment and cannonade for 24 hours and have not lost a man. The enemy has demanded a surrender at discretion, otherwise, the garrison are to be put to the sword, if the fort is taken. I have answered the demand with a cannon shot, and our flag still proudly from the walls. I shall never surrender or retreat. Then, I call on you in the name of liberty and patriotism and everything dear to the American character to come to our aid with all dispatch. The enemy is receiving reinforcements daily and will no doubt increase to three or four thousand in 4 or 5 days. If this call is neglected, I am determined to sustain myself as long as possible and die like a soldier who never forgets what is due to his own honor and to that of his country—victory or death.

Signed, William Barret Travis, Lieutenant Colonel Commander of the Texans in the Alamo.

P.S. The Lord is on our side. When the enemy appeared in sight, we had not three bushels of corn. We have since found in deserted houses 80 or 90 bushels and got into the walls 20 or 30 head of cattle.

MESSAGE FROM THE PRESIDENT

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

AMERICAN CITIZENS OF PUERTO RICO AND THE TERRITORIES MUST BE RECOGNIZED AS EQUALS

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

Mr. ROMERO-BARCELÓ. Mr. Speaker, I am sure that many of you saw the article ''Talking About a Revolution'' in Roll Call yesterday. The article highlighted the 45th anniversary of the attack perpetrated by a group of terrorists on the U.S. House of Representatives on March 1, 1954. Just like Russell Weston, Timothy McVeigh, Terry Nichols and others, the terrorists in the 1954 attack were also American citizens.

In commemorating such an anniversary, I wish that the same consideration to detail was provided on other issues concerning Puerto Rico. In our society it seems that it is the negative that consumes our attention, and it is a shame that this terrorist and cowardly act continues to be resurfaced without ever mentioning that the perpetrators were part of a small Fascist party then existing in Puerto Rico.

The article did not choose to highlight also that today, March 2, is the 82nd anniversary of the day when all Puerto Ricans and those born in Puerto Rico thereafter became U.S. citizens through an act of Congress and that it is also the 100th anniversary of the founding of the Puerto Rico regiment of volunteers which later became the 65th Infantry Army regiment, one of the most decorated U.S. Army units of this century. Thus, 100 years ago today, our predecessors in this U.S. Congress were discussing the issue of Puerto Rico and voted on and approved the organization of the first body of troops on the territory which they called the Porto Rico Regiment of Voluntary Infantry, 18 years before we were granted citizenship. We have been equals in war and death, but we are discriminated against in peace and life.

Our rights to liberty and free speech are intrinsic rights of our democracy that have been defended since our Nation's inception. As troops from the United States have fought to ensure and maintain freedom and democratic values everywhere and anywhere that has been needed in this world in this century, 197,034 soldiers hailing from Puerto Rico have fought shoulder to shoulder with our fellow citizens from every other State.

When we consider the century that binds us together, it is clear that the interrelationship between the United States and its citizens in Puerto Rico is most evidenced in our participation in defense of democracy. Military leaders such as General Douglas MacArthur, the supreme commander for the allied power during the Korean War, described it best:

''The Puerto Ricans forming the ranks of the gallant 65th Infantry on the battlefields of Korea by valor, determination and a resolute will to victory give daily testament of their invincible loyalty to the United States and the fervor of their devotion to those immutable standards of human relations to which the Americans and Puerto Ricans are in common dedicated. They are writing a brilliant record of achievement in battle, and I am proud indeed to have them in this command. I wish that we may have many more men like them.''

It is unquestionable that every one of the 197,034 soldiers who have served in the U.S. Armed Forces take the responsibility as U.S. citizens very seriously, willing to give their lives for American democratic values. But their sacrifice would not have been possible without the patriotism and honor to duty evidenced by the support of their families

and all other American citizens in Puerto Rico. Who in my generation in America does not know the story of the Sullivan brothers in the Second World War? But how many Americans know that during the Korean War Mrs. Asuncion Rodriguez Acosta from the town of Juana Diaz, Puerto Rico, was the only American mother who had five sons serving in the Korean front at the same time?

Despite this brilliant record of gallantry and courage, the policy of the U.S. Government sets apart its 4 million American citizens in Puerto Rico and the territories. We are good enough to defend democracy throughout the world, but we are not good enough to have the same rights, nor good enough to receive the same benefits as all other American citizens in the 50 States. Are our sacrifices worth any less by virtue of living in a territory?

The bottom line is, can the United States continue to support a policy of discrimination in the Federal programs that are designed to protect our Nation's most needed citizens, be it in health, housing and economic prosperity?

A superficial mention of the terrorist attack dated 45 years ago only detracts attention from the real issues and should not be allowed to take the place of the in-depth discussions that the Nation should now be engaged in, including how and when to eliminate discrimination.

I urge you, Mr. Speaker, and I urge all of my colleagues to take the necessary steps to ensure that American citizens of Puerto Rico and the territories be recognized as equals and that we be granted equal consideration in all Federal programs together with our fellow citizens in the 50 States. Not only have we earned that right, but not to do so violates the most basic tenets of our democratic system which is based on the principle of equal rights to all. We cannot focus our attention on what a terrorist chooses to do and ignore the responsibility of Congress to direct a stop to discrimination. We must focus in our commitment to and the defense of our cherished American values.

THE INDEPENDENT COUNSEL STATUTE

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

Mr. MICA. Mr. Speaker, as Congress this week begins the debate on reinstating the independent counsel law, I think, as a student of history, it is interesting to review what has taken place regarding that law.

Regarding congressional action on that matter certain questions are raised:

Should an administration investigate itself?

Should the alleged wrongdoing of a major administration official be left to the attorney general or to a special counsel or an independent counsel?

Those are the questions that are now being asked as we face the expiration of the current independent counsel law.

Some say the problem is the law, some say the problem is the independent counsel. It is interesting to note, if we review history, what goes around comes around both in law and also in politics. A brief review of the independent counsel law, if folks would just take a moment to do that, reveals that we are about to return to where we started if the independent counsel law is not renewed.

Mr. Speaker, even in 1972, President Nixon suggested the appointment of a special prosecutor to investigate the Watergate scandal. As we know from history, President Nixon in 1973 also ordered the Attorney General to fire the Watergate special prosecutor. Those actions led Congress and President Carter to enact in 1973 an Ethics in Government Act. All totaled, the special prosecutor law was invoked 11 times from 1978 to 1982 with three appointments of special prosecutors.

In 1983, that law was revised and renewed for another 5 years. In 1987, with the Iran-Contra statute, when it came up for reauthorization, and although it gave great heartburn, President Reagan in December of 1987 signed the reimplementing bill into law. With three investigations during the Bush administration, President Bush let the statute expire in 1992.

With a new administration and new scandals, the Attorney General, Janet Reno, under the general law authority, appointed Robert Fisk as a special counsel, not an independent counsel, but under her general authority to investigate Whitewater, and she initiated that action on June 30, 1994.

Vowing to head up an administration with the highest ethical standards, President Bill Clinton took the step of being the first President since Carter to endorse the institution of an independent counsel law. On July 1, 1994, President Clinton signed the reauthorization bill and commented about the law, and let me quote from the President: ''a foundation stone for trust between the government and our citizens.'' He dismissed charges that it had been, and I quote, ''a tool of partisan attack and a waste of taxpayer funds.'' Instead, he said the statute was, and let me quote, ''has been in the past and is today a force for government integrity and public confidence,'' end quote.

The Attorney General spoke before Congress, the same Attorney General who will be having the Department of Justice advocate the end of the independent counsel law, and stressed the government's and her own support for the bill, and let me quote what she said:

> As a vehicle to further the public's perception of fairness and thoroughness, and to avert even the most subtle influence of what may appear in an investigation of highly-placed executive officials.

□ 1100

How interesting it is how the law comes around and goes around. How interesting it is that today the shoe is on the other foot. The administration is about to advocate the abolition of the Independent Counsel law. I think we just need to take a few minutes and look at history and see how people have taken various stands, depending on whose ox is getting gored.

I like to reflect on history, and I think this is a little lesson in history, particularly as it deals with the appointment of an Independent Counsel.

MEDICARE REFORM: DO NOT TAKE THE EASY WAY OUT

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

Mr. BROWN of Ohio. Mr. Speaker, the National Commission on the Future of Medicare will wrap up its work sometime this month. The Commission members were given the task of putting Medicare on solid financial footing. Unfortunately, they want to save Medicare by privatizing it.

Under the Commission proposal, Medicare would no longer pay directly for health care services. Instead, it would provide each senior with a voucher good for part of the premium for private coverage. Medicare beneficiaries could use this voucher to buy into the fee-for-service plan sponsored by the Federal Government, so-called traditional Medicare, or join a private plan.

The Commission proposal creates a system of health coverage, but it abandons the principles of comprehensiveness and egalitarianism that make Medicare such a valuable national program, an essential national service for America's elderly.

Today the Medicare program is income-blind. All seniors have access to this same level of care. The Commission proposal markets a class-based health care system of two-tiered health care: excellent care for the affluent, only barely adequate or worse health care for the less well off.

The idea that vouchers would empower seniors to choose a health plan that best suits their needs is a myth. The reality is that they will be forced to accept whatever health care plan that they can afford. Medicare beneficiaries have been able to enroll in private managed care plans for sometime now, and their experience, unfortunately, does not bode well for a full-fledged privatization effort.

Most managed care plans are for profit. The theory that they can sustain significantly lower costs than traditional Medicare simply is not panning out. Because managed care plans are profit-driven, they do not tough it out when those profits are not so forthcoming. We learned that the hard way

last year, when 96 HMOs deserted more than 400,000 seniors because the business did not meet their profit objectives.

Before the Medicare program was launched in 1965, private insurance was the only option for seniors, and more than half of them were uninsured. Insurers did not want to sign seniors up because they tend to actually use their health care coverage.

The private insurance market has changed a good deal since then, but it still avoids high-risk enrollees, and tries not to pay for high-cost services. The fact that 43 million Americans under age 65 are uninsured and the broad-based support for managed care reform in this Congress and all over the country should at the very least give us pause when we consider turning over the Medicare program to the private sector.

Medicare Commission leaders would also save Medicare money by raising the Medicare eligibility age from 65 to 67. It is interesting timing for such a proposal, given the growing number of uninsured in the 55 to 64 age range. These individuals cannot find an insurer now who will take them, and they were certainly a better risk as 55- to 64-year-olds for insurers than 65- and 66-year-olds.

Shell games simply do not work in health care. Someone still has to pay the bill when a person not yet eligible for Medicare becomes sick. Delayed care received in emergency rooms does not serve the individual or the public.

What is perhaps the most disturbing aspect of the Medicare Commission likely proposal is what it does not tell us. It does not tell us how we could make the current program more efficient while still maintaining its egalitarian underpinnings and its orientation in providing the right care to everyone, rather than simply the least expensive care.

The bottom line is this, Mr. Speaker. If we privatize Medicare, we are telling America that not all seniors deserve the same care. We are betting on a private insurance system that may not save us any money in the long run, and certainly minimizes care by avoiding individuals who are health care risks.

All this is to avoid the difficult questions. Selling off the Medicare program, privatizing Medicare, turning over America's best government program to insurance companies may be easy, but it is simply wrong.

AMERICA'S SALMON STOCKS

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

Mr. METCALF. Mr. Speaker, I rise today to talk about an issue of great importance to me and to my constituents in Washington State. I have long been deeply concerned about our salmon stocks. I spent two summers working on salmon rehabilitation in Alaska more than 50 years ago. This little salmon pin that I'm wearing was a symbol for the organization my father started in 1949. I have not come just lately to an interest or commitment to salmon recovery.

Recently the Pacific Northwest salmon runs have drawn national attention as the Puget Sound chinook salmon has been proposed for listing as a threatened species under the Endangered Species Act later this month. This listing could have a devastating impact on the economy and lifestyle we enjoy in the Northwest if we do not use our technology and common sense. Disaster can be averted if we are granted enough funding to make salmon recovery measures effective, and if we can continue to engage local communities in the fight.

Of course, we must utilize all of the available science and technology in our efforts to restore salmon populations. The people of the Northwest have been around salmon all their lives. I believe the will exists in our community not only to save but to enhance the salmon runs.

Grass roots organizations have sprung up all over the region to deal with this problem, and local governments in the area are forming their own recovery plans. As long as citizen involvement remains a part of the process and we rely on sound science and proper use of technology available, I am confident that salmon runs can be shepherded back to historic levels.

Federal dollars are absolutely essential if we are serious about restoring salmon runs. The President has included $100 million in his budget to help the salmon recovery. While I am encouraged that the administration is turning its attention to this issue, the amount of money the President has announced is wholly inadequate to address the problem.

We cannot afford to waste time or money with small, ineffectual measures. A large investment is necessary now if we want to avoid larger costs in the future. It will be up to the Pacific Northwest to spend our salmon dollars wisely, to make good on our commitment to restore salmon runs.

Many people focus only on habitat restoration and natural spawning when talking about this issue. These are vitally important, but we must not lose sight of other elements in salmon recovery. Sound science and technology must play a crucial role in any plan. We cannot use 1924 technology to solve a 1999 problem.

During my lifetime we in the Pacific Northwest have developed salmon technology that has been successful around the world to accomplish miracles in salmon production in Japan, Chile, and Scotland. It would be foolish not to use it now in our own State. We know how to successfully use remote egg boxes, spawning channels, over-wintering sloughs, culvert mitigation, small stream rehabilitation, the downstream migration of salmon stocks, returning adult salmon, and predator control, and, yes, hatcheries. We have the technological knowhow to avoid the pitfalls of the past. Thoughtfully and carefully, we can bring the salmon back if we use all the tools that are available.

Finally, our research into the life cycle of the salmon must continue. We do not know all the factors that have led to a decline in salmon populations, but we do know that more research is needed on the subject. More data must be included on the GIS maps. Research is needed on a variety of ocean and near-shore issues.

Bringing the salmon back to robust levels will not be an easy task, but with the determination of the citizens of the Northwest, combined with state-of-the-art technology and the proper level of Federal support, we will be able to accomplish our goals with minimal impact.

TEXAS INDEPENDENCE DAY, AND WHERE WE SHOULD GO FROM HERE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 19, 1999, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized during morning hour debates for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, let me join my colleague who spoke earlier to acknowledge Texas Independence Day, today, March 2nd, 1999. But as my 7th grader said, who has the challenge of studying Texas history, what a difference a century makes. I am very proud that we can stand before us today acknowledging Texas Independence Day, in a State that is diverse and recognizes all of the contributions that all of the citizens have made to this great State.

Mr. Speaker, I would like to talk about where we should go from here. The impeachment process is over and the Constitution has been preserved. Although this week we will see a number of confessions and testimonies on television, I believe the American people want us to move forward. Now is the time for reconciliation and healing, mending and building relationships that were damaged that can be replaced.

Furthermore, I am ready to begin working toward enacting legislation that will enhance the quality of life for all Americans. The President's behavior, yes, was unacceptable, but they were not impeachable offenses of treason, bribery, and other high crimes and misdemeanors. To dwell on that, Mr. Speaker, does not get us where we need to go.

I would simply like to ask us to get on with the people's business. There is great responsibility in saving social security and preserving Medicare. Social security is an obligation that Congress must protect now and in the future. Millions of Americans are depending

upon this program and its benefits. Social security is a lifeline for older Americans. It is time to get on with the people's business. It is time to address the crises in America.

I come from Texas. Today is its Independence Day. But it does not mean that I rejoiced or was proud of the act, the heinous act against James Byrd, Junior. I am proud of Jasper, Texas. I am proud of the conviction. I am proud of the laws of this Nation. But we need to do more to ensure that these heinous hate crimes are prevented, and that we as a Nation make a national statement against hate crimes.

I want to see the Hate Crimes Prevention Act of 1999 passed by this Congress expeditiously. I have named it after James Byrd, Junior, and Matthew Shepherd. I would like to collaborate with members of the Committee on the Judiciary and members of this House to pass once and forever a Hate Crimes Prevention Act in this country. How can we go forward and say that this was a heinous crime, and yet we do not want to act against it? There is documentation that there are increased hate crimes in America, and we must stand against them.

Just this morning I was in a hearing on Y2K and its relation to the compliance with Y2K needs for the Defense Department. Let me thank the Subcommittee on Technology of the Committee on Science and the oversight committee for looking at this important issue.

Many Americans are listening to disparate thoughts about this. Some say, prepare like it is a natural disaster. I say, get the United States prepared. We must work together in this Congress to ensure that we are not unprepared for Y2K.

The census must be done right, and I hope my Republican friends will join us and recognize that statistical sampling is the way to go. One American should not be left out. We have work to do.

I come from the oil patch, the energy sector. Many believe that the economy is going well, the engine of this country is strong. Let me tell the Members, there are over 50,000 people who have been laid off in the oil patch. We cannot leave them behind. I am appreciative of the Secretary of Labor, who will be working with me.

I look forward to my colleagues supporting the Jobs Protection Initiative Act, to get people back to work. I call upon the administration to make a strong stand to help those who have been laid off by low energy prices, and tell those laid-off individuals that they do count. We are going to work together and make a difference.

Let me also say, Mr. Speaker, that we have a world responsibility. I want to congratulate those who have come back from Nigeria and seen a positive count and democracy growing in Africa. I want us to pass the African Growth and Opportunity Act, to establish business bonds between small and medium minority and women-owned businesses and Africans. I want to see peace in Ethiopia and Sierra Leone.

Finally, Mr. Speaker, let me say one thing, as I proceed to the Committee on the Judiciary and a hearing later on this afternoon on the Independent Counsel.

My good friend mentioned the comments of President Clinton about the Independent Counsel being the foundation stone of trust between our government and its citizens. The gentleman is right, he did say that. But all of us say now that unfortunately, this past series of events with Mr. Starr and his activities have broken the bonds of trust.

□ 1115

I worked under Leon Jaworski, the special prosecutor for the Watergate proceedings. That is the standard of which we can comply. I believe this country can get rid of corruption, but we do not need to have an independent counsel that spends more time abusing the Constitution than supporting it.

Mr. Speaker, I will go on record for looking forward to the independent counsel statute expiring and getting rid of a fourth estate of government and working with the Constitution and beginning to heal this Nation, making sure, of course, that we do not have corruption in government.

INTRODUCTION OF THE BROADCAST OWNERSHIP FOR THE 21ST CENTURY ACT

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

Mr. STEARNS. Mr. Speaker, I rise today to announce that I will be introducing the Broadcast Ownership for the 21st Century Act with the gentleman from Texas (Mr. FROST) and the gentleman from Ohio (Mr. OXLEY).

Our bill will broadly deregulate the confining ownership limitations imposed by the FCC on the television broadcast industry. As we approach the dawn of a new century, it is time to reform the antiquated rules and regulations of the FCC that they cling to in an effort to replicate the communications world of the 1950s.

Mr. Speaker, today's entertainment choices are numerous and varied. There is cable. There is direct satellite broadcast. There is Internet. We are moving into high-definition television. Back in the 1950s, we had three, four, five channels; today we have over 200-plus channels, and many of them are digital.

We must allow our American corporations in the broadcast industry to compete in the international area as well. So the objective of our bill is deregulate and allow competition.

The FCC has failed to properly respond to a vastly different marketplace. This agency appears to be consumed with a regulatory model of government rather than the trimmed down, free-market approach that the American people would like and one that the rest of the world is beginning to embrace.

The modern economics of free, over-the-air television is rapidly changing. The local broadcasters and networks continue to see steady decline in viewers who are attracted to cable and satellite programming, or who are using the Internet more and more as an entertainment option.

In addition, the broadcasters and networks are faced with ever-increasing costs for programming, especially sports programming. Profitability and success hinges on their ability to create and own more and more of their own programming.

The broadcast industry has also begun their conversion to digital by beginning to deploy digital facilities. They have already begun delivering a digital signal in America's top markets. The industry will spend the better part of the next decade creating digital programming and transforming their facilities to an all-digital environment. The estimated cost of one digital television camera alone runs into the hundreds of thousands of dollars. When all is said and done, each individual broadcaster will have to spend millions and millions of dollars converting to digital.

Mr. Speaker, if we deregulate this industry, they will be able to compete and succeed. As everyone can see, the economics of the broadcast industry today are based upon increasing costs and shrinking profits. Unless that formula is changed, the era of free over-the-air television will never be the same.

What the American people have come to expect as quality network and local programming may be altered to a world of syndicated reruns and limited original programming. The heart and soul of America's favorite form of entertainment will become one based on pay services.

The Telecommunications Act of 1996 attempted to provide relief for broadcast ownership. For instance, the Telecom Act asked the FCC to review all existing rules and regulations and eliminate those that were unnecessary. In addition, the act required the FCC to review the existing duopoly rules, which limit ownership to just one television station in a local market, in order to provide relief when needed. The act also specifically instructed the FCC to grandfather all television local marketing agreements, LMAs.

Well, Mr. Speaker, three years later, the FCC has failed to act and we need to move forward. Let us get the FCC to act today. This bill will provide a great nudge. The Stearns-Frost-Oxley bill will revise the duopoly rules to allow UHF–VHF ownership combinations in the same local market and to allow UHF–VHF combinations in separate local markets that may have overlapping coverage contours, such as in the

Washington, D.C. and Baltimore markets. This bill will also permanently grandfather all LMAs.

But, Mr. Speaker, within this bill, it still allows the FCC to have unusual powers. If the applicant demonstrates to the satisfaction of the commission that permitting such ownership, operation, or control will not significantly harm competition or will not significantly harm the preservation of the diversity of media voices in the television market, then it will allow them to move forward.

Mr. Speaker, many nations prevent American companies from owning any percentage of their domestic broadcast industry. We must institute reciprocity and this bill starts this process now. Our bill will allow only those nations that will allow reciprocal ownership arrangements for American companies or individuals to move into American markets.

So this legislation will fundamentally change the economic dynamics of the broadcast industry to continue its vibrant tradition. To provide reciprocity. To help broadcasters to eliminate duplicative efforts. To make them more competitive and decrease regulation. That, Mr. Speaker, is the purpose of the bill.

RECESS

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

Accordingly (at 11 o'clock and 21 minutes a.m.), the House stood in recess until noon.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

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

May Your blessing, O God, be with all who seek to serve in public service as elected leaders or as associates, in government service or in private endeavor. You have called each person, O gracious God, to use the talents and gifts that are theirs in ways that promote peace in our world and right attitudes and respect in our communities and neighborhoods. May not the words of understanding and reconciliation, of esteem and awareness, of freedom and liberty be the only words that we speak with our lips, but may those good words find home in our actions and in our hearts. May Your benediction, O God, be with those in public service and with every person now and evermore. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. TRAFICANT led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

NATIONAL TRIO DAY

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

Mr. DICKEY. Mr. Speaker, I would like to bring to my colleagues' attention the celebration of National TRIO Day this past Saturday, February 27. National TRIO Day was designated by concurrent resolution on February 24, 1986, by the 99th Congress. It is celebrated on the last Saturday of each February.

The TRIO program is a Federal program that works. Students volunteer their time to learn about how to better educate themselves, to become more gainfully employed. Employees of TRIO are there to help them and encourage them. This is for families that have income of under $24,000.

We need more funds for this program so that we could fill more slots across the country. There are more people who want to get in the program than we have slots available.

One last thing, I would like to commend Lindsey Burkett of my hometown of Pine Bluff. She is in the Upward Bound program at the University of Arkansas at Pine Bluff and is the 16-year-old daughter of Nadine Burkett and the late Ray Burkett. She is a junior honor student at Dollarway High School. I want to commend her for her work and TRIO for it also.

READ ACROSS AMERICA DAY

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

Mr. CUMMINGS. Mr. Speaker, I rise today to celebrate Read Across America Day. The National Education Association, partnering with some of the Nation's leading literacy education and community groups, is calling for every child and every community in America to celebrate reading today.

Reading is critically important as a platform for future learning. As a father of a 4-year-old, I enjoy the positive emotional charge of our reading experience as she soaks in every word and picture. We are forming her prereading skills, and she will enter school prepared to read.

Unfortunately, there are thousands of children in America who do not have their parents reading to them. Responsible adults must fill this gap for the sake of all of our children.

It is important that this Congress do all that it can to support and further child development from the rural communities of the heartland to the inner city of Baltimore, my home district. Today is a perfect opportunity to help all of our children reach their full potential.

CUBAN TRIAL CONVENED AGAINST FOUR DISSIDENTS WITH NO CHARGES FILED

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, for 594 days, Cuban dissidents Vladimiro Roca, Marta Beatriz Roque, Felix Bonne, and Rene Gomez Manzano have been behind Fidel Castro's prison bars, with no charges filed against them, for disseminating the document entitled, ''The Homeland Belongs to All of Us,'' that dares to speak of counterrevolutionary beliefs, such as freedom, democracy, and human rights.

Yesterday, the regime began a kangaroo court trial behind closed doors against these four brave freedom fighters who face even more jail time. The trial of these four dissidents comes only days after the regime imposed a new law that severely punishes those who promote anti-revolutionary information.

Foreign diplomats and reporters who had expressed an interest in being present at this show trial were summarily dismissed. Foreign observers are not even allowed less than two blocks from the building in which these mock trials are being held.

On the eve of this mockery of justice, dozens of Cuban independent journalists and other dissidents, who risk their lives in an attempt to inform the international community about the reality inside Cuba, were arbitrarily arrested to prevent them from reporting on the proceedings.

Mr. Speaker, it is evident that the last tyrant of our hemisphere is not about to change his totalitarian nature.

RUSSIA IS USING U.S. MONEY TO BUILD MISSILES

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

Mr. TRAFICANT. Mr. Speaker, Uncle Sam gives billions to Russia. Russia builds missiles with our money. Russia then illegally dumps steel in America, destroying jobs in industry. Uncle Sam gives Russia more billions to stop the dumping.

Russia then takes this money and builds more missiles. This is no joke. The Pentagon says Russia has developed a new missile they call invincible because no system can stop it.

Beam me up here, ladies and gentlemen. Russian economy is so bad they cannot buy toilet paper, but they are building missiles threatening our freedom with our dollars. This is unbelievable.

Mr. Speaker, I yield back all the bureaucrats who are sitting on their brains here in Washington, D.C.

CHILD PORNOGRAPHY SOLD IN RETAIL BOOKSTORES

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

Mr. PITTS. Mr. Speaker, people would be astounded to learn in America that many public, commercial bookstores throughout the United States are allowed to sell child pornography. I am not talking about adult book stores.

I was shocked recently to learn that bookstores like Barnes and Noble and Borders are selling books that show young girls and boys completely nude in suggestive, erotic positions. These children are photographed alone or shown erotically entangled with other young children. Further, many of the captions for the pictures are sexually explicit.

Mr. Speaker, this is an outrage. Child pornography feeds the sick minds of child molesters who sexually prey on defenseless children who live in our neighborhoods.

What has the Clinton administration done to protect these children? They have turned a blind eye to some of the most offensive child pornography there is. The administration has not enforced Federal obscenity laws, after promising to make this a priority.

Please join me in calling on the administration to enforce our existing Federal obscenity laws.

SOCIAL SECURITY AND MEDICARE

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

Mr. LAMPSON. Mr. Speaker, I rise this afternoon to pass along some comments that my mother, Nancy Lampson, made to me after church just recently. She, like millions of other senior citizens, is worried about the future of Medicare and Social Security. She is afraid that it will not be there for me and my brothers and sisters.

My mother knows that saving Social Security and Medicare is not just good for retirement security for her. She knows it is also good for me, her grandchildren, and her great grandchildren.

Why? Because putting aside 62 percent of the surplus for Social Security and another 15 percent for Medicare will also reduce the national debt and reduce the billions of dollars we waste each year on interest payments. Winnowing down the national debt will be good for my mother's great grandchildren.

Currently, the United States of America spends nearly as much on interest payments as it does on national defense. If we wisely invest the surplus in Social Security and Medicare today, we can reduce our interest payments from 14 percent of the budget in 1999 to 2 percent in 2014.

Investing in Social Security and Medicare will not only reduce the debt but also will lower interest rates, boost the economic growth, and increase the financial security of working families. You do not have to be a Harvard economist to know that this makes good sense to the American people.

So, on behalf of my mother and the millions of Americans we represent, I urge all of you to invest in the present and the future by investing the budget surplus in Social Security and Medicare—it makes good sense for America.

OUR STUDENTS DESERVE THE BEST EDUCATION

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

Mr. METCALF. Mr. Speaker, as a former teacher, I understand the importance of a good education and the foundation it builds for our youth. Our schools, both public and private, must establish curricula designed to challenge students and to reward classroom successes. American students, parents, and teachers must maintain the highest level of quality in the field of education.

Achieving this goal is possible when educational guidelines are drawn by parents and local school districts. It takes about 18,000 Federal and State employees to manage 780 Federal education programs in 39 Federal agencies, boards, and commissions at a cost of nearly $100 billion annually.

It is thus not surprising that only approximately 70 cents of each dollar makes it directly to the classroom. We must do better. We must consolidate these programs and ensure that at least 95 percent of the funds are directed to the classrooms. Our students deserve the best possible education.

PUT OUR FINANCIAL HOUSE BACK IN ORDER

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

Mr. MALONEY of Connecticut. Mr. Speaker, I rise today to comment on the fiscal situation in which we find ourselves and the opportunity that we have.

For 25 years, on a bipartisan basis, this government has mismanaged its financial house, its financial matters. We have, after 25 years, the opportunity to make fundamental progress. We have the opportunity to restore the nearly $700 billion that has been, quote-unquote, borrowed from the Social Security Trust Fund. We have the opportunity to put our fiscal house back in order. If we do that, it is not only good for the government fundamentally, it is good for the people of this country.

By reducing our interest payments, by reducing the demand on the credit market, we will do great things for the American people. The average cost of a home mortgage can be reduced by $200 a month by adhering to the financial responsibility that we have the opportunity to pass this year in the Congress. I urge my colleagues, do it this year. Fix the financial situation. We have the opportunity. Do not let it lapse.

KEEP SOCIAL SECURITY SOLVENT

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

Mr. BALLENGER. Mr. Speaker, I would like to challenge the other side to a pledge, a pledge that has been notably absent from the proposals of the other side of the aisle.

The Republican plan to protect and strengthen Social Security does not raise taxes, and it does not reduce benefits. The President's plan, however, leaves that option wide open. It would not take a rocket scientist or a fortune teller to figure out what that means.

The key issues for the current and future retirees is, will my retirement be secure and will Social Security remain a good deal? Social Security, unless dramatically reformed, fails on the first question.

As for the second, Social Security is a good deal for current retirees; but, very soon, it will be a terrible deal for future retirees.

The President's proposal does nothing about that. A worker's return on investment will continue to head down if real structural reforms are not made.

Let us keep Social Security solvent and a good deal for workers when they retire.

□ 1215

LION'S SHARE OF SURPLUS SHOULD PAY DOWN FEDERAL DEBT

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

Mr. DAVIS of Florida. Mr. Speaker, I rise today to support the position advocated by the President in his budget proposal that we use the lion's share of the surplus to pay down the Federal debt. The proposal to use 62 percent of the surplus for Social Security and 15 percent for Medicare will have that effect.

We have a chance for the first time in decades to begin to bring the debt held by the public, the money the Federal Government owes to other people, down to a level that we all try to exercise in our homes and businesses. This

will allow the Federal Government for the first time to more responsibly manage our debt and run the Nation's business.

Now, what impact does that have for those of us at home? In Hillsborough County, my home, the average mortgage balance on a home is about $115,000. With a 2 percent drop in interest rates, which we can expect to occur as we begin to pay down the debt, a monthly mortgage payment could drop from $844 to $689. That is $155 a month in the pocket of a homeowner that he or she would not otherwise have.

That is better than most any tax cut this Chamber could pass. It could be done by paying down the debt, using the lion's share of the surplus to protect Social Security and Medicare. I urge my colleagues to adopt that.

OPPOSE H.R. 45 TO PROTECT HEALTH AND SAFETY OF CITIZENS

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

Mr. GIBBONS. Mr. Speaker, H.R. 45, the Nuclear Waste Policy Act of 1999, opens the door to the dangerous transportation of high-level nuclear waste and yet fails to address the concerns of the safety of millions of Americans.

By mandating the construction of an interim storage facility in Nevada, H.R. 45 would require the shipment of the most toxic substance known to man to go through 43 States. Fifty million Americans within a half mile of the transportation routes could be exposed to the deadly hazards of 77,000 tons of nuclear waste moving through their neighborhoods for the next 30 years.

H.R. 45 does nothing to address the weakness in the design of the waste caskets. It does nothing to fund the training of emergency personnel who would be required to respond to any accidents. H.R. 45 is the ''speak no evil, see no evil, hear no evil'' effort by the nuclear power industry to pull the wool over the eyes of Americans.

We must protect our constituents, their health and their safety and oppose H.R. 45.

SOCIAL SECURITY

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

Mrs. NAPOLITANO. Mr. Speaker, we have all heard about the need to dedicate the 62 percent of the surplus over the next 15 years to saving Social Security and then, of course, the 15 percent to saving Medicare, which cannot be understated.

However, in addition to that, we need to recognize that simply securing the solvency of Social Security and Medicare is not enough. We also need to address the structure and quality of Social Security and Medicare programs.

We need to discuss covering prescription drugs, a difficult issue because of the cost involved, yet vital for so many seniors in America.

We need to address the earnings test so that seniors who work to supplement their pensions are not penalized by cuts in their Social Security benefits.

We also need to talk about improving service so that individuals do not get lost in a bureaucratic cobweb that leaves them frustrated and without the benefits they deserve.

We have already agreed to dedicate the 62 percent of the surplus for Social Security in order to fully protect America's retirement security, but I urge my colleagues on the other side to take the next step and join us in resolving the entire Medicare issue.

AMERICA'S OIL INDUSTRY ON VERGE OF COLLAPSE

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

Mr. WATKINS. Mr. Speaker, what is wrong with this picture? Today in America there is a total collapse, a crisis of survival for the oil industry. The small independent producers are going bankrupt every day bringing pain and hurt in oil patch.

What is wrong with this picture? American family farms are being destroyed. The families are having to leave because of low pricing and farm bankruptcies. Wheat just dropped to $2.20 a bushel.

What is wrong with this picture? Today we are bombing Iraq but, at the same time, they are increasing by over 2 million barrels a day their oil sales which is helping destroy our domestic oil industry. Our small independent producers are dying in this country. They have also threatened and said they will not buy America's wheat with those funds from selling oil, again contributing to the collapse of the American farm.

I agree with my colleague from Ohio (Mr. TRAFICANT) when he says, ''Beam me up, Mr. President.'' What is wrong with this picture is Iraq is benefitting and our American farmers and independent producers are dying under the policy.

DO NOT FORGET ABOUT PAYING DOWN NATIONAL DEBT

(Mr. SNYDER T1asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SNYDER. Mr. Speaker, recently, I was in White County, Arkansas, a county that recently had some very devastating tornadoes, and was having my Saturday morning office hours in a store; and one of my constituents came through and what he wanted to talk about was our national debt. He said to me that, while we are all talking about the surplus, he urged me to please not to forget paying down the national debt. He said, we are talking too much about surpluses, but we are forgetting the debt.

I think that is good advice from my constituent from Arkansas. If we use the surplus and pay down the debt, we will protect Social Security, we will protect Medicare, we will protect working families, and we will protect all generations that want to benefit from Social Security and Medicare in the future.

This is good common sense, Mr. Speaker, from White County, Arkansas; and I recommend this Congress heed my constituent's advice.

H.J. RES. 32, SOCIAL SECURITY GUARANTEE INITIATIVE

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

Mr. RYAN of Wisconsin. Mr. Speaker, today the House will be considering H.J. Res. 32, the Social Security Guarantee Initiative. I recently introduced this resolution that expresses Congress' commitment to protecting Social Security benefits for all current and future retirees. This bipartisan resolution sends an important message that sets the stage for what will soon be an historic debate on how best to reform our Nation's Social Security System.

I recently completed 21 town hall meetings during our congressional recess on a listening tour throughout Wisconsin's First Congressional District. At every stop a great number of people I represent expressed their grave concerns over any changes that would be made to the Social Security System. Quite frankly, many of them felt that Washington could not be trusted to fix their problem. We have to prove them wrong.

This resolution sends a very clear signal to our constituents that any reforms made by Congress will not result in a loss of benefits or place any increased costs upon them. Mr. Speaker, it is critical that we make this bipartisan commitment before we move forward on any Social Security reform proposals so that current and soon-to-be retirees will not have their benefits cut.

I urge my colleagues to vote ''yes'' on this resolution.

REDUCING THE DEBT IS THE RIGHT THING TO DO

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

Mr. HILL of Indiana. Mr. Speaker, $17 billion is just a drop in the bucket here in Washington, but back in Indiana it is serious money.

Seventeen billion dollars is enough to operate all eight Indiana university

campuses for 10 years. Seventeen billion dollars almost equals the entire 2-year budget of the State of Indiana.

The government projects that this year we will spend $17 billion less on interest payments than we did last year. When we reduce the government's debt, we are given billions of dollars back to the private sector to invest, create jobs and strengthen our economy. By reducing the debt, we are also improving our ability to honor the promises we have made to our seniors through the Social Security and Medicare programs.

Other arguments aside, reducing the debt we pass on to our children is just the right thing to do. Not only do we owe it to our American seniors to reduce the debt, but we owe it to future generations as well.

CONGRESS AND ADMINISTRATION SHOULD FOLLOW ICELAND'S LEAD

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

Mr. PETERSON of Pennsylvania. Mr. Speaker, the country of Iceland recently made the news with two separate announcements, one instructive and the other intriguing.

First, Iceland announced it will not sign, it will not sign, the U.N.'s questionable Kyoto climate treaty because it would destroy its economy and bring unnecessary suffering to its citizens.

Secondly, on February 17th, an Icelandic consortium signed an agreement for a joint venture to investigate the potential of transforming Iceland into the world's first hydrogen-based economy.

One of the first results could be a hydrogen fuel cell-powered bus service. This would be an interesting development to monitor because of the environmental and energy security implications. Hydrogen fuel cells create their own electrical energy, with clean water as a by-product. Some estimate that vehicle efficiency can be improved by 50 percent, with no exhaust emissions.

Mr. Speaker, it may be wise for Congress and this administration to follow Iceland's lead on both of these counts.

CONGRESS SHOULD TAKE THIS OPPORTUNITY TO GET THE NATION'S FISCAL HOUSE IN ORDER

(Ms. HOOLEY of Oregon asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Ms. HOOLEY of Oregon. Mr. Speaker, economists and the Congressional Budget Office agree: We have a budget surplus starting in the year 2001, which will grow to $164 billion by the end of the year 2009.

Let me tell my colleagues when I talk to people in Oregon what they say about the budget. First of all, Oregonians believe we need to keep our budget balanced, we need to pay off the huge national debt, and we need to make sure our future generations are not left holding the bag for our generation's party.

Leaving behind a debt that we did not have the moral fortitude to pay off is simply wrong. Reducing the national debt now, economists predict, will result in a further decline in interest rates. Now, let me tell my colleagues, lower interest rates are good for the homeowner, they are good for the businessperson, they are good for the farmer, and they are good for the student in the classroom.

Mr. Speaker, last year we spent, listen to this number, $243 billion, billion, of Federal taxpayers' money on the interest. That is four times what we spent on education. Four times. As a member of the House Committee on the Budget, I want to take this opportunity get our fiscal house in order.

HAITI'S FRIENDS AND NEIGHBORS SHOULD HELP REVIVE HAITI'S FAILED DEMOCRACY

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

Mr. GOSS. Mr. Speaker, today Haiti is a very grim place. The economy is in shambles, crime is prevalent, and the parliament is dysfunctional. There has been no progress scheduling necessary elections, despite President Preval's recent assurances he would.

Another indication of how bad the situation has become in Haiti is the Clinton administration's refusal to certify Haiti as meeting its obligation in the war on drugs, even though U.S. taxpayers have spent millions of dollars in the past few years trying to build a competent police force in Haiti.

Now we learn of the politically motivated murder, the brutal assassination of one of Haiti's nine remaining Senators on Monday. The predilection for solving Haiti's problems through violence continues as does the slide towards authoritarianism. Later this week I will join several of my colleagues in introducing a bipartisan resolution calling on the Organization of American States to intervene.

The crown jewel of Clinton's foreign policy is tragically tarnished. It is time we stopped adding more to this bad debt.

PROTECT SOCIAL SECURITY AND MEDICARE

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

Ms. DELAURO. Mr. Speaker, we are faced with an historic opportunity. Due do a robust economy, the Federal Government has a surplus for the first time in three decades. We should seize this moment to do what is fair, right and fiscally responsible: Protect Social Security and Medicare.

Social Security and Medicare are the twin pillars of retirement security. Two-thirds of our seniors rely on Social Security for over half of their income. Medicare ensures that 99 percent of our seniors have the health coverage that they need. Combined, these two programs allow our parents to live with dignity, independence and peace of mind.

Now that we have the opportunity, we should use the vast majority of this surplus, a full 77 percent, to strengthen Social Security and Medicare for the long-term security of our parents, ourselves and our children.

Protecting Social Security and Medicare must come before a Republican tax plan, which would spend the surplus on a one-time, feel-good tax break that benefits mostly the wealthy. It is irresponsible and it is risky. Let us not jeopardize the long-term health of Social Security and Medicare for the short-term goal of an overzealous tax break.

Let us do what is right, let us protect Social Security and Medicare.

PAYING DOWN NATIONAL DEBT ENSURES PRESERVATION OF SOCIAL SECURITY AND MEDICARE

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

Mr. DOOLEY of California. In 1992, Mr. Speaker, when President Clinton took office, we were looking at budget deficits that were approaching almost $300 billion. Well, thanks to the good work of Congress and the good work of the administration, we are no longer talking about budget deficits, but we are, in fact, talking about budget surpluses.

It is important for us to continue down the path of fiscal responsibility, and that requires this Congress to support the efforts of the administration and others who are committed to using the significant majority of the budget surpluses that we are going to see in the next 10 years to pay down the national debt and, in doing so, ensuring that we can preserve Social Security and Medicare.

That makes good sense for our families and makes good sense for our businesses. Because if we pay down the national debt, which is costing us $243 billion a year in interest, we will be ensured that we can see a reduction in interest rates of over 2 percent. A reduction of 2 percent in interest rates means about $155 to people who have a home mortgage of $115,000.

□ 1230

It means to farmers of this country, who have an operating loan of $250,000, a $5,000 savings. Let us take the path of fiscal responsibility. Let us pay down the debt.

ANNUAL REPORT OF FEDERAL LABOR RELATIONS AUTHORITY, FISCAL YEAR 1997—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The Speaker pro tempore (Mr. STEARNS) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Government Reform:

To the Congress of the United States:

In accordance with section 701 of the Civil Service Reform Act of 1978 (Public Law 95–454; 5 U.S.C. 7104(e)), I am pleased to transmit the Nineteenth Annual Report of the Federal Labor Relations Authority for Fiscal Year 1997.

The report includes information on the cases heard and decisions rendered by the Federal Labor Relations Authority, the General Counsel of the Authority, and the Federal Service Impasses Panel.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *March 2, 1999.*

RESIGNATION AS MEMBER OF COMMITTEE ON SCIENCE

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Science:

HOUSE OF REPRESENTATIVES,
CONGRESS OF THE UNITED STATES,
Washington, DC, February 23, 1999.

Hon. DENNIS HASTERT,
Speaker, The Capitol, Washington, DC.

DEAR MR. SPEAKER, on Feb. 12, 1999, I was appointed by the House Democratic Caucus to serve on the Permanent Select Committee on Intelligence. According to Rule 19 E of the Rules of the Democratic Caucus, ''no Democratic Member of the Permanent Select Committee on Intelligence may serve on more than one standing committee during the Member's term of service on the select committee.''

Rule 19 E also states that ''Members shall be entitled to take leaves of absence from service on any committee (or subcommittee thereof) during the period they serve on the select committee and seniority rights on such committee (and on each subcommittee) to which they were assigned at the time shall be fully protected as if they had continued to serve during the period of leave of absence.''

Accordingly, I am requesting a leave of absence from the House Committee on Science for the 106th Congress, with the understanding that my seniority rights on the Committee will be fully protected in accordance with Rule 19 E of the Democratic Caucus. Thank you for your consideration of this request.

Sincerely,

TIM ROEMER,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Such rollcall votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules.

PERMITTING CERTAIN YOUTH TO PERFORM CERTAIN WORK WITH WOOD PRODUCTS

Mr. GOODLING. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 221) to amend the Fair Labor Standards Act of 1938 to permit certain youth to perform certain work with wood products, as amended.

The Clerk read as follows:

H.R. 221

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

SECTION 1. EXEMPTION.

Section 13(c) of the Fair Labor Standards Act of 1938 (29 U.S.C. 213(c)) is amended by adding at the end the following:

''(7)(A) Subject to subparagraph (B), in the administration and enforcement of the child labor provisions of this Act, it shall not be considered oppressive child labor for an individual who—

''(i) is at least 14 but under the age of 18, and

''(ii) is a member of a religious sect or division thereof whose established teachings do not permit formal education beyond the eighth grade,

to be employed inside or outside places of business where machinery is used to process wood products.

''(B) The employment of an individual under subparagraph (A) shall be permitted—

''(i) if the individual is supervised by an adult relative of the individual or is supervised by an adult member of the same religious sect or division as the individual;

''(ii) if the individual does not operate or assist in the operation of power-driven woodworking machines;

''(iii) if the individual is protected from wood particles or other flying debris within the workplace by a barrier appropriate to the potential hazard of such wood particles or flying debris or by maintaining a sufficient distance from machinery in operation; and

''(iv) if the individual is required to use personal protective equipment to prevent exposure to excessive levels of noise and saw dust.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. GOODLING) and the gentleman from Missouri (Mr. CLAY) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. GOODLING).

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

Mr. Speaker, I rise in strong support of H.R. 221, which is a bipartisan bill introduced by the gentleman from Pennsylvania (Mr. PITTS) and the gentleman from California (Mr. MARTINEZ). The bill will address a unique problem resulting from the application of the child labor provisions of the Fair Labor Standards Act to individuals in the Amish community.

We are considering a substitute amendment which makes one technical change for the purpose of renumbering the paragraphs in the bill.

My colleagues will remember that the House passed a similar bill, exactly the same, as a matter of fact, last year by voice vote under suspension of the rules. The Senate did not consider the bill prior to the close of the last Congress, and so we are taking early action on the bill in order to allow ample time for the Senate to act.

Children in the Amish community complete their formal classroom education at age 14 or 15. In fact, the Amish faith teaches that their children's formal classroom education should end after the eighth grade, after which they, quote, learn by doing, while working under the supervision of their parents or another community member.

Amish youth have traditionally worked in agriculture on their family farms. However, economic pressures in recent years, including the rising cost of land, have forced more and more Amish families to enter other occupations. Many have gone into operating sawmills and other types of woodworking. So, increasingly, the opportunities for Amish young people to ''learn by doing'' are in these types of workplaces.

The problem is that the Department of Labor's regulations prohibit 14- and 15-year-olds from working in any sawmill or woodworking shop and severely limit the work of 16- or 17-year-olds in these workplaces.

The Department has undertaken a number of enforcement actions against Amish employers in recent years. As a result, Amish youth no longer have the opportunity to learn skills and work habits through the community's traditional means.

We have no reason to believe that Amish young people will be placed at risk or allowed to engage in unsafe activities in the workplace. As some of my colleagues have said, who would care more about the well-being of Amish children than their parents? The fact is that, as the Amish struggle to preserve their way of life, the Department of Labor's actions are, in effect, undermining the Amish culture.

H.R. 221 is a narrow bill that addresses this specific problem. It would allow individuals who are at least 14 years old to work in sawmills and woodworking shops, so long as they do so under the supervision of an adult relative or member of the same faith. The young person would not be permitted, under any circumstances, to operate or assist in the operation of any power-driven woodworking machines.

The young person must be protected from wood particles or other flying debris by a barrier or by maintaining an appropriate physical distance from machinery in operation. In addition, the young person must be protected from

excessive levels of noise and sawdust by the use of personal protective equipment.

I want to particularly commend the gentleman from Pennsylvania (Mr. PITTS), the gentleman from Indiana (Mr. SOUDER), the gentleman from Pennsylvania (Mr. PETERSON) and the gentleman from California (Mr. MARTINEZ) for their work on this issue. This legislation comes only after Members of Congress made repeated effort to work out an administrative solution with the Department. Unfortunately, the Department has been unwilling or unable to alleviate the conflict between the current regulation and the Amish community's way of life. That is why we are now addressing the problem through legislation.

The bill will allow the Amish to continue in their traditional way of training their children in a craft or occupation while ensuring the safety of those who are employed in woodworking occupations. I would certainly urge my colleagues to support the bipartisan legislation.

I would also indicate that I believe it is our responsibility to legislate. It is the responsibility of the Court to determine whether it meets Amish law or American law, not the Congress of the United States.

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

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

Mr. Speaker, I rise in opposition to H.R. 221. This bill permits 14-year-old children to work in sawmills, one of the most dangerous worksites in the country. The occupational fatality rate in the lumber and wood products industry is five times the national average. The fatality rate exceeds that of the construction, of the transportation and of the warehouse industry.

Inexperience, small size and lack of maturity can all act to increase the risk of accidents for 14-year-old children employed in sawmills.

I oppose this bill because it poses undue jeopardy to the health and safety of children too young to legally smoke, too young to legally consume alcohol products, too young to defend this country in the military.

Mr. Speaker, there are good, sound, logical reasons why 14-year-olds are prohibited from engaging in these activities, and the same reasons exist for keeping them out of sawmills.

I also oppose this legislation because it undermines job opportunities for adults by encouraging the replacement of older workers with teenagers who will work for less pay. Mr. Speaker, replacing fathers with their sons was a pervasive and devastating pastime for the robber barons of American industry at the beginning of the 20th century. Why are we contemplating renewing this horrendous policy at the beginning of the 21st century?

Finally, Mr. Speaker, I oppose this bill because it violates the establishment clause of the Constitution's first amendment, which forbids preferences to one religion over another. This bill, if enacted, will sanction a discriminatory provision of law for the Amish members against other religions that do not enjoy this preference. I am sympathetic to the desire to accommodate the Amish lifestyle but am opposed to accommodating that lifestyle in a manner that places other religious groups and business interests at a disadvantage.

Encouraging the displacement of adult workers by teenagers in this hazardous worksite is bad safety policy, is bad health policy, is bad employment policy and, most of all, Mr. Speaker, it is bad constitutional policy. I oppose the bill because it is an assault on the very principle enacted years ago to prevent the exploitation of child labor.

Mr. Speaker, I ask my colleagues to oppose this ill-conceived, unnecessary bill.

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

Mr. GOODLING. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. PITTS), the coauthor of the legislation.

Mr. PITTS. Mr. Speaker, today we are addressing an issue important to the Amish community who reside in over 20 States in this country, and I especially want to thank the gentleman from California (Mr. MARTINEZ) and the chairman of the committee, the gentleman from Pennsylvania (Mr. GOODLING), and the other Members who have helped us craft this bipartisan bill.

People around the world know of the Old Order Amish as people who till their land and direct their lives with faith, simplicity and discipline.

Traditionally, Amish communities are centered around the family farm, which requires input from the whole family. While caring for crops and animals, Amish parents show their children how to make a living without exposure to outside influences that contradict their beliefs. However, due to the high growth rate, the soaring price of farmland, many Amish have been forced to look for alternatives to farming. Now Amish can be found in small businesses making raw lumber, clocks, wagons, cabinetry and quilts.

Therefore, as they did on the family farm and still do, and I might say that in farm work the children are totally exempt from child labor laws, one can find a 10-year-old boy driving a team of mules. I would like to see the gentleman from Missouri (Mr. CLAY) try that. The Amish now wish to have their youth work with them in these vocational settings.

Typically, the youth will learn a trade after the completion of Amish school, or the eighth grade, and be self-sufficient by age 18. The Amish view this work as part of their schooling, since they often accompany a parent to the workplace, very similar to an apprenticeship, and they call this learning by doing.

Unfortunately, these small Amish-owned businesses have received costly fines from the Department of Labor for having their young adults work alongside their fathers and uncles, even in family businesses.

Mr. Speaker, recently a businessman, an Amish businessman in my congressional district, was fined $10,000 for having his own child in the front office of his business. The teenager, 15 years old, was simply learning to use the cash register alongside her father. She was far from harm's way.

Mr. Speaker, these actions by the Department of Labor have severely threatened the lifestyle and the religion of this respected and humble community. The Amish expect diligence, responsibility and respect from their youth. They do not contribute to the social ills of our society, and they do not accept any assistance from government programs.

Our government should not interfere with this humble community. Several of my colleagues, along with our Amish constituents, met with the Department of Labor several times last year for a solution. Unfortunately, we received nothing but negative responses from Labor. The Amish have a very unique situation, and they do not benefit from shop or vo-tech like the youth of our schools.

My son, at age 14, made furniture on a band saw in a shop class with 15 other students around. We have a responsibility to evaluate the Amish in light of these things, and that is why the gentleman from California (Mr. MARTINEZ) and I and others have introduced this legislation, narrowly crafted, and we urge support.

□ 1245

Mr. CLAY. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Speaker, I thank the gentleman for yielding me this time. I rise to oppose the bill, particularly on suspension. I offered an amendment in committee to try to make this bill a little better by having a reporting requirement, that it would be reported the number of injuries that might take place in this type of workshop with this reduced age limit so we could determine what the effect of this bill might be. Now, that amendment was defeated on a pretty well party line vote in the committee. We are precluded from offering, I think, and even discussing that amendment here on the floor under this suspension of rules. So I feel that the process is wrong.

I have serious problems about the bill, but we cannot even discuss the amendment that was defeated by a party line vote in committee. I urge defeat of the bill.

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

Mr. PETERSON of Pennsylvania. Mr. Speaker, I am pleased to stand in the House today and support this legislation. I want to commend the gentleman from Pennsylvania (Mr. PITTS),

the gentleman from Pennsylvania (Mr. GOODLING), the gentleman from California (Mr. MARTINEZ), the gentleman from Indiana (Mr. SOUDER) and all of those who were a part of bringing this issue together.

We should not be here today. The Department of Labor and Industry should not be in this issue. There was not a history of danger out there, not a history of people being harmed. A lot of the criticism, or all of it has been about safety. This legislation includes supervision by an adult relative or an adult of the same religious sect; the placement of protective barriers. We just heard that the lumber industry is the most dangerous. Yes, it is. The most dangerous part is the falling of trees. They are not going to be doing that. The next most dangerous part is running saws and planers and equipment. They are not going to be doing that. They are going to be doing odd jobs in the mill, stacking lumber, cleaning up, office work, running errands, helping out, learning a trade.

Young people in the Amish community when they are finished with school at 14, they learn a trade and when they work around the edges of a mill, when they work around the edges of an operation, they learn that business over a period of time. We are not putting them in harm's way. In my view, this is legislation that is needed to be done to preserve the Amish life. As someone just mentioned, they are not a part of the difficulties in our society. They are a quiet people who teach their youth to work and carry on whatever the tradition of that family was. This is a very sensible, well-thought-out solution that will allow this community to preserve its way of life.

I urge the Members of this Congress to tell the Department of Labor and Industry to go on and deal with real problems and leave our Amish to raise their children as they have in the past with a very good record.

Mr. CLAY. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. MARTINEZ).

Mr. MARTINEZ. Mr. Speaker, last September this body considered a piece of legislation identical to this bill before us today. Then as now, I support the bill very much. You might ask why someone from an urban area like myself would support a bill such as this, because there are no Amish in Los Angeles County. Well, I do not care where you live in this country, when it comes to keeping our young people engaged productively and out of trouble, the challenges are the same no matter where you are. And although the answer is different in different parts of the country, the goal is the same, to keep those kids out of trouble, keep them working, keep them interested in something that will make a good life for themselves.

I supported that bill last year, because I understand the Amish way and where they face problems that are different than those that we face in Los Angeles, I believe that for their youth, they have the appropriate answer. And I supported the bill because it offers a real solution to a real problem for the Amish and because it made good sense to me.

As I mentioned during the debate last September, Amish children finish their education at 14 years of age. Historically Amish boys have joined their fathers in the fields of the family farm. However, due to technological advances, the rising price of real estate, the Amish have found it difficult to compete and many have had to abandon their farms for other types of occupations. Today nearly 50 percent of the Amish men work in nonfarm occupations, primarily in the lumber industry. However, when the Amish take their young men to work with them in the sawmills, they are in violation of child labor law.

Therefore, last Congress the gentleman from Pennsylvania (Mr. PITTS) introduced a bill to amend the child labor laws to permit the Amish to take their young men to the sawmill with them. In response to this concern about exposing young men to hazards that has been mentioned here by a couple of Members, we saw that, too. We wondered if we were not doing the same. But we worked with the gentleman from Pennsylvania (Mr. PITTS) to come up with a solution to that problem. I worked with him to add a number of safety provisions such as requiring earplugs, face masks, adult supervision, et cetera. We must have done a good job because it passed out of committee by a voice vote and passed on the floor by a voice vote. Because the Senate ran out of time is the only reason we are here considering this noncontroversial legislation again.

This bill before us is identical to the bill that was passed by the House in the last Congress. It addresses the same problems and contains the same safety provisions and still makes good sense. Therefore, although you may not have a large number of Amish in your district, I urge you to support this bill.

Mr. GOODLING. Mr. Speaker, I yield the balance of my time to the gentleman from Indiana (Mr. SOUDER) and ask unanimous consent that he be permitted to control that time.

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

There was no objection.

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. ROEMER).

Mr. ROEMER. Mr. Speaker, I thank the gentleman from Missouri for yielding me this time and I rise in support of this legislation. I want to commend the gentleman from California (Mr. MARTINEZ) and the gentleman from Pennsylvania (Mr. PITTS) for exercising common sense and bipartisanship in crafting this legislation. It is extremely important that we strike a delicate balance between honoring the differences in our different religions in this country, our different traditions in this country and having a safe and healthy workplace. I believe this legislation, in a commonsense and bipartisan manner, strikes this principled compromise between these two interests, of respecting the Amish for their cultural and religious differences and on insisting on a safe and healthy work environment.

The Amish community, as has been stated on the House floor here this afternoon, has a little bit different education system than some of the rest of us, and we should respect and honor those differences. They have a formal education for their young men and young women up until about the eighth grade, and then after the eighth grade many of their children, young minors, are enrolled in informal vocation classes learning directly under the supervision of parents and teachers.

In Indiana, let me give my colleagues an example, this is primarily done in small cabinet-making shops where people have worked with the Amish community for decades and where they are small, family-owned businesses. This is not an instance where young people are out in harm's way from falling trees or with big sawmills. They are in working environments in small business communities.

We have four major protections outlined in this bill that I will not go into articulating but I will again urge this body to support this bipartisan, commonsense bill.

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. KLINK).

Mr. KLINK. Mr. Speaker, I thank the gentleman for yielding me this time. I get nervous when I find myself on the opposite end of a labor issue from the gentleman from Missouri (Mr. CLAY) and the gentleman from Michigan (Mr. KILDEE), but in this instance I come from a different perspective. I grew up in a small town called Summit Mills in southwestern Pennsylvania. That town is mostly Amish. And so as I grew up in that community as a young man, 12, 13, 14, 15, 16 years of age, I worked in Amish farms, I worked in Amish sawmills, I worked and learned carpentry with my friends the Amish. I worked in their maple sugar camps. I understand their way of life because I lived it with them. I know that there is no danger. I also know that if they do not employ their children, it does not mean that they are going to employ someone else, it means they are going to work that much longer and that much harder themselves or they are not going to make that much more money. They are going to in fact have to live with less.

In my district now, the 4th District of Pennsylvania, in Lawrence County, the Amish live there, they are quiet people, they do not drive cars, they do not listen to radio or watch TV. But what they do is when their children are finished with school at the eighth

grade, they teach their children how to make a living. They in essence are the trade school themselves. If the family business is carpentry, if it is a sawmill, if it is a maple sugar camp in the spring, if it is farming, they teach their children to do this. If the children have other interests, they may go off and work with an uncle or someone else on their farm.

This bill, H.R. 221, of which I am an original cosponsor, does specify that the young Amish people would not be permitted to operate power-driven woodworking machinery. Regarding the workplace safety of this bill, the bill requires a barrier or some other means of protection to be used to protect these teenagers from flying wood particles.

I have a very strong voting record to maintain our labor laws. This bill simply amends the Fair Labor Standards Act and would allow these young people ages 14 to 18 who are members of this religious sect to work with their parents, to work with adults, those who are like the Amish to be able to be employed in a family business where wood is processed with machinery.

I ask my colleagues to suspend the rules and pass H.R. 221.

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

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

Mr. KIND. Mr. Speaker, I thank the gentleman for yielding me this time. As a member of the Committee on Education and the Workforce, I rise today in support of this bill. I believe this is a commonsense measure allowing the Amish to preserve their culture as well as the control of the upbringing of their children while maintaining important child labor enforcement policies.

I want to take this opportunity to commend the gentleman from California (Mr. MARTINEZ), the gentleman from Pennsylvania (Mr. PITTS) and especially the gentleman from Pennsylvania (Mr. PETERSON) for the leadership that they have shown in crafting what I think is a very commonsense measure. To this day the Amish continue to make great contributions to our Nation's heritage across the country and as well in my congressional district in western Wisconsin. Traditionally Amish children's formal education ends at a very early age. They continue to learn by doing. Their youth attend school until the age of 14, after which they work with an adult member of the community to gain hands-on experience, offentimes in small, family-owned woodworking shops. In the past the practice has come into conflict with certain child labor provisions of the Fair Labor Standards Act.

Yes, woodworking machines can be very dangerous, especially for young children, but thanks to my colleagues I think there have been some commonsense safeguards built into this legislation that we can all support. First, that teenagers must be supervised by an adult who is a member of the same sect or division; second, the teenagers are not allowed to operate or even assist in the operation of power-driven woodworking machines; and, finally, they must be protected by an appropriate barrier to the potential hazard of flying debris and wood particles.

Mr. Speaker, I think we have to do all that we can to preserve our Nation's distinct and diverse heritage without sacrificing personal safety and well-being, especially when it comes to the safety of our children. I believe this bill is a commonsense step in that direction. Therefore, I urge my colleagues today to support what I feel is an appropriate bill with the appropriate safeguards.

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

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

I, too, want to thank the gentleman from Pennsylvania (Mr. GOODLING), the gentleman from Pennsylvania (Mr. PITTS), the gentleman from Pennsylvania (Mr. PETERSON) as well as our bipartisan help from the gentleman from California (Mr. MARTINEZ), the gentleman from Indiana (Mr. ROEMER), the gentleman from Wisconsin (Mr. KIND), the gentleman from Pennsylvania (Mr. KLINK) and others on the other side of the aisle who have helped to finally bring this remedy hopefully to closure this year.

For the record, I want to say I am not just a bystander in this. Not only do I represent the 3rd, 7th and 10th largest old order communities in the country, and by old order I mean that they do not have tops on their buggies and they are not allowed to marry the Amish in many of these other gentlemen's districts who have tops on their buggies and are much, therefore, more liberal Congressmen and members. Furthermore, this has nothing to do with voting. Out of the 20,000 Amish in my district, I think approximately 150 voted. Three in my hometown of Grabill went out to vote and then got kicked out of church for going out because they wanted to vote for me and they had to work that through in their church. My great grandfather in 1846 was one of the first Amish settlers in Allen County. He left the Amish faith around the turn of the century, but I still have many cousins and many, many friends in the Amish community and I grew up in a small town surrounded by an old order Amish community and went to school with many of them.

So I have been very involved with this issue even though the original points of contention with the Department of Labor came up in Pennsylvania and most of the Amish who were at the meetings that we had with the Department of Labor were from Pennsylvania, a few from Holmes County, Ohio, and very few from Indiana and mostly up from the district of the gentleman from Indiana (Mr. ROEMER) because the Amish in my district do not take part in any governmental activities and therefore are completely vulnerable and helpless when the government comes in and tries to alter their life-style.

For 18 months we have negotiated with the Department of Labor. We have negotiated through several rounds through our committee.

□ 1300

I am frustrated how long this has taken. This is a tad ridiculous, quite frankly. At the same time, I am glad we are to this point, and I am glad we are finally making progress.

We have heard particulars in this bill, that in fact this is an endangerment. It is not a question of whether the Amish are old enough to smoke or old enough to do many things, because they are certainly old enough to sweep a floor. This is not a matter of working the woodworking equipment. It is a matter of doing the tangential jobs. We, as my colleagues have heard, put restrictions that limit that endangerment.

Furthermore, as we see the pressures in our communities in Indiana, in Ohio, Pennsylvania, Wisconsin, Illinois, Iowa, where there are Amish communities, we have a fundamental question we have to answer in this country: Can you practice religious freedom within the confines of what we expect in public health and safety? As they cannot divide their farms any further, they have turned to other crafts like woodworking, and if they cannot practice woodworking, and if they cannot practice their religious faith, they will leave our country or have to change their religion, and that is not what America was based on.

I would argue that many of the arguments that have been put forth through the past few years are absurd. I have seen in print that there could be forklifts running over these kids. They do not have forklifts in Amish factories because they do not have electricity. I just heard a reference to robber barons. As my colleagues know, the Amish parents are not robber barons, and we have to be very careful about confusing past labor disputes with one of the most innocent, helpless and vulnerable segments of our society. I do not understand how anybody could oppose these poor, low-income people, who are at the mercy of everybody else, having their ability to work with their children in their factories.

So, in their woodworking, whether it is furniture or whether it is pallets or whatever they do, so that they can continue their way of life, they are not the people with the gang problems, they are not the people with drug problems, they are not the people with the social problems we see elsewhere. So why would we come barreling into their community and try to change their

lifestyle when they should be a model for the rest of us, not somebody who we try to destroy their culture?

Mr. EWING. Mr. Speaker, as a co-sponsor of this important legislation, I urge my fellow colleagues on both sides of the aisle to support H.R. 221. The bill amends the Fair Labor & Standards Act to allow youths between the ages of 14–18, who are members of a religious sect or division, to work in businesses where machinery is used to process wood products.

This legislation is of great importance to me since my district has the greatest population of Amish residents in Illinois. Instead of continuing formal education past the 8th grade, Amish children typically go to work with their parents or another adult leaning a trade, usually woodworking or farming. This is not an example of ''sweatshops'' where children are forced to work against their will—this is a tradition that the Amish community has held near and dear to their hearts.

Current FLSA language allows the Department of Labor to levy fines up to $20,000 on several Amish businesses, and to confiscate their equipment. This is not only a financial hardship that small business must absorb, but an imposition on secular values. This is not the role of government.

This legislation allows Amish children to begin their life's work under the proper supervision of an adult and requires the youth to be properly protected in the various work areas. We should not penalize a religious community and their citizens from pursuing life-long traditions.

Once again, I urge my colleagues to support this legislation.

Mr. OWENS. Mr. Speaker, I rise in opposition to H.R. 221.

This bill permits children to work in one of the most hazardous industries in the country. Fourteen-year-old children do not possess the full autonomy of choice and may not possess the full capacity for choice possessed by adults. They should not be allowed to place themselves or be placed by others in occupational situations that may be life threatening. The occupational fatality rate in the Wood Products Industry is five times higher than the national average. One of the witnesses who testified on behalf of this legislation told of how he lost several fingers when during a moment of inattention, he carelessly set his hand on a conveyor belt and it ran his hand into a saw. This accident happened to an adult with years of experience in the wood processing industry. Inexperience and lack of maturity serve to make the potential risks faces by minors even greater than they are by minors even greater than they are for adults. It is unreasonable to expect a fourteen year-old to maintain the kind of continuous safety concern we expect for adults. In this industry, a moment of inattention can be fatal. Secretary Herman in a letter to Chairman GOODLING opposing this legislation said, ''While we are sensitive to the cultural and religious traditions of the Amish and similar American communities, we believe the benefits of accommodating those traditions must be carefully balanced against the nation's longstanding concern for the safety and welfare of children.'' Secretary Herman provides the focus which should guide this Congress in its deliberations concerning child-labor issues. We should always place the protection of our children's health and safety first.

To employ children in an industry where the occupational fatality and injury rates are five times the national average is irresponsible. If enacted, H.R. 221 will inevitably result in the serious injury or death of a minor. Attached for the RECORD are letters from the Department of Labor and the Department of Justice.

Mr. GEKAS. Mr. Speaker, I rise today to applaud the passage of H.R. 221, legislation which will permit a unique culture to continue practicing traditions vital to its way of life. This bill changes current law so that Amish teenagers may continue work in businesses where machinery is used to process wood products.

Child labor provisions in the 1938 Fair Labor Standards Act (FLSA) prevent Amish young people from learning the practical skills they need to successfully contribute to their community. The U.S. Department of Labor has followed a rigorous enforcement policy in the arena of child labor. The Department of Labor has levied fines of up to $20,000 on several Amish businesses. These actions are not just intrusive, they are insulting to a proud culture which has long prospered within the boundaries of our laws.

While enforcement of child labor laws is laudable and necessary, it is detrimental to the Amish people. In their culture, Amish youth finish organized schooling at the age of 14, when they go to work with their parents or other adults in their community to learn a trade. Due to the nature of their lifestyle, these occupations are primarily in agriculture and woodworking, work which requires long periods of apprenticeship to learn the proper and safe use of the required machinery.

H.R. 221 recognizes this fact by providing specific requirements for the sake of safety-requirements that the Amish have implemented long before the Fair Labor Standards Act came into effect. Individuals working in these trades must be between the ages of 14 and 18, and be a member of a religious sect or division which mandates no formal education beyond the eighth grade. Other provisions include the proper wear of protective gear, as well as proper adult supervision at all times.

The Amish are a people who take great pride in their secular values, and rightfully take great umbrage to any attempts to influence their lifestyle. I am thankful that we in the Congress can take pride in the fact that today we did the right thing, and corrected an error in bureaucracy which threatened the culture of a group of people.

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

The SPEAKER pro tempore (Mr. STEARNS). The question is on the motion offered by the gentleman from Pennsylvania (Mr. GOODLING) that the House suspend the rules and pass the bill, H.R. 221, as amended.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SOUDER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 221, the bill just passed.

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

There was no objection.

DISASTER MITIGATION COORDINATION ACT OF 1999

Mr. TALENT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 818) to amend the Small Business Act to authorize a pilot program for the implementation of disaster mitigation measures by small businesses.

The Clerk read as follows:

H.R. 818

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Disaster Mitigation Coordination Act of 1999''.

SEC. 2. PILOT PROGRAM.

(a) IN GENERAL.—Section 7(b)(1) of the Small Business Act (15 U.S.C. 636(b)(1)) is amended—

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

(2) by adding at the end the following:

''(C) during fiscal years 2000 through 2004, to establish a disaster mitigation program to make such loans (either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred (guaranteed) basis) as the Administrator may determine to be necessary or appropriate to enable small business concerns to implement mitigation measures pursuant to a formal disaster mitigation program established by the Federal Emergency Management Agency, except that no loan or guarantee may be extended to a small business concern under this subparagraph unless the Administration finds the concern is otherwise unable to obtain credit for the purposes described in this subparagraph.''.

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

''(f) DISASTER MITIGATION PILOT PROGRAM.—The following program levels are authorized for loans under section 7(b)(1)(C):

''(1) $15,000,000 for fiscal year 2000.

''(2) $15,000,000 for fiscal year 2001.

''(3) $15,000,000 for fiscal year 2002.

''(4) $15,000,000 for fiscal year 2003.

''(5) $15,000,000 for fiscal year 2004.''.

(c) EVALUATION.—

(1) IN GENERAL.—On January 31, 2003, the Administrator of the Small Business Administration shall submit to the Committees on Small Business of the House of Representatives and the Senate a report on the effectiveness of the pilot program authorized by section 7(b)(1)(C) of the Small Business Act, as added by subsection (a) of this section.

(2) CONTENTS OF REPORT.—The report shall include—

(1) information relating to—

(A) the areas served under the pilot program;

(B) the number and dollar value of loans made under the pilot program; and

(C) the estimated savings to the Federal Government resulting from the pilot program; and

(2) such other information as the Administrator determines to be appropriate for evaluating the pilot program.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. TALENT) and the gentleman from Washington (Mr. BAIRD) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri (Mr. TALENT).

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

Mr. Speaker, I begin by thanking my colleague, the ranking member on the Committee on Small Business, the gentlewoman from New York (Ms. VELÁZQUEZ), for her assistance in moving this bill and also my colleague from Washington (Mr. BAIRD) for his assistance in handling it.

Mr. Speaker, H.R. 818, the Disaster Mitigation Act of 1999, is a common-sense approach to applying the principle of preventive care in coping with natural disasters. H.R. 818 is substantially identical to a measure reintroduced by Senator CLELAND, the measure which actually passed the Senate last year. It is part of the administration's budget request, and it has substantial bipartisan support.

Since 1953, the Small Business Administration has administered the Disaster Loan Program authorized by section 7(b) of the Small Business Act. This program provides loans to help small businesses rebuild after natural disasters.

In past years, the loan program has spent billions of dollars helping small businesses recover from natural disasters. For example, in fiscal year 1998, the SBA lent $728 million for 30,154 disaster loans. In 1997, it lent $1.1 billion for 49,515 disaster loans. In 1994, the SBA's highest demand came when it loaned over $4.1 billion for damage done due to the Northridge Earthquake in California. It was important, Mr. Speaker, that we do this to help people recover from the damage inflicted by natural disasters.

We should also recognize that the cost of disaster assistance has risen over the past several years due to increases in construction and other costs, and it is clear that efforts must be made to help prevent this kind of damage in the first place, both to prevent the human injury and toll and also to hold down costs to the taxpayers. Implementing the program to help small businesses use techniques to lessen damages caused by natural disasters offers the potential to save much anguish for many people across the United States and also to save millions of dollars in the future.

The Federal Emergency Management Agency currently manages Project Impact which works in conjunction with communities and businesses on such mitigation policies and techniques. Passage of H.R. 818 will complement and further these efforts at mitigation by offering small businesses low-interest loans for disaster mitigation through the Small Business Administration.

H.R. 818 authorizes the SBA to establish a pilot program to make loans to small businesses for purposes of mitigating the effects of natural disasters. These loans will be made in support of the mitigation program established at the Federal Emergency Management Agency. The mitigation techniques are varied. They include a wide range of activities, including building improvements, relocation and the like.

H.R. 818 will authorize SBA to lend up to $15 million each year through fiscal year 2004 in support of the Disaster Mitigation Pilot Program. These funds will come from existing section 7(b) disaster loan appropriations and will be subject to appropriations available for that program, so the bill does not authorize any new Federal spending.

Finally, H.R. 818 will require the SBA to report to Congress on January 31, 2003. The report will document the number of loans made, the areas served by the pilot and the estimated savings to the government as a result of the program.

I want to again thank my colleagues, the gentlewoman from New York (Ms. VELÁZQUEZ), and my friend, the gentleman from Washington (Mr. BAIRD), for their assistance in moving the measure before us. Mr. Speaker, I urge my colleagues to support H.R. 818.

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

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

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

Mr. BAIRD. Mr. Speaker, I want to begin by thanking my distinguished colleague from the great State of Missouri, the chairman of the Committee on Small Business, for his work in bringing this bill to the floor today and for his initiative in seeking measures to assist and prevent disasters throughout the country. I would also like to thank my colleague from New York, the distinguished ranking member, who has joined in working to prevent disasters and provide assistance for the victims of disasters.

Mr. Speaker, today we are talking about the need to adequately support people whose lives have been devastated by natural disasters. I happen to live in a district where disasters are not uncommon. With Mount Saint Helens in our district, with heavy rainfall and, unfortunately, with recent landslides, we face a growing need, unfortunately, to have our citizens prepared to prevent and to respond to disasters when they do occur.

Just last week I spent dozens of hours working with a group of citizens from a neighborhood in Kelso, Washington, whose homes have been completely destroyed by a slow-moving landslide. From this experience I have learned a great deal about what happens to families and to neighborhoods when disaster strikes, and I know how imperative it is to help those folks cope with disasters once they occur. I also believe that we need to do more to focus on disaster prevention, and it is to that issue that we speak today.

In the past 10 years, FEMA has spent over $20 billion to help rebuild communities after natural disasters, and the SBA has approved billions more in loans during that same period of time. In 1998 alone, SBA approved over 30,000 loans valued at approximately $728 million. As I speak to my colleagues today, the Cascade Mountains in Washington State are laden with more than two times the normal average snow pack, and if we have an unfortunate weather occurrence, the probability of flooding is quite high. So clearly any approach, such as that which we are discussing today, to minimize damages resulting from natural disasters has the potential to reduce costs to all our taxpayers and, more importantly, to save peoples' lives and homes.

For that reason, I have been strongly supportive of the Impact Program of FEMA that incorporates a simple philosophy: Invest today in long-term prevention so that we may reduce damages resulting from natural disasters. By taking modest steps in advance, we really can save money; and, more importantly, we can save lives.

The operative notion today is money spent in prevention will save all of us money in post-disaster assistance. This legislation will create a demonstration program at SBA. It will provide low-interest loans to small businesses to finance measures that might reduce property loss and increase worker safety in the event of a natural disaster. It authorizes SBA to finance up to $15 million in new loans each year for 5 years and to award those loans to businesses who want to make the necessary changes to reduce disaster impact. This bill also contains an accountability measure. It requires the SBA administrator to report to Congress in the fourth year of the program regarding the number of loans it provided and the estimated savings to the taxpayers and the government that will result from the mitigation efforts.

Mr. Speaker, in our own lives we all try to anticipate risks and try to do what we can to prevent them. Today's effort represents a common-sense, bipartisan approach to minimizing disaster impact. It has the support of Republicans and Democrats alike because it has the potential to save taxpayers' money and to save the lives of our citizens.

So, again, I want to express my profound appreciation to the chairman and to the ranking member and encourage my colleagues in joining me today in support of this legislation.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from New York (Ms. VELÁZQUEZ).

Ms. VELÁZQUEZ. Mr. Speaker, I want to thank the gentleman from Washington (Mr. BAIRD) for yielding this time to me.

Mr. Speaker, I rise today in strong support of H.R. 818, the Disaster Mitigation Pilot Program.

Traditionally, business owners have only been able to get help after a natural disaster has struck and caused damage to their business. For many small businesses, this assistance comes too late to save them from economic ruin.

The loss of revenue and time needed to recover causes countless businesses to fail. Instead of being able to rebuild, many communities are faced with a loss of jobs as many businesses permanently close after a disaster.

We have seen this happen again and again over the past few years. Hurricanes, floods and wildfires have threatened economic stability and the future of communities across this Nation. However, until today, businesses have only been able to get help after it is too late. Today's legislation will change this story.

Mr. Speaker, today we are taking an important step in being proactive rather than just reactive to natural disasters. H.R. 818, the Disaster Mitigation Pilot Program, authorizes $75 million to be used by SBA in cooperation with FEMA over the next 5 years to help businesses in disaster-prone areas take preventive measures to avert or minimize damage should disaster strike. By enabling businesses to take preventive measures which mitigate the damages caused by floods, hurricanes and other disasters, this program would allow them to recover much faster. Therefore, instead of going out of business, they will be able to get back to business much quicker than ever before.

The Disaster Mitigation Program is a common-sense approach to helping businesses cope with disasters. The program also makes fiscal sense. Some estimates show that every dollar spent on mitigation saves $2 in money that will otherwise have to be spent on post-disaster response. Not only will businesses and taxpayers come out ahead, but the American economy will as well.

Finally, I would like to thank the gentleman from Washington (Mr. BAIRD) and the gentleman from Missouri (Mr. TALENT). Their constituents face the threat of natural disaster, and their insight and hard work on this legislation have been a great help to all of us. I strongly support H.R. 818, and I urge my colleagues to vote for this important piece of legislation.

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

□ 1315

Mrs. CHRISTENSEN. Mr. Speaker, I thank my esteemed colleague, the gentleman from Washington (Mr. BAIRD) for yielding time to me.

I also want to take this opportunity to commend our hard-working chairman, the gentleman from Missouri (Mr. JIM TALENT), and the ranking member, the gentlewoman from New York (Ms. NYDIA VELÁZQUEZ) for their leadership and creativity which is providing unprecedented support for small businesses across the country.

Mr. Speaker, I rise today to join my colleagues and express my strong support for H.R. 818, a bill which authorizes $15 million for the Disaster Mitigation Pilot Program of the Small Business Administration. Although there is hardly a part of this country that has not been victimized by natural disasters, as Members know, I represent a district, the U.S. Virgin Islands, which has been devastated by over 5 major hurricanes over the past 10 years. I therefore know firsthand the importance of the Small Business Disaster Assistance Program.

As a matter of fact, the Virgin Islands has utilized $388 million in disaster loan assistance since that time, third only to California and Florida.

Mr. Speaker, we need to pass this legislation. Once H.R. 818 is enacted into law, the SBA will be joining FEMA's Project IMPACT in providing a means for businesses to mitigate the effects of hurricanes. It will be reducing the overall damage to the community that these storms can cause.

I am a resident of the island of St. Croix, which is a Project IMPACT designee, and has been cited by FEMA for its successful mitigation efforts in decreasing damage, injuries, and recovery costs to that agency. Hurricane Georges came through the Virgin Islands, but we heard very little about it because we were prepared. We are a testimony to the fact that mitigation works.

This is a program that I know will be embraced by communities across the country as they try to deal with disasters. I urge the passage of H.R. 818.

Mr. BAIRD. Mr. Speaker, it is encouraging to hear how successful this program can be.

Mr. Speaker, it is a pleasure to yield such time as he may consume to the gentleman from Illinois (Mr. DAVIS).

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

Mr. Speaker, I rise in support of H.R. 818, the Small Business Disaster Mitigation Coordination Act. This is a $15 million effort to help small businesses in disaster-prone areas to take preventative measures to avert and minimize damage due to natural disasters.

This bill, as we have already heard, will further assist FEMA and the SBA in reducing disaster losses by focusing the energy of these departments on the importance of helping small businesses prepare and recover from natural disasters.

By passing H.R. 818, Congress will help FEMA and the SBA provide more disaster assistance to one of the most vulnerable segments of our society, small and very small businesses.

For instance, on August 16th, 1997, severe thunderstorms released heavy amounts of rain in a short period of time. The National Weather Service reported that over 4 inches of rain fell in less than 2 hours on the West Side of Chicago and in neighboring suburban communities. As much as 6.1 inches of rain were recorded in some areas.

The rate of rainfall produced flash flooding that severely overloaded the stormwater drainage system. With nowhere else to flow, the rainwater backed up into literally thousands of basements in the city of Chicago, destroying homes and businesses alike. This bill will enable these businesses to apply and receive loans to prepare before disasters like this one strike.

Mr. Speaker, I think this is an excellent proposal put forth by the Committee on Small Business. I think once again this committee has risen to the occasion. It saw a need, recognized a problem, and got in front of it. So I want to commend the gentleman from Missouri (Chairman TALENT) and the ranking member, the gentlewoman from New York (Ms. VELÁZQUEZ) for making sure that we as Congress do our part to prevent disasters from devastating the small businesses of our Nation.

Mr. BAIRD. Mr. Speaker, it is a pleasure to yield such time as she may consume to the gentlewoman from California (Mrs. NAPOLITANO).

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

Mr. Speaker, this is a very important issue for California, and I am sure Members understand that California has been through floods, fire, and earthquakes in the last 5 years that have necessitated the heavy assistance from FEMA that comes in reactively.

We certainly endorse the thrust of this H.R. 818, and commend both sides for the effort they are putting into working effectively to help small businesses be able to be proactive in an area that is of vital concern to the whole Nation, not just California.

This would enable my small businesses to be able to move some of their infrastructure to where the damage, whether it is a fire or flood, will be less devastating, and in earthquakes, be able to assist a small business survive the rock and rolling that happens in an earthquake in California by being able to strap down their most important pieces of equipment, so they are not damaged.

So it is very essential for us, and I would hope that it would be a slightly larger amount than $15 million a year for 5 years. I think California alone would be able to use that amount, but the effort is what counts. I am sure that both sides will understand, and small business will thank their representatives for being able to understand how important this piece of legislation will be.

I heartily ask both sides to consider that this bill will be a very highly proactive small business bill, because it will be small business that will benefit from it.

Mr. BAIRD. Mr. Speaker, I yield such time as he may consume to the gentleman from Guam (Mr. UNDERWOOD).

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

Mr. Speaker, I stand in strong support of H.R. 818, and I congratulate the gentleman from Missouri (Mr. TALENT), the chairman, the gentlewoman from New York (Ms. VELÁZQUEZ), and the

gentleman from Washington (Mr. BAIRD) for their efforts in this regard.

For many people nationwide, I think Guam is synonymous with a number of things. One of them is certainly natural disasters. Guam's location as the ''center arrow'' of the Pacific Ocean's typhoon alley has made my island community prone to disasters, sometimes on an annual basis. In this decade alone, Guam has been subjected to at least a dozen typhoons. At one time, five had hit Guam in the span of 3 months.

As many may recall, the most recent storm, Typhoon Paka, devastated the island in December of 1997 and caused property damage of over $100 million. On top of these storms, Guam also became a victim of an 8.2 earthquake in 1994, which has been one of the strongest recorded in the Pacific in this century.

H.R. 818 is good legislation. It is proactive, and it will prepare communities, and in particular small businesses, for recovery. SBA already assists my island community by giving SBA disaster loans, and along with FEMA, SBA provides a Federal team that almost every citizen in Guam knows about. I think very few communities could state that their citizens know of what FEMA and SBA disaster loans are all about.

This legislation will help small businesses prepare for disasters, perhaps reducing expenses at the other end of disasters, help communities recover quickly, because small businesses help generate economic activity, which will cause immediate recovery.

Reacting to a storm plagues many communities with confusion. This pilot program aims to empower the business community with information and mitigation activities which will prevent serious losses.

As the previous speaker noted, $15 million is a very small amount, and we understand that this is a pilot project. We understand, too, that the territories are full partners in this program. We certainly hope that in coming years the amounts will be expanded, and we will do everything we can to make sure this pilot project is a success.

I thank both sides for their efforts in this regard.

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

Mr. Speaker, as the statements of my colleagues clearly indicated, the need for preventative, proactive, advanced measures to prevent the damages of natural disasters is clear.

I would like to commend the chairman of this committee for his foresight, his initiative, in moving this bill forward. I would like to thank him and thank the ranking member, the gentlewoman from New York (Ms. VELÁZQUEZ) for her support as well. This is a bill that has common sense, it will save the taxpayers money, and it has bipartisan support. I strongly urge my colleagues on both sides to support it.

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

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

Mr. Speaker, I will close briefly. I appreciate very much the comments from my colleagues in support of this legislation.

I want to make a couple of points in closing, Mr. Speaker. One is that we certainly are given to understand that it is the intention of the administration to implement this legislation quickly, and I would hope that is the case.

It is just a pilot program. There is no reason why it should not be more than a pilot program. It makes perfect sense, and it is going to help a lot of people. That is what it comes down to. So we hope that the administration, the executive branch, will move quickly in implementing this, and the Committee on both sides of the aisle is going to assist in any way that we can.

The second point I wanted to emphasize, Mr. Speaker, is as we have all noted, we hope that this does save dollars for the Federal government, for the Federal Treasury. I am confident it will do that. But the human cost of disasters is what we really have to look at here.

On a very practical level, to the extent we can make this program a working program, it means that small business people on flood plains, small business people on coasts that are consistently battered by typhoons or hurricanes, will have the opportunity to prevent this damage from occurring. They can get glass windows replaced by plexiglass. If they are a small accounting firm in a building, they can get the building raised so that the flood does not affect them as much as it otherwise would.

Anybody, Mr. Speaker, who has talked to individuals whose lives have been devastated by natural disasters knows how important it is that we give them an opportunity to prevent that from occurring in the first place. That is what H.R. 818 does. I commend it to all the Members of the House.

I thank, once again, my colleagues on the other side of the aisle, and in particular, the gentlewoman from New York (Ms. VELÁZQUEZ) for her assistance.

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

The SPEAKER pro tempore (Mr. STEARNS). The question is on the motion offered by the gentleman from Missouri (Mr. TALENT) that the House suspend the rules and pass the bill, H.R. 818.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. TALENT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous matter on H.R. 818.

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

There was no objection.

EXPORT APPLE ACT

Mr. COMBEST. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 609) to amend the Export Apple and Pear Act to limit the applicability of the Act to apples.

The Clerk read as follows:

H.R. 609

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

SECTION 1. SCOPE OF EXPORT APPLE AND PEAR ACT.

(a) SHORT TITLE.—The Act of June 10, 1933 (7 U.S.C. 581 et seq.; commonly known as the Export Apple and Pear Act), is amended by adding at the end the following new section:

''SEC. 11. This Act may be cited as the 'Export Apple Act'.''.

(b) DEFINITION OF APPLES.—Section 9 of such Act (7 U.S.C. 589) is amended by striking paragraph (4) and inserting the following new paragraph:

''(4) The term 'apples' means fresh whole apples, whether or not the apples have been in storage.''.

(c) ELIMINATION OF REFERENCES TO PEARS.—Such Act is further amended—

(1) by striking ''and/or pears'' each place it appears in the first section and sections 5 and 6; and

(2) by striking ''or pears'' each place it appears in the first section and sections 2, 3, and 4.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. COMBEST) and the gentleman from Texas (Mr. STENHOLM) each will control 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. COMBEST).

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

Mr. Speaker, the Export Apple Act replaces the Export Apple and Pear Act, which was enacted on June 10, 1933. Currently, this 66-year-old legislation requires that apples and pears meet certain standards prior to export in order to ensure only high-quality U.S. fruit moves into foreign commerce.

H.R. 609 amends the 1933 act by removing pears from the language, and it will be permitting the means to increase the export of pears.

H.R. 609, which is sponsored by the gentleman from Oregon (Mr. WALDEN) removes pears from the act, thereby allowing U.S. exporters greater flexibility in the changing international marketplace and the opportunity to increase exports by gaining a foothold in emerging markets.

The USDA has advised the committee that mandatory Federal quality

standards for pears are no longer needed to assure the high quality of exporting pears. The USDA supports enactment of H.R. 609. As world economies improve and areas of trade continue to decrease, new market opportunities for fresh pears arise. In order to provide the flexibility to meet the requirements of these new opportunities, H.R. 609 should be passed, and I would urge that my colleagues support this legislation.

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

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

Mr. Speaker, I rise in support of H.R. 609, which updates the Apple and Pear Export Act. For many years, the Apple and Pear Export Act served pear growers well by ensuring a quality product to consumers overseas. The pear industry is now seeking greater flexibility to sell its product in emerging markets around the world.

□ 1330

Recently, the sale of 200,000 cartons of pears to Russia was made possible by a January, 1997, amendment to the act that allowed for the shipment of a more competitive grade of pears to that country. Our farmers are increasingly dependent on foreign markets. It is therefore essential that regulations governing the agricultural industry be designed to help producers compete in those markets.

Mr. Speaker, I urge my colleagues to support this regulatory improvement that will give pear growers greater flexibility to market their product.

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

Mr. COMBEST. Mr. Speaker, I yield such time as he may consume to the gentleman from Oregon (Mr. WALDEN), the gentleman who sponsored this bill and has done a great job in just a few weeks of getting this bill moved forward. We appreciate and commend his work.

Mr. WALDEN of Oregon. Mr. Speaker, I thank the gentleman from Texas (Chairman COMBEST) and the gentleman from Texas (Mr. STENHOLM) for their support of this legislation, and I appreciate the opportunity to speak on this measure.

Mr. Speaker, H.R. 609 will help expand export markets for our Nation's pear growers. The Export Apple and Pear Act passed in 1933 required that apples and pears meet certain standards prior to export to ensure that only the top quality pears and apples were exported.

The United States Department of Agriculture has stated that, because of private contractual arrangements between buyers and sellers, increasingly those arrangements are controlling the quality of U.S. pear exports. The USDA believes that mandatory Federal quality standards, as currently established under the act, are no longer needed to assure the high quality of exported pears.

As new markets have opened up in the last decade, opportunities for sale of lower grade and less expensive pears have arisen. Because of the 1933 act, U.S. producers and exporters of pears have been unable to meet the demand for lower grade pears in other countries without receiving a waiver of the act from USDA.

The pear industry has on two occasions over the past decade petitioned and received a waiver from the USDA to sell non-U.S. Grade Number One and Fancy Grade winter pears in the emerging markets of Central and South America and Russia. The waiver for Russia allowed the industry to sell 200,000 cartons of pears to that Nation in 1997. Past experience indicates that when these markets can afford it, they will move on to purchase our higher grade fruit.

As world economies improve and barriers to trade continue to decrease, new market opportunities for fresh pears arise. This legislation will allow our pear growers to get a foothold in emerging foreign markets. In order to provide the flexibility to meet the requirements of these two opportunities without having to seek new exemptions, the fresh pear industry is seeking to be removed from the 1933 Export Apple and Pear Act.

Mr. Speaker, this legislation, as I mentioned, has the support of the USDA, pear industry and is not opposed by the apple industry. Furthermore, the Congressional Budget Office has determined that this legislation would not impose any costs on the Federal Government. H.R. 609 is sound policy that allows U.S. pear growers and exporters the flexibility to compete in emerging foreign markets.

Mr. Speaker, I appreciate the opportunity to speak on this important legislation to our pear growers, especially those of the Northwest, and I commend and thank the gentleman from Texas (Mr. COMBEST) and the gentleman from Texas (Mr. STENHOLM) of the House Committee on Agriculture for passage of this measure to the floor.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. COMBEST) that the House suspend the rules and pass the bill, H.R. 609.

The question was taken.

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

The yeas and nays were ordered.

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

GENERAL LEAVE

Mr. COMBEST. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill just considered.

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

There was no objection.

NULLIFYING RESERVATION OF FUNDS FOR GUARANTEED LOANS UNDER CONSOLIDATED FARM AND RURAL DEVELOPMENT ACT

Mr. COMBEST. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 882) to nullify any reservation of funds during fiscal year 1999 for guaranteed loans under the Consolidated Farm and Rural Development Act for qualified beginning farmers or ranchers, and for other purposes.

The Clerk read as follows:

H.R. 882

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

SECTION 1. NULLIFICATION OF RESERVATION OF FUNDS DURING FISCAL YEAR 1999 FOR GUARANTEED LOANS UNDER THE CONSOLIDATED FARM AND RURAL DEVELOPMENT ACT FOR QUALIFIED BEGINNING FARMERS OR RANCHERS.

Amounts shall be made available pursuant to section 346(b)(1)(D) of the Consolidated Farm and Rural Development Act for guaranteed loans, without regard to any reservation under section 346(b)(2)(B) of such Act.

SEC. 2. QUALIFIED BEGINNING FARMERS AND RANCHERS TO BE GIVEN PRIORITY IN MAKING GUARANTEED LOANS UNDER THE CONSOLIDATED FARM AND RURAL DEVELOPMENT ACT FROM SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 1999.

In making guaranteed loans under the Consolidated Farm and Rural Development Act from funds made available pursuant to any Act making supplemental appropriations for fiscal year 1999, the Secretary of Agriculture shall, to the extent practicable, give priority to making such loans to qualified beginning farmers and ranchers (as defined in section 343(a)(11) of such Act).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. COMBEST) and the gentleman from Texas (Mr. STENHOLM) each will control 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. COMBEST).

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

Mr. Speaker, I bring to the floor a bill, H.R. 882. This bill costs nothing but will provide immediate relief to the Nation's farmers and ranchers who are today experiencing a serious credit crunch brought on by natural disasters and low commodity prices.

I am pleased to be joined by the gentleman from Texas (Mr. STENHOLM), the ranking Democrat on the Committee on Agriculture, as well as the gentleman from Nebraska (Mr. BARRETT), the gentleman from Minnesota (Mr. MINGE), and a number of other Members in introducing this measure.

Our bill is simple and straightforward. Currently, funds for guaranteed ownership loans are exhausted in

more than half of the States. Money for guaranteed operating loans with interest assistance has dried up in most of the Corn Belt States and several others as well. There is simply no money currently available for those farmers desperately needing credit assistance now.

Meanwhile, there is approximately $470 million in loan guarantee funds sitting in the Department of Agriculture that has gone unused and will continue to go unused for another month unless Congress acts. By law, these funds are tied up until April 1, 1999, for the Beginning Farmers and Ranchers program, a worthwhile program that is nonetheless not being tapped at this time.

This bill simply releases these unused funds one month early to enable the Secretary of Agriculture to meet the very immediate need for guaranteed loans in farm communities.

Mr. Speaker, while this bill is very important, I do want to advise my colleagues that it does nothing to eliminate or in any way diminish the tremendous need for the supplemental appropriations for agriculture requested last week by the President. This bill is only a stopgap measure to temporarily fill an immediate need that simply cannot wait for a supplemental appropriation.

In short, the demand for credit is now. As many of my colleagues know, American farmers and ranchers borrow more money every year than most us will borrow in a lifetime, only to risk it all. Sometimes the gamble pays off, and sometimes it does not. Last year, for many of America's farmers, it did not. As a result, cash-strapped farmers who have already made their planting decisions for the coming growing season desperately require cash in-hand right now to make another go of it.

This is the immediate short-term problem our bill would address if enacted quickly.

Again, this bill does not cost the U.S. Treasury any additional money. The funds in question have already been appropriated. In addition, I want my colleagues to know that this measure enjoys the support of the administration and a broad bipartisan support in the Congress.

Mr. Speaker, for these reasons, I urge immediate passage of H.R. 882.

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

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

Mr. Speaker, I rise in support of H.R. 882 and urge its passage by the House. H.R. 882 would provide available guaranteed loan funds to farmers and ranchers currently working with their local lenders to ready their finances for planting or in deciding whether to keep their livestock herds intact.

The Department of Agriculture is projecting they will run out of guaranteed operating funds nationwide by March the 15, with interest assisted operating loan funds depleted by the end of this week. Many of my colleagues may already be receiving phone calls from constituents who are getting ready to plant and need to buy seed, but they have been told there are no USDA loan funds available so they cannot go out and buy their needed inputs.

H.R. 882 would speed up the needed release of available guaranteed loan funds that have been reserved for beginning farmers and ranchers until April 1. Since we are not certain when a supplemental spending bill may be approved by the Congress, we could face a situation where ag producers are left without the ability to purchase needed inputs.

H.R. 882 will provide a bridge to agriculture producers and lenders until we are able to provide additional credit funds and supplemental appropriations legislation. While it does help by providing needed credit that is already available on a more timely basis, it does not do away with the need for Congress to act on this front.

This is especially true since H.R. 882 only deals with the guaranteed loan programs and does not help ease the immediate need for additional emergency loan funds and the pending need for additional direct operating and ownership loan funds.

Mr. Speaker, again, I urge my colleagues to support this modest, fiscally responsible step to help ease the financial strain facing our farmers and ranchers as well as their hometown banks and local communities.

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

Mr. COMBEST. Mr. Speaker, I yield such time as he may consume to the gentleman from Nebraska (Mr. BARRETT), chairman of the Subcommittee on General Farm Commodities, Resource Conservation, and Credit of the House Committee on Agriculture.

Mr. BARRETT of Nebraska. Mr. Speaker, I rise today in support of H.R. 882, which is a bill to provide some stopgap funding for some guaranteed loans for our agricultural producers.

This bill would eliminate the restrictions on about $470 million worth of guaranteed loans under the Consolidated Farm and Rural Development Act for qualified beginning farmers and ranchers. This is a much-needed piece of legislation that would provide for stopgap funding for many States that have exhausted their available allocations of guaranteed loan funds, including my own State of Nebraska.

It is important to stress that this money that the U.S. Department of Agriculture has has not been used. The beginning farmer targets would be lifted on April 1. It would not be possible for the Department to use the ''fenced'' $470 million by April 1.

Of particular concern as we prepare for spring planting in the Midwest is the ability of producers to show an adequate cash flow as they meet with their lenders. This legislation would make valuable use of this money now as farmers are preparing for their spring planting.

Mr. Speaker, there is no question that we have producers in rural areas that are struggling with low market prices and adverse weather conditions. With current market prices, some farmers are being faced with the added difficulty of obtaining operating loans.

Freeing up the beginning farmer guaranteed loan money that has not been used will be of great benefit to our producers. Nullifying any reservation of funds will potentially benefit a producer who otherwise would not have had a loan funding available.

As the gentleman from Texas (Chairman COMBEST) has indicated, I would also stress to my colleagues that there is still a need for what the President has requested in the supplemental. This legislation is not meant to replace the supplemental, but it will get our producers through perhaps the next 30, 45 days or so.

If a beginning farmer needs money, they probably have gotten it by now, as it has been available since late October. However, for those still in the USDA bureaucratic pipeline, this legislation says that beginning farmers will have priority under the supplemental.

Mr. Speaker, Congress has been doing its part to help our beleaguered producers; and this legislation is yet another effort to ensure that our farmers and ranchers will have adequate capital this spring. I urge the passage of H.R. 882.

Mr. STENHOLM. Mr. Speaker, I yield such time as he may consume to the gentleman from North Carolina (Mr. ETHERIDGE).

Mr. ETHERIDGE. Mr. Speaker, I thank the gentleman from Texas (Mr. STENHOLM) for yielding me this time.

I want to take this opportunity this afternoon to thank the gentleman from Texas (Chairman COMBEST) and the gentleman from Texas (Mr. STENHOLM), the ranking member, for their hard work in bringing this important piece of legislation to the floor this afternoon in such a quick manner.

I am proud to be a cosponsor on this legislation, and I am glad that we are passing a bill that will help farmers through some of the most difficult times that they will face in decades.

Mr. Speaker, for more than a year now, farmers have been excluded from the robust economy that the rest of this country has enjoyed. While many citizens debate whether or not to roll over their IRAs, farmers are just trying to figure out how they can survive and put food on the table until this crisis has been turned around.

We have to take action to make sure that they survive and they have an opportunity to prosper. If we do not, consumers will want to know why the grocery store shelves are empty and food prices are so high, while farmers are left to pick up the pieces. We have to act now.

Mr. Speaker, yesterday, Secretary Glickman came to a farm breakfast in my district. More than 300 farmers showed up for breakfast. That is twice

the number that normally come in any given year. From the comments of what those folks said at that breakfast, they are hurting and hurting badly.

□ 1345

These loans will determine whether or not some of those farmers and their families and their neighbors can stay on the farm. I am glad we are taking action to help farmers make it through the dire straits that they now face and that we will act today.

Our small farmers are a vital part of our economic fiber in this country. They are important to the character of rural North Carolina and America, and we cannot afford for those small farmers to cease to exist.

I am proud of what we are doing this afternoon, and I want to make sure that this important program is available to farmers as they approach the critical spring planning season.

This is the first, as you have already heard, in many steps, including crop insurance reform and supplemental funding for this year as we look at the 1999 year that this Congress must take to strengthen the safety net for our farmers.

I urge unanimous passage of H.R. 882, and I look forward to working with my colleagues on the Committee on Agriculture and others in this Congress to make sure that we provide a safe and secure future for American farmers so the rest of us might enjoy a safe and secure future and good food.

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

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

Mr. Speaker, I would like to thank the gentleman from North Carolina (Mr. ETHERIDGE) for pointing out the fact that, while so many people in this country think the economy is doing so well, it is obvious those who say that have not been in the farm communities recently. There are some very, very difficult times ongoing there.

Mr. SMITH of Michigan. Mr. Speaker, I rise in support of H.R. 882. Natural disasters and low commodity prices have forced many farmers and ranchers to seek government loans to cover operating and ownership expenses. In fact, in many states, funds available for these USDA programs have already been exhausted, creating a credit crunch at a time when these loans are absolutely necessary to cover producers expenses.

H.R. 882 will immediately make available to the Secretary of Agriculture $450 to $500 million in unused funds in order to guarantee loans to farmers and ranchers. These unused funds are currently set aside for the Beginning Farmers and Ranchers program but were not to be available until April 1. Because it is not anticipated that these funds will ever be used by this program it makes sense to have them available for those most in need.

This bill requires no new net government outlays and will have no effect on the federal budget. It is a common-sense reaction to the problems facing rural America today and it deserves our full support.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. COMBEST) that the House suspend the rules and pass the bill, H.R. 882.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. COMBEST. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 882, the bill just passed.

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

There was no objection.

SOCIAL SECURITY GUARANTEE INITIATIVE

Mr. SHAW. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 32) expressing the sense of the Congress that the President and the Congress should join in undertaking the Social Security Guarantee Initiative to strengthen and protect the retirement income security of all Americans through the creation of a fair and modern Social Security Program for the 21st Century, as amended.

The Clerk read as follows:

H.J. RES. 32

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

SECTION 1. SHORT TITLE.

This joint resolution may be cited as the ''Social Security Guarantee Initiative''.

SEC. 2. FINDINGS.

The Congress finds that—

(1) the Social Security program provides benefits to 44,000,000 Americans, including more than 27,000,000 retirees, 5,000,000 people with disabilities, and 2,000,000 surviving children, and is essential to the dignity and security of the Nation's elderly, disabled, and their families;

(2) the Social Security program's progressive benefit structure is of particular importance to women, due to their (A) longer life expectancies than men, making the Social Security program's lifetime, inflation-adjusted benefits a critical income support especially for widows; (B) lower average earnings; and (C) lower pension and other retirement savings, stemming in part from their lower incomes and their spending an average of 11 years out of the paid workforce caring for families;

(3) the approaching retirement of the Baby Boom Generation will result in the Social Security program's benefit costs exceeding its tax revenues beginning in 2013;

(4) the Social Security program faces looming insolvency and instability in the next century so that by 2032 the Social Security Trust Funds will be fully depleted and the program will be able to honor less than 75 percent of benefit commitments; and

(5) prompt action is necessary to restore Americans' confidence that their retirement benefits will be protected.

SEC. 3. SENSE OF THE CONGRESS.

The President and the Congress should join in strengthening the Social Security program and protecting the retirement income security of all Americans for the 21st century in a manner that—

(1) ensures equal treatment across generations to all Americans, especially minorities and other low-income workers;

(2) recognizes the unique obstacles that women face in ensuring retirement, disability, and survivor security and the essential role that the Social Security program plays in protecting financial stability for women;

(3) provides a continuous benefit safety net for workers, their survivors, their dependents, and individuals with disabilities;

(4) protects guaranteed lifetime benefits, including cost-of-living adjustments that fully index for inflation, for current and future retirees; and

(5) does not increase taxes.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. SHAW) and the gentleman from New York (Mr. RANGEL) each will control 20 minutes.

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

GENERAL LEAVE

Mr. SHAW. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.J. Res. 32.

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

There was no objection.

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

Mr. Speaker, our work on Social Security is well under way. We have held numerous Social Security hearing already this year, and the President has provided us with a framework for the Congress to consider as we work towards a bipartisan solution to Social Security's problems.

In fact, we are in agreement with President Clinton on many of the major issues relating to preserving and strengthening our Social Security system; namely, one, action is necessary now to shore up Social Security's financial underpinnings; two, 62 percent of the Federal budget surplus should be set aside until Social Security is indeed saved; three, investment in markets can be a part of the long-term solution for Social Security; and, four, personal savings accounts are both technically feasible and a necessary part of the solution.

Passage of H.J. Res. 32 will add to this strong start and will further strengthen our bipartisanship as we face the challenges ahead. The joint resolution says that Congress and the President should protect benefits for current and future retirees while avoiding any tax increases.

On a program as vital to our country as Social Security, I am sure all of my colleagues will agree that we must work together, and H.J. Res. 32 is a measure that deserves all of our support. I hope they will join with me in showing the American people that Congress is committed to strengthening and preserving Social Security for the future and for future generations.

Let me also add that I view this resolution as a test of whether the two parties can work together. We certainly

did in the passage of this in the full committee. If we divide into partisanship over a simple, noncontroversial resolution affirming our support for Social Security, why should the American people expect us to be able to work together to actually save Social Security.

Whatever our differences may be, and I am sure we will have plenty of differences, surely we can agree on this resolution as it is vitally necessary to the future of Social Security that we do work together and we work together in this Congress.

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

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

Mr. Speaker, in the old partisan days, I would say this resolution is good because Santa Clause is coming through. But recognize that we have not had too many legislative accomplishments. Being very anxious to display some degree of bipartisanship, let me congratulate the majority for this resolution for whatever it means.

In the olden days, when people saw a problem, they started legislating. But if this is a new thing, where you send a message that I recognize the problem and I do intend to legislate, well, who can be against that?

So let me join with my Republican colleagues and say we have a very, very serious problem with Social Security in its present form. The majority party is acknowledging that it is going to do something about it. They have met the President halfway in terms of identifying the set-aside of the 62 percent. But they have a great deal of difficulty in stating that they will not entertain a tax cut from using the surplus until such time as we take care of the Social Security system and the Medicare trust system as we know it.

Now, I do not know why these things are omitted. I have no idea as to why they are difficult to talk about. But let me join with my friend the gentleman from Florida (Mr. SHAW) and say that half a loaf is better than nothing. I sincerely hope that we get beyond these resolutions and see what we can do in a bipartisan way to find a solution to this serious problem.

The reason I say this, Mr. Speaker, is that the gentleman from Florida (Mr. SHAW) and I know that this problem does not lend itself to a Republican answer or to a Democratic answer. If it is going to be done, and we both hope that it will be done, it has to be done in a bipartisan way.

What has been done to move us closer to a bipartisan effort besides this resolution, I do not know. But if, with a great deal of imagination, I can say that let this be that one first step toward a journey which has to be concluded this year if we are going to do anything at all, then I want to be on the floor to join with the gentleman from Florida in this resolution.

Mr. Speaker, I yield the balance of my time to the gentleman from California (Mr. MATSUI), and I ask unanimous consent that he be permitted to control that time.

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

There was no objection.

Mr. SHAW. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin (Mr. RYAN), the architect of this joint resolution.

Mr. RYAN of Wisconsin. Mr. Speaker, I thank the gentleman from Florida (Mr. SHAW), the chairman of the Subcommittee on Social Security for yielding me this time.

Mr. Speaker, I agree with the gentleman from New York (Mr. RANGEL) and the comments that were made. We do have to get beyond resolutions and get to real solutions. But as we debate what we are going to do on Social Security, we need to send a message to our Nation's Social Security retirees, our current beneficiaries, that they will be held harmless in this debate as we move forward on Social Security.

I authored this resolution because I believe it is vital that Congress send a very clear message to the millions of Americans who rely on Social Security today.

As we debate how best to fix and preserve Social Security, we must also commit ourselves to guaranteeing this generation of retirees that their benefits will be there when they need them.

I recently completed 21 town hall meetings over the Congressional recess on Social Security throughout southern Wisconsin. At every single one of these meetings, I had constituents who are concerned about the talk they hear on Social Security. Whether it is 62 percent, 38 percent, whatever percent, they are concerned that their current level of benefits will be diminished.

I think it is very important that we, as a conference, on a bipartisan basis, send a signal that their benefits will not be cut; that we have to preserve guaranteed benefits for current retirees and people who are about to retire. Then we have to look at how we are going to keep Social Security solvent for future generations.

This is the most important task that is facing this Congress this year. I think that this resolution gets us off to a good start, gets us off to a bipartisan agreement.

From the western edge of my district in Brodhead, Wisconsin, to the shores of Lake Michigan in Racine, at every stop, I heard these types of comments. There was one thing that I learned, that I heard from an older gentleman in Evansville, Wisconsin; and this is a remarkable recommendation. I want to quote him. He said, ''If Congress allows Social Security to go broke, and seniors can no longer receive their benefits, then Members of Congress should not be allowed to receive their pensions.''

The people will hold this Congress and this administration accountable, and they should. Thousands of other seniors throughout my district have echoed these concerns. They have great concerns about whether Social Security will be there as we negotiate and as we put together a bipartisan agreement to fix this program for the seniors in the future.

But I want to be very clear about what this resolution does. One, for current and soon-to-be retirees, there will be no loss of benefits, no additional costs to beneficiaries, and no increased payroll taxes. Two, for the next generation of retirees who are now paying into the Social Security program, we must guarantee that the program will be saved and that their benefits will be there in their retirement years.

Mr. Speaker, we have a historic opportunity to preserve what has been one of our Nation's most successful programs. I look forward to working with both seniors in my district and my colleagues in Congress on this important issue.

I urge Members on both sides of the aisle to vote in favor of the resolution.

Mr. MATSUI. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. CARDIN).

Mr. CARDIN. Mr. Speaker, Social Security is the most successful domestic program in the history of our Nation, keeping 40 percent of our elderly out of poverty and 800,000 children out of poverty.

I support this resolution. But the real issue is whether Congress will finish the work begun by the President when he introduced the framework for Social Security, strengthening our system. The President's plan lays out a good foundation of reducing public debt and shoring up the program's assets.

Social Security is too important of a program to play partisan politics. We must focus on improving the Trust Fund rate of return, restoring long-term solvency, and protecting benefits for current and future retirees. We should also focus on helping Americans save for their retirement to supplement the guaranteed benefit they receive from Social Security.

Finally, Mr. Speaker, we should make strengthening Social Security and Medicare our top fight and enact those reforms before any other aspect of our budget. Let us make it our top priority. Let us get it done. Let us get it done in a bipartisan way, and let us move on, really, to the bill itself rather than just this resolution.

Mr. SHAW. Mr. Speaker, I yield 1½ minutes to the gentleman from California (Mr. GARY MILLER).

(Mr. GARY MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GARY MILLER of California. Mr. Speaker, I rise in favor of House Joint Resolution 32. I want to thank my fellow freshman, the gentleman from Wisconsin (Mr. RYAN) for his leadership on this issue.

This bill is our opportunity to stand up and say our government will pay what it owes the people. We are committed to keeping the promise of Social Security.

When our constituents look at their pay stubs, they see a large portion of their hard-earned money going to Social Security. Ninety-six percent of all workers pay 12.4 percent of payroll taxes. That is 148 million workers and their employers.

□ 1400

Every one of those workers sees the exact dollar amount on the Social Security portion of their paychecks. In exchange for that money, they expect a certain amount of help in their retirement years. They expect that money to come back to them in later years. I repeat, they expect that money to come back to them in later years. They do not care about charts and graphs here in Washington, they just know that money is going out of their pockets and expect to have some of it come back. They have paid for Social Security, they have been promised the money will come back to them when they retire, and we are committed to making sure that promise is kept.

I know that some changes, some of them possibly difficult changes, will have to be made to make Social Security solvent, but we need to keep our promise.

Mr. MATSUI. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. NADLER).

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

Mr. NADLER. Mr. Speaker, this resolution recognizes the historic importance of Social Security and commits the Congress to protect guaranteed lifetime benefits, including cost-of-living adjustments that fully index for inflation, for current and future retirees. For this reason, I will vote for it, but I must note several flaws in the resolution.

We should have included a provision that states that Social Security should be strengthened in a way that does not cut benefits, does not raise the retirement age, and does not place individuals at financial risk in their senior years by diverting Social Security tax revenues to individual private accounts. These ought to be the guiding principles of the Social Security debate.

This resolution also states as fact the prediction of the trustees that by 2032 the trust funds will be fully depleted and the program will be able to honor less than 75 percent of benefit commitments. But this prediction will be correct only if the trustees' other prediction, that our economic growth rate will decline from 3.8 percent to 1.5 percent, and stay at that absurdly low level for 70 years, is also correct.

All of the budget calculations of the administration, the House Committee on the Budget, the Senate Committee on the Budget, and CBO assume much higher growth rates. Nobody really believes that the 1.5 percent prediction of the trustees is anywhere near correct. So we should not make a congressional finding of fact we do not really believe to be true.

But even granting the trustees' projection for the sake of argument, the shortfall predicted by the trustees is still small and manageable, can be completely funded in a way that does not cut benefits, raise the retirement age, raise tax rates or shift economic risk to individuals by shifting to a system of individual accounts.

I plan on introducing legislation later this week that will do just that.

Raising the retirement age, which is a key component of many so-called "reform" proposals, is cruel and unnecessary, especially for those whose careers demand hard physical labor, and this resolution ought to say so.

Cutting benefits, either directly or by replacing the defined benefit nature of Social Security with a defined contribution program, would devastate millions of Americans who are just barely getting by right now. Benefits should not be reduced and the basic guarantee of Social Security must not be undermined in any way. This is crucial, and it ought to be included in this resolution.

Mr. SHAW. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. SMITH), who has early on been working very hard on a reform package.

Mr. SMITH of Michigan. Mr. Speaker, I thank the gentleman for his good words.

This resolution is good. All resolutions are good that move us ahead with a commitment to fix this significant problem. I think maybe we will start believing these resolutions and we will do it.

But, look, everybody needs to understand it is not easy. A Committee on the Budget staffer just figured out if we put every cent of the surplus into Social Security at a nominal return of 10.5 percent, every cent of the surplus over the next 5 years, it would only keep Social Security solvent until the year 2040.

I mean this is a tough question. It is so easy to demagogue. I hope there will be a commitment by both sides of the aisle and the President of the United States to not criticize parts of the program as we try to move ahead with a very serious effort to make a solution. I would ask the Democrats to give us their ideas and their proposals that can be scored to keep Social Security solvent and, likewise, Republicans do the same, to try to seriously move ahead with saving a very important program.

Mr. MATSUI. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. STENHOLM), the ranking Democrat on the Committee on Agriculture.

Mr. STENHOLM. Mr. Speaker, I thank my friend for yielding me this time, and I wish to use this opportunity for a little prekindergarten 101 budget talk.

Through all the rhetoric we hear today and we are soon to hear as we anxiously await the budget for 2000, let us remind ourselves today there is no surplus to be divided for any purpose for the next 2 years, other than by using Social Security Trust Fund. And for the next 5 years there is $82 billion that are non-Security Trust Fund.

Let us remind ourselves of that and use this opportunity in a bipartisan way, as we unanimously vote for this resolution today, that what we are saying is, unequivocally, that a lot of the rhetoric we hear about who and how much we are going to spend, and how much we are going to cut taxes, will not fit within the spirit of the resolution that is voted on today.

Let us remind ourselves of that today as we vote for this and use this in a positive way to do what all of us want to do, both sides of the aisle. And I agree with the gentleman from Michigan, there are some of us on this side, as on that side, that are willing to make some of the tough choices. That will come through committee work.

Mr. Speaker, I rise in support of this resolution. This resolution doesn't do anything to actually strengthen Social Security, but I hope that it is the beginning of a bipartisan process to honestly address the financial problems facing Social Security.

Social Security reform should start by walling off the Social Security surplus and saving it for Social Security. We shouldn't even talk about budget surpluses until we have truly taken Social Security off-budget by balancing the budget without counting the Social Security surplus. All of the Social Security surplus should be saved for Social Security by using them to reduce the debt held by the public.

There is no surplus today unless you count the Social Security surplus. A tax cut that is not paid for will require us to increase borrowing from Social Security trust fund for purposes other than saving it for Social Security.

I want to remind all of my colleagues that there is no free lunch. The promised benefits under Social Security will cost $9 trillion more than we can afford over the next 75 years—that money will have to come from somewhere. The Directors of the Congressional Budget Office and the General Accounting Office and Federal Reserve Chairman Alan Greenspan have all testified that Congress and the President must make tough choices to bring Social Security costs in line with revenues. Many proposals that appear on the surface to offer painless resolutions have significant hidden costs and shortcomings which must be taken into consideration.

I have been critical of the President's plan for avoiding the heavy lifting of proposing reforms to deal with the unfunded liabilities of the system. I am equally troubled by the proposals being floated by some of my friends on the other side of the aisle that suggest that individual accounts are a magic bullet that offers a painless solution to save Social Security without making any structural reforms.

Rhetorically acknowledging that tough choices are inevitable is not enough. Reaching agreement on fiscally responsible legislation that truly makes Social Security financially sound without simply shifting costs to future taxpayers will require leadership by the President and Congressional leadership. I encourage both the President and the Leadership hear in Congress to provide the leadership necessary to move the debate beyond the misleading suggestion that projected surpluses

alone will save Social Security and begin a serious discussion about the tough choices that remain.

There is a bipartisan bill that meets all of the principles in this resolution which makes Social Security financially sound and gives future generations the flexibility to address other priorities. JIM KOLBE and I have proposed legislation, the 21st Century Retirement Security Plan, which would preserve the best features of the current system while modernizing it for the 21st century. Our plan would strengthen the safety net, restore the long-term solvency of the Social Security Trust Fund, reduces future liabilities and increase individual control over retirement income, all without increasing taxes.

The plan would create individual security accounts, funded through a portion of the current payroll tax, to explicitly replace unfunded liabilities by prefunding a portion of future retirement income. The plan also establishes a minimum benefit provision which, for the first time, guarantees that workers who work all their life and play by the rules will be protected from poverty, regardless of what happens to their individual accounts. We make benefit changes in a progressive manner through bend point changes that affect middle and upper income workers, who will benefit from individual accounts. Perhaps most importantly, our legislation ensures that future governments will have resources to deal with other problems in addition to providing Social Security by honestly confronting the future unfunded liabilities of the system that will threaten other budgetary priorities if we do not take action.

I encourage all my colleagues to follow through on the bipartisan rhetoric embodied in this resolution and roll up our sleeves to tackle the tough choices necessary to strengthen and preserve Social Security for the 21st Century.

Mr. SHAW. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. HAYWORTH), a member of the Subcommittee on Social Security of the Committee on Ways and Means.

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

Mr. Speaker, there is a daunting challenge at hand, and part of that challenge of saving Social Security is to approach this problem not as Republicans or as Democrats, but as Americans; understanding the dependence of many in their old age on this program, understanding the concerns of those of generations just entering the work force, understanding the concerns of baby boomers who have paid into the system and hope to see it continue.

As we begin this debate, as we work to solve this problem, this resolution is a good starting point. In committee we accepted many amendments from our friends in the minority. Now, there is not unanimity, to be sure, but with this resolution we reaffirm the primacy, necessity and commitment of this Congress to the Social Security program. And, more importantly, we say, let us save it without increasing taxes and protecting against inflation. So that is where we start.

I would echo the comments of my colleague from Michigan; that we should avoid the temptation to point fingers, to engage in fear rather than facts. And the reality must be borne out by our rhetoric and, more importantly, our resolve. The American people look to us and count on us, and in this spirit today it begins now with the passage of this resolution.

Mr. MATSUI. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Speaker, I basically support this resolution. Americans have been misled by some to doubt that Social Security will provide retirement security. In fact, Social Security does not face a financial crisis. A projected shortfall occurring 34 years in the future is not a crisis, it is a projection. No other organization, public or private, has a plan for operation nearly two generations into the future.

Social Security does face a political crisis if Congress abandons its commitments to guarantee benefits. This resolution is a good first move and should put to rest whether Social Security will pay full benefits. With this resolution Congress pledges to guarantee paying full benefits to current and future retirees.

A pledge is good. Making it the law would be better. Congress will have to add this concept in any reform legislation we adopt to make the words of this resolution meaningful. We must work to ensure that any reform legislation Congress passes also upholds the Social Security guarantee that promised benefits are as good as money and are backed by the full faith and credit of the United States, just like our currency and bonds.

I hope everyone will join me in adding meaning to this resolution by writing the Social Security guarantee into law.

Mr. SHAW. Mr. Speaker, I yield 1½ minutes to the gentleman from North Carolina (Mr. HAYES).

Mr. HAYES. Mr. Speaker, I applaud the efforts of my colleague from Wisconsin (Mr. RYAN) for his introduction of a resolution that undertakes the Social Security Guarantee Initiative. Through this resolution we establish a framework for debate and reaffirm our commitment to the long-term solvency of Social Security.

It is clear to me that the moment is prime for a national debate on Social Security. The citizens of our Nation understand the importance of Social Security's fiscal health, not only for the time being but for generations yet to come. They expect their elected officials to come together in a bipartisan fashion to provide solutions.

I recently had the opportunity to lead a forum on the future of Social Security reform. What struck me the most about this particular event was that its main participants were not a panel of experts or a group of politicians. Instead, those most interested were concerned North Carolinians who have a stake in the system and expect a fair return on their investment. They do not need policy experts from Washington to explain to them that in a few years the government will not have enough money to keep the promises it made when the program began.

Mr. Speaker, ensuring the viability of Social Security is a tall challenge, and I realize there is no silver bullet, but we must take one step at a time. I support the resolution before us now and the spirit of cooperation that it represents. Citizens from my district, the Eighth District of North Carolina, expect their elected officials, Republicans and Democrats alike, to work together for a better future.

Mr. MATSUI. Mr. Speaker, I yield 1 minute to the gentleman from North Dakota (Mr. POMEROY).

Mr. POMEROY. Mr. Speaker, I thank the gentleman from California.

The resolution calls for equal treatment in Social Security across generations, especially for workers of minorities. It says Congress must recognize the unique obstacles facing women and the disabled. The resolution says we must guarantee a lifetime benefit for America's elderly and those future retirees and avoid, in the process, increasing taxes.

Now, I support these principles, and I believe the President's framework also advances these principles in the administration's proposal for dealing with Social Security. I am, therefore, going to vote for this resolution. But I want to note the resolution, in and of itself, does nothing.

A point of concern I would have about it is that sometimes I have seen resolutions offered by majorities that have no intention on actually advancing legislation to get something done. I have also seen resolutions extolling principles advanced when the plan is to advance legislation that actually achieves something quite different.

Now, the ultimate question, and the point of uncertainty, can only be addressed by a plan. So I say to the majority, give us a plan. Let us move the debate past meaningless resolutions to actual debate.

Mr. MATSUI. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. LEVIN).

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

Mr. LEVIN. Mr. Speaker, I rise in support of the resolution because it involves the most important of all issues, preserving Social Security and Medicare. But while I appreciate the sentiments, I think it is most important we really get down to legislation.

In a sense, this is a baby step when we need a great leap forward. It is entitled Social Security Guarantee Initiative, but it really guarantees nothing. We have to get busy on legislation. The President has proposed his position, now we need to hear from the majority and then begin to compare notes and to act.

This resolution would be more meaningful if it had said that the first priority should be to save Social Security

and Medicare as we proposed in the full committee. But in any event, let us pass this resolution and then get down to a bipartisan effort to secure Social Security and Medicare for the long run.

Mr. SHAW. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. WELLER).

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

Mr. WELLER. Mr. Speaker, I stand here today in support of this resolution, and I want to commend the gentleman from Florida (Mr. SHAW) and the gentleman from California (Mr. MATSUI) for the statements they have made publicly to work together in a bipartisan way.

One statement we will make very clear today is every Member of the House, I expect, will vote for this. Because even though we may disagree a little bit on how to do it, we all stand here because we want to save Social Security. In fact, we are committed to saving Social Security not just for today's seniors but for future generations, the next three generations, who depend on Social Security.

When I think of Social Security, I think of my own mom and dad, now in their 70s. I think of my nieces and nephews that are college age and entering the work force out of high school. They all look for Social Security. They have paid their dues into Social Security, and they want Social Security to be there when it is their turn.

Social Security today, as some have pointed out, is sound for today's seniors. But the question is how are we going to make Social Security sound for future generations. That is the challenge that is before us.

I hope we remember as we go through this process the importance of looking at how Social Security impacts women as we look at the numbers; as we look at ways to ensure that we treat women equally and fairly when it comes to Social Security. Because it is clear that statistics show that elderly women have been almost twice as likely as elderly men to live in poverty. That is a challenge we need to meet, and I hope we can do it in a bipartisan way.

Once again, I also plan to offer an additional solution to help supplement Social Security. I believe that we should reward retirement savings. I believe that we should eliminate discrimination against retirement savings and allow people to contribute more to their 401(k)s and their IRAs.

□ 1415

We should also allow working moms to make up missed contributions through catch-up IRAs, allow them to make up the contributions for their retirement accounts that they could have made had they stayed working and instead chose to stay home with their children.

We should allow working moms to have that opportunity. Catch-up IRAs will be a big help for women. Let us work in a bipartisan way.

Mr. Speaker, as a member of the Social Security Subcommittee, I strongly support H.R. Res. 32. This resolution expresses the willingess of Congress to work with the President to strengthen and protect the Social Security system for current and future generations. Just last week, this resolution passed the Ways and Means Committee with a unanimous, bipartisan vote of 32–0.

Social Security affects the majority of Americans, whether it be a 70 year old retiree, a 40 year old parent, or a 19 year old college student. We all pay our Social Security taxes with the promise that when we retire, we will collect the benefits that are due to us. Unfortunately, our Social Security system is in dire straigths and it is our responsibility as Members of Congress to make sure that the program remains healthy and stable far into the 21st century.

As we discuss ways to change the system, we must also remember that women, even more than men, rely on the Social Security system for financial security in their golden years. Over their lifetime, because of family commitments, many women cannot accumulate adequate pension savings. By the mid-1990s, only 18 percent of women over the age of 64 received their own pension benefits and their pension benefits were less than half of those received by men.

Additionally, we must keep certain important statistics in mind. In 1997, elderly women were almost twice as likely as elderly men to live in poverty. Additionally, the poverty rate for unmarried elderly women was 19 percent in 1997. This is a crucial statistic because 60 percent of elderly women are unmarried. Also significant, nearly 30 percent of elderly black and Hispanic women lived in poverty in 1997, making Social Security especially important to minority, elderly women.

To help women save for their later years, I plan to again offer legislation to help improve retirement savings opportunities for women and other individuals who opted out of the workforce to raise families. These Catch-up IRAs will also allow individuals approaching retirement the ability to save more for their golden years, and for all savers the ability to make additional "after tax" contributions to their savings plans.

I am encouraged by H.J. Res. 32 and I hope that President Clinton will join us in finding bipartisan solutions to the problems that plague our Social Security System. Additionally, I hope that we can continue to work together to find Social Security reform solutions which protect the special needs of women in their retirement years.

Mr. Speaker, thank you for the opportunity to speak on this important resolution.

Mr. MATSUI. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Louisiana (Mr. JEFFERSON).

Mr. JEFFERSON. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, the debate on H.J.Res. 32 in the Committee on Ways and Means was not a debate about whether we should save Social Security or give the American people a tax cut. Both the Democrats and Republicans favor tax cuts so long as they are paid for. The debate was about whether we would memorialize our commitment and then keep our promise to the American people not to touch a dime of the surplus until we have saved Social Security for future generations. This resolution does not make that commitment.

Mr. Speaker, the Social Security system is the most respected and successful system in U.S. history. While my remarks will not change the resolution, I want to let the American people know that I, along with my Democratic colleagues, are serious about addressing the long-term solvency problems facing the Social Security system and stand by our commitment to save Social Security first.

We owe it to the over two-thirds of older Americans who rely on Social Security for 50 percent or more of their total income. We owe it to the hard-working American families who rely on Social Security for continued prosperity as they enter into retirement. And, most of all, we owe it to our children who deserve to know that Social Security is going to be there for them.

Mr. SHAW. Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky (Mr. FLETCHER).

Mr. FLETCHER. Mr. Speaker, I rise in support of the resolution of my colleague, the gentleman from Wisconsin (Mr. RYAN). Today, this Chamber takes an important step towards strengthening our Nation's Social Security system. However, this goal can only be achieved if we work together to find a permanent solution to the problems facing this important program.

The American people deserve more than Washington simply placing a Band-Aid on the problem by offering a temporary solution. This would not be leadership. It would be politics as usual. In order to assure retirement income security for all Americans, both sides of the aisle will have to work together, not against one another.

Ronald Reagan once said, there is no limit to what a man can do or where he can go if he does not mind who gets the credit.

As we debate Social Security reform, it must not be about who gets the credit but how can we shore up the system, provide equal treatment, protect benefits and avoid tax increases for our fellow Americans.

Citizens of the Sixth District of Kentucky and across America want genuine leadership. Let us give them just that and let us support this resolution.

Mr. MATSUI. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. GEORGE MILLER).

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Speaker, I thank the gentleman for yielding; and I want to thank the committee for bringing this resolution to the floor.

Mr. Speaker, I strongly support this resolution, but let us understand that this resolution is only the beginning. It pledges all of us to save Social Security. That pledge will also have to include a decision not to invade those Social Security trust funds.

This week, on the cover of Barron's Magazine, they have the headline which screams to people in Washington, D.C. This week, the Dow Jones financial magazine says there is no budget surplus. And they are quite correct; there is no budget surplus. There is only money that is in excess in the Social Security trust fund, and whether or not we save Social Security will depend upon the decisions we make in this Congress about whether we are going to break the budget caps that restrain spending in this Congress; whether or not we are going to invade these trust funds for a whole range of spending proposals that are currently before the Congress.

If we do that this year and if we do that before 2001, every dollar we spend will come out of the Social Security trust funds. Because Barron's has it right. There is no other surplus. There is only the Social Security trust funds.

Mr. SHAW. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. PORTMAN), a member of the Committee on Ways and Means.

Mr. PORTMAN. Mr. Speaker, I thank the chairman for yielding.

Mr. Speaker, as we have heard today and just heard from the previous speaker, both in terms of politics and substance, reforming Social Security and making the needed changes to preserve the system over time is going to be very, very difficult. It is going to require bipartisanship; it is going to require trust; and it is going to require small steps, many small steps, to get us there.

That is what I see this resolution being all about, it is a small step in the right direction. It is not a solution. It is not the plan to save Social Security. But it does lay out for the first time in this Congress principles, basic principles, that I hope we can agree on, on a bipartisan basis. That seems to me to be a very good starting point.

I would say also that there is a need to supplement Social Security with more private retirement savings, and I hope that we can work on a bipartisan basis on that as well. This is our 401(k) plans, our IRA plans and so on. Because, ultimately, that is an important part of retirement security for all Americans.

There is no reason, Mr. Speaker, that we cannot get this done and get it done this year, so long as we reach out across the aisle and work on a bipartisan basis. And I see us beginning to do that with this resolution today; and, therefore, I strongly support it.

Mr. MATSUI. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, it has been said that here in Washington a promise is never really a guarantee. And so the resolution that we have before us today has been self-styled by the Republican leadership as the ''Social Security Guarantee Initiative.'' But it is important for every American to understand that there is no guarantee in the Guarantee Initiative. It guarantees absolutely nothing in the way of any substantive improvement in the Social Security system.

I believe it was not a Democrat but a Republican member of the committee that studied this measure, the gentleman from Iowa (Mr. NUSSLE), who conceded that this resolution, H.J. Res. 32, is solely, in his words, and I quote, ''a political document. It has no teeth.'' No teeth, indeed. I would suggest that this resolution offers less promise than an ill-fitting set of dentures.

On day one of this Congress, we Democrats proposed a rule to save Social Security first, to see that the surplus was not dissipated, that we utilized it to preserve the future of the Social Security system. That was rejected on day one of this Congress; and, since that time, now entering month three of this Congress, not much progress, a few hearings but not much progress, has been made towards strengthening and preserving Social Security.

Instead of meaningful action, as Americans will remember in 1995 our Republican colleagues said they wanted a revolution. We have now come another 4 years, and they present us a resolution. I believe what we really need is a bipartisan solution to preserve and protect and strengthen the Social Security system.

What might that bipartisan solution, not a meaningless resolution like we are considering today, what might it include and what might it exclude? We have an excellent idea of that today in a new report.

One of the groups that has been working toward a solution of this problem is the National Committee to Preserve Social Security and Medicare. They turned to a Republican economist, who did a simulation, looking at various proposals to reject the Social Security system as we have known it for the last many decades and substitute for it some type of private system. This study is entitled ''Winners and Losers from 'Privatizing' Social Security.''

What this study concluded was that there are many losers and not very many winners. In fact, the conclusion of the study is that, with these various schemes to reject our current Social Security system, instead of to strengthen and preserve it, that every person alive today, in these United States or anywhere else, who is drawing Social Security or could draw Social Security in the future, every person will lose under the various schemes to privatize fully or partially the Social Security system instead of to strengthen and preserve it.

The only people who might stand to gain, we were told in this simulation, which fortunately is just that, a simulation instead of an experiment on the American people as some have advanced, but the only people who would gain are a few high-income males to be born somewhere 20 or 30 years from now after the full transition costs to a private system are effected.

So with that kind of information now available, it is time to reject ideology and focus on real, meaningful changes in this system that will strengthen and preserve it.

Mr. Speaker, I believe this is an important study with important findings. There has been so much held out about how if we had a revolution in Social Security and we rejected the system as we have known it for the last many decades, that everybody would be the winner. But when one looks at the facts, the winners just are not there.

Everyone loses if we reject this system and substitute the kind of revolutionary system that some of these Washington think-tank ideologues have been advancing. So I hope we will come together behind some of the proposals the President has advanced to strengthen and preserve Social Security in a truly bipartisan manner.

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

Mr. Speaker, I would like to just comment on the comments of the gentleman from Texas (Mr. DOGGETT) with respect to what the Subcommittee on Social Security has been doing and what the full Committee on Ways and Means has been doing since the beginning of this Congress.

We have already had more hearings on Social Security than we did on welfare reform, and that is just from the beginning of this year, than we had in drafting the welfare reform bill.

The gentleman from Texas (Mr. DOGGETT), a valuable member of the Subcommittee on Social Security, knows this well. He has attended these hearings, and he has been very attentive in these hearings, so I would not want anyone listening to this proceeding to in any way think that Congress has been sitting on its hands. It has not. There will be proposals out there, and these proposals will be in the form of draft legislation.

I would hope and I intend to, as the subcommittee chairman, to be part of a majority bill that will be put in place and hopefully will become the framework for moving forward on a bipartisan solution.

I would also invite the minority to put forth their bill. I would also invite the President to put forth his bill. They will be received with great courtesy and cooperation, and I would pledge hearings on any such bills that would come before my subcommittee that have the backing of the minority party or the White House.

I believe this is very important. That is how strongly I feel about a bipartisan solution and a bipartisan effort. The Committee on Ways and Means is working very, very hard. The system is in crisis and we do need to find a solution, because we can avoid this crisis very early and be sure that the Social Security system is in place and continues to be a very safe system for all

Americans, both of this generation and generations to come.

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

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

Mr. Speaker, I would just like to comment on the comments of the gentleman from Florida (Mr. SHAW).

First of all, the gentleman is correct. We have had four full committee hearings and we have had three, I believe, subcommittee hearings. But I have to say, and I think most people would confirm my comments, and I have sat through almost all of the hearings except maybe 3 hours of the 20 hours of hearings, and most of the purposes of these hearings and most of the people talking at these hearings have been basically just trashing the President's proposal.

The Republicans asked that the President come up with his proposal last year. The President has come up with an outline that everyone understands. There is no complexity to it. We have just been spending all our time just trashing the President. We have spent very little time on real substance.

And I think what the gentleman from Texas (Mr. DOGGETT) was referring to is a comprehensive study that actually was done by John Mueller. John Mueller, for those who were here in the 1980s, was the economist for the Republican Conference under the leadership of then Jack Kemp; and Mr. Mueller came in with the idea of doing this study with a bias actually toward private accounts.

What basically happened is that he completed the study and now he believes that private accounts would really do bad damage. This was commissioned, by the way, by Martha McSteen, who happened to be the administrator for the Social Security Administration in 1983 to 1986, under the leadership of Ronald Reagan.

So we had two Reagan people, one Reagan and one Jack Kemp, and they basically have said private accounts are the wrong way to go. It is easy to figure out why. There is $8 trillion of unfunded liability, $8 trillion of unfunded liability. If we go with private accounts, we have those people living today in the workforce and paying for the retirement of their parents or grandparents.

□ 1430

That means they are going to be paying twice the amount for half the benefit. That is the real problem with private accounts. You can talk about private accounts all you want, but the real person that is going to benefit from private accounts will be born 25 years from now in the year 2025, and he will be a single male. Every other economic group will lose. The biggest losers, believe it or not, are going to be women. Because women live longer than men, they are going to have to set up an annuity, they will get less even though they may have made the same amount in the workforce.

In addition, we all know that women make about 70 percent of what men make normally in the workforce. So they are going to start off way behind, anyway. This is going to do damage to Democratic women, Republican women, conservative women and liberal women.

This is not an issue of ideology. It is a question of getting the facts and making sure we know the facts before we move. I am afraid all those hearings and everything we have been doing over the last 2 months have been basically to create a partisan division against the President's plan rather than to do anything really substantive and trying to understand this issue. But I do appreciate what the gentleman has done. He has come up with this resolution. I think, as the previous speaker said, resolutions really do not mean much. On the other hand, I guess we might as well do something since we are not doing much else. We are going to be out at 3 o'clock today so we might as well use some of that time at least pretending like we are doing something significant, but we all know that this resolution will not advance the cause of reforming the Social Security system one second.

As a result of that, we will pass it with a unanimous vote, but let us not kid ourselves. We have got to come up with a proposal. The President has. I like the President's proposal. Let us hear from the Republicans and let us see how they deal with an $8 trillion transition cost if they want to go to private accounts and protect women and minorities and middle-income people and suburban people at the same time. You will not be able to do it. I hope you try but you will not be able to do it. Instead what we should be doing is picking up the President's plan, moving forward with it and at least solving this problem for the next 55 years.

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

Mr. SHAW. Mr. Speaker, I yield myself such time as I may consume. I would like to respond to the gentleman from California with regard to the remarks that he has made. We have heard the minority trash a proposal which has been characterized as a Republican proposal which has not been made as yet. There is no Republican proposal out there. We have had hearings, we have had statements with regard to the direction we should go, but there has not been a concrete proposal laid upon the table.

By contrast, I think it is interesting to note that on this side not one single speaker has gotten up and trashed the President's proposal. The President's proposal is out there. I am treating it with great courtesy. I want to encourage the President and his staff and the Treasury Department and all those connected with the Social Security system to come forward with a concrete proposal in writing that we can receive. So I am hopeful yet that we do receive a formal proposal from the President.

The purpose of this resolution is to bring us together, to show that there is some unity in this House between Democrats and Republicans. I am not going to spoil the day by going out and trying to retaliate and bring about argument or try to accent what separates us, because this resolution is what brings us together.

Both sides have said that we are going to preserve the Social Security system. Both sides have said that we are not going to raise payroll taxes. Both sides have said that we are not going to cut benefits. When you have that as a perimeter, there is not too many other places you can go except to look at the investment of the system itself. That is where we are going to concentrate. That is where we are going to have to move forward.

This resolution is a good step forward, albeit a single step forward, but it is a good step forward in trying to show that there is unity in this House, that we do have unity of purpose and that we are going to draw together.

I will be actually out there soliciting help from the minority side in trying to craft this legislation to see that we can come up with something that is quite meaningful. This task is far too important than to bicker in a partisan manner. This is the most important item to come before this Congress either this year or next year. It would be a terrible tragedy if we were to back away from this point of history. We have a surplus. We have divided government. Both of those are very important. Because we need the divided government to be sure it is bipartisan, and we need the surplus to be sure that we save Social Security.

Mr. Speaker, I urge the passage of the resolution.

Mr. PACKARD. Mr. Speaker, I strongly support H.J. Res. 32, which expresses Congress' desire to strengthen and protect Social Security. Saving Social Security must be our top priority as we prepare America for the next century.

Without fundamental changes in the Social Security program, either massive tax increases or a reduction in benefits will be required or the program will reach financial crisis by 2013. This is of special concern for most women, who have a vital interest in Social Security. The fact is, on average, women live longer than men, earn less, and are more likely to be dependent on Social Security for most or all of their retirement income.

Mr. Speaker, having paid into Social Security myself for over forty years, I will never support hasty reforms that threaten the financial futures of those who have committed a lifetime of earnings to the system. As a father and a grandfather, I will insist that our reforms provide more choices for those now entering the workforce. It is time we take action to ensure this program will be available to our children and grandchildren.

Mr. Speaker, I urge my colleagues to support H.J. Res. 32 to ensure a stable future for Social Security.

Mr. ROTHMAN. Mr. Speaker, I rise today in support of H.J. Res. 32, the ''Social Security Guarantee Initiative.'' As we all know, one of the most important questions facing Congress today is how best to preserve Social Security and Medicare for this and future generations. We need to ensure that benefits are not cut for today's Social Security recipients, while at the same time guaranteeing that our children and grandchildren will have the piece of mind that Social Security brings.

Before Social Security was enacted in 1935, retirement meant financial insecurity and poverty for many seniors. This program, however, has dramatically changed that and has allowed millions of Americans to enjoy their later years with greater tranquility and less worry. President Franklin Delano Roosevelt said it best when, upon signing the Social Security Act, he stated that ''[t]he Social Security Act was primarily designed to provide the average worker with some assurance that when cycles of unemployment come or when his work days are over, he will have enough money to live decently.''

It is imperative that Congress and the President work together in a bipartisan manner to achieve this goal. Arguably the most successful domestic government program in world history, it is our duty to do everything in our power to ensure its existence for years to come. I urge my colleagues to vote for this resolution. And even more importantly, I urge my colleagues to put partisan differences aside, and to take concrete actions beyond this resolution, to strengthen the Social Security system.

Mr. MCKEON. Mr. Speaker, I rise in support of this legislation that focuses on the need to restore our Social Security program in a fair manner for all Americans.

With the looming prospect that its funds will be depleted by 2032, the issue of ensuring the solvency of Social Security needs to be addressed. But there are a number of priorities we must keep in mind as the debate on reforming Social Security begins to take form.

First, it is important that any reform to Social Security guarantees equal benefits to all Americans, including women and minorities.

We also need to ensure that cost-of-living adjustments and a continuous benefit safety net are provided for all Social Security recipients.

Most importantly, we want to do all we can to save Social Security without raising taxes. Americans are already over-burdened by high taxes, and it is our duty to ensure that more of their money stays in their pockets. We owe it to the American people to provide them with a fair plan that saves Social Security for generations to come without increasing their tax burden.

I am proud to support this initiative and want to thank the gentleman from Wisconsin (Mr. RYAN) for introducing this important piece of legislation.

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

The SPEAKER pro tempore (Mr. SHIMKUS). The question is on the motion offered by the gentleman from Florida (Mr. SHAW) that the House suspend the rules and pass the joint resolution, House Joint Resolution 32, as amended.

The question was taken.

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

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

The Sergeant at Arms will notify absent Members.

Pursuant to clause 8(c) of rule XX, this 15-minute vote will be followed by a 5-minute vote on H.R. 609.

The vote was taken by electronic device, and there were—yeas 416, nays 1, not voting, 17, as follows:

[Roll No. 29]

YEAS—416

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

NAYS—1

Paul

NOT VOTING—17

Berman
Bilbray
Buyer
Callahan
Cannon
Capps
Cooksey
Dunn
Evans
Everett
Granger
Hansen
Hilliard
Hunter
McCollum
Rogers
Thompson (CA)

□ 1455

So the joint resolution, as amended, was passed.

The title of the joint resolution was amended so as to read: ''Joint resolution expressing the sense of the Congress that the President and the Congress should join in undertaking the Social Security Guarantee Initiative to strengthen the Social Security program and protect the retirement income security of all Americans for the 21st century.''

A motion to reconsider was laid on the table.

Stated for:

Mr. COOKSEY. Mr. Speaker, on rollcall No. 29, I was inadvertently detained. Had I been present, I would have voted "yes."

Mr. HANSEN. Mr. Speaker, on rollcall No. 29, I was unavoidably detained. Had I been present, I would have voted "yes."

Mr. BILBRAY. Mr. Speaker, on rollcall No. 29, I was inadvertently detained. Had I been present, I would have voted "yes."

EXPORT APPLE ACT

The SPEAKER pro tempore (Mr. SHIMKUS). The pending business is the question of suspending the rules and passing the bill, H.R. 609.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. CONDIT) that the House suspend the rules and pass the bill, H.R. 609, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 416, nays 0, not voting 17, as follows:

[Roll No. 30]

YEAS—416

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

NOT VOTING—17

Berman
Buyer
Callahan
Cannon
Capps
Dunn
Evans
Everett
Granger
Hilliard
Hunter
McCollum
McKinney
Rogers
Rush
Spence
Watkins

□ 1505

So (two-thirds having voted in favor thereof), the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 603, CLARIFYING THE APPLICATION OF THE ACT POPULARLY KNOWN AS THE ''DEATH ON THE HIGH SEAS ACT'' TO AVIATION INCIDENTS

Mr. HASTINGS of Washington, from the Committee on Rules, submitted a privileged report (Rept. No. 106–37) on the resolution (H. Res. 85) providing for consideration of the bill (H.R. 603) to amend title 49, United States Code, to clarify the application of the Act popularly known as the ''Death on the High Seas Act'' to aviation incidents, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 661, CONDITIONALLY PROHIBITING THE OPERATION OF SUPERSONIC AIRCRAFT

Mr. HASTINGS of Washington, from the Committee on Rules, submitted a privileged report (Rept. No. 106–38) on the resolution (H. Res. 86) providing for consideration of the bill (H.R. 661) to direct the Secretary of Transportation to prohibit the commercial operation of supersonic transport category aircraft that do not comply with stage 3 noise levels if the European Union adopts certain aircraft noise regulations, which was referred to the House Calendar and ordered to be printed.

ELECTION OF MEMBERS TO JOINT COMMITTEE ON PRINTING AND JOINT COMMITTEE OF CONGRESS ON THE LIBRARY

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of the resolution (H. Res. 87) and ask for its immediate consideration.

The Clerk read the title of the resolution.

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

Mr. HOYER. Reserving the right to object, Mr. Speaker, I will not object, but I yield to the gentleman from California (Mr. THOMAS) for the purpose of explaining the resolution.

Mr. THOMAS. Mr. Speaker, I thank the gentleman for yielding.

It is my pleasure to announce that the Committee on House Administration now has its full complement of members on both sides of the aisle, and this resolution constitutes the Joint Committee of Congress on the Library, consisting of the chairman and ranking member, the gentleman from Ohio (Mr. BOEHNER), the gentleman from Michigan (Mr. EHLERS), the gentleman from Maryland (Mr. HOYER), and the gentleman from Florida (Mr. DAVIS); and the Joint Committee on Printing, the chairman, the gentleman from Ohio

(Mr. BOEHNER), the ranking member, the gentleman from Maryland (Mr. HOYER), the gentleman from Ohio (Mr. NEY), and the gentleman from Pennsylvania (Mr. FATTAH).

Mr. Speaker, I thank the gentleman.

Mr. HOYER. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the resolution, as follows:

H. RES. 87

Resolved, That the following named Members be, and they are hereby, elected to the following joint committees of Congress, to serve with the chairman of the Committee on House Administration:

Joint Committee of Congress on the Library: Mr. Boehner, Mr. Ehlers, Mr. Hoyer, and Mr. Davis of Florida.

Joint Committee on Printing: Mr. Boehner, Mr. Ney, Mr. Hoyer, and Mr. Fattah.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ELECTION OF MEMBER TO CERTAIN STANDING COMMITTEES OF THE HOUSE

Mr. THOMAS. Mr. Speaker, I offer a resolution (H. Res. 88) and ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 88

Resolved, That the following named Member be, and he is hereby, elected to the following standing committees of the House of Representatives:

Committee on Education and the Workforce: Mr. Isakson.

Committee on Transportation and Infrastructure: Mr. Isakson.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. STEARNS) is recognized for 5 minutes.

(Mr. STEARNS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. FORD) is recognized for 5 minutes.

(Mr. FORD addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

CONDEMNING THE CUBAN DICTATORSHIP'S CRACKDOWN ON THE INTERNAL OPPOSITION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. DIAZ-BALART) is recognized for 5 minutes.

Mr. DIAZ-BALART. Mr. Speaker, in recent weeks the Cuban dictatorship has carried out a brutal crackdown of the brave internal opposition and independent press, taking Cuba's four best known internal opponents, Felix Bonne Carcasses, Marta Beatriz Roque Cabello, Vladimiro Roca Antunez, and Rene Gomez Manzano, to trial on trumped-up charges, and arresting scores of other peaceful opponents without cause or justification.

The internal opposition in Cuba is working intensely and valiantly to draw international attention to Cuba's deplorable human rights situation, and continues to strengthen and grow, despite the Stalinist repression, in its opposition to the Castro dictatorship.

At this time of extraordinary repression, the internal opposition requires and deserves the firm and unwavering support and solidarity of the international community. The Cuban dictatorships repressive crackdown against the brave internal opposition and the independent press must be condemned in the strongest possible terms.

□ 1515

The internal opposition and independent press of Cuba have our profound admiration and firm solidarity.

We must demand of the Cuban dictatorship the release of all political prisoners, the legalization of all political parties, labor unions and the press, and the scheduling of free and fair internationally supervised elections.

Mr. Speaker, I call on the government of Spain, of Prime Minister Aznar, to cancel the announced trip to Castro's Cuba of the King of Spain; and I call upon the member states of the Ibero-American summit to boycott the upcoming meeting that has been, incredibly, scheduled for November in the capital of the Cuban dictatorship.

Martin Luther King rightfully declared that an injustice anywhere is an affront to injustice everywhere. Going to Cuba to shake the Cuban tyrant's hand would be an ultimately immoral act. Now, more than ever, it is incumbent upon the entire international community to demonstrate firm solidarity with the oppressed people of Cuba and with the brave internal opposition.

According to press reports from Cuba, the following dissidents and journalists have been arrested by the Cuban dictatorship in the last few days:

Efren Martinez Pulgaron, Ana Maria Ortega Jimenez, Marisela Pompa, Angel Polanco, Odilia Collazo, Arnaldo Ramos, Lazaro Rodriguez, Jose Orlando Gonzalez Bridon, Lazaro Cala, Felix Perera, Oswaldo Paya Sardinas, Ofelia Nardo Cruz, Regis Iglesias, Angel Moya Acosta, Miriam Cantillo, Benigno Torralba, Ramon Alfonso William, Gisela Concepcion Bolanos, Marvin Hernandez Monzon, Jesus David Martinez Garcia, Julian Martinez Baez, Juan Francisco Monzon Oviedo, Nestor Rodriguez Lobaina, Ivan Hernandez Carrillo, Felix Navarro Rodriguez, Pedro H. Rojas, Leonel Morejon Almagro, Reinaldo Cosano Allen, Jesus Llanes Pelletier, Maria Menendez Villar, Oscar Elias Biscet, Rolando Munoz Yyobre, Miriam Cantillo, Omar Rodriguez Saludos, Diosdado Gonzalez Marrero, Ileana Somiellan Fleitas, Nanci Sotolongo, Odalys Curbelo, Juan Antonio Sanchez, Hector Cruz, Israel Bayon, Raul Rivero and Orlando Bordon.

There are certainly many others who have been arrested but who we have not been able to find out about as of yet.

Mr. Speaker, our admiration, our support, and our prayers go out to all of these brave Cuban patriots and to all of the suffering and oppressed Cuban people.

TEXAS INDEPENDENCE DAY

The SPEAKER pro tempore (Mr. SHIMKUS). Under a previous order of the House, the gentleman from Texas (Mr. GREEN) is recognized for 5 minutes.

Mr. GREEN of Texas. Mr. Speaker, today is a special day, particularly in Texas, because in Texas March 2 is Texas Independence Day. In 1836, 163 years ago today, the Republic of Texas was born. As I left Houston this morning, spring is coming to Texas. The bluebonnets are blooming, and we are actually seeing a lot of changes, and that is what has happened in Texas.

Mr. Speaker, let me set the stage for what happened 163 years ago. On March 1, 1836, 54 delegates representing settlements across Texas gathered for the Texas Convention of 1836 in a small farm village at Washington-on-the-Brazos.

From the beginning, it was an event marked by haste and urgency because Santa Anna's forces were closing in on the defenders of the Alamo. Within days it would fall, setting off a chain reaction of defeats for the small Texas Army, which would nevertheless emerge victorious at the battle of San Jacinto 6 weeks later on April 21. March 2 is when the delegates in Washington-on-the-Brazos actually drew up the Constitution and declared independence.

Mr. Speaker, what were these brave Texans fighting for? Up to this point, it was simply to restore the Mexican Constitution of 1824, which had been suspended by Santa Anna.

On the night of March 1, a group of five men stayed up late into the night drafting the document that would be approved the next day by the full convention, a document that echoes the lines of its American counterpart, the Texas Declaration of Independence.

It started off in much the same way, with the words, ''When a government has ceased to protect the lives, liberty and property of the people.'' It spoke of the numerous injustices inflicted upon the settlers of the state of Coahuila y Tejas: the elimination of the state's legislative body, the denial of religious freedom, the elimination of the civil justice system, and the confiscation of firearms being the most intolerable, particularly in Texas.

Finally, it ended with the declaration that, because of the injustice of Santa Anna's tyrannical government, Texans were severing their connection with the Mexican nation and declaring themselves ''a free, sovereign, and independent republic. . . fully invested with all the rights and attributes'' that belong to independent nations; and a declaration that they ''fearlessly and confidently'' committed their decision to ''the Supreme arbiter of the destinies of nations.''

Over the next 2 weeks, a constitution was drafted and an interim government was formed, despite daily reports from the front detailing the collapse of the Alamo and subsequent advance of the Mexican Army through Texas. On March 17, 1836, the government was forced to flee Washington-on-the-Brazos on the news of the advance of General Santa Anna.

Just over a month later, however, independence would be secured in the form of a victory over that same army by Sam Houston, a delegate at the very convention, and his courageous fighters at the battle of San Jacinto.

Mr. Speaker, let me remind folks from Tennessee that Sam Houston served in this Congress from the State of Tennessee. I have at times kidded my friends from Tennessee saying, ''The best of Tennessee immigrated to Texas in the 1830s.''

From that point on, Texas was firmly established in the community of nations; and for 10 years she stood and remained an independent nation, until President James K. Polk signed the treaty admitting Texas to the United States in 1845.

Mr. Speaker, I hope the Congress and the whole country will join us today on March 2 in a day that in Texas we celebrate, our schoolchildren celebrate, Texas Independence Day.

GOOD EDUCATION FOR OUR CHILDREN WILL ENSURE AMERICA'S FUTURE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, I ran for Congress, and I am here today, because I believe that our children's education must be the number one priority in this country. We must prepare all of our children for the high-skill, high-wage jobs that will ensure America's leadership in the world marketplace and, at the same time prevent dependency on welfare here at home.

Public education is the backbone of our country. It is why we are a great Nation. Public education must be available to all, and it must be the best in the world. Public education does not discriminate; and it must be strengthened, not weakened.

This Congress, we have an opportunity that comes along only once every 5 years, and that is the opportunity to review and update the Elementary and Secondary Education Act, ESEA.

ESEA is best known for Title I, the education for the disadvantaged. ESEA is known for the dollars it sends to schools. Title I is important because it helps disadvantaged children achieve along with their more fortunate peers, and it helps poor and impacted schools and school districts keep up with the more advantaged schools and school districts in this Nation.

Title I must be supported; and, as well, we must ensure that every child gets individual attention in the early grades to build a solid foundation for future learning. We can do this by making the administration's initiative to reduce class size permanent. This initiative helps school districts recruit, hire, and train enough qualified teachers to reduce class size to an average of 18 in grades 1 through 3.

Current research findings prove what parents and teachers have known for years: Kids who are in smaller class sizes learn better, especially in the lower grades. Our schools need 100,000 new, well-trained teachers.

We also know how hard it is for children even in small classes to learn in trailers or in old school buildings that are crumbling around them. I support the President's proposal to make it easier for school districts to fund needed schools and to build new ones by providing interest rate subsidies for school construction bonds over the next 2 years. Is it not time to show all of our children that their school is as important as a shopping mall or as a prison?

While I certainly support the current emphasis on ending social promotions, ESEA is also the place to assist all schools in preventing students from failing in the first place. Title XI of ESEA lets school districts spend up to 5 percent of their Federal education funds on coordinated services, services that will bring schools and their local communities together to make sure that, every day, every student comes to school ready to learn. Services such as health care, before and after school care, and tutoring ensure that no child is doomed to fail before they even enter the classroom.

There are wonderful examples all around the Nation of schools and communities working together to lift children and their families out of an endless cycle of failure and into a future of success.

Students who are ready to learn need well-trained teachers who are experts in their subjects. They need a challenging curriculum and up-to-date technology to prepare them for the sophisticated world we live in. Every student, regardless of family income, race or gender must have access to the most modern technological education available.

In addition, teachers as well as students must have mentors; and they must have support for learning to use technology so that they will be comfortable and knowledgeable in a technological environment.

As a member of both the Committee on Education and the Workforce and the Committee on Science, I am excited to have this significant opportunity to make positive changes in our children's education; to remove any economic or gender gap in science, math and technology; to ensure small classes with well-trained teachers; to provide funding for modern, safe schools; and to give all students a world-class education.

Mr. Speaker, children are only 25 percent of our population, but they are 100 percent of our future. A sound public school system is how we protect that future. A good education for all of our children will ensure America's future.

CONGRESS MUST HELP THE PEOPLE OF SOUTHERN SUDAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. WOLF) is recognized for 5 minutes.

Mr. WOLF. Mr. Speaker, I want to speak on the issue of Sudan. But, before I do, I want to just pay tribute to the gentleman from Colorado (Mr. TANCREDO) for taking his time and getting involved in a very important issue with regard to slavery in Sudan.

I also want to congratulate the students at Highline Community School in Aurora, Colorado. They have done an amazing thing with regard to getting people who were in slavery in southern Sudan free.

Mr. Speaker, I have been in Sudan on three different occasions. The world does not know it, but these students in Colorado know it. There is slavery going on in Sudan, and these students are making a tremendous effort. Because of them, 1,000 slaves have been released, and I just want to take out this special order in tribute to them.

Mr. Speaker, for the past several months, the students of Barbara Vogel's fourth grade class have been raising money to help free slave children as part of the public awareness

campaign called S.T.O.P., Slavery That Oppresses People. These young people, modern-day abolitionists, are an inspiration to many. If my colleagues saw the CBS Dan Rather show, one of the youngsters I believe called himself a modern-day abolitionist. If only the Congress could follow their lead or if the administration could follow their lead.

Almost 2 million people have died, 2 million have died in Sudan in the past 15 years. More have died in Sudan than have died in Somalia, in Kosovo, in Rwanda and in Bosnia combined. The most recent statistics available put the number dead at 1.8 million, but that does not cover the 200,000 who have died from the famines this past summer.

Mr. Speaker, millions of people are starving in southern Sudan, kept alive only by the brave efforts of international humanitarian organizations like World Vision, Save the Children, Catholic Relief, UNICEF, and others. Millions are being displaced. An entire generation has been lost, and another generation is ready to be lost.

□ 1530

The word ''genocide'' is now used with regard to what is taking place in Sudan. In the Numba Mountains, the Christians and Muslims are being persecuted. The Sudanese government are persecuting these people because of their faith. The government planes use high-altitude bombings to demolish civilian targets like hospitals and terrorize the population.

We know that women and children from Southern Sudan are being sold into slavery; and today, March 2, 1999, Sudanese women and children are being bought and sold as we sit and stand here today. They are kidnapped by slave raiders who sweep into the destabilized regions following the government attacks. They capture the women and children and then they take them off for slavery.

I want to commend my colleagues' attention to this excellent booklet which hopefully will be sent to every Congressional office from the U.S. Committee For Refugees. Tomorrow they will announce a nationwide public awareness campaign about Sudan. I urge the Members of this body to get a copy of this booklet.

In closing, Mr. Speaker, I want to commend the gentleman from Colorado (Mr. TANCREDO) for his coming here quickly, getting started on a very powerful, very important issue. This may be the major human rights issue of the world. Two million people have died. Also, the students of Highline School are trying to help to save one life at a time by raising money to free women and children from the trading block.

Last week, Mr. Speaker, I received letters from the youngsters which I would like to put in the CONGRESSIONAL RECORD.

Nicole Limino said to me, ''Dear Congressman Wolf, it makes me feel so sad that people just like me are being treated like animals. This needs to be stopped. Someone needs to take a stand. Please help eradicate slavery by writing the government and telling them something needs to be done.''

Doni Tarplus said, ''Will you please help us abolish slavery? The President isn't helping even when he promised to make the world a better place.''

A boy who identified himself as Melvin said, ''I'm Melvin. I'm demanding you ask people if they want to help. The United Nations isn't doing anything about slavery in Sudan. I was broken-hearted when I found that 409 people were found and brought from slavery.''

David Walker said, ''You are a congressman so you can help. Millions of lives are in danger and you can get the government to help. Slavery is going on and we need to stop it.''

Then there are many other letters which I would like to put in the CONGRESSIONAL RECORD.

In closing, slavery is a problem. Starvation is a problem. The United States can do more to help. We can appoint a special envoy. He can go back and tell the students from Highline Community School that the Clinton administration has a special envoy. They appointed an envoy, Senator Mitchell, who deserves a Nobel Peace Prize for bringing people together in Ireland, Northern Ireland, Southern Ireland.

Let us appoint a Sam Nunn, a Senator Nunn to be the special envoy to bring peace in this region and stop the slavery, stop the suffering, stop the agony and the pain.

The students from the area of the gentleman from Colorado (Mr. TANCREDO), from Highline Community School, are, frankly, I hate to say this, they are doing more than the Congress is doing, both parties, Republican and Democratic Party, they are doing more than both parties. Lastly, they are doing much more, much more than the Clinton administration is doing.

I just hope that their effort as a witness by what they are doing will sensitize this administration whereby President Clinton, within the next week or so, will appoint a special envoy who will go to Sudan and go back and forth and mediate between the warring parties whereby these people will know that they can have a future for their children and grandchildren, and slavery will stop, and people will not be persecuted because they happen to accept Christ and they happen to be Christians, because of their faith.

Mr. Speaker, the letters that I referred to are as follows:

HIGHLINE COMMUNITY SCHOOL,
Aurora, CO, February 22, 1999.

DEAR CONGRESSMAN WOLF: I know you are also a freedom fighter and this is one reason we need you! We need your strong caring voice to help us end slavery in Sudan. Please hear the cry for freedom that these beautiful, young, Americans put to their government! The media is giving a lot of attention to these young voices can you help us too?

In Freedom,

BARB VOGEL.

HIGHLINE COMMUNITY SCHOOL,
Aurora, CO, February 17, 1999.

DEAR CONGRESSMAN FRANK WOLF: At the beginning of the year I found out that slavery was still going on. I also found out that the class before us had started a campaign called S.T.O.P., S.T.O.P. stands for Slavery That Oppresses People. It makes me feel terrible that people just like me are being treated like animals. This needs to be stopped. Someone needs to take a stand. Please help us eradicate slavery by writing the government and telling them something needs to be done. If you have any questions please call us at (303) 364–7657 or look for information at www.anti-slavery.org.

Help Them,

NICOLE CIMINO.

HIGHLINE COMMUNITY SCHOOL,
Aurora, CO, February 17, 1999.

DEAR CONGRESSMAN FRANK WOLF: Slavery should not be going on: It should be eradicated. A few weeks ago on February fourth, 409 people were put into slavery. That makes me really mad! I am Doni Tarplus in Barbs fourth grade class. I am an abolitonist, an abolitionist is a person who wants to free slaves.

Will you please help us abolish slavery? The president isn't helping when he promised to make the world a better place. For more information please call us at, (303) 364–7657 or try our website at www.anti-slavery.org.

Thanks,

DONI TARPLUS.

HIGHLINE COMMUNITY SCHOOL,
Aurora, CO, February 17, 1999.

DEAR CONGRESSMAN FRANK WOLF: I'm Melvin and I'm demanding you ask people if they want to help or you help because the United Nations aren't doing anything about slavery in Sudan! Barb's old class made S.T.O.P. but we're continuing this campaign.

S.T.O.P. stands for Slavery That Oppresses People. I was broken-hearted when I found out that 409 people were found and brought into slavery. If you want to do a donation, you can contact Christian Solidarity International, American anti-slavery group, or visit us on the web at WWW.anti-slavery.org.

Sincerely,

MELVIN.

HIGHLINE COMMUNITY SCHOOL,
Aurora, CO, February 17, 1999.

DEAR CONGRESSMAN FRANK WOLF: You are a congressman so you can help. Millions of lives are in danger and you can get the government to help. Slavery is going on and we need to stop it that is why we started a campaign called S.T.O.P. It stands for Slavery That Oppresses People. We started this campaign because the government won't take a stand. Please help us eradicate slavery.

Sincerely,

DAVID WALKER.

P.S. On February 4, 1999 John Eibner gave the south of Sudan an urgent appeal about the north attacking them but they didn't listen so now 409 women and children are in slavery.

HIGHLINE COMMUNITY SCHOOL,
Aurora, CO, February 17, 1999.

DEAR CONGRESSMAN WOLF: Hi! My name is Alex Persinger and I feel like a dead hog, because on February 4, 1999, on that day 409 people were inslaved! Please give the government awareness about slavery. People like us work all day because of lazy people.

Please remember the urgent appeal by John Eibner. I love to help but I can only tell so many! People like you can make a difference.

Love,

ALEX PERSINGER.

HIGHLINE COMMUNITY SCHOOL,
Aurora, CO, February 17, 1999.

DEAR CONGRESSMAN FRANK WOLF: My name is Thomas Turner, an adolescent abolitionist that is trying to eradicate slavery, but that is not the reason I'm writing you. The reason is because a man named John Eibner had urgently appealed the U.N. to take a stand about the slavery issue, but they all probably sat lazier than ever and because of that 409 people are slaved in modern day slavery. We'll get up and take a huge stand right now! You can contact us at www.anti-slavery.org or 1–800–884–0719. Make a difference.

Love,

THOMAS TURNER.

HIGHLINE COMMUNITY SCHOOL,
Aurora, CO, February 17, 1999.

DEAR CONGRESSMAN FRANK WOLF: I am an abolitionist in a campaign called S.T.O.P. S.T.O.P. stands for Slavery That Oppresses People. We heard a very disappointing thing about some slaves. John Eibner, a man who works for a humanitarian group called C.S.I sent a urgent appeal to the government about this and that the soldiers were going to raid the villages, but they didn't do anything. On February 4, 1999 four hundred nine innocent people were taken into a miserable life being treated like animals. When I found out about this, I was heartbroken to know that so many people could be taken into bondage. The good news is that we freed 850 slaves.

Join us to eradicate and abolish slavery. Please help us by writing to people that are important. If you have any questions you can reach us at (303) 364–7657.

Please help us,

LINDY DE SPAIN.

HIGHLINE COMMUNITY SCHOOL,
Aurora, CO, February 17, 1999.

DEAR CONGRESSMAN WOLF: I'm Miriam a concerned youngster in the STOP campaign it stands for Slavery That Oppresses People. This is a human rights campaign, we try to end slavery. I thought slavery had been eliminated. We freed slaves last week but Sudan was attacked and four hundred-nine people were put into slavery it was shocking. We need your help and spread the word that slavery exists please helps us! The government has sat idly by, for years and years. John Eibner works for CSI he goes to Sudan and frees slaves. He had sent an urgent appeal that Sudan was being attacked to the United Nations but no response, they ignored this awful issue and they ignored this awful issue too often!

HIGHLINE COMMUNITY SCHOOL,
Aurora, CO, February 17, 1999.

DEAR CONGRESSMAN WOLF: Hi! I am Josh Hook, an abolitionist. I have some devastating news to tell you. A few days ago John Eibner went to Sudan and he was told that the north was ready to fight. So John told the U.N. but they ignored him. Then four hundred nine people were put in slavery. Just because the government did not do a single thing!

We started a campaign called S.T.O.P. S.T.O.P. stands for slavery that oppresses people. Will you use your voice to tell your fellow colleagues or contact C.S.I. or A.A.S.G.

Love,

JOSH HOOK.

HIGHLINE COMMUNITY SCHOOL,
Aurora CO, February 17, 1999.

DEAR CONGRESSMAN FRANK WOLF: Hi! My name is Dong, this is devastating news! On February 4, 1999 four hundred nine people were put in slavery! John Eibner sent a urgent appeal to the United Nations, but they did nothing. Right now I feel distraught. Please help us! Please join our S.T.O.P. campaign and help us free slaves! Women and children just like me are now put in slavery. I demand you to help us! My heart is frowning because this is going on, my heart is crying. I forgot to tell you that the north attacked a village. John Eibner warned them but they did nothing. Also S.T.O.P. stands for Slavery That Oppresses People. Please help us abolish slavery and please bring awareness to the world!

Sincerely,

DONG CHA.

HIGHLINE COMMUNITY SCHOOL,
Aurora, CO, February 17, 1999.

DEAR CONGRESSMAN FRANK WOLF: I'm so furious at the government for not listening to us. Last Week 409 people were enslaved because the government did not listen to us. Just like you and me inslaved. Women and children are enslaved. The bad part too is that the government ignored John Eibners warning. He found out that the soldiers were going to raid them. He also sent an urgent appeal to the United Nations.

P.S. We will eradicate slavery.

Love,

JOSHUA FLEMING.

Highline Community School,
Aurora, CO, February 17, 1999.

DEAR CONGRESSMAN FRANK WOLF: My name is Alphonso Terell McDonald and I am nine years old. I am a young abolitionist and I am writing to you because I want to tell you about what happened just recently, four hundred-nine slaves were captured and were brought back into slavery because the government is sitting idly by instead of taking a stand. We would like to know if you'd contact the United States Government and let them know what is going on. We would be so grateful if you did this because we want people to be aware of this so they can help us.

The quote that is on the back of our shirts ''The greatest sin of our time is not the few who have destroyed, but the vast majority who have sat idly by.''

Love,

ALPHONSO.

HIGHLINE COMMUNITY SCHOOL,
Aurora, CO, February 17, 1999.

DEAR CONGRESSMAN FRANK WOLF: I want to tell you what just happened, there were 409 nice, beautiful, innocent, people put into to slavery.

I almost cried; but I realized if I'm a abolitionist, I can put a stop to this slavery issue! This should not be happening to these people! ''These are our people we should stop this slavery!'' You can help us by writing letters to the government and tell them to put a stop like all of the abolitionist like Frederick Douglas, Dr. Martin Luther King, Jr.,

Love,

CYNTHIA JURANGO.

HIGHLINE COMMUNITY SCHOOL,
Aurora, CO, February 17, 1999.

DEAR CONGRESSMAN FRANK WOLF: Hi! My name is Heather Pedigo, with a strong urge to fight for freedom of other people! I want to tell you something because of the governments act of turning their back on the issue of slavery, because of that, on February fourth, four hundred and nine people were put into slavery! Just think all of those scared and hurt women and children. We are very ashamed. Please contact us at WWW.Anti-Slavery, or or you can call us at 1–800–804–0719.

Sincerely,

HEATHER PEDIGO.

HIGHLINE COMMUNITY SCHOOL,
Aurora, CO, February 17, 1999.

DEAR CONGRESSMAN FRANK: Hi, My name is Christina Manalastas. On February 4th, four hundred nine slaves went into slavery. I'm not happy about what is going on all around the world! It is, of course, the moral thing, when seeing a other human being suffer, to look after them. The person Dalai Lama had said that quote. Here is my quote, ''We care about happiness, we care about sadness but we just want to help.''

Sincerely,

CHRISTINA MANALASTAS.

P.S. Will you please join us.

HIGHLINE COMMUNITY SCHOOL,
Aurora, CO, February 17, 1999.

DEAR CONGRESSMAN FRANK WOLF: Hi! From Barb's class. Im a young abolitionist and a fourth grader at Highline. I am in a group that is called S.T.O.P. S.T.O.P is Slavery That Oppresses People. Just last week 409 people went into slavery. The United Nations did not help! I felt so bad! I'm going to eradicate slavery this year! As I was saying on the fourth of February, 1999 John Eibner went to Sudan to warn them about people coming and taking them from their homes. So stand up and do what is right! I will not give up will you? Will you help us stop slavery?

Love,

STACY CARUSO.

DO NOT FORGET ABOUT THE KASHMIRI PANDITS

The SPEAKER pro tempore (Mr. SHIMKUS). Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Mr. Speaker, the world witnessed an exciting event last month when India's Prime Minister Vajpayee met with his Pakistani counterpart, Prime Minister Sharif, to inaugurate a new bus service between the two countries.

I applaud Prime Minister Vajpayee's courage in visiting his neighboring country with whom relations have been tense, to put it mildly. But amidst the celebrations about the meeting between the India and the Pakistani prime ministers, a disturbing development from the Indian state of Jammu and Kashmir reminds us of what is at stake in the conflict that has hung over the subcontinent for decades.

As the New York Times reported, ''On the eve of Mr. Vajpayee's visit to Lahore, Islamic militants, whom Indians generally believe are backed by Pakistan, massacred 20 Hindu civilians in three places in Jammu, part of the Indian state of Jammu and Kashmir, apparently in an attempt to derail the peace efforts. In one case, they opened fire on a wedding party, killing eight celebrants.'' This is from the New York Times, February 23.

The article noted that Prime Minister Vajpayee did not publicly address the massacres during his visit to Pakistan, perhaps understandable in light of the positive atmosphere that the meeting of the two prime ministers was intended to generate. But Prime Minister Vajpayee stressed that he had warned his Pakistani counterpart that

the continued campaign of terrorism against innocent civilians in Jammu and Kashmir is unacceptable.

Mr. Speaker, the issue of Kashmir frequently gets mentioned in the geopolitical calculations over the larger India-Pakistan conflict. There is overwhelming evidence of Pakistani covert support for the continued terror campaign in Jammu and Kashmir. There has, at the same time, been an overt Pakistani effort to internationalize this issue by bringing the United States, or other world powers and international organizations, into the negotiations. The one aspect of this tragedy that frequently is overlooked is the plight of the Hindu community of this region, the so-called Kashmiri Pandits.

I would like to take this opportunity, Mr. Speaker, to reiterate my calls for increased American and world attention to the plight of the Kashmiri Pandits, victims of massacres and displacement, such as the atrocity of last month.

As I have gotten to know the Kashmiri-American community and hearing about the situation facing the Kashmiri Pandits, I have become increasingly outraged, not only at the terrible abuses they have suffered but at the seeming indifference of the world community.

At the same time, I am impressed by the dignity and the determination that the Kashmiri Pandits have maintained despite these horrible conditions. I am touched by the deep concern that the Kashmiri-Americans feel for their brothers and sisters living in Kashmir or in the refugee center set up in India to accommodate the Pandits driven from their homes in the Kashmir Valley.

Recently, my colleagues in the Congressional Caucus on India and Indian-Americans asked me to co-chair a Task Force on Kashmir. I look forward to working with my colleagues to focus increased Congressional attention on this issue.

Some of my colleagues and I have already been pressing these issues, but clearly we need to give the plight of the Kashmiri Pandits greater recognition.

Mr. Speaker, I have asked India's National Human Rights Commission to consider declaring the Kashmiri Pandits an Internally Displaced People and provide conditions for the safe return of the Pandit community to the Kashmir Valley.

I have also asked the Commission to substantiate the ongoing genocide that the Pandits are suffering. I would also encourage the Indian government to consider officially recognizing the Kashmiri Pandit community as a minority under Indian law to provide additional benefits and protection.

Mr. Speaker, the Kashmiri Pandits have an ancient and a proud culture. Their roots in the Valley run deep. Virtually the entire population of 300,000 Kashmiri Pandits has been forced to leave their ancestral homes and property. Today, only 2,000 Kashmiri Pandits remain in the Valley. Threatened with violence and intimidation, they have been turned into refugees in their own country.

Although Pakistani officials maintain that their country only provides "moral and political support" for the insurgency, evidence shows that Pakistan has been playing a direct role in arming and training the militants who have converted the Kashmir Valley from an earthly paradise into a living hell.

Last year, I urged Secretary of State Madeleine Albright to raise the Kashmiri Pandit issue whenever Kashmir is discussed by the United States and India. I have also asked the Indian government to bring up the Pandits issue in any bilateral discussion between India and Pakistan.

The United Nations Human Rights Commission also needs to address the Kashmiri Pandit issue, including it in its periodic reports on Kashmir, as well as through the Commission Subcommittee on Minorities. I will also continue urging action by UNICEF to provide educational grants to benefit the Kashmiri Pandit children and the World Health Organization support to improve health and sanitation.

Mr. Speaker, lastly, in the great international debate over arms control and security issues, it is sometimes all too easy to overlook the so-called small problem of one persecuted ethnic group. I just hope that the United States and India, as the world's two largest democracies, will show determination to finally address this humanitarian catastrophe that the Kashmiri Pandits are facing in an effective and humane way.

PROMISES MADE AND PROMISES KEPT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. SCARBOROUGH) is recognized for 5 minutes.

Mr. SCARBOROUGH. Mr. Speaker, in 1995, we talked about promises that were made and promises that we needed to keep. We talked specifically about the budget. It is hard to remember, but just 4 years ago, the deficit was nearing $300 billion. The debt was skyrocketing. What did that mean to Americans? That meant that interest rates on mortgages, on cars, on college loans were soaring through the roof. In fact, it looked like there was no end in sight to deficit after deficit after deficit.

So we stepped up to the challenge. We presented the first plan to balance America's budget in a generation. We heard the President. We heard the Vice President. We heard many Members on the left. We heard the media talking about how balancing the budget under our plan in 7 years would destroy the economy. In fact, that is what the President said.

Well, we did not listen to the naysayers. We fought. We passed our plan. The President still objected. In fact, that fall, he vetoed nine bills, shut down the Federal Government and, as only the President can do, blamed it on us.

Well, we kept the fight alive. Finally, in 1997, amid troubling reports that if the President did nothing the budget would balance itself, he decided to come to the table and sign the plan that would balance our budget for the first time in a generation.

We listened to Alan Greenspan in 1995. Greenspan said, in 1995, if we followed the Republican plan, the John Kasich plan to balance the budget, we would see unprecedented growth in our time. We would see college loans and interest rates go down. We would see mortgages interest rates going down. We would see economic explosion. Well, we kept our word. We kept the fight alive. Finally, the President came to the table. We signed the plan, and the economy has prospered because of it.

Now, 2 years later, we are again faced with a decision. Do we follow political expediency? Do we follow the easy route that was followed by the Democratic Chamber in this House for 40 years? Do we play the game the way they used to play the game? Or do we keep our word on budgetary issues?

We laid out budget caps in 1997. We said, this is how we are going to run our Federal Government for the next 5 years. It was very simple. The caps were laid out. The gentleman from Ohio (Mr. KASICH) said, this is the way we need to go. Well, I agreed with him then, and I agree with him now.

We have to continue remaining fiscally disciplined. If we do that, we will not only see the economy continue to explode, we will not only continue to see interest rates going down, we will see something else happen that has not happened in Washington for a long time. We will see a group of leaders who are truly respected across the country for keeping their word.

Because, in the end, this is not about a deficit. This is not about budgetary issues. This is about whether our elected leaders in Washington, D.C., say what they mean and mean what they say. Promises made, promises kept. It made sense in 1995, and it makes sense in 1999.

SUDAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado (Mr. TANCREDO) is recognized for 5 minutes.

Mr. TANCREDO. Mr. Speaker, last week, we had Secretary of State Madeleine Albright in front of the Committee on International Relations delivering an address detailing activities of the Department of State over the last year, identifying all of the hot spots in the world where American interests were at stake, identifying what the United States of America was doing about them.

It was intriguing, Mr. Speaker, because, in over half an hour of a normal presentation and certainly maybe 20 or

30 pages of written presentation that discussed in every way all of the issues that we could possibly confront in foreign policy position, there was one that was conspicuous for its absence, one spot in the world that was never mentioned, one nation that was never brought to the attention of the Committee on International Relations or, as a matter of fact, it has not been brought to the attention of this Nation by this administration, and that is the nation of Sudan.

There, as the gentleman from Virginia (Mr. WOLF) said so eloquently a little bit ago, in the last 15 years, over 2 million people have died in that civil war. That is more than have died in Somalia, Bosnia, Kosovo, and Rwanda combined. Yet, in the face of this tragedy, what we have seen has been a lackluster attempt on the part of this administration to deal with it.

Mr. Speaker, I was asked by a teacher at Highline Community School, which is in the Cherry Creek School District in my District, a class again to which my colleague, the gentleman from Virginia, referred, I was asked by her to deliver a message to the Secretary of State; and I did.

The message was in the form of a question from Ms. Vogel, the teacher of this class, this fourth and fifth grade class, to the Secretary of State; and it said essentially this, ''Why is it that you, the government of our own country, and members of the world community, have decided to turn a blind eye to the tortured land of the Sudan?''

□ 1545

And I communicated that concern to the Secretary and I got a response, a written response, from someone in her office. I delivered that response yesterday to the school in my district. It was one of the most incredible experiences of the time I have spent in public life; to look at these children and this teacher, who have committed and dedicated themselves to the ominous task of raising money to free human beings that have been dragged into slavery in a country all the way around the world.

This class read about this situation over a year ago and became so concerned that they organized a group that is now worldwide. They call it STOP, Slavery That Oppresses People. It has raised over $100,000. This 4th grade class in Highline Community School has raised $100,000 and purchased the freedom of over 1,000 individuals in the Sudan. Mr. Speaker, in the entire world we have been able to muster enough support to purchase the freedom the a total of 5,000, yet 1,000 come from this one classroom, this one elementary school. It is really quite extraordinary, and it was an extraordinary day yesterday.

I will enter them into the RECORD, but I want to read a couple of the cards I received yesterday. Each student wrote a personal card, a personal message to me, and some of them are really quite moving. I will not go through them all, but just some of them. And, remember, these are, again, 5th graders.

''Our hearts are noble, so we use the noble heart to do good for others.'' By Dong Cho.

''Dear Congressman: Hi, I'm Christina Manalostas. We bring love and courage from our life, and give it to others in sadness.''

''God must have put us here on earth for a reason. That reason was not to put people in slavery or to separate races. He put us here to live free, to have freedom. He just wanted to give everyone an opportunity for everything. Love, Charles.''

''There is nothing worse than seeing a person suffer for what they believe in.'' Deven Eastman.

I can go on and on like that, Mr. Speaker, but I will not. I will enter them into the CONGRESSIONAL RECORD.

I will tell my colleagues that what these children have done and what they are continuing to do far surpasses the efforts that the whole government of the United States has put forward to date, and I simply want to commend them and thank them from the bottom of my heart for such an inspirational day as I spent yesterday.

The personal messages referred to above are as follows:

I thank God for using these children to remind me of the true spirit of giving! We have love for all people in the world!

BARB VOGEL.

''Caring is living the meaning of life.''—Richard Lucas, Age 13, Upper Arlington, OH.

If we can eradicate slavery then the world will be a better place.

Love,

CYNTHIA JARANGO.

''Maybe if we looked deep inside ourselves we would find the roots of today's problems and also the solutions. Man creates problems through his temptation; maybe he could solve them through caring.''—Alicia Hartman, Age 17, Northeast, PA.

A lot of beautiful souls are in slavery and it needs to stop.

KRISTIN YOUNG.

''A nation with citizens who care and look out for each other is a great nation; it will not fall apart.''—Dwain Simmons, Age 14, Houston, TX.

DEAR CONGRESSMAN DAN: Thank you for coming to our class. Also, thank you for supporting our campaign. I am an abolitionist and my name is Lè Shai.

Sincerely,

LÈ SHAI.

When you put your mind to something, you can achieve anything.

JOSHUA FLEMING.

If we didn't eradicate slavery how would other people be free?

Sincerely,

DAVID WALKER.

Power is in people! Don't be lazy take action to help others.

Love,

ALEX J. PERSINGER.

Even though Frederick Douglass is dead, I still believe that his spirit lives in every abolitionist in the world.

MELVIN HARMON.

The greatest power of our time is love for all people!

Love,

THOMAS TURNER.

Unless the world is perfect, without any problems, we need to take a stand and help others.

LINDY DESPAIN.

The world needs the caring majority.

Love,

ALPHONSO MCDONALD.

DEAR CONGRESSMAN: I would like to thank you for joining our campaign. We appreciate your work.

Love,

JAMES COLEMAN.

Slavery is wrong, and someone needs to take a stand. Adults are not doing enough, so kids are doing something more.

NICOLE CIMINO.

We can't have just a little group of abolitionists we need a large group.

Love,

JOSH HOOK.

There is a sin, from the past, it is slavery and kids are doing something about it!

Love,

MIRIAM MORENO.

God made us different, because He knew that we would be beautiful!

STACY CARUSO.

Freedom is one of the world's greatest treasures. What has happened to it?

DONI TAIKALUS.

Our hearts are noble, so use the noble heart to do good for others.

DONG CHO.

DEAR CONGRESSMAN: Hi, I'm Christina Manalastas. We bring love and courage from our life, and give it to others in sadness.

Sincerely,

CHRISTINA MANALASTAS.

God must have put us here on earth for a reason. That reason was not to put people in slavery, or to separate races. He put us here to live free, to have freedom. He just wanted to give everyone an opportunity for everything.

Love,

CHARLES.

There is nothing worse than seeing a person suffer for what they believe in.

KEVEN EASTMAN.

CUBA REMAINS A STALINIST STATE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, the past few weeks the Castro dictatorship has initiated an all-out crackdown on the internal opposition and the independent press, who day after day fight for freedom, for democracy and for human rights in Cuba.

Yesterday, under strict secrecy, four of Cuba's most prominent dissidents, Felix Bonne, Marta Beatriz Roque, Vladimiro Roca and Rene Gomez Manzano were put on trial after spending almost 600 days in prison with no charges filed against them.

The crime committed by these four freedom-loving individuals: Drafting a document that criticizes the Cuban communist regime's repressive policies. And it was entitled ''The Homeland Belongs to All of Us.'' This document called for the establishment of democracy in Cuba and the holding of free elections on the island. The dissidents now face up to 5 years in prison and more on these trumped-up charges.

It has been reported that dozens of independent journalists and other dissidents were summarily rounded up this past weekend on the eve of the trial. The purpose of this massive wave of arrests was to assure that opponents of the regime did not tell the international community of the Roman circus that the dictatorship dares to call a fair and a just trial.

Despite the strengthening totalitarian nature of the Castro regime, the internal opposition in Cuba continues to work tirelessly to call to the attention of the world the plight of the Cuban people. In response to the valiant efforts of the Cuban internal opposition, merely 2 weeks ago Fidel Castro imposed yet a new law on the island that punishes up to 15 and more years in jail any Cuban who disseminates what the regime considers counterrevolutionary information.

Leading human rights organizations around the world have noted the intensification of human rights abuses on the island of Cuba. Human Rights Watch, Amnesty International, the Inter-American Commission on Human Rights, and the recently released U.S. State Department Human Rights Report all concur that the Cuban regime continues to systematically violate the fundamental civil and political rights of all of its citizens.

Cuba today remains the Stalinist state that it has been for 40 years under Fidel Castro. The rights of freedom of expression, freedom of association, freedom of religion, and all of the other rights that free men and women enjoy are denied to the Cuban people. The latest crackdown is but the most recent example of this four-decade old nightmare that has engulfed the island.

Mr. Speaker, the United States Congress must continue to raise our voice in support of the freedom fighters in Cuba who day in and day out put their lives on the line to create a Democratic opening on the island.

Last year, during his visit to Cuba, Pope John Paul II called on the Castro dictatorship to open up Cuba to the world. A year after the Pontiff's visit, Castro has not even opened Cuba up to its own people. On the contrary, the regime continues to tighten the noose of repression around the necks of the people of the island.

The people of Cuba need the solidarity of the United States and all the nations of the world. Let us not turn our backs on them at this critical time.

This week my congressional colleagues and I will be submitting a resolution which will detail facts on the Castro regime and on the international community. We call upon the United Nations Commission on Human Rights in Geneva to help the Cuban people, because this provides a forum for discussing the human rights situation throughout the world, for condemning abuses and gross violations of these liberties, and for establishing an international mechanism to express support for the protection and defense of these inherent natural rights.

The actions taken by the United Nations Commission on Human Rights establishes a precedence for a further course of action, and it sends a message to the international community that the protection and promotion of human rights is indeed still a priority for all of us. The universal declaration of human rights guides global human rights policy and it asserts that all human beings are born free and should live in dignity with rights.

Religious freedom in Cuba is severely restrained, and we have clergy and lay people who are suffering sustained repression by the Cuban state security apparatus.

The government of Cuba continues to violate the rights of the child as well by engaging in child labor and in child prostitution. It routinely restricts workers' rights, including the right to form independent unions.

Mr. Speaker, we will continue to be vigilant in fighting against these violations, and we call on the international community to help us in this hour of need.

PRESERVING, PROTECTING, AND ENHANCING SOCIAL SECURITY SYSTEM

The SPEAKER pro tempore (Mr. SHIMKUS). Under the Speaker's announced policy of January 6, 1999, the gentleman from Texas (Mr. DOGGETT) is recognized for 60 minutes as the designee of the minority leader.

Mr. DOGGETT. Mr. Speaker, over the course of the next hour, a number of Members, Democrats here in the House, want to explore with our colleagues and with the American people our commitment to preserving and protecting and enhancing our Social Security System. It is my belief that Social Security is one of the best programs that ever came out of this House of Representatives and this Congress and this Nation.

If we reflect back on the history of this program to a time in this very chamber in the 1930s, a time when most of our seniors were left in poverty, left often in disgrace to live destitute in their final years in this country after having built it into the great country that it is, and we reflect back on that time and compare it to the standard of living available to most seniors in this country today, it is a remarkable development. Over the course of some 60-plus years, thanks to the leadership of the great Franklin Delano Roosevelt and a Democratic Congress, we have a Social Security System that really is something that all of us can be very thankful for.

That was a system that came into effect over very significant Republican opposition, and it took from the 1930s until the 1960s, decades of effort by Democrats in this Congress to move to the second pillar that is so important to the security of our seniors, and that is Medicare.

When my fellow Texan, Lyndon Johnson, signed Medicare into law to assure that those who had some retirement security also had a certain element of health security, nine out of ten of our Republican colleagues in this House, nine out of ten, voted no. They did not believe in Medicare.

And so I think it is important, as we begin what I hope will be a bipartisan effort to bring us together to resolve the issues now about Social Security, that we do so in a bipartisan fashion, not bound by our history, but we also must be mindful of our history. And much of the history of the viewpoints brought to this debate about Social Security is really fairly recent.

The current leader of the Republican House group, the majority leader, the gentleman from Texas (Mr. ARMEY), my colleague from Texas, has a far different attitude about Social Security and about Medicare than I have had and that our great President Lyndon Johnson had, and I believe that most Texans have about Social Security. He has referred to it, back in 1984, as ''a bad retirement'' and ''a rotten trick'' on the American people. And he said, just a few years ago, that ''I would never have created the Social Security System.''

In addition to the comments about Social Security, he said of Medicare, after the Republicans took control of this House, ''I resent the fact that when I am 65 I must enroll in Medicare. I deeply and profoundly resent that,'' he said. ''It is an imposition on my life.''

So we know that at least when some of the leadership of the Republican Party here in the House come to discuss Social Security and Medicare, though they profess an interest in the same bipartisan solution that ultimately will be necessary, they have a different perspective about Social Security and Medicare than those of us who come from a party that has made Medicare and Social Security a mainstay of our efforts.

Likewise, I was troubled, just after coming to the House here in 1995, to read the banner headline of the newspaper of the Progress in Freedom Foundation. This is the group that was created by our recent Speaker of the House Newt Gingrich. It said, ''For

freedom's sake, eliminate Social Security.'' And it proceeded in this banner editorial, on the front page of this publication, to say, ''It is time to slay the largest entitlement program of all: Social Security. A more important reason than financial returns for privatizing Social Security is freedom. The government shouldn't be in the business of confiscating people's retirement money and giving them no say where it is invested.''

That is perhaps a perspective that could be subject to debate here, but it is a perspective that has characterized the leadership of this Republican Party. So that when they come and offer a meaningless resolution, like that which the House adopted today, that has various platitudes but really does nothing to accomplish any real reform of the Social Security System, we cannot help but be mindful of the perspective and the rigid idealogy that they bring that is very negative towards Social Security and Medicare.

I hope that over the course of this debate we can reflect on some of the, I guess the remainder, the leftovers of this rigid ideology that are continuing to serve to restrict our ability to get meaningful changes in Social Security, to preserve and strengthen it, rather than to reform and wreck it.

Now, the leader of our efforts in this regard has been my colleague from California, who is the ranking member on the Subcommittee on Social Security of the Committee on Ways and Means, and I participated with him earlier today, with the National Committee to Preserve Social Security and Medicare, in a discussion of a new study to explore who the winners and losers are of the various proposals like that advocated by the Progress in Freedom Foundation and the other people that do not really believe in Social Security and want to abandon the system of the last 60-plus years, and I wonder if my colleague from California (Mr. MATSUI) might focus some attention on the significance of this particular study to our ongoing discussion of Social Security.

□ 1600

Mr. MATSUI. Mr. Speaker, I thank the gentleman from Texas (Mr. DOGGETT) for yielding.

The distinguished gentleman from Texas, as many people know, is on the Subcommittee on Social Security; and his expertise obviously is greatly needed for not only this entire institution but obviously for the country. I appreciate today that he has put together this opportunity for a number of us to speak on the floor of the House on this very, very critical and important issue of Social Security.

I might just mention the importance of Social Security to all Americans. It is probably the most significant program that the Federal Government has put together in the last 100 years, perhaps in the history of our country.

Every American is touched by Social Security; and, unlike what many people think, Social Security is not just a program for those people 62 or 65 and older. One-third of the benefits of Social Security goes basically to women, surviving spouses, and minor children, either through the form of survivor's benefits when the breadwinner of a family dies before reaching the age of 65 or, alternatively, when the breadwinner becomes disabled.

All of us understand and know the fact that, without Social Security, many young people in America today would not be able to go on to community college or State college or perhaps a university if, in fact, that breadwinner is injured or perhaps dies. So this program is perhaps the most important program that this Congress, perhaps in our lifetime as Members of Congress, will have to deal with.

Yes, there is a problem with Social Security, demographically. When Social Security was first established, it was considered then a widows' and orphans' fund back in the 1930s, as the distinguished gentleman from Texas (Mr. DOGGETT) has said. There were about 30 people working for each retired individual. Today, there is about three in the workforce for every retired individual; and sometime in the year 2025 there will only be a little over two.

So we must change, we must make modifications, but we must also preserve Social Security as we know it in America today.

I have to say that one area that has me greatly concerned is in the area of tax cuts. The story in the Washington Post and the New York Times, major newspapers throughout the country, over the weekend, is that the Republican leadership would like to lift the so-called spending caps so that we can accommodate additional spending in the defense budget, perhaps additional spending in other areas. That would be fine, I suppose, and we will have to debate that issue when we prepare the budget, hopefully by April 15 when it is due under the budget rules.

There is also talk about a significant huge tax cut, and everyone relates this tax cut to the surplus. We heard the chairman of the Committee on the Budget talk about a $700 billion tax cut over the next 6 or 10 years. We have heard the Senate Budget Committee chairman talk about an $800 billion or $900 billion tax cut over the next decade.

The problem we have, of course, is that over the next 5 or 6 years only $86 billion of the hundreds of billions of dollars of surplus will be in the form of income tax, both income taxes from corporations and income taxes from individuals. The greatest percentage, 90 percent, of the surplus will be from the Social Security payroll taxes. We cannot afford to use those sums, basically coming out of that very regressive payroll tax, to pay for tax cuts that essentially go to higher income folks.

The chairman of the Committee on Ways and Means already said that. It is going to go to people in the high income bracket because he says they pay more. In fact, we estimated that somebody that makes $300,000 a year will get about a $30,000 tax cut, whereas somebody making $30,000 a year, one-tenth of that, will get about a $99 per year tax cut, or maybe $8 a month.

Mr. DOGGETT. Some have suggested that this 10 percent tax cut is just principally designed to help the top 10 percent of Americans.

Mr. MATSUI. There is no question about that.

Mr. DOGGETT. Or maybe the top 1 percent.

Mr. MATSUI. It just goes to the very, very high income groups.

Mrs. THURMAN. Mr. Speaker, will the gentleman yield?

Mr. DOGGETT. I yield to the gentlewoman from Florida.

Mrs. THURMAN. Maybe another way to put this then is, if we take this surplus, the dollars that are coming in from the payroll taxes, which would be hard-earned folks' money that they spend out of their check, actually would then go to fund a tax cut across the board or potentially across the board, leaving us in a deficit for when they get ready to retire?

Mr. MATSUI. Well, there is no question. I think the gentlewoman from Florida (Mrs. THURMAN) is absolutely correct. They are basically taking money so there is immediate gratification but at the expense of folks down the road, 5, 10, 15, 20 years down the road.

Mrs. THURMAN. It is out of their tax dollars?

Mr. MATSUI. It is out of their tax dollars.

I will conclude by being very brief, because I would like to talk a little bit about this program that the gentleman from Texas (Mr. DOGGETT) spoke about today very briefly. It is very interesting, because Martha McSteen is the chair of the National Committee to Save Social Security and Medicare. Martha McSteen had been a Social Security administrator for 39 years before she retired in 1986. She was the acting administrator of the entire Social Security program from 1983 to 1986, just before she retired.

Believe it or not, that was under the Reagan administration. She was part of this press conference.

And also John Mueller. And I want to just mention John Mueller's background. He is an economist, and he was the chief economist for the Republican Conference, that is the Republican caucus, under the leadership of then chair of the caucus Jack Kemp. They put together this report to look into the whole concept of whether or not we should privatize Social Security. In other words, allow private accounts of either 2 percent or 5 percent or 4 percent, maybe 3 percent, whatever it might be, or maybe all of it.

They have concluded, in their very comprehensive study, that in terms of winners and losers almost every American alive today will be losers under

this program of private accounts, private individual accounts. The only winners will be single males born in the year 2025, 25 years from now and beyond.

The reason for that is because, as all of us know, we have an $8 trillion unfunded liability because Social Security is basically a pay-as-you-go system. It is a system in which current generations pay for the retirement of past generations, and it is not funded. It is paid out of the payroll taxes and immediately paid out of the Treasury.

As a result of that, if one moves to a new system, where there are private accounts, essentially what happens is that the current generation of workers will be paying two taxes: one for their own retirement maybe 20 or 30 years down the road and the retirement of their mothers and fathers, aunts and uncles and perhaps even their grandparents.

So once we move over to private accounts, we are going to end up doing great damage to every American that is alive today and probably will be alive, born in the next 20 years. The only beneficiary will be somebody who will be born in the year 2025 and beyond. It will be basically a male who is single.

The gentlewoman from Florida (Mrs. THURMAN) can talk about the impact of this on women.

It is a major study. We hope that people will look at it because it confirms the Galveston plan, which the gentleman from Texas (Mr. DOGGETT) is so familiar with, in which they do private accounts. A GAO study showed that the Galveston plan is not working.

Mr. DOGGETT. Mr. Speaker, I know the gentleman has some constituents that he is going to meet with now, but I appreciate his comments and his leadership.

I think the kind of participation that Mr. Mueller provides as an economist, as a Republican, is the very kind of Republican participation that we need. He conceded in his comments that he began with a strong ideological predisposition against our current Social Security system, but he was willing to let the facts overcome that ideological predisposition.

That is really what we are saying to some of our Republican colleagues who have made these very harsh criticisms of Social Security, to look at the facts; and when they show, as this study that the gentleman referred to, they show that no one alive in the world today would gain from wrecking the system and changing it so much that we would not recognize it, then we ought to try to improve the system rather than to reject it.

I appreciate the gentleman's participation.

I know that the gentleman from Washington State (Mr. MCDERMOTT), one of the few physicians here in the House, serving on the Medicare Commission as well as working on Social Security, has some insight on this issue as well.

Mr. McDERMOTT. Mr. Speaker, the gentleman from Texas (Mr. DOGGETT) is to be commended for having scheduled this the day that we passed the most irrelevant resolution that I can imagine. It was empty in all its aspects.

I would say to the gentleman from Texas, as I sit here and think about this, I was thinking about my grandfather. He was a second generation American who went to the second grade. He could read the newspaper and he could write, basically, but had no assets. But in the investment industry in the 1920s there was a guy named Samuel Insole who had the electrical industry all locked up, and he was selling stock all over the United States. This was the time when we had private retirement. Everybody had their own retirement. There was no Social Security. So someone saved their own money.

Well, Insole came down into central Illinois, where my grandfather was, selling this stock. My grandfather, no economist, no great education, said to his wife, if this stuff is so good why are they selling it in the cornfields of Illinois? Why don't they sell it in Chicago?

When it crashed and all the old people in this country had nothing, that is when Franklin Delano Roosevelt came with Social Security. Because when people tried to invest their own money in the stock market, some people made it and some people got clobbered.

So this has been a system now in place for 70-some years, I guess 60 years, that has basically been protecting senior citizens. When people come here talking about let us privatize it, let us get away from a situation where we all pay into the same pot and we take out as long as we live and we share the risk, all Americans share the risk together, the move in the Committee on Ways and Means now is, let us privatize it and give everybody a little book, and they will put their money in their little book, and they will know how much they have, and they can get rich or they can go in the ditch. That will be their choices. Who knows?

The model they use comes out of Chile. People in this country ought to take a very careful look at the Chilean example.

First of all, it took a dictator, Augusto Pinochet, to wipe out the system in Chile of a universal system and give everybody individual books. They had to wipe out the labor unions, and they ultimately set this system up.

Two years ago, when the stock market was not doing well, the Chilean government said to people, please do not retire because the stock market is down and people will not have enough to live on.

My view is that we ought to be creating a solid system that goes into the future and not go back to the 1920s in this country.

Mrs. THURMAN. Mr. Speaker, will the gentleman yield?

Mr. DOGGETT. I yield to the gentlewoman from Florida.

Mrs. THURMAN. There is another fallacy within the Chilean issue and I think it is one that all of us are very comfortable with and one that certainly the gentleman from California (Mr. MATSUI) has spoken about and that is, what happens to women and children, to this family issue? What happens to people who become disabled? If one looks at that system, there is in no way any kind of a benefit built into their system; where in ours we have a guaranteed benefit for those particular folks that find themselves in those very difficult situations.

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

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

Mr. MATSUI. If I may just indulge for a minute, I noticed that sitting in the Speaker's seat, as Speaker pro tempore for the day today, is a new colleague of ours, the gentleman from California (Mr. OSE). Actually, he comes from the Sacramento area, as many of my colleagues know who have met him. He has just taken our distinguished colleague Vic Fazio's seat, who retired.

I would just like to acknowledge the gentleman from California (Mr. OSE) and say that I am honored to be on the floor of the House in the gentleman's first opportunity, since he has been elected to the Congress, as Speaker pro tempore of the House. So I just wanted to say, and probably breaching some kind of rule here, but I just wanted to acknowledge the gentleman this evening and say I am very, very pleased that he is here and part of this. It is a very historic moment, obviously, for the gentleman from California (Mr. OSE) and his family.

Mr. DOGGETT. We are pleased to have the gentleman from California (Mr. OSE) presiding over us this afternoon. And we are going to keep talking to the gentleman and with the gentleman, because we do need everybody from California joining in to help us get Social Security legislation here, a piece of legislation that we can all be proud of that will be there for our retirees.

□ 1615

As the gentlewoman from Florida is pointing out, for what I believe is about 16.7 million children and adults here in the United States that are not relying on Social Security as the retirement system but it is absolutely vital to them that Social Security is there for people with disabilities or family members with disabilities.

I believe she was pointing out that it does not work that way under this great model that some of our colleagues have been advocating.

Mrs. THURMAN. The other thing that I might add to that is the issue of an independent business owner. About 80 percent of them are covered under no kind of retirement plan and were actually given an option not to participate at all. We have no clue or idea

what would happen if their business failed in some way when they reach that magical year of retirement for themselves, of what would happen to them. Would they become a ward of the country? What happens to this person?

Mr. DOGGETT. The gentlewoman is saying in Chile if we followed that model, there would be businesses in California, in Florida, in Texas that would be totally outside of the system.

Mrs. THURMAN. And that is exactly what happened in Chile. In fact, they said I think 80 percent of the small businesses in fact do not even participate. We do not know, as I said, if they have no income. I think that takes us right back to where we are and have been such strong supporters of Social Security, because when it was developed, it was specifically developed to lift people up and have some dignity in their retirement years. In this case we do not know where that dignity would be, which is why I would be very concerned. It is also happening in some of the other countries that we are seeing, with privatization, in the UK and in France and in some other areas where they are looking at 5 years, they could go bust in those areas and do not have a clue as to what they are going to do at this point, quite frankly because of administrative costs in these retirement issues.

Mr. MCDERMOTT. I think there is one other thing that I want to emphasize. Sometimes you cannot say something too many times. That is, this whole disability business, because I have got an incident in my own district right now that is right in the middle of my mind. This is the best disability income program in the world. You cannot buy one any better than this. We had a policeman who was injured and subsequently died, 38 years old, a wife, kids 5 and 3. Now, they go into the Social Security system and she is guaranteed a benefit for herself and those children for the rest of her life and for the kids up to the age of 18. Most young people in this country do not know that they are walking around with this insurance policy in their pocket. It is not one you want to collect on but it is like your fire insurance. You buy fire insurance on your house hoping you will never collect on it. The same is true in terms of this. To make this appear that this is just a program for old people is simply to misrepresent what the Social Security system is all about.

Mr. DOGGETT. Let me, if I might, just on that point quantify, because we had some excellent testimony the other day in our Ways and Means Subcommittee on Social Security from Marty Ford representing the Consortium for Citizens with Disabilities. She pointed out that for the average wage earner, much as the gentleman was saying for the law enforcement officer, for the average wage earner with a family, Social Security that we have today, the insurance benefits, are the equivalent of a $300,000 life insurance policy or a $200,000 disability insurance policy. I think that is the kind of benefit that we are talking about that many people, a small business owner of the type our colleague from Florida was mentioning, an individual employee could not go out and afford to buy that kind of policy. But with all of us working together in this government program, everyone gets that policy of disability insurance and of life insurance.

Mr. MCDERMOTT. I think there is one other thing that the gentlewoman from Florida (Mrs. THURMAN) brought up and I think needs to be emphasized, and that is the effect on women. If you have individual accounts and you work and on the basis of your job you put in whatever percentage, most women in this society make less than men do.

Mrs. THURMAN. If the gentleman will yield, we make about 74 cents on a dollar as versus a male. However, I will say that during the State of the Union, it seemed to be one of the areas where there was a lot of bipartisan support, that we should have parity in the workforce. I am ready to work on that issue any time the gentleman is ready.

Mr. MCDERMOTT. But there is another way in which women, if you have individual accounts, not only do they make less but they work less numbers of quarters, for reasons of childbirth and for reasons of staying home and taking care of family members. Generally men do not leave their job and take care of their mother or their father or their in-laws.

Mrs. THURMAN. The average is about 11 years less than what men work in the workforce.

Mr. MCDERMOTT. And then women live longer. So they have less money as income, they have worked less number of years and then they live longer, so that they are impoverished or they will be impoverished by this kind of system.

Mrs. THURMAN. The way that that would work is they would have to buy under an individual account an annuity and when they buy that annuity it would be based on an actuarial life span. Because women are predicted to live longer, so when they bought theirs at 64, 65, whenever they were ready to retire, when the insurance folks would settle this out, they would say you would actually get a lesser per month check than the male would just because of your life span issue, which is the reason that that would happen.

Mr. MCDERMOTT. Anybody who looks at this with an open mind realizes that women will suffer if we go to privatization and do not have this generalized program we have today. That reason alone ought to be enough to make us keep this program together, if we care about our mothers and our sisters and our aunts and all the rest.

Mr. DOGGETT. The gentlewoman from Florida was at this briefing today with the National Committee to Preserve Social Security and Medicare. The Republican economist who did that simulation on these various privatization schemes, his conclusion was that no group in our society would be a bigger loser than women, and that it did not make any difference, well, it makes a difference in degree, I guess, but regardless of income class, regardless of race, regardless of marital status, because of the factors that the two of you have just been describing, women will lose more than any other part of our society if we reject the Social Security system that has served us so well and go off with some of these ideological experiments.

Mrs. THURMAN. If the gentleman will yield, just from the synopsis and summary of findings, it said women would be particularly affected by the loss of spousal and widows benefits, the lack of benefit progressivity, and the loss of unisex annuities provided under our Social Security system as we know it today. And the Social Security benefit for surviving widows is higher than the benefit widows would receive under a privatized system. This is true in married couples when the wife is college educated with even full earnings. So there are really some issues that would have to be particularly looked at.

I will say, even in the resolution that was passed today, women was an area that was considered under this and one of the things that I would like to say to my colleagues is that it is okay to put it in words but now let us make sure it turns into action and that we do not reduce these benefits or these concerns.

If the gentleman will let me just say something else, too, because this goes into another area but still I think is the whole idea of security in your retirement years and specifically with the issue of Medicare and the idea that we would add this additional 15 percent to take us into the year 2020. I think the gentleman from Texas mentioned the security of health care. In one of our same hearings, and I know we are not going to get much into this, but one of the things that was said during one of our committee hearings, Mr. Lew said basically if Congress fails to enact this legislation, 15 percent, we have only three options in the Medicare issue and I hope that we are all listening to this because he stated that we would have to reduce provider payments, raise payroll taxes or cut benefits. I am just adding that in because that is another part of the whole Social Security issue as we are looking at this debate.

Mr. MCDERMOTT. I think one of the things that we need to talk about a little bit so people really understand it, because sometimes I know that I think I understand about something until I really begin to feel about or actually look at it. This Social Security issue really, if you want to take a point when it got acute was in 1983. We in the Congress, not any of us, but the Congress decided they were going to save Social Security, so they raised the contribution rate so that people were putting more money into the pot that was

being paid out in that year, the so-called pay-as-you-go idea. You put in as much as you have to pay out. Well, we were putting in more than we had to pay out, so a surplus developed in there. During the 1980s, under Mr. Reagan, for the Cold War reasons and a lot of reasons, we borrowed all of that. We borrowed that money out of the Social Security and we have been paying—we meaning the government borrowed it—and we have been paying interest. Every year, one dollar out of seven in the Federal budget goes to pay interest to the Social Security system. It is almost our biggest expenditure outside of Social Security itself, just a little less than we spend on defense, we are spending in interest on this money.

The President's proposal in his State of the Union message was absolutely a stroke of genius, because he is not only paying off the national deficit but he is also strengthening the Social Security system by putting 62 percent of the surplus until the year 2014, and the amount of national debt will be markedly reduced. I personally think that it is inconceivable that if you have any conservative bones anyplace in your body that you would, having received this benefit, say, well, let us spend it on a tax break rather than pay this enormous debt that faces this country. I think the people have to understand, the Congress created the debt, and it is now when we have surplus the time to pay it off. It is like your credit card. If you get a Christmas bonus and you say, well, let us just buy some more rather than paying down your credit card, you would say that person was irresponsible. The Congress will be irresponsible in my view if it does not use this money to pay down that debt.

Mr. DOGGETT. That is the whole meaning of the phrase ''save Social Security first.'' We save Social Security first, ahead of anything else, and we do it by the very fiscally responsible step of paying down these trillions of dollars of Federal debt that has been accumulated over the last many decades.

Mrs. THURMAN. Again through the hearings that we have had, if anybody has been watching the news or reading the newspaper or looking at Newsweek or any one of the organizations that have been writing about what is going on up here, Greenspan both in the Senate Finance Committee and Ways and Means, Banking, wherever he has appeared over the last couple of months in his report to Congress has been, this is the best thing you can do for this country. And then the beneficiaries are all Americans, because we continue to see a robust economy with jobs being created, businesses having capital to expand and extend their businesses, we have lower interest rates or continued lower interest rates. We know how that has been spurring this economy, the fact that people have been able to refinance their mortgages so they have more money in their pockets for disposable income, maybe for possibly even putting a little money aside for children to go to college or buy health care or help with long-term care for an elderly person, whatever that case may be. We all recognize that that is what we should be doing.

I have to tell you, it was interesting, I am going to try to get it right. This morning I was going back over some clips. It seemed that there was this continuing, ''Well, if we don't do this, we've got all this surplus, should we then give this tax cut?'' And Greenspan said, ''Well, you know, it is the last thing I would like you to do, but the worst thing you need to do is be spending it on new programs. So if you can't save it and use it to pay down the debt, well, then maybe you should do that.''

But quite frankly the first thing we should be doing with this money is paying down our debt.

Mr. MCDERMOTT. The actual quote, if the gentlewoman will yield for a second, ''My first preference,'' he said, ''is to allow the surpluses to run for a while and unwind a good deal of the debt to the public which we have accumulated over the years.'' Here is the man that has brought in large measure the present economy to its present state. He is saying, pay off the debt. I do not see how anybody can be against this. It is going to be interesting to hear the debate that will go on while they try and justify, ''Well, since we've got the money, rather than pay it off, we'll just give it back.''

□ 1630

It is the people are the ones who are going to benefit from stabilizing Social Security and Medicare. There is a tie between these two. Because when we talk about these older women, there are about 6 million women in this country living on $8,000 of Social Security, and it is those people that we are talking about raising the premiums on Medicare.

Mrs. THURMAN. Sixty percent of the Social Security recipients are women in this country.

Mr. MCDERMOTT. Yes.

Mr. DOGGETT. Let me ask you in that regard from your service on the Medicare Commission. Now I have heard some people on our Committee on Ways and Means say that they, as Republicans, would agree with the President to set aside 60–62 percent of future surpluses to take care of Social Security, but they wanted the rest of it, I guess, for various other schemes, and they did not want to focus on the Medicare aspect. If we only do the 62 percent and we do not have any long-term solution otherwise to Social Security and we do not address Medicare, what would be the effect on the health security of our seniors?

Mr. MCDERMOTT. Well, I think that, first of all, anybody who would try and separate them and say one is important and the other is not simply is not old, because if you are old, you think about two things: How you are going to pay for your house and your food and how you are going to pay for your doctor bills. And when Medicare started, 1965, less than 50 percent of people had health insurance above the age of 65. Now 100 percent are covered. It is the second leg of the economic security for senior citizens in this country, and you have to stabilize that plan. Otherwise, the Social Security check is going to go simply to pay for more health care benefits.

Seniors already spend $2,500 on average in this country out of pocket on Medicare for medical things that are not covered by Medicare. So the Social Security and the Medicare are linked very tightly, but it is absolutely crucial that people have an income to live on. If you do not have that one stabilized and you start making that one unstable and then make their health care unstable, you will have taken away all the emotional security that senior citizens feel in this country because of these two programs.

Mr. DOGGETT. A colleague of ours who was a leader even before coming to this House as a State official in dealing with pensions, retirement security, insurance, is EARL POMEROY of North Dakota. And I am pleased that you join us this afternoon, also now as the co-chair of our entire Democrat Caucus Task Force on Social Security, and I know you have some thoughts about this ongoing debate.

Mr. POMEROY. I certainly do, Congressman, and I want to thank you for your leadership as well as, Congressman MCDERMOTT and Congresswoman THURMAN, for your leadership on the Committee on Ways and Means. I know that you have been having many hearings on this topic awaiting the reform proposal of the majority.

While it is difficult to try and see what they may be proposing, I know, as you have told me, the thrust of the debate seems to be shaping up to be between those that want to reform and reduce Social Security protections and those that want to strengthen and protect and extend those protections so that the next generation has the same protections that our parents, grandparents and we will have as well.

I think that, as we see this take focus, it appears as though those who want to reduce Social Security will be advancing a proposal of individual accounts replacing the guarantees and assurances that today protect one in six families in this country, one in six Americans in this country receiving a Social Security payment in exchange for an individual account proposal.

You have mentioned earlier a study that was released today, and I also want to call it to the attention of the body, a study authorized by the Committee to Preserve Social Security and Medicare conducted by a Republican economist that shows there are distinct winners and losers under a proposal to go to the individual account. But most of us, virtually all of us living today, fall in the losing category. The individual account winner fell to one narrow class of males in affluent

earnings that will be born in about 20 years. All of the rest of us lose, and we lose for one fundamental reason: You have to continue making payments on the existing structure, the structure that today is meeting the needs of more than 40 million Americans, even while you begin to create these individual accounts and direct money to those so that that is going to work to replace the Social Security payments in the future.

The thought behind this economist's study was a very simple but straightforward one. It is always, always more expensive to pay for retirement twice than once. And so if we fund the existing system and fund the individual account system, we are in essence paying twice, and that is the cost that ultimately reduces what Social Security offers to Americans.

Mrs. THURMAN. Mr. POMEROY, within that, and so we can kind of look at this debate and maybe kind of give the audience or whoever is out there listening to us the word or the captured word that what you are talking about, and this is the transition tax. It may be called something else, but the fact of the matter is it is the dollars that are going to have to be spent to cover those people that are on Social Security today and within the system.

Now to that, Mr. POMEROY, one of the things that John Mueller talked about specifically was these other studies and why these other studies were wrong when looking at the Social Security system, specifically as we privatize or if it were to be privatized. And they said that these are some of the issues that were left out of their models.

And maybe you can help me with this, that they have left out or underestimated transition costs, which would be this transition tax, and administrative fees for private accounts, that they have used a so-called typical household that in reality does not parallel the actual earnings or employment history of most workers. And, three, they have used exceptionally high projections for market returns that do not track with the extremely slow economic growth or cash used by the Social Security actuaries when we are predicting the future of Social Security funding.

Mr. POMEROY. That is precisely correct. The gentlewoman is exactly right. These earlier studies have been flawed, and they are being corrected by a spate of recent studies done by all perspectives out there analyzing this very important issue. I cite for the gentlewoman's attention a November, 1998, EBRI study.

Now EBRI is the Employee Benefits Research Institute, a business-funded research group assessing the impact of administrative fees on these individual accounts. The thrust of the study, quite likely the administrative fees certainly eclipse any enhanced earning opportunity under the individual account proposal, if they are administratively possible in the first place.

Mr. MCDERMOTT. What is the administrative cost under Social Security? Do you know?

Mr. POMEROY. The administrative cost under Social Security is under 1 percent. It is truly the most efficient mechanism of getting benefits available to Americans.

Mr. MCDERMOTT. And the administrative costs in an investment house, Wall Street Journal kind of private investment account, what would that be?

Mr. POMEROY. Well, they run considerably more than that. In fact, the least expensive individual account structure could be brought on line potentially for 8 percent, 800 times what we are presently paying; and a more likely scenario could be 30 to 40 percent in a completely privatized environment, reducing benefits in favor of administrative costs while you reduce the assurances. It is just not the way to go.

Mr. DOGGETT. And while the study that we heard about today was a simulation using an economic model by a Republican economist, is there not some experience in some of the foreign countries that have moved to these private systems that they have actually experienced administrative costs of the level that you are referring to?

Mr. POMEROY. Well, the fact of the matter is is you are precisely right, and pensioners and near-to-be pensioners have lost millions, all told. In the experience of Chile, in the experience of the United Kingdom, two prevalent examples asserted by those that want to create individual accounts, look a little deeper and you see that the administrative expense component is really coming home to roost in those experiments.

The other real-life example we have is a private alternative to a Social Security program being run down in Galveston, Texas.

Mr. DOGGETT. We usually think everything is a little bigger and better down in Texas, but in fact the study that you referred to in Galveston, Texas, most everybody there that was left out of Social Security. According to the objective study on it, they came out a looser; did they not?

Mr. POMEROY. Well, this is a study by the General Accounting Office, and this is not a group with any stake in this debate. They are providing the strict analysis, and they find precisely that those that have gone not with the Social Security but with this alternative plan for the local public employees have not fared as well as they would have done under Social Security.

As we approach this vitally important program, it is really important, because of its critical importance to American families, that we not deal with, you know, ideology and theories and concepts. If we would make this change, we would not be able to change back, and so it is vitally important that the research come up a good measure from what those favoring individual accounts are presently asserting.

For example, they say that African Americans would benefit under a move to individual accounts. Today's study shows quite conclusively that African Americans would lose and lose big. They hold this out as an opportunity for modest income workers to accumulate wealth. Today's study shows that middle income, modest income workers lose and lose significantly, as opposed to the assurances they now have with Social Security. And then finally women, the biggest losers of all under the shift to individual accounts.

I look at the perspective from my own family. I cite the three women in my life: my 78-year-old mother, my 46-year-old wife and my 5-year-old daughter spanning three generations. All lose, moving away from the guarantees of our Social Security program into the untested uncertainties of the individual account environment. The study today shows it is a loser and we leave people less well off, with greater risk and lower benefits.

Clearly, this is absolutely not the way to go with a program as important to Social Security. I think at this point in time, if the majority wants to continue to pursue this radical reform proposal, reducing the assurances of Social Security in exchange for the individual account proposal, it is time for them to stop shooting at the framework advanced by President Clinton that preserves the guarantees and advances specific proposals that would establish the individual accounts. I am convinced, in light of what these studies have shown, that when analysis is run on any individual account proposal they will bring forward, we will show reduced benefits, higher risk, lower assurances and a step backwards in terms of providing retirement, income security for American families.

I thank the gentleman for this discussion.

Mr. McDERMOTT. Before you walk away, I would like to ask you a question. You quote that Galveston study. What were the reasons why people who choose not to go into Social Security but to do their own investing, why did they come out worse off? I mean, my son has given that argument to me. He said, dad, we do not need Social Security. Just give me my money, and I will invest it, and I will be just fine. I would like to hear what happened to them.

Mr. POMEROY. Well, in fact, they run into the things that we have been discussing, higher administrative fees, greater investment return uncertainty, the same things that would face, in fact, the reform of Social Security.

The fact of the matter is that I think we need to appreciate the fact that as individuals deal with at-work retirement plans, they are already taking on a good deal more risk than they traditionally have. In the past you had your pension, the assets were managed elsewhere, and you put in your time, and you got your retirement check.

Presently, you have a 401(k) plan. Workers in the work force today struggle to make a matching contribution

so they get some money accumulating in their 401(k) accounts. We know that over half the 401(k) accounts in the marketplace have less than $10,000 in them, hardly anything that is going to sustain a comfortable retirement.

We also know that those 401(k) accounts carry a level of investment risk, and quite often workers are mystified, bewildered by the investment choices that confound them. The last thing they want to do is take the one piece of security they have in retirement, Social Security, the bedrock, the foundation, and put risk into the foundation as well.

□ 1645

This is what we build on for retirement security. We do not want to crack the bedrock assurances social security has offered, creating even more uncertainty as to the ability to make it in retirement years.

Mrs. THURMAN. One of the other things we have found, not maybe with the Galveston but just generally, particularly when we are using another form of an IRA 401(k), those kinds of issues, again, this comes back to women. In many cases, if they only work maybe 4.7 years at one job, therefore, for many companies they cannot even vest or participate in any kind of a retirement system outside of social security, which creates one problem for them.

Then say that they get into that situation and they do have an opportunity to vest in something like this, or they have put some money aside in an IRA. Women are the first ones that give up that security to give security to their other family members. So if they have a child that needs to go to school, it becomes an education benefit for their child. If maybe they need a house or a down payment, they are the first ones to give up that security that would be used for themselves in that later time of retirement. So again, here is another little pitfall that happens for women in these situations.

I think the one about the 4.7 years, so much of this is based on vesting in any one system. Sometimes it takes as much as 10 years. We just do not stay at a job for that period of time.

Mr. MCDERMOTT. I think EARL really put his finger on it. It is there and we know it is there, and our job has got to be to stabilize it and make it so that there is no question that it will be there for our kids.

I think all of us my age or around my age have kids who say, well, I heard that this is not going to be there when I get to be old. The first thing we have to get out to them is the message that if we did nothing, if we did nothing, there would be three-quarters of the benefits in social security forever. There is no question that we can do that. The question is whether we are going to have to reduce the benefits if we do not do something about it.

I think that the mythology of those people who want to privatize it and get rid of the Federal program has been to say to our kids in an advertising campaign over and over again, social security is not going to be there when you get there, so why are you paying for it? You are paying in, but you are not going to get anything out of it, you know. That has begun to take effect among young people in this country, when in fact it is not true. It is a lie that is being pushed by people who want to destroy the social security system as we have come to know it.

I personally think our biggest job will be, and if we fail in educating the public about this, at some point they may buy this kind of mythology, about if they had their own money. But the thing we have to remember about the United States is that we are not a country which has done things individually. We do not put out fires individually. We do not build highways individually. We do not build schools individually. A social security system, some may be able to build one, but for everybody who can, there is going to be somebody who cannot. Our problem here is to make sure that everybody has something. Otherwise we will be back in the thirties.

Mr. DOGGETT. Mr. Speaker, a couple of points there that I think are really important, because I have gotten some of those same kinds of communications. I expect every Member has, particularly from younger Americans, saying, just show me the money and I will do it on my own.

One of the things we know from the study that came out today that we have referred to, prepared by a Republican economist who had a leading staff position with House Republicans in this House during the Reagan administration, is finding that every one of those people, the young person that wrote you, the young person that talked with you at a town meeting in Florida, the young person who contacted me in Austin, Texas, every one of those people and every single person alive today is going to come out worse under these experimental plans, according to this simulation, is going to come out worse than if we maintain and strengthen the system that we have right now.

Mr. MCDERMOTT. How do people get that report? Where is that report?

Mr. DOGGETT. This report is available from the National Committee to Preserve Social Security and Medicare. I am sure they will have it up for many of our young people who are web literate on their website. I know my office will be pleased to supply information, and I am sure yours, as well, to people from your part of this country who want to get more information about how they would be affected.

Then I would just add, with reference to what you said about going back to the thirties, I have to feel that one of the reasons that some of these Washington think tank ideologues want to break apart the social security system is that they are so committed ideologically against anything that has government in it. They do not agree with the government highways, they certainly do not agree with government schools. They want to voucher some students out. They will not vouch for public education. They feel if they can tear apart the bonds that have tied Americans together around social security, then they can eliminate any government program.

I think it is that ideological fervor, it is the kind of thing I was referring to at the beginning of this special order in the Newt Gingrich Progress and Freedom Foundation, that it was not just about financial returns, but it was about some very distorted idea of freedom; that if you could break apart the social security system, you could break apart anything else.

I think when we stand up for social security, we are not only standing for the security of our seniors and our disabled Americans, but we are standing for some common bonds that tie us together; that I have an interest in what happens to your family, you have an interest in what happens to mine; in our retirement, if we are faced with the loss of a breadwinner, if we are faced with an unexpected disability, that there is something there to provide us with a little bit of a safety net in that kind of tragic situation.

I know the gentlewoman has some observations on this.

Mrs. THURMAN. I was just going to say, when the gentleman was talking about the young person and the report, if we go to page 11 of that report, and under conclusions, No. 2, and the gentleman from Washington can say this back to his son, because of the transition tax, and again, I go back to that, inherent in any move away from pay-as-you-go social security, no cohort now alive could avoid serious economic losses from partly or fully privatizing social security, even under the most unrealistic set of assumptions. All cohorts now living would be substantially better off with even a scaled-back, balanced, pay-as-you-go retirement program.

Mr. MCDERMOTT. May I ask a question?

Mrs. THURMAN. Certainly.

Mr. MCDERMOTT. What is a cohort?

Mrs. THURMAN. I would think that would be one of us; a people, a person.

Mr. MCDERMOTT. A group, right?

Mrs. THURMAN. These are scientific terms they use when they are putting together these reports.

But also the question that has to go back to that young person today is, if they are relying on a study, they need to ask the hard question, too, because this is about their security. Just as important, it is about their mother's or father's security, so that that does not fall upon them when they have children and are trying to rear their children, and all of a sudden they have a parent who has no income, or any of those kinds of things that could happen to them.

But the hard questions go back to why the other studies are fundamentally flawed. Why were those questions not asked? Again, they left out the underestimated transition costs, they have used a so-called typical household, and the fact that they look at exceptionally high projections for market returns. Those are the questions we need to send back to our children.

I would also say, I am not giving up on our children, our sons and our daughters. They see the benefit to their parents or, in some cases, their grandparents. They understand that their parents are being able to pay for their education. They are able to help them buy that first home, because their parents' parents are not reliant on them for their everyday household needs. I think that that is very important.

So if we just let them kind of capture back in, look around and see the benefits social security has provided in their own family, in their own family today, and then look at friends who might have had a loss of a parent, or if they have had somebody who has been on disability at an early age, they can truly look and see what this program has provided. I hope we will continue to do these kinds of things, to continue to bring these issues to the American people.

The gentleman from Texas (Mr. DOGGETT) has been great, and I have enjoyed this, I say to the gentleman from Washington (Mr. MCDERMOTT).

Mr. DOGGETT. I thank both Members for their continuing work on this topic.

I would just summarize in these closing minutes and say that the first thing is to put social security first. We say, save social security first. Do not engage in a bunch of new spending programs. Do not dissipate the surplus with some politically-motivated changes in the tax code. Use the resources that are available at this great time in the American economy to see that social security is saved first.

Then second, it is a matter of our working towards a bipartisan agreement. I believe that we can do that in a constructive way. We must do that. We should move forward immediately with the President's program and see how we can make it even better to preserve this very valuable system.

TRIBUTE TO PATRICK EARLE MCCAMMOND, AN EAGLE SCOUT FROM CARTERET COUNTY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES of North Carolina. Mr. Speaker, this is not an easy time for young children in America. Mixed messages from our society about morality and the value of truth can confuse an already difficult time for our Nation's children.

When so many young people today are finding destructive means to cope with everyday frustrations and concerns, I am proud to bring to Members' attention an outstanding young man from the Third District of North Carolina who has taken positive steps to ensure a bright future for himself and his community.

At just 14 years of age, Patrick Earle McCammond recently achieved the rank of Eagle Scout in the Boy Scouts of America. The Eagle Scout rank is the highest rank in scouting. In fact, only about 2.5 percent of Boy Scouts ever achieve Eagle Scout. It is an accomplishment reserved for young men who incorporate the principles in the Boy Scout oath and the Boy Scout motto in their daily lives, and earn 21 merit badges in areas ranging from community service and leadership to physical fitness. Patrick not only handled and met these standards, but he far surpassed the minimum requirements. In all, Patrick has earned a total of 55 merit badges, with more in the works. That is more than double what is required.

He has also received a number of honors and awards within Boy Scouts in his community, which include the Arrow of Light, World Conservation Award, International Catholic Awareness Medallion, and the High Adventure Patch.

While achieving this rank itself is an accomplishment, Patrick has literally dedicated his youth to helping his community. When I learned of Patrick's achievements at such a young age, I certainly was impressed. But only when I learned about a project he developed for his community did I fully recognize the impact of scouting on Patrick's life and his future.

One additional requirement for Eagle Scout is the completion of a service project to benefit a religious institution, school, or community. We have a strong military presence in North Carolina. In the Third District alone, which I have the privilege to represent, we have four military bases with 77,000 retired veterans and another 10,000 retired military. Knowing this, Patrick created a website designed to assist the veterans in his Carteret County community.

Mr. Speaker, there are many young men in the Third District of North Carolina like Patrick who have achieved the rank of Eagle Scout, and even more who will in the future. As their congressman, I am proud of each and every one.

What makes Patrick McCammond's efforts special to me is his concern for our veterans. No matter what age, we as a Nation must never forget the men and women who have served this Nation to protect the freedoms we enjoy today.

Patrick paid tribute by taking steps to research, create, and implement his project. First he worked with computer professionals and area veterans' organizations to develop the website, which he named carteretvets.org. He obtained technical and financial support from local businesses in order to print informative guides he designed to publicize the website. He worked with his fellow scouts and classmates to check the site to ensure it was complete, and to check for flaws.

□ 1700

Finally, he led demonstrations to introduce his complete project to local veterans groups. Hundreds of veterans across the country have now visited and benefit from Patrick's web site.

Outside of his life as a member of the Boy Scouts, Patrick serves as the eighth grade class representative to his school student council at Annunciation Catholic School. He maintains a B average in his studies and is a state-level swimmer on the Carteret Currents swim team.

Patrick also serves as one of the 32 students who were selected from hundreds in the entire State of North Carolina to be a First Flight Ambassador for the Class of 2003, First Flight Centennial.

Mr. Speaker, in today's society it is easy to lose sight of the values of honor, integrity, and character, yet they are the foundations that make our citizens and our Nation strong.

I would like to thank the Boy Scouts, Girl Scouts, Little League, and all programs and organizations within our communities that work to help teach our children values and help them to recognize their own potential.

Mr. Speaker, Patrick McCammond exemplifies all that is good in the youth of America today. I am proud of him and the example that he is setting for his peers by taking pride in his family, his faith, and his country. In his actions and in his deeds he, and all who participate in Scouting, reflect the values and spirit of community service that will build the future leaders who will make us all proud.

OBVIOUS BENEFITS OF A CONSERVATIVE, HUMANITARIAN APPROACH TO GOVERNING IN AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Colorado (Mr. SCHAFFER) is recognized for 60 minutes as the designee of the majority leader.

Mr. SCHAFFER. Mr. Speaker, before I start, let me just invite all of our colleagues who are watching and following the floor proceedings on the Republican side who have been looking forward to this evening's special order as an opportunity to showcase and feature a number of the successes of the Republican Conference here in Congress.

Our agenda is one, of course, of fighting for lower taxes, fighting for strong national defense, insisting that we find methods to secure and safeguard the Social Security Administration, and creating and providing the world's best education structure. I want to talk about the obvious benefits of a conservative, humanitarian approach to governing in America.

I want to do that, Mr. Speaker, by highlighting a couple of articles that appeared in the Denver Post over the last few days. Here is the headline: ''Welfare rolls drop 42 percent. State's decline is faster than the U.S. average.''

This is important to note because Colorado, among the 50 States, is considered a low-tax State. Colorado is a State where the regulatory burden on Colorado businesses and those who create job opportunities is relatively low. It is a State where we have been serious, quite serious about putting the welfare reform proposals passed by this Congress into place at the State level, and the result is very dramatic and very positive for the people of Colorado. Again, a 42 percent drop in the welfare caseloads over the last 18 months.

It is a real credit and a dramatic bit of evidence as to what can be achieved through lower taxation at the Federal level, lower regulation burdens on those who are creating jobs, and a healthy economy and business climate.

Mr. Speaker, here is a quote from one individual. He said that this is primarily due to employment opportunities and to a ''work-first'' model of welfare reform. This is a quote by Maynard Chapman, Welfare Reform Program Manager for the Colorado Department of Human Services.

''But if job opportunities are not out there, I don't care what type of welfare reform design you're using, it is not going to work because the job opportunities are not out there.''

It highlights, that comment, what the Republican Party has been suggesting and promoting for a long time. That by focusing on a stronger, more vibrant economy we can structure welfare reform in a way that works, as it has for a woman named Teri Higgins who was quoted in the article.

Reform for her has meant a new way of life. After being on welfare for 3½ years, she is almost completely self-sufficient. She was a full-time student halfway through her associates degree program in business administration when welfare reform kicked in 2 years ago. Under the new system she had to work, so she decided to work in a work-study program at Community College of Denver. Within a year, the 37-year-old single mother of three boys went from being a welfare recipient to the office manager for the Division of Business and Government Studies at CCD.

Mr. Speaker, here is what she says. ''What made the difference were the extra things,'' such as helping her provide for day care so she could go to school, the emotional support from counselors. She said that she still struggles. She makes a decent wage and it is hard to make ends meet, ''but when I sit down and write checks out for all my bills and everything is paid, that is really a good feeling.''

I suggest that for Teri Higgins, and for millions of people just like her, this pathway to self-sufficiency is the definition of liberty and freedom in America. It is made possible by the Republican majority in the United States House of Representatives and the United States Senate that, for the last 4 years that we have had the majority, heading into our fifth year, we have focused on tax relief. We have focused on families. We have focused on reducing the regulatory burden on those who provide the kind of jobs that Teri now enjoys. That, in the end, is by far a better definition of a caring, compassionate, humanitarian, conservative philosophy designed to put people first and help Americans help themselves.

Mr. Speaker, with that I yield to the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Speaker, I thank the gentleman from Colorado for yielding to me. I am especially interested in some of the definitions that tend to waft around inside the Beltway here, one being ''compassion.'' I think, if one saw the New York Times last week, they saw an example of this. The noted commentator and columnist, Tony Snow, mentioned it this past Sunday on Fox News Sunday when a front page article in the New York Times bemoaned the reduction in applications for food stamps.

Mr. Speaker, let me simply affirm that the truest form of compassion is not adding people to the welfare rolls, not adding people to the food stamps program. The true definition of compassion is helping those people, just as the gentleman from Colorado mentioned, move from welfare to work so that they have the opportunity to provide for themselves and their families, so that they have the chance to realize their hopes and their dreams. That is the true measure of compassion.

Mr. Speaker, I must also note with great interest some of the comments in the preceding hour. It is sad to hear some come to this floor and so passionately try to sell an agenda of fear to the American public, rather than facts, to merchant or to market the politics of fear as opposed to the policies of hope.

Mr. Speaker, this common-sense conservative majority, in the tradition of welfare reform, is moving four major goals:

Number one, to protect, save and improve Social Security and Medicare.

Number two, to offer meaningful tax relief for working Americans.

Number three, to improve education, not by micromanagement from Washington bureaucrats but by empowering parents and students and teachers and local school districts.

And, number four, to strengthen our national defense and security.

Indeed, I was walking over with a constituent, a man who lives in Winslow, Arizona, part of the Guard and Reserves and also a Federal employee. He was telling me on the way over to this Chamber how he and his wife embrace the notion of lower taxes for everyone because they do not want to see someone punished for succeeding. They understand that as they will experience this year, with a child under 17 still at home, a $400 per child tax credit. That $400 stays in their pocket to save, spend, or invest as they see fit.

Mr. Speaker, that is the challenge, is it not? Is there not a central choice here? Who do we trust, Washington bureaucrats or our family, to make decisions? That is the key and that is what we champion in this common-sense majority.

Mr. Speaker, I am pleased to see another of our colleagues, the gentleman from Colorado (Mr. TANCREDO), one of our newcomers. I welcome him to the Chamber. We are glad that he is here.

Mr. TANCREDO. Mr. Speaker, I thank the gentleman from Arizona, my friend and colleague, for yielding to me. I certainly concur with the remarks that have been made to date with regard to the issue of taxation, the impact it has on the country, the effect it has on productivity, the ability for this Nation to move ahead, to create jobs, to create wealth.

Mr. Speaker, everyone knows that whatever we tax, we get less of; whatever we subsidize, we get more of. The fact is that when we tax productivity, when we tax jobs, we are going to get less of them. It is not, as they say, ''rocket science'' to realize that this is the effect of overtaxation.

We are now at a rate of taxation in this country that has never before been seen. Many people do not realize that because times are good. We hear it all the time: Times are good. And so there is an assumption that if everybody is employed, that everybody enjoys paying a high level of taxes just because they have a job.

But, Mr. Speaker, they do not. As a matter of fact, even those people who are employed and making good wages deserve a tax break, deserve a tax reduction. Even those people who are on farms and who have spent a lifetime investing in the land and bring food to our tables, those people need a tax break. Those people need to have the abolishment of the inheritance tax. This is something that this Republican Congress is going to put forward. It is one of the many issues that we will drive forward to attempt once again to bring into line this Federal Government that is, in fact, oppressive enough to actually raise almost 20 percent of the GDP now going to taxes. Most families in this country are paying upwards of 40 percent of their income in taxes.

I cannot believe that there are people even here in this body, but certainly on that side of the aisle, who would suggest that that is anything even remotely near fair. There is nothing fair about taking 40 cents out of every single dollar that a man or woman working in this Nation makes and giving it to the government. There is nothing fair out of that. We do not get that much out of it.

Mr. SCHAFFER. Mr. Speaker, when we listen to our constituents, as the

gentleman from Arizona mentioned a little earlier, our constituents will tell us and help us to understand how important this issue is. I want to share with my colleagues a letter I received from a woman in Fort Morgan, Colorado. She said, ''Since Republicans gained control of the House and Senate in 1994, my husband and I have been eagerly looking forward to some kind of tax reduction.'' And she said this January she is going to be retiring early. Her biggest concern, number one urgent need, is further tax relief to allow her and her husband to do some better financial planning and to deal with the situation that is about to change in their lives.

Mr. Speaker, I brought a stack of letters from constituents back home and over and over and over again these constituents tell us that the upwards of 40 percent of taxes, when we consider the Federal, State and local taxes and when we consider the cost of regulation on top of that, the cost of being an American citizen is well over 50 percent of income. By no one's definition can that be regarded as being fair.

Mr. Speaker, I yield to the gentleman from Georgia (Mr. KINGSTON) who has joined us.

Mr. KINGSTON. Mr. Speaker, I think we get some of the same letters. I have a letter from a woman in Savannah, Georgia. ''Dear Mr. Kingston, I recently heard you say how much taxes have increased since the 1950s. Can you give me those statistics again? I am a homemaker in Savannah, Georgia, with four children and would greatly appreciate the ability of our family to keep more of its hard-earned money. Signed, Elizabeth Morris.''

The income tax burden in the 1950s, as the gentleman from Arizona knows well, being on the Committee on Ways and Means, was 5 percent. In the 1970s when we were growing up, most of us in this room, it was 16 percent. Today it is 24 percent.

That is just the income tax. That is not talking about the property taxes and all the other incurred taxes that our constituents and hard-working middle-class people have to pay. But the reality is the higher our tax burden, the less time we have to spend with our family, with our children imparting values, teaching them the work ethic, teaching them right from wrong, because that second income in the family often is going to pay for Uncle Sam and our excesses.

Mr. HAYWORTH. Mr. Speaker, a point that needs to be brought home is something borrowing from the gentleman from Colorado who talked about the percentage of our gross domestic product that now goes to taxation. Though I fear, Mr. Speaker, from time to time that is a very salient point and factually correct, sometimes we need to translate that into everyday language by offering other examples, and the gentleman from Georgia has done so.

I would say it this way, borrowing from my other colleague from Colorado: There has come to be in this Nation an observance of a day that is not exactly a holiday, though it offers emancipation from the burden of taxation.

□ 1715

We call it tax freedom day. Depending on the calculation, whether we are talking exclusively about Federal taxes or if we combine them all, as the gentleman from Colorado pointed out, the cost of all taxation and the hidden costs of regulation, quite often, American citizens work from January 1 through our Independence Day or close to it on an annual basis to free themselves from the yoke of taxation. That is what we are talking about here.

These deal with flesh and blood human beings who are facing decisions, who, oft times, in a household, we will see both parents working, not by choice but by necessity, as my colleague, the gentleman from Georgia, points out, because one spouse is working essentially to continue to pay and satisfy the gaping wall of taxation.

It is a very simple concept here. One works hard for the money one earns. One should hang onto more of it and send less of it here to Washington, D.C., because now we find ourselves in the day of an overcharge. We are overcharging for government services.

When money hangs around the Federal Treasury, it is kind of like cookies in the jar in the Hayworth household. Somehow somebody gets to it. In the case of the money, it is spent by bureaucrats. As the attorneys would say, there is a preponderance of physical evidence to say what happens to the cookies in the cookie jar and who might get them from time to time.

So what we again must embrace is this notion of broad-based tax reform. Despite the calls of those who would offer the politic of fear, we embrace the policies of hope when we say that every American who succeeds ought to have the opportunity to hang on to more of what he or she earns and send less of it to the Federal Government; and understand that those who have succeeded through their investment, through their risk taking, if you will, in the marketplace, create jobs and create more opportunity and help to fuel an economic boom.

So that is what we champion here, along with our three other pillars of policy in the 106th Congress, to strengthen and protect Medicare, to improve education by empowering parents and local communities and, thirdly, to improve and bolster our national defense.

Mr. SCHAFFER. Mr. Speaker, our new colleague, the gentleman from Colorado (Mr. TANCREDO), has been sworn in for a little less than 2 months; and I am curious, what has his constituents been telling him? Has he been hearing about the issue of taxes in the short time that he has been a Member of Congress?

Mr. Speaker, I yield to the gentleman from Colorado (Mr. TANCREDO).

Mr. TANCREDO. Mr. Speaker, I thank my colleague, the gentleman from Colorado, for yielding to me.

Mr. Speaker, I have certainly been hearing a great deal. As a matter of fact, I do not believe that I can put it more succinctly or more profoundly than a constituent from Aurora who writes, ''The American dream has always been to get married and raise a family, to own your own business, to own your own farm, to build a secure and better future for your children to enjoy, to pass on what you have worked so hard for and paid taxes along the way for the next generation.

''For the past 20 years, I have successfully built several dealerships, providing jobs and revenue to several communities. These past years, I have given my all to build and make a secure future for my heirs. This can all be taken away from them if I should die and they should have to pay 55 percent on the estate. Would they have to liquidate or sell to be able to pay the estate tax? What would happen to everything that I worked so hard to provide for them? I support the estate tax reform so that not just me but all who have worked hard and built a nest egg for the future generation can keep it, not the government.''

Now I say, Mr. Speaker, again, a profound communication from a constituent who understands fully the implications of this. I recognize that, for years, the idea behind an estate tax or let us call it what it is, it is a death tax, the idea behind that, it is a class envy thing, to a certain extent, where people felt, well, if people amass too much, we should actually just take it away from them and divvy it up again; that is only fair. Well, it is not fair. Again, this idea of fairness, to whom is it fair? It is not fair to this gentleman. It is not fair to his family.

Another thing, if one cannot accumulate for oneself and for one's heirs, for whom will one accumulate? The government? Would we be expecting the people in this country to go out and work day in and day out, again, creating real value, something the government knows very well about the actual creation of value? Do we expect John and Jane Q. Citizen to go out every single day to do that, only to give it away upon their death so they cannot pass it on to their heirs? No, of course not.

This is as socialistic a tax as we have in this country, and it should be done away with; as well as all tax reform efforts I think on the part of this Congress should move forward dramatically.

Mr. SCHAFFER. Mr. Speaker, reclaiming my time for one question. The common misconception by the liberals on the House floor when we debate reductions in the death tax or the inheritance tax is that this is a tax that one only needs to be concerned about if one is extraordinarily wealthy. But the inheritance tax applies to anyone who has parents and who is part of a will or a trust or estate. It is virtually every American.

Mr. Speaker, does the gentleman from Colorado (Mr. TANCREDO) agree with me that this is a tax that every single American ought to be concerned about?

Mr. TANCREDO. Mr. Speaker, it is certainly a tax that every American should be concerned about. Not only that, the idea that the only people who pay it are the wealthy, I mean, go and look at the farmers of America today. Find me, this wealthy farmer out there who has wealth, as I say, yes, he has got wealth in the land, but it is just in the land. In order to transfer that wealth into true, hard, honest dollars, he has to dispose of it or his heirs do in order to pay this tax.

So it is bogus to suggest it is Daddy Warbucks, as the liberals and the Democrats want to suggest. That is the kind of picture they want to conjure up when we talk about eliminating the inheritance tax or the death tax. Well, it is not. It is the family farmers in Kansas and Colorado and Oklahoma and throughout this land that work every single day to put food on our tables. So my distinguished colleague, the gentleman from Colorado (Mr. SCHAFFER), is absolutely right in that respect.

Mr. HAYWORTH. Mr. Speaker, if the gentleman will yield to me, just to bring home the point again, mindful of the letters the gentleman brought from constituents, and as pleased as I am, Mr. Speaker, that one of my constituents from Winslow, Arizona, joined me on the stroll over, this topic of death taxes came up at a town hall meeting last year in Winslow, Arizona. As our schedule worked out, this was a noontime meeting.

One of the great satisfactions of this incredible honor of serving in the Congress of the United States is we meet so many people who want to make a difference. Two young men had gotten an excuse from school on their lunch hour, an early dismissal, to come to the town hall. These two young men had aspirations of attending one of our military academies.

They came, and they heard some of the seniors and other citizens in the room discussing just what my colleagues have pointed out, Mr. Speaker, this incredible unfairness of the death tax. Indeed, Mr. Speaker, it was reminiscent of the franchise that Art Linkletter used with such great effect over the years, ''Kids say the darnedest things.''

Here was this young man standing there just at the height of his youth and enthusiasm and wanting to do the right thing and wanting to join the military. He stood there ramrod straight and said, ''Congressman, sir, do you mean to tell me the Federal Government taxes you when you die?'' And there was laughter, just as this response comes. But as I reminded the citizens assembled, it really was not funny.

My colleague, the gentleman from Colorado (Mr. SCHAFFER), was quoted in the Wall Street Journal during his first term who evoked memories of our early colonial days when he said of the death tax, ''No taxation without respiration.'' That particular observation has stuck with me.

But, Mr. Speaker, it goes further than that. Understand that this tax is so oppressive and our mission as a constitutional republic has gone so far afield. Remember what Benjamin Franklin wrote in Poor Richard's Almanac, ''There are only two certainties in this life: death and taxes.''

But even Dr. Franklin with his tax and his ability to invent and to almost see into time and foretell the future, even Dr. Franklin would be shocked to come back to this constitutional republic that he helped to found, and his reaction would be much like the reaction of the young man. Do you mean to tell me this government taxes you when you die?

We have seen it in our districts, in our States, across the country. Energetic enterprises, businesses that are not huge conglomerates but family-owned businesses, whether on Main Street or on the ranch or on the farm, those businesses broken apart, the assets sold, to satisfy or try to satisfy this most egregious tax that reaches in even to the grave to rob those who have accomplished.

Mr. SCHAFFER. Mr. Speaker, the gentleman mentioned young people, mentioned those who are trying to establish businesses. My colleague, the gentleman from Colorado (Mr. TANCREDO), mentioned farmers and ranchers, that literally every American is affected by the inheritance taxes.

I want to share with my colleagues another letter that I received just a few weeks ago. This was sent as a Mailogram, as it was addressed to me. It says, ''The administration's 2000 budget plan presented to Congress on February 1 imposes new taxes that will make it harder for millions of American families to save for their own retirement needs and will seriously jeopardize the financial protection of families and businesses.''

The writer goes on, and this is a writer from Loveland, Colorado in my district, ''Providing for retirement and securing your family's financial security should not be a, quote, taxing experience. Americans are taking more responsibility for their own financial futures, and they have made it clear that they oppose both direct and indirect tax bites that jeopardize their retirement security and their ability to protect their families. Congress on a bipartisan basis soundly rejected a similar approach last year.''

I will interject, it is true that the President, under the administration's budget, proposed a litany of new taxes on the American people, which the Republican Congress was fortunately here to prevent.

He goes on, ''And I strongly urge you to do the same this time around. Please oppose any new direct or indirect taxes.''

At a time when the Federal Government confiscates upwards of 40 percent of an average family's income, it is almost incomprehensible that, at the other end of Pennsylvania Avenue, they are conjuring up new plans for the 2000 budget to raise approximately 73 new taxes, new taxes on businesses, on farmers, ranchers, on financial institutions.

In the end, what it does is it takes away the liberty and freedom and the success that is being discovered throughout the country in States like Colorado where we are seeing again headlines like this, ''Welfare Rolls Drop 42 Percent.''

The reason those welfare rolls are dropping is because Colorado in this case is a State with relatively low State taxes with a very high regard for a favorable and growing business climate. These high taxes rob the American people of opportunity. They rob average families from the ability, from the assets necessary to do the simple things in life, like raise a family and keep a roof over your head and put food on the table.

It makes it virtually impossible for the entrepreneurs to fully captivate and capture the great American spirit of self-sufficiency, not only to provide for themselves through an economic enterprise, but to provide jobs for others who need them, jobs like those that I mentioned that used to be welfare recipients who are now self-sufficient. That is really what is at stake.

The tax debate in Congress is not about simply cutting taxes or trying to win elections on the basis of tax reform. The tax relief debate is about real people, about real Americans, real farmers and ranchers who are struggling today, real business owners who are trying to provide more jobs and allow for more people to escape welfare. It is about the children of these families who deserve the same kind of America that we all enjoy and rally around.

That is what this tax debate is about. It is a very personal, humanitarian debate. It is one that we need to win. We do need to stand in the way of those people over in the executive branch of government who think this is the perfect year to raise more taxes, new taxes on the American people.

Mr. Speaker, I yield to the gentleman from Colorado (Mr. TANCREDO).

Mr. TANCREDO. Mr. Speaker, it is so true that the perception that is held by so many people, even here in this town, certainly on the other side of the aisle and over at the White House, is that the country will actually not only survive another tax increase but we can get away with it because, again, as I say, times are good. Somehow this blanks out everything else.

We assume that we can then start promising everything to everybody again. We can come up with how many hundred programs were mentioned, how many hundreds of billions of dollars of expenditures were suggested by

the President in his budget? All of this, with keeping a straight face and suggesting that we are not going to, quote, bust the budget; we are going to maintain an agreement.

Of course, the only way that he could possibly make that statement, Mr. Speaker, the only way is because he was able to play a shell game with the Social Security issue. He was able to suggest that we could take, as he says, 62 percent, the President of the United States in his State of the Union message, and since then has suggested that we could take 62 percent of the ''Social Security surplus,'' apply it toward Social Security and, somehow or other, that would solve our problem; and that would allow for, of course, us to do other things. It would create other programs.

Well, we know why, my friends, is because if we are talking about not correcting and not reforming the Social Security system, if we are talking about not actually building a firewall between the Social Security fund and the rest of the government expenditures, then we can do it.

□ 1730

Because what he is really suggesting is an increase over whatever 62 percent represents of this ''surplus'', however much money that is. That is what he is suggesting he is going to do to increase the Social Security debt. Because it is truly debt. It is not money.

When our friends and neighbors pay money to the government, when they send in their FICA taxes, they think they are actually putting money in a bank. That is the thought, because it is a fund. It is called the Social Security fund. Well, that is not it at all. There is nothing in the fund. There are no dollars in the fund. There are $750 billion worth of papers stamped nonnegotiable bonds. That is the only place an instrument like that is in use in this whole Nation. Nonnegotiable bonds.

Well, what the President is suggesting is that he is going to correct this by adding 62 percent of the surplus to that debt, to those nonnegotiable bonds, and take the actual revenues, bringing it into the general fund again and creating more new programs. It is a shell game. But he is masterful at it, there are no two ways about it.

So I suggest to my colleagues that we should clear up this issue and we should bring to the attention of the American public the facts regarding Social Security and tax reduction. We should, in fact, create that fire wall between the Social Security fund and the general fund, and we should still move, I think quickly and dramatically, toward tax reduction and reform.

Mr. HAYWORTH. My colleague makes a very, very good point. It has been echoed by several economists and several columnists. Indeed, Robert J. Samuelson in this town talks about the double counting.

We have dealt so much for so long on so many topics, sadly, in an atmosphere of doublespeak from the other end of Pennsylvania Avenue. Indeed, my colleague from Colorado, perhaps unintentionally, was describing quite accurately the feeling of many Americans when he used the phrase ''get away with it'', an abdication of responsibility so breathtaking and shocking not only in terms of personal conduct but also in terms, Mr. Speaker, of the sacred trust which we assume as constitutional officers.

Mr. Speaker, it is a wonder to see some who come to this chamber, as did our President for his State of the Union message, and stand at the podium behind me here. I took my own copious notes, and by my count the President proposed 80 new programs, 80 new programs, in the span of 77 minutes. And now, when our friends put a sharp pencil to paper and check the very real cost of those programs, to really pay for those programs we must have close to 80 new taxes or fee increases. And yet those who would tell us that they would guard the surplus, that they somehow are true guardians of the public trust, are engaged, in fact, in double count and doublespeak.

Indeed, Mr. Speaker, we heard it in this very chamber in the hour preceding this one, when those who look for shortcuts to political advantage continue to market and play upon the politics of fear rather than the policies of truth and hope. That is what we hear, Mr. Speaker, even in the wake of today's passage of a bipartisan resolution recommitting this Congress to the safety and sanctity of Social Security. We had one gentleman from Texas come to this floor and, in essence, say that Social Security was going to be destroyed. How sad and how false.

We have a responsibility to our constituents who have called upon us to represent them, to govern, because we have been selected by the people and for the people. And, oh, how I yearn for straight talk and taking a look and making the tough decisions. Because as I said in this chamber earlier today, Mr. Speaker, we cannot approach this as Republicans or as Democrats but as Americans to solve this problem. And yet the temptation of political advantage and the siren song of notoriety inside the beltway tends to propel others in these very partisan directions.

Let us at long last, Mr. Speaker, call for truth in personal conduct and in leveling with the American people both on matters of demeanor and policies of government. Is that too much to ask?

Mr. Speaker, I was saddened to hear the Vice President of the United States say to the assembled press corps 1 year ago, ''My legal counsel informs me there is no controlling legal authority.'' I think the Vice President was wrong. There is a controlling legal authority. It is called the Constitution of the United States.

And, moreover, there is a compelling and controlling moral authority, and it is called the oath of office that each of us take. And how those succumb to temptations to ''get away with it'', whatever ''it'' may be, is both galling and not to be easily understood; and, in the final analysis, reprehensible, because it ignores and it counterfeits the sacred trust that citizens have placed in us.

That is the challenge we face; not to be facile and glib and get away with it, but to be about the business of the people; not to fly from place to place for campaign-like rallies, but to join with us and govern; and not to double count or double deal or doublespeak, but to work out legitimate differences and speak as best we can with one voice to confront these problems. These are the challenges we face.

Mr. SCHAFFER. Mr. Speaker, these unfortunate strategies that the gentleman has described that we typically see coming out of the White House are really emblematic of, I think, what the White House realizes the American people want to see, what they want to hear, and what they intuitively know and believe, and that is the belief that a large Federal Government is inherently bad for the American society. So they do go through all of these machinations and smoke and mirror strategies to try to mask and conceal what it is they really are pushing for and pushing toward.

The bottom line is their vision for America is a larger Federal Government that defines a society. Our vision as a Republican majority is for a smaller Federal Government and a greater American people. And I say a greater American people in the context of what the budget debate in this Congress is generally all about.

Thomas Jefferson said that there will always be two prevailing parties in a political system, the side that believes that we organize ourselves around a central government structure and there is the other side that believes that we organize ourselves around the strength of individuals. Those two parties are alive and well today.

The Democrat party that the gentleman described is one that is using remarkable linguistic gymnastics to double count imaginary money to suggest we should feel safe and secure that the government is not growing, when, in fact, it is growing by leaps and bounds. The national debt continues to grow on a year-by-year basis.

Our mission as a Republican Party is precisely the opposite. We want to invest the public's wealth in appropriate ways. We believe, however, that that wealth is better invested with the people who earn it. We want to shrink the amount of cash that makes its way to Washington, D.C., thereby strengthening the amount of cash that stays in the pockets of the American families, the American farmers, the American business men and women who work hard every day, who are the true individuals who define what it means to be an American.

In the end, we care about saving and rescuing the Social Security System

and rescuing the Medicare trust fund. We care about a strong national defense and having world class schools second to none. In order to do that, we can raise the resources necessary to accomplish these goals by focusing on economic growth, not a growth in the tax rate. And that is a key distinction and a key difference.

I notice the gentleman from Georgia is here, and I will yield the floor to him.

Mr. KINGSTON. I have a letter that somewhat ties into this, and I wanted to bring it up. It is from Mr. Jones Taylor of Saint Simons Island, Georgia, and he just says, paraphrasing here, that ''I was disappointed in the Republican lack of agenda during 1998. Are you guys going to do that again or what is your agenda?''

I can say very easily what my agenda is, and I regret that I have not been here the whole time, so my colleagues may have discussed it, but I call it the BEST military, health care and agriculture: ''B'' for balancing the budget and paying down the debt; ''E'' for excellence in education; ''S'' for saving Social Security; ''T'' for lowering taxes. A strong military, a health care system that is affordable and accessible and a safe and abundant food supply.

Now, in that context, the gentleman mentioned stimulating the economy. One of the great ways to do that, of course, is to pay down the debt. We pay down the debt and then the big bear, the big monster in the interest market, in the borrowing market, the Federal Government, takes a smaller percentage of the interest out there. And that is a great way to stimulate the economy.

And if we do have a strong economy, revenues to the Federal Government go up and we will have a lot of money for expanding and strengthening our military, to increase the pay for our hard working soldiers, and, of course, to give the teachers in the classroom the educational funds that they need, and to shore up Social Security and Medicare. BEST military, health care and agriculture. That is a very solid agenda.

I know in each area of the country there are different things that we can emphasize. Agriculture in Colorado will be a little different than agriculture in Georgia, but the fundamentals of having a safe and abundant food supply is just as important in Colorado or Arizona as it is in Georgia.

Mr. SCHAFFER. Does the gentleman from Colorado have anything else to add?

Mr. TANCREDO. Well, I would just say that I have learned a lot of things in this last month and a half from my experience here in the Congress, and I must tell my colleagues that one of the scariest realizations that I have come to is that there is the possibility that there are, I do not know, certainly a large number, maybe a majority of the people even in this body who believe that, in fact, the government is not big enough; that, in fact, we have not paid enough taxes and that we need to pay more.

I keep thinking to myself that either I am certainly out of touch or the rest of these people are. My colleague from Colorado knows, because we have spoken to some of the same groups, I can go home and there is a group called the Jefferson County Men's Club and there is the Arapaho County Men's Club, and I always think to myself when I hear people say things like this, that taxes are not high enough, that government is not big enough, I think how would this play in front of the Jefferson County Men's Club or the Arapaho County Men's Club? What would they say if I came back to them and said there are a lot of people there who think government is not big enough and ask them what they think. I can tell my colleagues I know what they would say; that we are out of our minds. And sometimes it sounds like it.

Mr. SCHAFFER. Let me once again, Mr. Speaker, bring this issue to the perspective of those who are not business owners, who are not those who enjoy extravagant wealth, but every day Americans who are struggling hard to make ends meet.

Once again I use the State of Colorado as an example: A low-tax State. A small government State. Here is another news article from my State that is just a couple days old. It says, ''The boom boosts fringe: Transients among many landing jobs. Colorado's booming job market has given a boost to those who historically have lived on the outskirts of the economy, from the homeless veterans to the working poor. Clients of the Salvation Army, the Harbor Program'', which is in downtown Denver, ''are landing jobs above minimum wage.'' That is according to the resident manager Mark Garramone. Here is a quote from him. He says, ''As a matter of fact, they are finding a lot of good jobs.'' He says, ''Among those jobs cited were car salesmen, chauffeur, a few work at U.S. West.'' At the Department of Veterans Affairs, listen to this, here is a quote, ''We placed in jobs the highest number of veterans in 1998 that we have ever placed.'' That according to Greg Bittle, Chief of the VA's Regional Office for Vocational Rehabilitation and Counseling. He says, ''In fact, the booming economy tends to pull people away. We are basically a training and education program, and the economy has been so robust that we will have vets drop out of school to take jobs.'' It just goes on and on.

□ 1745

Here is another example that was mentioned in here. Laurie Harvey, Executive Director of the Center for Women's Employment and Education, I went and visited this facility in Denver 2 years ago. It places low-income women, largely from the welfare rolls, in jobs. They say that so many of Colorado's welfare recipients have moved off the rolls and into employment that her nonprofit is now seeing more and more people who are harder to serve.

So when it comes to public assistance for those who are looking for employment, we are narrowing our focus to those who have the legitimate needs for some kind of assistance, whether it is some kind of disability or handicap or whatever the case is.

It even goes beyond that. Listen to this last quote I will mention. It says, I would say there is probably a shortage of entry level labor. This is from Timothy Hall, chief executive officer for Larinden, which trains and places developmentally challenged people. He says, it is easier to convince employers to hire people with disabilities.

Low taxes, low regulation, small government in a State like Colorado is the model that we ought to look toward here at the Federal Government. The model of Colorado is putting people back to work who are veterans, those who suffer from disabilities, those who have been on welfare for years and years and years, those who are clients of the Salvation Army. Charity after charity after charity is celebrating the positive benefits of a strong, vibrant economy accomplished through smaller government, lower taxation, less regulation and more attention to growing a prosperous economy.

Mr. Speaker, I yield to the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Speaker, I thank my friend, the gentleman from Colorado (Mr. SCHAFFER), for yielding.

Mr. Speaker, I would just follow the observation and say it is my honor to serve on the House Committee on Ways and Means; and our good friend and colleague, the gentleman from Florida (Mr. SHAW), currently chairs the Subcommittee on Social Security but in the 104th Congress it was his job as chairman of the Subcommittee on Human Resources to put in place welfare reform.

Mr. Speaker and my colleagues, I cannot help but remember that essentially the same welfare reform package intact was passed once by this Congress and vetoed by the President; again by this Congress and vetoed by the President; and finally, when it was sent the third time, as we understand from press accounts, one of the President's political consultants used the baseball analogy, saying, Mr. President, you do not want three strikes and you are out; sign this legislation.

I appreciate the fact and indeed, Mr. Speaker, we all know from our civics class, that we enact laws, but the President must execute his signature to see those laws implemented. So we welcomed at long last his signature. This is an example of a contentious challenge that was met head-on even in the atmosphere of contention in that 104th Congress to bring about a desired change, to now where we can measure compassion by a more accurate barometer by the number of people who voluntarily leave the welfare rolls in favor

of work; by the news that there are fewer applicants for food stamps because people are becoming self-sufficient.

Again understand, we make no pretense of ripping away the social safety net, but welfare reform helps prevent that safety net from turning into a hammock. That is what we have accomplished on both sides of the aisle. And that spirit, that example, should serve us well as we deal with this very difficult question of Social Security reform. How do we best save it? How do we maximize opportunities for all of our citizens, regardless of their age or their station in life?

Mr. SCHAFFER. In our remaining few minutes, I want to really talk about the importance of communicating with Members of Congress. The four of us who are here tonight I think are very representative of the Republican majority Members who serve in the House of Representatives. We rely heavily on the letters and phone calls from constituents, those who show up at the town meetings and find ways to communicate with their Members of Congress directly.

Those kinds of letters, phone calls and communications from constituents really arm us, as Members, with the real-life examples that are necessary to take on the party of the large bureaucracy, take on the White House and those who believe that, in a year like this, that higher taxes, for example, is a good idea. It is letters from constituents that tell us and remind us every day that bigger government is a thing of the past.

Let me use one more example from my district. This is under the letterhead of Tri-City Sprinkler and Landscape. It is from Loveland, Colorado. It says, Dear Representative Schaffer, I am your constituent from Loveland. As a business owner and grandparent, I am very concerned about the serious economic problems facing our country. I feel our current income tax structure is having a very negative impact by taxing production, savings and investment, the very things which can make our economy strong. Therefore, I support replacing the income tax and the IRS with a national consumption tax such as suggested in H.R. 2001, the National Retail Sales Tax Act. I urge you and your staff to look into it and cosponsor it. Please let me know where you stand on this important matter.

I will write back to the constituent and give her my opinions and thoughts on that. I mention this letter and others that we have gone through tonight just to let the American people know that this government does not belong to the President. This government does not belong to any single Member of Congress. It does not belong to the Supreme Court. It belongs to the people just like the woman who wrote this letter, just like the people who write all of these other letters, and we really do rely on their advice and their assistance and their help in helping make the case on behalf of individual Americans.

Mr. Speaker, I yield to the gentleman from Georgia (Mr. KINGSTON) the remaining few minutes that we have left.

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

Mr. SCHAFFER. I yield to the gentleman from Tennessee.

Mr. DUNCAN. I would like to mention when the gentleman talks about the issue of tax reform and going to a simpler and fairer tax system, Newsweek Magazine a few months ago on its cover had a story, a cover story about the IRS; and it said, The IRS: Lawless, Abusive, Out of Control.

When any major department or agency of the Federal Government can be described by a mainstream magazine like Newsweek as lawless, abusive and out of control, things have gotten to a pretty sad state. It is especially sad when an agency as intrusive as the Internal Revenue Service can be accurately described in that way. So I think we basically should just take the Internal Revenue Code that we have now and junk it and start over again. I think about 85 or 90 percent of the American people feel that way.

Mr. SCHAFFER. On the matter of constituent input, how helpful do you find that representing your district in Tennessee?

Mr. DUNCAN. I find it very helpful. For those who think that we have cut taxes too much, a few years ago we had a $90 billion tax cut spread over 5 years because that was the most we could get through at that time. Some of the more liberal Members kicked and screamed about that, but that was spread over 5 years.

That was a tax cut of slightly less than 1 percent of Federal revenues over that 5-year period. Now the average person pays about 40 percent of his or her income in taxes and another 10 percent in government regulatory costs, at a minimum. So today you have one spouse working to support the government while the other spouse works to support the family.

I know the President said in Buffalo that he could not support a tax decrease because the American people would not spend it wisely. I can say I think they would spend it much more wisely than this wasteful, inefficient Federal Government that we have today.

Mr. KINGSTON. Following up on the comments of the gentleman from Tennessee (Mr. DUNCAN), it is amazing that the President would say that the hard-working people who earn the money cannot spend it as well as some of the people here in Washington, maybe including the four of us. But I can say one thing. I believe people can spend their money better than we can spend their money.

The tax cut that you alluded to last year, it was an $18 billion tax cut for one year; $18 billion out of a $1.7 trillion budget. It was just a slither of a slither in this huge $1.7 trillion pot, and it was killed by the Senate.

Now, the Senate and the White House ganged up on the House to kill the Marriage Tax Penalty Relief Act, and I think that it is ridiculous to have that kind of obstruction to doing something that is common sense for the tax system. I hope this year that if we pass it that the other body will find their senses and quit siding with the liberal White House on everything and act like conservatives and pass tax reductions.

Mr. SCHAFFER. In the remaining minute, I would ask the gentleman from Arizona (Mr. HAYWORTH), is there anything he can do to dramatize the difference between the Democrats and the White House and what they stand for and the Republican majority in Congress and what we stand for?

Mr. HAYWORTH. Mr. Speaker, it is funny my colleague from Colorado should ask me that question. Because, just as our good friend from Tennessee pointed out in paraphrasing the words of our President, Mr. Speaker, these are the words of the President, if memory serves, one day, probably less than 12 hours, after he outlined 80 new programs involving close to 80 new taxes. Mr. Speaker, he said in Buffalo, New York, and I quote, speaking of the budget surplus, ''We could give it all back to you and hope you spend it right but,'' closed quote. There, Mr. Speaker, therein lies a major difference. It comes down to a question of who do you trust? The President thinks you ought to trust him to spend your money for you.

We say, if there is ever a choice between Washington bureaucrats and the American people, Mr. Speaker, then we side with the American people, because, Mr. Speaker, Americans know best how to save, spend and invest for themselves and their families. Therein lies a difference, a difference of freedom and a real contrast between the politics of fear from those who make outrageous claims about Social Security and our budgetary process and the true policies of hope that we embrace with lower taxes, stronger schools, a stronger military and a real plan to save Social Security and Medicare.

Mr. SCHAFFER. Mr. Speaker, I want to thank my Republican colleagues who joined me here on the floor tonight to talk about our Republican vision for America. I want to thank the thousands of constituents who write to our offices individually virtually on a weekly basis. Their voice does matter. We are here tonight to assure them that the Republican majority is listening. It is important for the American people to express their thoughts and sentiments on whether the government should continue to grow as the President would propose or whether the government should be constrained in its growth as the Republican Party proposes.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. OSE). The Chair reminds all Members

that it is not in order to cast reflections on the Senate.

RITALIN AND THE ROLE IT PLAYS IN THE LIVES OF STUDENTS IN NORTHEAST OHIO

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Mrs. JONES) is recognized for 5 minutes.

Mrs. JONES of Ohio. Mr. Speaker, my colleague, the gentleman from California (Mr. OSE), I am glad to see the gentleman standing up there. He looks wonderful.

Mr. Speaker, I rise today in this great Chamber to talk about a report recently aired on my local NBC affiliate, News Channel 3. The report highlighted ritalin and the role this drug now plays in the lives of students in northeast Ohio. The report raised such concern that the gentleman from Ohio (Mr. KUCINICH) and I met with Department of Education officials today to direct their attention to this problem and request an investigation into the indiscriminate promotion and use of this drug and the potential harmful effects.

The gentleman from Ohio (Mr. KUCINICH) and I believe the decision to prescribe ritalin to a child should rest with that child's physician and their parents.

Oftentimes, ritalin is prescribed to address attention deficit disorder or attention deficit hyperactivity disorder. It is widely accepted as the remedy of choice for people who suffer from this brain disorder. Unfortunately, the medical community has not been able to develop a definitive test to properly diagnosis ADD or ADHD related behavior. This oftentimes leads to a misdiagnosis.

The report has highlighted many examples. One, for example, is of Pam Edwards whose son Romeal attended a Catholic school in my district and was instructed to have her son use ritalin to address his behavior problem. In the alternative, her son would not be allowed to return to the school the next year if she did not. She refused to put him on this drug because she knew the root of her son's problems resulted from outside factors instead of an ill-diagnosed case of ADD.

□ 1800

I am happy to report that Romeal is doing fine in a new school and he did not need Ritalin. This is a success story, but there are many more Romeals out there whose parents might not have the insight to seek alternatives to Ritalin.

ADD or ADHD is a multiple symptom disorder coupled with the fact that many children exhibit a wide range of behavior that might be attributed to ADD or ADHD. In actuality it may or may not be that. Kids in fact will be kids.

ADD or ADHD is defined as a persistent pattern of inattention or hyperactivity that occurs at four times more frequently in boys than girls.

When a person has been properly diagnosed with ADD or ADHD and Ritalin is prescribed, it has a remarkable track record of success. Oftentimes the drug is viewed as a godsend by parents and teachers alike because its effect is dramatic once prescribed to people who are hyperactive or easily distracted as a way to focus their minds, calm down and improve their attention spans.

Recently, at the urging of the National Institutes of Health, medical experts from around the country convened a panel discussion with doctors to address how Ritalin is being used in our society.

The use of Ritalin is not only a medical concern but it also is a big business. 1.3 million children take Ritalin regularly and sales of the drug topped $350 million in 1995.

According to the Drug Enforcement Administration, the number of prescriptions for this drug has increased by over 600 percent in the last 5 years. To address this concern, manufacturers sent letters to doctors and pharmacists warning them to exert greater control over the drug.

No, I am not pointing fingers at the teachers or administrators because I know that they are one of America's greatest treasures. I am not pointing fingers at doctors or psychologists, but there appears to be a trend in my district, and I would guess the 11th Congressional District of Ohio is not unique in the use of Ritalin for behavioral purposes.

Nearly half a million prescriptions were written for controlled substances like Ritalin in 1995 for children between the ages of 3 and 6. The percentage of children with an ADHD diagnosis has jumped from 55 percent in 1989 to 75 percent in 1996. ADHD is estimated to affect 3 percent to 5 percent of children aged 5 to 14 years old, or about 1.9 million youngsters. About 10 million prescriptions were written in 1996. According to the IMS Health Association, 13.9 million prescriptions of stimulants, including Ritalin, were dispensed to children during the last school year, an 81.2 percent increase from 7.7 million 5 years earlier.

There is not a set guideline for diagnosing ADD or ADHD. No studies have been conducted in children younger than 4 years. For example, in Chicago, one of the ways that they have begun to deal with the issue is a public school system will address ADHD by offering teaching techniques.

Mr. Speaker, I thank the gentleman from Ohio (Mr. KUCINICH) for assisting me and supporting me in this effort.

IMPORTANT ISSUES FACING THE NATION

The SPEAKER pro tempore (Mr. OSE). Under the Speaker's announced policy of January 6, 1999, the gentleman from Tennessee (Mr. DUNCAN) is recognized for 60 minutes.

ON RITALIN PRESCRIPTIONS

Mr. DUNCAN. Mr. Speaker, before I begin with the comments that I came to make tonight, I would like to say that I think the previous speaker has pointed out some very important things about the prescriptions of Ritalin in this country. I remember a few months ago reading in the Knoxville News-Sentinel that a retired DEA official, in fact I think he was second in command of the DEA at one time who now has retired to east Tennessee, he wrote an article pointing out that our medical community was prescribing Ritalin at over six times the rate of any other industrialized nation. I think there is a serious question as to whether or not that very serious drug, that very serious controlled substance has been overprescribed in this country, and I think we need to be very, very careful with that and make sure that it is not being used in cases where particularly small children and particularly small boys might simply be a little more active or rambunctious than some others. I do raise that cautionary note.

ADMINISTRATION PROPOSED SPENDING

Mr. DUNCAN. Mr. Speaker, I would also like to comment about the last comments of the gentleman from Arizona (Mr. HAYWORTH) who mentioned the some 80 new programs that the President proposed in his State of the Union address. The National Taxpayers Union put out a report saying that those programs if all were enacted would cost us $288.4 billion in the first year. Newsweek had an even more interesting table a few weeks ago and had a chart which showed that if we enacted all of those programs that the President proposed, that it would lead to a $2.3 trillion shortfall in the first 15 years. We have a good economy now but if we do something like that and allow at least a $2.3 trillion shortfall to accumulate over these next 15 years, we could not pay the Medicare bills, we could not pay the Social Security bills, we could not do many of the most important things that the people of this country want us to do.

I rise though, Mr. Speaker, today to speak on several unrelated but very important issues facing this Nation right at this time. First, we are bombing Iraq and sending troops to Kosovo without votes by the Congress to do so. We still have troops in Bosnia in 1999 even though the President originally promised that they would stay in Bosnia no longer than the end of 1996. Yes, 1996. A few years ago, as I have mentioned before on this floor, the front page of the Washington Post had a story reporting that our troops in Haiti were picking up garbage and settling domestic disputes. Then about a year ago, I heard another Member of this body say that we had our troops in Bosnia, among other things, giving rabies shots to dogs. Certainly none of us have anything against the Haitians or the Bosnians. We want to try to help them, but I believe, Mr. Speaker, that

most Americans believe that the Haitians should pick up their own garbage and the Bosnians should give their own rabies shots. We have spent billions and billions of hard-earned tax dollars in recent years in Haiti, Rwanda, Bosnia and Somalia, and now in Kosovo we are going to be spending more, trying to settle or end ethnic or religious conflicts that have gone on in many cases for hundreds of years. We have spent several billions, and I am saying billions with a B, over the last few months in Iraq bombing people that our leaders tell us are not our enemies. Saddam Hussein is a ruthless, mentally ill dictator who apparently has killed many people in order to stay in power. I would agree with any bad thing you wanted to say about Hussein. In fact, I voted for the bill at the end of the last Congress to spend $100 million to try to help remove him. Eight years ago I voted for the original Gulf War. But at that time Hussein had moved against another country, Kuwait, and he was threatening others. He had what at that time was considered to be the most powerful military in the Middle East, although we now know that his military strength had been greatly exaggerated or overestimated. But we had to stop Hussein from moving throughout the Middle East and taking over several other countries.

Now, though, his military was almost wiped out by the earlier war. He had been greatly weakened even further by the years of economic embargoes and sanctions since then. Hussein did not move against us or anyone else this time or even threaten to do so. We justify this bombing by alleging that Iraq had weapons or has weapons of mass destruction but they were weapons that U.N. inspectors did not find. Also, several countries have weapons of mass destruction, including us and most of our strongest allies. We cannot bomb everyone or every nation which has a weapon of mass destruction.

Robert Novak, the nationally syndicated columnist, called this war against Iraq a phony war. He is correct, but unfortunately it is a phony war that is costing U.S. taxpayers billions, billions that we could be using for many better purposes.

Former Congressman and Cabinet Secretary Jack Kemp said this: ''The bombing is wrong, it's unjustified, and it must stop. The Iraqi people have done nothing to America or Great Britain to warrant the dropping of bombs in Baghdad.''

U.S. News & World Report said: ''Displays of American military might often leave the rest of the world puzzled, and this one was particularly discomfiting to both the usual carpers and friends. People spread around the world were left to wonder, like many Americans, whether this was a justified attack, or just a tack, by an American President desperate to forestall impeachment.''

We are basically bombing a defenseless nation, and most Americans do not even feel like we are at war. It is unbelievable that we are dropping bombs on people and not even giving it a second thought.

After the President's apology last August was such a monumental flop, he then ordered bombs to be dropped on Afghanistan and the Sudan, some people felt, to draw attention away from his personal problems. We now know from national press reports that we bombed a medicine factory and other civilian locations.

Also, we know that the President rushed into that bombing without notifying the Joint Chiefs of Staff or even the head of the FBI who is usually notified of actions against terrorists.

Also, the Sudan and Afghanistan bombings were done over the objections of the Attorney General. Now most people do not even remember that we did those bombings last August. Now we are bombing once again a country that cannot take one hostile or overt step against us and did not even threaten to do so. We are making enemies all over this world out of people who want to be our friends.

We started this latest Iraqi bombing on the eve of impeachment proceedings in the House, once again very questionable timing. We found out later from U.N. weapons inspector Scott Ritter that the UNSCOM report had been rigged with the White House in a lame attempt to try to justify the bombing.

The Christian Science Monitor, one of our leading national newspapers, and a newspaper, I might say, that usually supports the President, reported a few days ago that there are conflicts, fighting going on right now in 46 different locations around the world. Are we going to send troops to all 46? Are we going to send troops into every country? Obviously we cannot do this. It would cost far too many billions, and even our wasteful Federal Government does have some limits.

Right now our young people and many others are concerned about the future of Social Security. We really do not know how we will pay the staggering medical bills of the future. At a time when both air passenger traffic and air cargo traffic are shooting way up and all economic development is so tied into aviation, the President's budget is cutting aviation spending by several billion by reducing the Airport Improvement Program and eliminating the general fund contribution to the FAA. Yet we are spending billions to turn our military into international social workers.

We should try to be friends with every nation in the world, but we should not mortgage our own future in the process. We should send advisers in every field to help other nations which want us to do that. But we cannot continue sending billions and billions every time some other nation has a serious problem. Also, where there is an international tragedy of some sort, we need to quickly convene a meeting and ask Sweden and Germany and France and Japan and all other nations how much they will contribute. Right now we are carrying far too much of these burdens on our shoulders alone.

And we basically are following a CNN foreign policy. We seem to get involved in a big way in whichever situation is being given the most prominence at the moment on the national news. Now we are going into Kosovo against the recommendations of former Secretary of State Henry Kissinger, columnist Charles Krauthammer and many, many others.

George Washington in his farewell address warned us against entangling ourselves in the affairs of other nations. Dwight Eisenhower, a career military man, warned us against the military-industrial complex.

Why are we doing these things? Why are we attempting to be the world's policeman? Why are we so eager to drop bombs and doing so in such a cavalier, even careless manner?

Part of it involves money, the military-industrial complex that President Eisenhower warned us about. Eisenhower believed, and I believe, that national defense is one of the most important and most legitimate functions of our national government. But some leaders of the military, now that most Cold War threats have diminished, are desperately searching for military missions so that their appropriations will not be cut. How else can you explain such eagerness to send troops or to drop bombs on countries which are no threat whatsoever to our national security and where no vital U.S. interest is at stake? Those should be the key tests, whether our national security or whether a vital U.S. interest is at stake. Certainly that is not present in Kosovo or many of these other places where we have gone and where we have spent so many billions in recent years.

Then, too, I think we are doing it in part because of the psychology of power and of human beings. Most men when they are running for President want that position more than anything they have ever wanted. But I think they soon become dissatisfied with running only the United States and then start wanting more. They want to be seen as world statesmen, great leaders of the world, not simply just a great leader of the U.S. alone. It seems to be human nature to always want more or something different, and this is especially true of hard-charging, ambitious, driven people. And these desires, these ambitions are always encouraged and supported by companies which benefit from billions in military expenditures, the military-industrial complex about which Eisenhower warned us.

□ 1815

Many liberals and big-government types, even some big-government conservatives, resort to name calling and childish sarcasm against anyone who opposes spending all these billions overseas. They will not discuss these issues on the merits but simply dismiss

as isolationist anyone who speaks out against any foreign adventure that they dream up.

Our first obligation though, Mr. Speaker, as the Congress of the United States, should be to the citizens and taxpayers of the United States. It should not be to take billions and billions of their money and spend it on problems in Haiti, Bosnia, Kosovo, and on, and on, and on. What we need are foreign policies that put this Nation and its people first for a change. What we need is an American-first foreign policy, even if it is not politically correct or fashionable to say so.

Apparently, many people accept wasting all these billions today because they think our economy is stronger than it really is. Well, I might just say a few things about that. Levi Strauss has just announced that it is moving 6,000 more jobs to other countries. Last year, that company closed its largest facility in my hometown of Knoxville; and 2,200 people lost their jobs.

Last year was a record layoff in this country, a record year in this country for layoffs. Personal bankruptcies are at an all-time high, 1.4 million this past year alone. Our trade deficit hit a record 170 billion which means conservatively, according to the economists, we lose at least 20,000 jobs per billion, 3.4 million jobs, 3,400,000 jobs to other countries.

Many college graduates today cannot find jobs except in restaurants, and certainly there is nothing wrong with working in a restaurant, but you hope that people who get bachelors and masters degrees from colleges can find something a little better than that.

Our trade deficit with Japan reached 64 billion. The deficit with China was 57 billion, 57 billion. This is the same China that funneled millions in campaign contributions to influence the last presidential election.

The President has done several things, this administration has done several things, that will be very harmful for this Nation for many years long after he has left office and the administration has left office, when the problems that have been caused will be blamed on someone else. One involves the Chinese. The President ordered the sale of missile technology to the Chinese unbelievably over the objections of the State Department, the Defense Department and the Justice Department. Now the Chinese have, according to our intelligence reports, at least 13 nuclear warheads aimed at the U.S., missiles they could not have gotten here without the technology that millions of campaign contributions apparently got for them. Some apparently came from top executives of the Hughes Electronic Corporation, which sold some of this technology to the Chinese.

Now the Chinese have missiles pointed at Taiwan, our ally that we have a legal obligation to defend. We will now have to spend billions, extra billions, in the years ahead to defend against this Chinese threat, the same Chinese who are eating our lunch in trade to the tune of a $57 billion trade deficit with that country alone last year.

Nations like China at 57 billion, I might repeat, would be 1.4 million jobs, 1,400,000 jobs lost from this country to China last year because of that trade deficit. Nations like China, like Japan, nations all over this world need access to our markets far more than we need theirs. We need free trade, but it needs to be free in both directions, and we have economic leverage that we have not used in recent years because we have not put our own country first. We need trade policies that put America and its workers first even if our President and the national media and multinational businesses do not agree.

Another example of how the President's policy will hurt people for many years to come is the decision to lock up the largest low-sulfur coal deposit in the world in Utah, once again apparently in return for hundreds of thousands or possibly millions in campaign contributions from the Riady family of Indonesia, the owners of the second-largest low-sulfur coal deposit. Because our utilities are required to buy mostly low-sulfur coal, people all over this Nation will have to pay higher utility bills for years because of a political decision done in secret which had the double whammy effect of gaining huge campaign contributions and pleasing environmental extremists.

That brings me to another but related point. Environmental extremists are the new radicals, the new socialists, the new leftists in this country today. Many people do not realize how extreme many of them have become. They almost always, these environmental extremists almost always come from wealthy or upper middle income backgrounds and usually have sufficient wealth to insulate themselves from the harm they do to the poor and working people of this country. Everyone wants clean air and clean water, but some of these environmental extremists are not satisfied that we have the toughest clean air and clean water laws and other tough environmental laws, the toughest in the world. They constantly demand more, often supported by large contributions from many of our biggest corporations.

And I might say that the administration is trying to convince us to enter into the Kyoto agreement. Well, the Kyoto agreement is really just an attempt by some people that are upset that we have only 4 percent, a little over 4 percent of the world's population, yet we have about 25 percent of the world's wealth, and they want do a massive transfer of that wealth to other less developed countries. And so there is something like 125 less developed countries who do not have to participate and abide by the Kyoto agreement, but we have to.

And if we go through with that, if the Senate was to ratify that or if we try to go through the back door and enact all the Kyoto protocols in appropriations bills and in various other ways through regulations, we will destroy so many thousands of jobs in this country and drive up prices, and once again the people that will be hurt the most will be the poor and working people of this country.

I mentioned that many of these environmental extremists are supported by some of our biggest corporations. The big corporations can comply with all the rules and regulations and red tape. They have the money and the staff and the lobbyists and the political connections to do so. And what happens? The big keep getting bigger and the small and now even the medium-sized business struggle to survive or go by the wayside.

When I was growing up, a poor man could start a gas station. Now, primarily due to all the environmental and governmental regulatory overkill, only the wealthy or big corporations can do it. Environmental extremists destroy jobs and opportunities, drive up prices and in the process become the best friends extremely big businesses have ever had.

There is a big move now to cut down on agricultural run-off or spill-off. Here again the regulations are making it even harder for small farmers to survive while big corporate farms, agrabusiness really, can benefit by seeing much of their competition with small farmers removed.

Big government in the end, Mr. Speaker, has really helped primarily extremely big businesses and the bureaucrats who work for the Federal Government, and that is really all they have. The poor and the working people in this country and the small business people and the small farmers get the shaft. Everyone else gets the shaft. The intended beneficiaries get a few crumbs from most programs, but more jobs would be created and prices would be lower if more government money was left in the private sector.

In fact, government money does create jobs, but money left in the private sector creates on the average about two and one half times as many jobs. Why? The private sector, especially small business, is simply less wasteful and more efficient in their spending. They have to be to survive.

Edward Rendell, the Democratic mayor of Philadelphia, said in a congressional hearing a few years ago, quote:

> Government does not work because there is no incentive for people to work hard, so many do not. There is no incentive for people to save money, so much of it is squandered.

How true that statement is.

The easiest thing in the world, Mr. Speaker, is to spend other people's money. Also, when it comes to politicians, usually those who proclaim their compassion the loudest usually have the least with their own personal money.

Talk about the efficiency of the private sector. I had the privilege of meeting a few days ago with the head of Embraer, a Brazilian company that produces regional jets. He said that when Embraer was a government corporation in late 1994, it was producing $40,000 of product per employee. The company privatized in December of 1994 and now produces $240,000 per employee, six times as much in just a little over 4 years.

When speaking of the great benefits of a private, free-enterprise economy, we should remember that private property is one of the keys, one of the foundation stones of prosperity. Today, however, the Federal Government owns over 30 percent of the land in this country, and State and local governments and quasi-governmental units own another 20 percent. Approximately half the land today is in some type of government control, and the really worrisome thing is the rapid rate at which governments at all levels are taking on even more.

In addition, governments are putting more and more restrictions on what private land owners can do with their own land, taking away or putting limitations on a very important part of our freedom. They also, if they take over much more land, will drive out of reach for many young Americans a big part of the American dream, and that is to own their own homes. Once again, much of this is done or accepted in this misguided worship of the environment, leading to a very great expansion of government control over our lives.

Some environmental extremists even advocate something called the Wildlands Project, which has the goal of turning 50 percent of the United States into wilderness where it is not already designated that way. This may sound good on the surface, but it would require moving millions of people out of their homes and off of land that they presently own.

People take better care of land they personally own than they do of property that is publicly owned. Look at the big city housing projects that have had to be blown up after just 15 or 20 years because no one felt the pride of ownership, and the properties deteriorated unbelievably fast.

We would be better off and could sustain a good economy far longer if we had more land in private ownership and less in public or government control. Yet we are going very rapidly in the opposite direction, and our wonderful environmental extremists fight the Federal government giving up even one acre of land. They want more and more and more.

What an environmentalist should realize is that the socialist and communist nations have been the worst polluters in the world. Their economic systems did not give people incentives or put pressure on them to conserve and instead really encouraged or at least did not prevent wasteful use of resources.

Also, our environmentalist should realize that only capitalist free market economies can produce the excess funds necessary to do the good things for the environment that we all want done. Environmental extremists have done such a good job in recent years brainwashing young people that I bet very few even realize that we have far more land in forests in the U.S. today than we did 50 years ago or that forests, to remain healthy, some trees need to be cut.

When control of Congress changed, and I will talk about the economy again for a minute, when control of the Congress changed hands in November of 1994, the stock market was at 3800. Today, the Dow Jones average is almost at 9400. The economy has done well for several reasons, among which are we reformed the welfare system against two presidential vetoes and several million people are now contributing and paying in rather than taking out. Also, the Congress brought Federal spending under control by passing a balanced budget, once again against three presidential vetoes, but at least we brought Federal spending under control.

There is a misunderstanding or misimpression among some that we have cut Federal spending. Federal spending has gone up each year. It is just that instead of giving, as we routinely were, just 8 or 10 years ago giving 10 and 12 and 15 and 18 percent increases to almost every department and agency, we are now giving 2 or 3 percent increases.

□ 1830

We have Federal spending under control. Also the Federal Reserve has acted in a very conservative manner, and we have reduced the capital gains tax and stopped the trend towards higher and higher Federal taxes.

However, Federal taxes are still far too high. They are taking more of our GDP than at any time in the last 55 years since World War II. As I mentioned a few minutes ago in the colloquy with some of my colleagues on the Floor, today the average person, not the wealthy but the average person, is paying about 40 percent of his or her income in taxes of all types, Federal, State, and local, and at least another 10 percent in government regulatory costs.

One member of the other body said not too long ago that one spouse works to support government while the other spouse works to support the family. Yet, the President said in Buffalo recently, as we quoted here earlier, that we cannot give the people a tax cut because they would not spend it wisely. They would do a far better job, Mr. Speaker, spending it than our wasteful, inefficient Federal Government would.

One example, and I could give many today, the Federal Government spends about $26,000 per year per student in the Job Corps program. Most of this money goes to fat cat government contractors and bureaucrats, so these students would be shocked to know that we are spending this much on them each year. But we could give each of these students a $1,000 a month allowance, send them to some expensive private school, and still save money, and the young people involved would probably feel like they had won the lottery.

Finally, Mr. Speaker, let me spend a few minutes discussing one topic of great importance. Before I get into this final topic, let me just give another example of how harmful all of this overtaxation and over government spending has hurt the American people, and particularly, American families.

Before I came to Congress I spent 7½ years as a criminal court judge trying felony criminal cases. About 96 or 97 percent of those people plead guilty in the criminal courts throughout the country. Then they apply for probation. So I received, in that 7½ years, several thousand reports going into the backgrounds of all of these defendants.

The first day I was judge, Gary Tulick, the chief probation counselor for East Tennessee, told me that 98 percent of the defendants in felony cases came from broken homes. I would read over and over and over and over again reports like, defendant's father left home to get pack of cigarettes and never came back. Defendant's father left home when defendant was 2 and never returned.

I know that many wonderful people have come from broken homes, but I also know that, particularly with young boys, that the breakup of a home has had an extremely harmful effect on many young boys.

I saw a report in the Washington Times a few years ago in which two leading criminologists had studied 11,000 felony cases from around the country. They said the biggest single factor in serious crime, bar none, nothing else was even close, was father-absent households. How true that is.

In 1950 the Federal Government was taking about 4 percent from the average family, and State and local governments were taking another 4 percent, roughly. Many women had the choice of staying at home to raise their children, and many families were able to stay together, because most marriages—I saw one study which showed that 59 percent of all marriages break up in arguments over finances. That is the biggest single factor, disagreements about money.

But today, and for many years, the government at all levels has been taking so much money from the families of America that I think it has caused many serious problems. Many families I think have not been able to stay together or have ended up getting in serious disputes that have led to divorces and the breakup of families because government at all levels has been taking so much money from them.

I believe that the best thing we could do to lower the incidence of serious crime in this country would be to

greatly decrease the size and cost of the government at all levels, so that the families of this country could keep more of their own money to spend on their children in the ways that they see fit and that they know are best for them and their children.

Finally, Mr. Speaker, let me talk on one last topic for a few minutes, discussing something that is of great importance to everyone. That is health care.

Today health care is the only thing all of us pay for through a third-party payer system. If we bought food through a third-party payer system, millions would be starving. If we bought cars through a third-party payer system, a Yugo probably would have cost us $300,000.

Before the Federal Government got into medical care in a big way in the mid sixties, medical costs were low and flat for many years. A lot of young people ought to look at that, and look back and see how low and flat medical costs were for all those years that the Federal Government stayed out of it. But when the Federal Government got into it in a big way in the mid sixties, we took what was a very minor problem for a very few people and turned it into a major problem for everyone.

I remember in the late seventies when the liberals were saying Medicaid would save the medical system. Four or five years ago the Washington Post ran a series of front page stories about Medicaid. A member of the other body, Senator ROCKEFELLER, who I think was one of the people who helped found the Medicaid system, was quoted as saying about Medicaid, ''It is a horrible system, a vile system, and it ought to be abolished.''

A scholar from the Brookings Institution said about it, ''It is a success story of the American political system. We create a system so horrible that we are forced to go to total reform.''

I was told yesterday by one of the leaders of the Tennessee legislature that TennCare, our replacement or reform of Medicaid, will go up 12 percent this year, and maybe as much as 15 or 20 percent a year in future years. If it does, we would be in a catastrophic situation. Third-party payer systems are inevitably doomed to failure. They will never work. In any politicized medical system, those who are the best organized or most politically powerful get rich, but it is a disaster for everyone else.

In recent years we have seen some doctors, nursing home operators, big home health care operators, and big hospital chain owners get rich, but we have turned health care into a major problem for everyone except possibly Bill Gates and Warren Buffett.

In a private free market system, we get much more fairness and we do not have the big winners and even bigger losers that we have in a politicized big government medical system.

In fact, the main point of what I have been saying here tonight is just that. Poor and working people can get lower prices and many more job opportunities and have much better lives in a true free market system than in any other way.

If Members do not believe that, all they have to do is look around the world. I remember in the former Soviet Union the leaders of the former Soviet Union had, before their total collapse that they are undergoing right now, they had their dachas by the sea and their limousines and their special department stores. Other people, which was the great, great majority, 99-plus percent of the people, had to line up for hours to buy, say, a pound of sausage, or something that we run into a store for and take for granted as being able to purchase.

Every place in the world where the people have let the government get too big, people have ended up starving. It really is pretty simple, Mr. Speaker. Big government means a very small elite upper class, a huge underclass, and almost no middle class. A very small government means a very small elite, a huge middle class, and very few at the bottom.

We really should pay for medical care the same way that we pay for food. Then it would be cheap. If we could get the government and the insurance companies out of medical care, medical costs probably would not even be 5 percent of what they are. However, too many doctors and nursing home owners and health care providers are getting rich off the system the way it is today to get the government and the insurance companies out.

So since we cannot realistically do that, the only real hope is to go to a medical savings account or medical voucher system to get the consumer involved once again, to give people some incentives to shop around for medical care.

Right now we are distorting the law of supply and demand, because the number of doctors is going way up but so are the costs. We need to get at least some free market incentives into the system, because we are headed for a collapse within our medical system if we do not. Then the people will start demanding, if we let it collapse, they will start demanding national government-run health care, which is the worst of all worlds, as has been shown in country after country all over this world. Then we would end up with shortages, waiting periods, rationing, the closing of many small and rural hospitals, people having to go further and further distances for health care, a rapid decline in the quality of care, and on and on.

If the government had not gotten into medical care to the extent it already has, we never would have had HMOs and people being kicked out of hospitals way too early, or denied treatment in the first place.

We need major reform in medical care, Mr. Speaker, but if we give even more government control and involvement, the system will become even more expensive as it grows worse and worse. The few will get rich and the many will suffer, as with any and every big government program.

AMERICA'S BIGGEST SOCIAL PROBLEM: ILLEGAL NARCOTICS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Florida (Mr. MICA) is recognized for 60 minutes as the designee of the majority leader.

Mr. MICA. Mr. Speaker, I come before the House tonight and the American public to talk about a problem which I believe is our biggest social problem as a country, our biggest social problem as a Congress. That is the problem of illegal narcotics and the damage it is doing to our population, and particularly to our young people across this land.

Some people in Congress or some people in leadership positions would have us think that the Y2K problem is the major problem, or that other dotting I and crossing T of legislation is the major problem facing Congress. But I believe that we have no more important responsibility as legislators of this Nation than to see that we do the best job possible in addressing a problem, an epidemic that is ravaging havoc, particularly among our young people.

The statistics are mind-boggling. Last year over 14,200 Americans lost their lives because of drug-related deaths. Let me cite a few other statistics that every Member of Congress and every American should be aware of, when they turn away from the question of a drug problem, when they are given some other problem, smoking or Y2K or whatever the issue of the day may be that rates in the polls. Let me talk about the hard facts of what illegal narcotics are doing to us as a Nation.

The overall number of past month heroin users increased 378 percent from 1993 to 1997 in this country. Between 1992 and 1997, drug-related emergency room episodes nationwide increased 25 percent, and they increased 7 percent between 1996 and 1997. Between 1993 and 1997, LSD emergency room incidents increased 142 percent; not declined, but inclined.

Additionally, from 1993 to 1997, our youth aged 12 to 17 using drugs has more than doubled. It has increased 120 percent. There has been a 27 percent increase between 1996 and 1997. This is a 1998 national household survey.

In 1998, more than three-quarters, actually 7 percent, of our high school teens reported that drugs are sold or kept at their schools, an increase of 6 percent over 1996.

During 1997, statistically significant increases in heroin emergency room incidents were observed in Miami, a 77 percent increase; in New Orleans, a 63 percent increase; in Phoenix, a 49 percent increase; and in Chicago, a 47 percent increase.

Let me also add this statistic. Significant increases in methamphetamine, speed, emergency room incidents were observed in Detroit, a 233 percent increase; Seattle, a 207 percent increase; Atlanta, a 151 percent increase; and St. Paul, Minneapolis, 110 percent increase.

Mr. Speaker, we have, as a result, 1.8 million Americans behind bars, and the estimates are 60 to 70 percent of those Americans behind bars are there because of a drug-related offense. What is absolutely staggering is the cost of all of this to the American taxpayers. Let me tell the Members, from the drug czar's office in a recent report, what the cost is to the American taxpayers.

□ 1845

American taxpayers footed a $150 billion bill for drug-related criminal and medical costs in 1997 alone. That is more than what we set in our 1997 Federal budgets for our programs to fund education, transportation improvements, agriculture, energy, space and all foreign aid combined. That is the cost to this Nation.

One of the most staggering statistics, and I have quoted this before on the floor of the House of Representatives, is that our young people, our kids from age 12 to 15, in this population range, first-time heroin use, which has proven to kill, deadly heroin, surged a whopping 875 percent from 1991 to 1996.

Mr. Speaker, what concerns me as someone from a wonderful district in central Florida, my district runs from Orlando to Daytona Beach, is not just the national statistics, the national impact, the national lives that are lost, but the local devastation that this problem has imposed on my rather affluent, good economy, highly educated population. A wonderful placid area.

Mr. Speaker, every time I pick up the paper, and here is the latest newspaper, another individual, this one the latest, a death of a woman, age 38, died of a heroin overdose this weekend in central Florida. And this is in addition to another young man who died a horrible death, the sheriff told me, in a central Florida restroom of a heroin overdose.

A recent headline in my area newspapers stated that drug overdose deaths exceeded homicides, and most of these were heroin, a very deadly drug which has come across our border and into our streets in record numbers.

Now, how did we get ourselves into this situation? Let us go back to 1993 when the Clinton administration took over and they had a majority in both this House and the other body. What did they do? They changed our national drug policy.

Under the Reagan administration, and I was there, I worked as a staffer for Senator Hawkins in the 1980s, there were many initiatives adopted by Congress that tried to get a handle on the national and international drug problem that at that time was facing Florida and our country. What we did was a number of things. First, we tried to stop drugs at their source. Then we created an Andean Strategy, eradication of crops of coca and heroin at their source.

We also tried to interdict drugs using the military, using whatever means we had available, our Coast Guard, to stop drugs before they got into our border. And then we tried tough enforcement.

What happened in that period of time, from 1992 to 1995, is that the Clinton administration made a policy decision to cut some of those programs. They cut interdiction from $2 billion to $1.2 billion in 1995. So, they went down 37 percent in the period from 1992 to 1995.

The international programs to stop drugs at their source, the Andean Strategy, stopping drugs by eradicating the drugs and by crop substitution programs and other programs that stop drugs as they were being produced in the fields, was cut from $633 million to $289 million in 1996, a 54 percent decrease.

These are the figures. Let me put these up here. Again, a 37 percent decrease in drugs interdiction budgets and the source country programs, the international programs. These are the exact figures, a 53 percent decrease.

So what happened there? We had, in fact, a flood of drugs coming into this country. For example, with those decisions came some administrative decisions and let me cite some of those again that took place in the period of 1994 and 1995.

National Guard container searches using the military to help in the war on drugs dropped from 237 in 1994 to 209 in 1995. Other National Guard workday drug interdictions fell from 597 in 1994 to 530 in 1996.

Drug interdiction budget and asset cuts in the Department of Defense in 1995. The flight hours devoted to counterdrug missions was decreased from 51,000 to 50,000 in one year, and also shipdays active in drug interdiction were cut from 2,268 in 1994 to 1,545 in 1995.

As a result, we have seen a flood of illegal narcotics coming into the United States. Additionally, there were some policies at that time that did incredible damage to us as a Nation. In addition to the source country decreases, in addition to drug interdiction cuts in the activities of the military, the administration first out cut the office of the drug czar and the drug czar's budget.

The next really offensive move by the administration was to appoint a Surgeon General who sent a message to our young people of ''Just say maybe.'' Additionally, what hurt us tremendously in the effort to curtail cocaine production, coca production and also heroin production, was the abolition and the decision by the administration to stop a shootdown policy. We had provided information and assistance to South American countries, primarily Peru, Bolivia and Colombia, which were engaged in trying to curtail illegal narcotics trafficking and we provided them some information and assistance. A liberal decision out of one of our agencies stopped that type of assistance and, in turn, there was a period in which this shootdown policy was shot down by this administration, and it took a concerted effort and over a year to get that put back in place. We have done that.

And, of course, they took the military out and cut the Coast Guard budgets, so we saw a flood of illegal narcotics coming into this country.

During the period from 1995 onward in the country of Colombia, another administrative action did a great deal of damage. It was the policy of Congress, and we passed laws, we passed appropriations, asking that assistance go to Colombia. Because of concern of human rights violations, because of other problems with the last administration in Colombia, the administration basically stopped getting helicopters to Colombia, getting resources to Colombia, getting assistance to stop the production of coca and also heroin poppies in that country.

What has happened in the meantime is an incredible flood of coca cultivation. In fact, the subcommittee which I chair recently visited Colombia, Peru, Bolivia, Mexico and Panama, and I will report on that in just a minute. One of the things that we found that was most startling was that now Colombia produces more cocaine than any other country in the world. It formerly was a processing center for cocaine and now is a producer.

This policy, again from the 1993 to 1995, 1996 period of the administration, basically shut down our efforts and our assistance to Colombia to stop illegal narcotics cultivation, so we have cocaine major production there.

Additionally, we had an incredible flood of heroin coming out of Colombia. It is coming up through the Caribbean into Florida and it is also coming up through and transiting through Mexico, working with the Mexican cartels.

So these are the results of a failed policy that this administration adopted some years ago. The death in our streets, the dramatic increase in heroin on our streets. That cultivation is there for a reason. It is specifically because of a failed policy.

Now, recently I received, as chairman of the Subcommittee on Criminal Justice, Drug Policy and Human Resources, a presentation by the Office of National Drug Control Policy. The 1999 proposed drug control strategy, and also the budget for this administration.

I have raised some great concerns about this budget and this strategy. This is a strategy for losing. This is not a war on drugs. This is a mild effort to eliminate some drug trafficking, some drug production. I believe that we can expedite what is proposed in this strategy. I believe there are some fundamental flaws in what has been proposed by the administration and this is

a losing strategy and a losing budget and we certainly should have learned from the past.

First of all, the most effective way to stop drugs are to eliminate drugs at their source. If one cannot grow coca, they cannot produce cocaine. There have traditionally only been two countries that have produced cocaine in large quantities: Bolivia and Peru. Both of those countries, where we visited and met with the presidents of those countries, have committed within the last 2 or 3 years, working primarily with this new majority in Congress, to eradicate drugs at their source. Very cost-effective. Very few dollars spent.

Now, we learned through the budget that was proposed from 1991 to 1995 how not to do things and it is amazing that this new budget by this administration does not address proper funding for the microherbicide program. That is a program to eliminate drugs through a chemical process, conducting the R&D to deal biologically with the production of coca and other hard drugs such as heroin and poppies.

Did we not learn that when we cut Customs and interdiction and do not properly fund them that drugs come from where they are grown to the next stage? Again, the President's budget, the President's strategy is lacking in adequate funding to provide the resources necessary to stop drugs at their next stage. And each of these stages I view as cost-effective frontiers in this effort.

Once we get to the streets, once we get to local enforcement, it is extremely expensive and costly in lost lives and enforcement to try to catch those drugs when they are in our schools and in our communities and with our young people.

This budget by this administration also fails to address one of the most fundamental needs, and that is that we have proper intelligence, adequate intelligence. If I have learned anything in this war on illegal drugs, it is that intelligence is so important, particularly in enforcement and interdiction and even eradication. If we know where the drugs are, if we know who is dealing the drugs, if we have the proper intelligence, we can save lives. Again we can cost-effectively stop traffickers in pursuit of their deadly profession purveying, again, heroin, cocaine, methamphetamines and other hard drugs.

So, not spending the adequate resources or funding for intelligence is lacking in the President's strategy and in the drugs czar's proposal to Congress.

□ 1900

Once again, we have seen the cuts for the Coast Guard that the administration made, and I cited some of those just a few minutes ago, that were mistakes and will be mistakes in this budget. So they have not adequately funded the operations of the Coast Guard.

Let me give an illustration in central Florida. Some of the heroin that we have coming into central Florida has transited through Puerto Rico. Why through Puerto Rico? This is a new pattern in the last 5, 6 years. Because back in 1995, this administration and the years before that, several years before that cut the Coast Guard operations almost 50 percent.

The Coast Guard is the line of defense around Puerto Rico and has kept that secure, again, through the 1980s and early 1990s from drugs transiting through there. That Guard was let down. Here again, an incredible error on the part of the administration and the drug czar's office.

The President's strategy, if you call it a strategy, is to let down the funding for the Coast Guard for operation and maintenance, one of the most important ingredients for success.

Finally, properly funding U.S.-Mexico border security. Now if we know that 60 to 70 percent of the hard drugs coming into the United States are coming in through Mexico, transiting through Mexico, then we know where we have a major drug transiting problem. It does not take rocket science to figure this out. So, again, we have another perimeter of defense that is not being secured by the proposal of this administration.

What is of major concern to me is that some of the money in this budget in big chunks is being spent to correct mistakes and errors. One of the biggest mistakes and errors that we found in visiting some of the producing and transiting countries that our subcommittee visited was in Panama.

In Panama, the United States of America is getting its clock cleaned. There is no other way to put it. We have been out-negotiated. We have lost basically our interest in the Panama Canal.

We will be turning over, we will be giving the keys to the Panama Canal. I wanted to pull out my keys here as an illustration. These are the keys to the Panama Canal. We will be giving them to Panamanian officials by December of this year.

What is scary is all of our forward drug reconnaissance efforts are located in Panama right now as we speak. The administration is scrambling at this hour because they lost the treaty agreements. They could not negotiate them. They got to the end. The whole thing collapsed.

We are turning over $10 billion in assets, 5,000 buildings. We basically in May have to stop all of our overflights. So they are scrambling now to find another location, which we asked questions about, for our forward reconnaissance in the war on drugs.

They will probably be relocated in Ecuador and also in Aruba and that area as they, again, are working at this point to patch together some forward reconnaissance operation. Not to mention that we will have to relocate such assets as AWACS and other reconnaissance equipment and airplanes from that area.

So the situation in Panama is pure chaos. The situation regarding even the operation of the ports, we were told that corruption has dictated how the awards for control of those ports will be determined, and that the Red Chinese, in fact, will control one of those port activities and gain that through corrupt activities.

A very scary scene, when it comes to dealing with the Panama Canal, with the billions of United States dollars invested in that area all lost. Also, from my perspective, the war on drugs, where we are being booted out, and at great cost in this budget, as I started to say, one of the biggest items is moving that operation, which will cost the taxpayers $73.5 million. I think that is just the tip of the iceberg. So those are how some of the dollars are being spent in a strategy that does not make sense.

If you think that the administration would want to spend more than we spent last year and would come out and say we need to spend more resources, I am not a big spender, I am one of the lowest spenders in Congress, but of all of the things we should be spending more money on, it is this effort, whether it is education and prevention and treatment and interdiction, law enforcement, but actually from a total spending of $17.9 billion in last year's full appropriations for this effort to stem illegal narcotics, the administration drops down to $17.8 million, 109 net million dollars less in spending.

In addition, if we add in the mistakes to correct in Panama, we are probably looking at $250 million in funds less than we spent the year before. Additionally, what concerns me is that the administration talks a good line about helping our communities' education and prevention.

I might say that a Republican Congress added $195 million for the ads that are now being aired on television for the information program that is being conducted by the Office of National Drug Control Policy and matched by the private sector.

But, additionally, the administration played games with their proposal and their budget and their strategy by not funding some of the programs that we passed. For example, the Drug-Free Communities Act, they came in $8 million below our authorization and request.

So if we want to do something about drugs in our communities, we have got to interdict. We have got to educate. We have got to enforce. But we have to have an honest proposal on the table from the administration. I do not believe that is the case.

I would like to turn now, to the latest chapter in the war on drugs, and I will be addressing the Congress and the Nation on a repeated basis. People may get tired of hearing about it. But, again, since it has such a big impact on our communities, I will be here talking about it.

Since the Speaker of the House has given me that responsibility as chair of the Subcommittee on Criminal Justice, Drug Policy and Human Resources, I will, again, be bringing this consistently to the attention of the public and the Congress.

The latest chapter is another sad chapter and mistake. Again, I said earlier, if we knew where 60 to 70 percent of the drugs were coming from, we would do something about it. We would target that. Now, we know where 60 to 70 percent of the drugs are. These are not my figures. These are the administration's figures, the Office of Drug Control Policy, the Office of the Chief DEA Administrator of the land. These are, again, their figures.

We know where hard drugs, cocaine, heroin, methamphetamine are coming from. They are coming from Mexico. Again, the latest chapter is that, yesterday, the President of the United States, and last week he said he was going to do it, but he did it on the deadline, yesterday, March 1, he certified Mexico as fully cooperating with the United States on the war on drugs.

Let me say something about the certification process since I helped draft that with Senator Hawkins back in the mid 1980s, that law. The law is a simple law. The law says that the State Department shall review the progress of every country that is involved in narcotics production and trafficking and determine whether they are fully cooperating with, eliminating, or helping to reduce drug production and drug trafficking.

That is what certification is. They must certify honestly, and the President must present honestly whether a country is cooperating, fully cooperating, those are the terms of the law, in eliminating drug production and drug trafficking.

Why are they certifying? They are certifying to make that country eligible for foreign aid, foreign assistance, foreign trade benefits, and foreign financial assistance of the United States. These are benefits of the United States, again, in trade and finance and foreign aid. So if they are fully cooperating, they are eligible for foreign aid and foreign assistance.

It is a simple law. The law has been convoluted. The law has not been properly interpreted by this administration. It certainly has not been applied appropriately by this President.

The President ironically went to Mexico and met with President Zedillo several weeks ago. He said Mexico should not be penalized for having the courage to confront its problems. Now, that is a new Clinton-speak.

What are the facts about cooperation, full cooperation? What is the pattern of conduct of officials there in trying to stop production and stop trafficking.

Let me quote, if I may, the DEA Administrator Tom Constantine who has great courage, an official of this administration, in charge of our Federal Drug Enforcement Agency. He testified in a recent Congressional hearing on the other side of the Congress, and let me quote, ''In my lifetime, I have never witnessed any group of criminals that has had such a terrible impact on so many individuals and communities in our nation,'' Mr. Constantine said. ''They have infiltrated cities and towns around the United States, visiting upon these places addiction, misery, increased criminal activities and increased homicides.''

''There is no doubt that those individuals running these organized criminal drug-trafficking syndicates today are responsible for degrading the quality of life not only in towns along the Southwest border of the United States, but increasingly, cities in middle America.''

This is what the chief law enforcement officer of our Nation said regarding Mexico's participation. This article further went on to state, and let me quote this, that ''No major traffickers were indicted in Mexico last year; drug seizures dropped significantly; fewer drug laboratories were seized; total arrests declined; the number of drug cases dropped; and seizures of drug-carrying automobiles, boats, and trucks also declined.''

Is this a pattern of cooperation? Is this a pattern that deserves certification so that Mexico is eligible for benefits and foreign assistance of the United States?

Let me cite from another article and some other statistics about Mexico's performance. Again, 60 to 70 percent of the cocaine and heroin that come into the United States come in through Mexico. It is estimated that 85 percent of the methamphetamine, the foreign methamphetamine comes in from Mexico. It is produced in Mexico.

Another recent article said that Mexico has increased heroin production by sixfold in the last 2 years.

□ 1915

Not only are they transiting hard drugs, they are now becoming a significant producer of heroin from that country. Chemical precursor laws are not being enforced in Mexico. Mexican heroin seized in the United States between 1995 and 1996 quadrupled.

Now, another significant thing, and every American should listen to this, and every young person who is listening should listen to this, the purity of the heroin coming into the United States from Mexico and from these other countries in the last 2 years has jumped from a purity level of 7 to 20 percent to 50 to 76 percent. That is why we are seeing so many deaths. That is why we are seeing the destruction of so many lives, because this is deadly heroin. These are deadly drugs with high purity and high potency coming into the United States. And any time a young person or anyone else abuses these drugs and mixes it with anything else, they risk death and they risk destroying their lives.

Last year, 15 metric tons of heroin came into the United States through Mexico. We had a 27 percent increase in heroin use in the United States between 1996 and 1997. So more heroin is coming in, more heroin is being used, and most of the heroin that we see, again, is coming through Mexico or now being produced in Mexico.

Now, we are neighbors, we are partners, we are friends. There are millions of Mexican-Americans in the United States who are good citizens. We have a long relationship of friendly trade, of finance, communication, and cultural exchanges between our two countries. I think the United States, and the Congress in particular, and this administration, have gone even overboard to extend benefits to Mexico as a partner, as a friend, as an ally and a neighbor. We have given probably some of the best trade benefits to Mexico as to any country in the world.

When Mexico's pesos were faltering and the economy was heading down the tubes a few years ago, we, as friends and neighbors, went in and helped bail them out. In return, we heard the gentleman from Tennessee (Mr. JIMMY DUNCAN), talk about jobs that are lost in the United States and lowered opportunity. And what has happened is we have actually given up much of our trade, much of our manufacturing to Mexico.

We just got the recent figures for 1998, and our trade deficit was $15.7 billion. That means more goods being sold by Mexico in the United States, contributing to our whopping trade deficit. So here we are good friends, we are good allies, and we ask for cooperation, and what do we get? We get an unbelievable quantity and quality of hard, deadly drugs coming into our country from Mexico.

Let me again cite the statistics of the cost of drug abuse in this country. Last year, we had 14,218 Americans, and this is actually last year. They have the wrong date up here. They were killed last year at a cost of $67 billion. This is the cost in lives and Americans who will no longer see the light of day. And if we calculate 60 to 70 percent of the hard narcotics coming into the United States, we can figure that we have 8,000 or 9,000 Americans dying from drugs that came in through Mexico.

I am not the only one that questions the certification of Mexico, and this should not be a partisan question. Let me, if I may, read a quote from the minority leader of the House of Representatives. ''After reviewing the past year's record, I am compelled to disagree with the President's decision to certify Mexico as fully cooperating with our government in the fight against drugs.'' And that is the gentleman from Missouri (Mr. GEPHARDT), who said that in a quote last Saturday in the Dallas Morning News. So, again, there is bipartisan concern about what is happening with Mexico.

Why that concern? The statistics, again, speak for themselves.

Mexican drug seizures for opium from 1997 to 1998, a 56 percent reduction in drug seizures. Is this fully cooperating to stop drugs at their source or as they transit through that country?

Cocaine, a 35 percent reduction in seizures in the period from 1997 to 1998.

And if we want to look at methamphetamine, how it is affecting some of the heartland of America, about 85 percent of the methamphetamines in Minnesota is smuggled from Mexico. And this is the source, the Minneapolis Star Tribune, Sunday September 27th of last year. Again, hard drugs coming in through Mexico; Mexico certified by this administration.

Finally, the DEA administrator, Tom Constantine, again questioned what this administration is doing and talked about Mexico. He said, ''The truly significant principals have not been arrested and appear to be immune from any law enforcement effort.'' So this administration has certified a country as fully cooperating that, again, is dealing in death and destruction at every level of our effort to eradicate illegal narcotics from coming into this country.

Now, what is my role? Again, I chair the House Subcommittee on Criminal Justice, Drug Policy and Human Resources of the Committee on Government Reform. Today I join my colleague, the gentleman from Alabama (Mr. BACHUS), who introduced a resolution to decertify Mexico. I did not sign on that resolution, although I now support that resolution because of the evidence I have found.

However, the Speaker has asked me and other chair members of the majority to conduct a thorough review of the drug policy of the Congress, the drug policy of the Nation and also of the certification and decertification of Mexico and other countries that are dealing in illegal narcotics. I, as chairman, intend to conduct that review to see if drug decertification is the answer, to see what other mechanisms we can enact to hold Mexico's feet to the fire and other nations who deal in illegal narcotics and do not make an effort to fully cooperate and yet receive benefits from the United States Government. So that will be my task and my responsibility to work with others.

We launch that investigation, that review and that oversight process tomorrow. One of the subcommittees of the Committee on International Relations will begin tomorrow looking at the drug policy issue in Latin America. We know, again, that almost all of the heroin coming into the United States, the huge quantities of heroin, comes from Colombia and is also produced in Mexico and transits to the United States. We know that cocaine is produced in Peru and coca in Bolivia, and now a majority of cocaine in Colombia, and that also is transited through Mexico.

So we know where the problem is. What we do not know are the solutions on how to get a handle on it. We do know that we must restore a few dollars into the programs that are most effective, the most cost effective. Stopping drugs at their source, where they are grown, the crop eradication programs, we have now seen are so effective. And substitution programs in Bolivia and Peru we know are stopping production, they are stopping cultivation and providing alternative development for people in those regions so they do not go back to producing the basis for hard drugs.

We know we have to work with President Pastrana, the new president in Colombia. We must get him the resources to eradicate the hectares of poppy that have grown while the administration stopped equipment and resources from reaching that region. We know we must do that.

We must get a handle on the situation in Mexico. Mexico is losing control of its Nation. The Baja peninsula is now controlled by drug lords. Ironically, where the President met, in Merida, the Yucatan peninsula is now controlled by the drug lords; and other areas, regions and states of Mexico are totally controlled by narco-terrorists who are raining destruction, who have gone from corruption to terrorist intimidation of people in that country.

I will say that there are people at the top, President Zedillo, a brave attorney general who we met with, that are trying their best, but I am concerned that they are about to lose control of their nation to narco-terrorists. So we must find a solution. We must find some way to hold their feet to the fire, to aid them, as good neighbors.

We must reach across the aisle when the minority leader of the House says that what the President has done is not correct relating to Mexico, and we must find a solution that is correct. We cannot afford to let this go on. We cannot fill our jails with any more Americans. We cannot subsidize the quarter of a trillion dollar loss to our economy, not to mention the destroyed lives of our young people and other Americans who could have been so productive.

So that is our task. It is an important task. It is, again, I believe the biggest social problem facing this Nation.

Stop and think if we could eliminate 60 percent of the crime. Stop and think if we could eliminate 60 to 70 percent of those deaths. Stop and think if we could have more productive citizens rather than people strung out on drugs, ruining again their lives and their loved ones' lives, of what we could do in this Nation.

So I believe it is an important task. I do not plan to let up for a minute. I do not have the answers at this point, but we will review every possible solution. We extend our hand of cooperation across the aisle to our colleagues and to anyone who is interested, who wants to come forward and help us with a problem that we must address, that we must resolve in the best interest of the Congress, in the best interest of our Nation, and in the best interest of those who hope to have any future in this country, our young people.

INTRODUCING H.R. 948, THE DEBT DOWNPAYMENT ACT

The SPEAKER pro tempore (Mr. BILBRAY). Under the Speaker's announced policy of January 6, 1999, the gentleman from Kansas (Mr. MORAN) is recognized for 60 minutes.

Mr. MORAN of Kansas. Mr. Speaker, I would like to bring to the attention of my colleagues in Congress a letter I received today. It is a letter from Mr. and Mrs. Alan Paul of Ellsworth, Kansas. The Pauls write to suggest that Congress use its good sense and to do what is best for the country.

Mr. Paul specifically writes, ''Comes now a budget surplus. You know and I know that the 'surplus' can be what we want it to be depending on how we cook the books. Fact is, without Social Security, there is no surplus. Suddenly, Democrats see new programs we cannot get along without, Republicans get those tax cut dollar signs in their eyes, and our collective brains get all mushy. I have a revolutionary idea,'' Mr. Paul writes. ''Let's do nothing. No new programs, no tax cuts, nothing. Let the surplus reduce the debt, thereby reducing the annual interest payments out of the budget and thereby bolstering Social Security.''

Mr. Paul is right. Mr. Speaker, today I introduced the Debt Downpayment Act, legislation that will establish a plan for paying down our national debt. While many in Washington celebrate the idea that we have balanced the books, Americans, and especially Kansans, have not forgotten that our national debt stands at $5.6 trillion. That is over $20,000 for every American. Twenty thousand dollars per person is not balanced, and using the Social Security Trust Fund to mask the true extent of the debt is not balanced either.

Debt is certainly not a glamorous issue in Washington. It is much more exciting to talk about new programs that our surpluses could fund. In each of our districts there are great needs. In Kansas, all of our major industries face record low prices. Wheat, oil, hogs and cattle prices are wiping out family farmers, ranchers and small oil producers.

□ 1930

Our hospitals are struggling to meet the needs of an aging and rural population. I rise this evening not to suggest that we should ignore the pressing needs of the American people but to remind Members of Congress that as we meet these needs we must continue to make the difficult choices that can help us reduce our national debt.

Mr. Speaker, despite the claims, we do not have surpluses as far as the eye can see. In fact, we have a very short window of time where demographics and a strong national economy will allow us to pay down a portion of our national debt.

The Congressional Budget Office, the General Accounting Office, the chairman of the Federal Reserve Board, Dr. Greenspan, have all warned us repeatedly that the good times will not last forever. Assuming we continue with our current economic growth, deficits are still expected to return in the near future.

Mr. Speaker, the chart shows where we are today in 1998, and we are headed on the right path but, lo and behold, doing nothing still sends us back and in 2040 the projected debt levels are two times our gross national product.

Those are not good signs. This is the window of opportunity for us to do something right, and we cannot afford to let this chance pass us by.

The legislation I have introduced is simple. If Congress does nothing to botch this opportunity, the amount of our publicly-held debt is expected to be reduced by $2.4 trillion by 2009. This bill simply locks in today's once in a lifetime opportunity to pay down the debt by establishing gradually reduced debt limits each year. Doing so provides an average annual down payment on the debt of $240 billion each year for the next 10 years and requires no new spending cuts.

I urge all my colleagues to consider the benefits of paying down the debt. Today, nearly 15 percent of the Federal budget goes to make interest payments on the national debt.

Mr. Speaker, 15 percent of our budget goes to pay interest on the national debt. That is almost as much as national defense, almost as much as Social Security, and more than income security or Medicare. It is a huge portion of the problem we face each year.

The budget today looks too much like bad credit card spending. We pay only the minimum amount each month. We spend a hefty sum on interest and we never establish a plan to pay down the principal.

My bill would save an estimated $730 billion in interest payments over the next 10 years. That is good for the Federal budget and it is good for the economy. We can lower interest rates for America's car loans, our mortgages, our student loans and our farm debt and free up 11 percent of the budget for tax cuts or other important priorities.

Foremost, reducing our debt strengthens our ability to meet our obligations for Social Security. In 2013, just 14 years from now, as the baby-boomers retire, payroll taxes are expected to be insufficient to meet the promised Social Security benefits. Congress will either need to raise taxes or tap into general revenue. By reducing the debt, we can do something today that makes it much easier to meet the needs of the next generation's retirement.

This legislation also removes Social Security trust fund revenues from all calculations of the surplus. We must be honest with ourselves and with the American people.

H.R. 948 offers a simple, straightforward plan for paying down our national debt. With the right decisions today, we can strengthen economic growth into the next generation, but if we fail we could see an expansion of the size and scope of government and a debt burden that lowers the standard of living for every American. I urge each of us to make the necessary commitment and seize this historic opportunity to do the right thing for ourselves, our children and our grandchildren.

Mr. Paul's letter concludes, ''And maybe, Jerry, just maybe, if you pull off this miraculous feat, God will forgive us all for the terrible sins we have committed against our future generations.''

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. EVANS (at the request of Mr. GEPHARDT), for today, on account of family illness.

Mr. BUYER (at the request of Mr. ARMEY), for today, on account of illness.

Mr. MCCOLLUM (at the request of Mr. ARMEY), for today and the balance of the week, on account of family medical reasons.

Ms. GRANGER (at the request of Mr. ARMEY), for today and the balance of the week, on account of illness.

Mr. EVERETT (at the request of Mr. ARMEY), for today and the balance of the week, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. PALLONE) to revise and extend their remarks and include extraneous material:)

Ms. NORTON, for 5 minutes, today.

Mr. GREEN of Texas, for 5 minutes, today.

Mr. FORD, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

(The following Members (at the request of Mr. FOSELLA) to revise and extend their remarks and include extraneous material:)

Mr. DIAZ-BALART, for 5 minutes each, today and March 3.

Mr. SCARBOROUGH, for 5 minutes, today.

Mr. WOLF, for 5 minutes, today.

Mr. TANCREDO, for 5 minutes, today.

Ms. ROS-LEHTINEN, for 5 minutes, today.

Mr. HAYES, for 5 minutes, on March 4.

(The following Member (at her own request) to revise and extend her remarks and include extraneous material:)

Mrs. JONES of Ohio for 5 minutes today.

ADJOURNMENT

Mr. MORAN of Kansas. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 39 minutes p.m.), the House adjourned until Wednesday, March 3, 1999, at 10 a.m.

RULES AND REPORTS SUBMITTED PURSUANT TO THE CONGRESSIONAL REVIEW ACT

Pursuant to 5 U.S.C. 801(d), executive communications [final rules] submitted to the House pursuant to 5 U.S.C. 801(a)(1) during the period of June 18, 1998 through January 6, 1999, shall be treated as though received on March 2, 1999. Original dates of transmittal, numberings, and referrals to committee of those executive communications remain as indicated in the Executive Communication section of the relevant CONGRESSIONAL RECORDS of the 105th Congress.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

792. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule—Sugar to be Imported and Re-exported in Refined Form or in Sugar Containing Products, or Used for the Production of Polyhydric Alcohol (RIN: 0551–AA39) received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

793. A letter from the Under Secretary for Acquisition and Technology, Department of Defense, transmitting A report identifying the percentage of funds that were expended during the preceding fiscal year for performance of depot-level maintenance and repair workloads, pursuant to Public Law 105—85 section 358(e) (111 stat. 1696); to the Committee on Armed Services.

794. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Television-Audio Support Activity [DFARS Case 98–D008] received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

795. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulations Supplement; Specifications and Standards Requisition [DFARS Case 98–D022] received February 10, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

796. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulations Supplement; Flexible Progress Payments [DFARS Case 98–D400] received February 10, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

797. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; People's Republic of China [DFARS Case 98–D305] received February 10, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

798. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense

Federal Acquisition Regulation Supplement; Singapore Accession to Government Procurement Agreement [DFARS Case 98–D029] received February 10, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

799. A letter from the Alternate OSD Federal Register Liaison Officer, Department of Defense, transmitting the Department's final rule—Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); Individual Case Management [DoD 6010.8–R] (RIN: 0720–AA30) received February 10, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

800. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the System's final rule—Credit by Brokers and Dealers; List of Foreign Margin Stocks [Regulation T] received February 18, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

801. A letter from the Assistant General Counsel for Regulations, Department of Education, transmitting the Department's final rule—Student Assistance General Provisions—received February 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

802. A letter from the Deputy Executive Secretary to the Department, Health and Human Services, transmitting the Department's final rule—Head Start Program (RIN: 0970—AB31) received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

803. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Michigan: Correction [MI67–02–7275; FRL–6302–3] received February 11, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

804. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Wyoming: Final Authorization of State Hazardous Waste Management Program Revision [FRL–6302–1] received February 11, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

805. A letter from the Director, Office of Regulatory Managment and Information, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants Emissions: Group I Polymers and Resins and Group IV Polymers and Resins and Standards of Performance for Volatile Organic Compound (VOC) Emissions from the Polymer Manufacturing Industry [AD-FRL–6301–6] (RIN: 2060–AH–47) received February 11, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

806. A letter from the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule— Approval and Promulgation of Air Quality Implementation Plans; District of Columbia; Reasonably Available Control Technology for Oxides of Nitrogen [DC017–2013a; FRL–6234–6] received February 18, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

807. A letter from the Director, Regulations Policy and Management Staff, FDA, Food and Drug Administration, transmitting the Administration's final rule—Standards for Animal Food and Food Additives in Standardized Animal Food; Correction [Docket No. 95N–0313] received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

808. A letter from the Director, Regulations Policy and Management Staff, FDA, Food and Drug Administration, transmitting the Administration's final rule—Foods and Drugs; Technical Amendments; Correction—received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

809. A communication from the President of the United States, transmitting a supplement report about the continuing deployment of U.S. military personnel in Kenya; (H. Doc. No. 106—33); to the Committee on International Relations and ordered to be printed.

810. A letter from the Managing Director for Administration, Overseas Private Investment Corporation, transmitting the Corporation's final rule— Production of nonpublic records and testimony of OPIC employees in legal proceedings (RIN: 3420–AA02) received February 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

811. A letter from the Director, Congressional Budget Office, transmitting notification that the Congressional Budget Office has waived the deduction-of-pay requirement for a reemployed annuitant, pursuant to Public Law 102—190; to the Committee on Government Reform.

812. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting the 1999 Annual Performance Plan, pursuant to Public Law 103—62; to the Committee on Government Reform.

813. A letter from the Comptroller General, General Accounting Office, transmitting a monthly listing of new investigations, audits, and evaluations; to the Committee on Government Reform.

814. A letter from the Office of Inspector General, National Science Foundation, transmitting the semiannual report of the National Science Foundation for September 1998, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

815. A letter from the Chairman, National Transportation Safety Board, transmitting the report pursuant to the Federal Managers' Financial Integrity Act, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform.

816. A letter from the Director, Office of Management and Budget, transmitting the performance plan for fiscal year 2000; to the Committee on Government Reform.

817. A letter from the Secretary of Transportation, transmitting notification of a vacancy where an appointment is required for the Department of Transportation; to the Committee on Government Reform.

818. A letter from the Acting Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting notice on leasing systems for the Central Gulf of Mexico, Sale 172, scheduled to be held in March 1999, pursuant to 43 U.S.C. 1337(a)(8); to the Committee on Resources.

819. A letter from the Director, Office of Surface Mining Reclamation and Enforcement, Department of the Interior, transmitting the Department's final rule—Alaska Regulatory Program [AK–007–FOR, Amendment No. VII] received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

820. A letter from the Director, Office of Surface Mining Reclamation and Enforcement, Department of the Interior, transmitting the Department's final rule—Abandoned Mine Land (AML) Reclamation Program; Enhancing AML Reclamation (RIN: 1029–AB89) received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

821. A letter from the Director, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting an annual report on actions taken in respect to the New England fishing capacity reduction initiative; to the Committee on Resources.

822. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pollock by Vessels Catching Pollock for Processing by the Mothership Component in the Bering Sea subarea of the Bering Sea and Aleutian Islands management area [Docket No. 981222313–8320–02; I.D. 020999B] received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

823. A letter from the Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Vessels Greater than 99 feet LOA Catching Pollock for Processing by the Inshore Component in the Bering Sea [Docket No. 981222313–8320–02; I.D. 021199A] received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

824. A letter from the Chief Justice of the Supreme Court of the United States, transmitting a copy of the Report of the Proceedings of the Judicial Conference of the United States, held in Washington D.C., on September 15, 1998, pursuant to 28 U.S.C. 331; to the Committee on the Judiciary.

825. A letter from the Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, transmitting the Service's final rule—Nonimmigrant Visa Exemption for Certain Nationals of the British Virgin Islands Entering the United States Through St. THOMAS, United States Virgin Islands [INS No. 1956–98] (RIN: 1115–AF28) received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

826. A letter from the Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, transmitting the Service's final rule—Exceptions to the Educational Requirements for Naturalization for Certain Applicants [INS No. 1702–96] (RIN: 1115–AE02) received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

827. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Safety Zone; Santa Barbara Channel, CA [COTP Los Angeles-Long Beach, CA; 98–012] (RIN: 2115–AA97) received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

828. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulation; Chef Menteur Pass, LA [CGD8–96–053] (RIN: 2115–AE47) received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

829. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Safety Zone: Shlofmitz BatMitzvah Fireworks, Hudson River, Manhattan, New York [CGD01–99–001] (RIN: 2115–AA97) received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

830. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulation; Back Bay of Biloxi, MS [CGD8–96–049] (RIN: 2115–AE47) received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

831. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Fees for Services Performed in Connection with Motor Carrier Registration and Insurance (RIN: 2125–AE24) received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

832. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747 Series Airplanes [Docket No. 98–NM–144–AD; Amendment 39–11025; AD 99–04–01] (RIN: 2120–AA64) received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

833. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment of Class D Airspace; Hunter Army Airfield (AAF) [Airspace Docket No. 99–ASO–2] received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

834. A letter from the Chairman, Surface Transportation Board, transmitting the Board's final rule—Regulations Governing Fees For Services Performed In Connection With Licensing and Related Services—1999 Update— received February 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

835. A letter from the Director, National Institute of Standards and Technology, Department of Commerce, transmitting a list of donations under the ''Computers for Learning'' (K–12) program for the period July 1998 through December 31, 1998; to the Committee on Science.

836. A letter from the Assistant Commissioner (Examinations), Internal Revenue Service, transmitting the Service's final rule—Qualifying wages under section 41 in determining the tax credit for increasing research activities—received February 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

837. A letter from the Assistant Commissioner (Examiniation), Internal Revenue Service, transmitting the Service's final rule—All Industries Coordinated Issue: Qualifying Wages Under Section 41 in Determining the Tax Credit for Increasing Research Activities, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

838. A letter from the Assistant Commissioner (Examination), Internal Revenue Service, transmitting the Service's final rule—Congressional Review of Market Segment Specialization Program (MSSP) Audit Techniques Guides— received February 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

839. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Election in respect of losses attributable to a disaster [Revenue Ruling 99–13] received February 23, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

840. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Weighted Average Interest Rate Update [Notice 99–11] received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

841. A letter from the Chief, Regulations Branch, U.S. Customs Service, transmitting the Service's final rule—Gray Market Imports and Other Trademarked Goods [T.D. 99–21] (RIN: 1515–AB49) received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

842. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of the intent to obligate Fiscal Year 1999 SEED funds by the the United States Information Agency; jointly to the Committees on International Relations and Appropriations.

843. A letter from the Assistant Secretary, Department of State, transmitting notification of the intent to obligate Fiscal Year 1999 SEED funds by the Department of State; jointly to the Committees on International Relations and Appropriations.

844. A letter from the Deputy Executive Secretary to the Department, Department of Health and Human Services, transmitting the Department's final rule—Medicare Program; Changes to the MedicareChoice Program [HCFA–1030–F] (RIN: 0938–AI29) received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Commerce.

845. A letter from the Secretary of Health and Human Services, transmitting a report on the schedule for the development of a prospective payment system (PPS) for home health services furnished under the Medicare program; jointly to the Committees on Ways and Means and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 661. A bill to direct the Secretary of Transportation to prohibit the commercial operation of supersonic transport category aircraft that do not comply with stage 3 noise levels if the European Union adopts certain aircraft noise regulations (Rept. 106–35). Referred to the Committee of the Whole House on the State of the Union.

Mr. COMBEST: Committee on Agriculture. H.R. 609. A bill to amend the Export Apple and Pear Act to limit the applicability of the Act to apples (Rept. 106–36). Referred to the Committee of the Whole House on the State of the Union.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 85. Resolution providing for consideration of the bill (H.R. 603) to amend title 49, United States Code, to clarify the application of the Act popularly known as the ''Death on the High Seas Act'' to aviation incidents (Rept. 106–37). Referred to the House Calendar.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 86. Resolution providing for consideration of the bill (H.R. 661) to direct the Secretary of Transportation to prohibit the commercial operation of supersonic transport category aircraft that do not comply with stage 3 noise levels if the European Union adopts certain aircraft noise regulations (Rept. 106–38). Referred to the House Calendar.

Mr. SPENCE: Committee on Armed Services. H.R. 4. A bill to declare it to be the policy of the United States to deploy a national missile defense (Rept. 106–39, Pt. 1).

DISCHARGE OF COMMITTEE

Pursuant to clause 5 of rule X the Committee on International Relations discharged from further consideration. H.R. 4 referred to the Committee of the Whole House on the State of the Union, and ordered to be printed.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

H.R. 4. Referral to the Committee on International Relations extended for a period ending not later than March 2, 1999.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. KANJORSKI:

H.R. 891. A bill to authorize certain States to prohibit the importation of solid waste from other States, and for other purposes; to the Committee on Commerce.

By Mr. FORBES:

H.R. 892. A bill to renew education in this country by providing funds for school renovation and construction, scholarships that allow parents choice in education, and tax incentives; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FORBES:

H.R. 893. A bill to provide that the National Assessment Governing Board has the exclusive authority over all policies, direction, and guidelines for establishing and implementing certain voluntary national tests; to the Committee on Education and the Workforce.

By Mr. SALMON (for himself, Mr. WELDON of Pennsylvania, Mr. DELAY, Mr. LARGENT, Mr. FROST, Mr. WELLER, Mr. GRAHAM, Mr. CHABOT, Mr. SMITH of Washington, Ms. PRYCE of Ohio, Mr. KASICH, Mr. CANNON, Mrs. FOWLER, Ms. DANNER, Mrs. BONO, Mr. GILMAN, Mrs. MYRICK, Mr. LOBIONDO, Mr. SCHAFFER, Mr. SCARBOROUGH, Mr. HILLEARY, Mr. ENGLISH, Mr. LAZIO, Mr. SAXTON, Mr. HORN, Mr. TRAFICANT, Mr. HAYWORTH, Mr. SMITH of New Jersey, Mr. BRADY of Texas, Mr. PITTS, Mr. BURR of North Carolina, Mrs. KELLY, Mr. KING of New York, Mr. HALL of Texas, Mr. BARTLETT of Maryland, Mr. FOLEY, Mr. MICA, Mr. GARY MILLER of California, Mr. LINDER, Mr. BARTON of Texas, Mr. CUNNINGHAM, Mr. NEY, Mr. GOODE, Mrs. CUBIN, Mr. SHADEGG, Mr. CALVERT, Mr. GREEN of Wisconsin, Mr. PACKARD, Mr. GREEN of Texas, Mr. REGULA, Mr. TIAHRT, Mr. SESSIONS, Mr. SWEENEY, Mr. RILEY, Mr. ADERHOLT, Mr. PICKERING, Mr. KNOLLENBERG, and Mr. KINGSTON):

H.R. 894. A bill to encourage States to incarcerate individuals convicted of murder, rape, or child molestation; to the Committee on the Judiciary.

By Mrs. MALONEY of New York (for herself, Mrs. MORELLA, Mr. PORTER, Mrs. LOWEY, Mrs. KELLY, Mr. MORAN of Virginia, Mr. GILMAN, Mr. HINCHEY, Mr. GREENWOOD, Mr. WAXMAN, Mr. SHAYS, Ms. JACKSON-LEE of Texas, Mr. BAIRD, Ms. MCKINNEY, Mr. CAMPBELL, Mr. CONYERS, and Mr. BOEHLERT):

H.R. 895. A bill to restore a United States voluntary contribution to the United Nations Population Fund; to the Committee on International Relations.

By Mr. FRANKS of New Jersey:

H.R. 896. A bill to require the installation and use by schools and libraries of a technology for filtering or blocking material on the Internet on computers with Internet access to be eligible to receive or retain universal service assistance; to the Committee on Commerce.

By Mr. FORBES:

H.R. 897. A bill to direct the Secretary of Transportation to conduct a study and issue a report on predatory and discriminatory practices of airlines which restrict consumer access to unbiased air transportation passenger service and fare information; to the Committee on Transportation and Infrastructure.

By Mr. MCINNIS (for himself, Mr. SCHAFFER, Mr. HEFLEY, Mr. TANCREDO, and Mr. UDALL of Colorado):

H.R. 898. A bill designating certain land in the San Isabel National Forest in the State of Colorado as the ''Spanish Peaks Wilderness''; to the Committee on Resources.

By Mr. ANDREWS (for himself and Mr. LOBIONDO):

H.R. 899. A bill to provide for the liquidation of Libyan assets to pay for the costs of travel to and from the Hague of families of the victims of the crash of Pan Am flight 103 for the purpose of attending the trial of the terrorist suspects in the crash; to the Committee on International Relations.

By Mr. LAFALCE (for himself, Mr. FRANK of Massachusetts, Mrs. MALONEY of New York, Mr. BENTSEN, Ms. LEE, Mr. INSLEE, Ms. SCHAKOWSKY, Mr. GONZALEZ, Mrs. JONES of Ohio, Mr. CAPUANO, Mr. BROWN of California, Mr. OLVER, Mr. GREEN of Texas, Mr. HINCHEY, Mr. SHOWS, Mr. BRADY of Pennsylvania, Mr. FALEOMAVAEGA, and Mrs. MINK of Hawaii):

H.R. 900. A bill to amend the Truth in Lending Act to enhance consumer disclosures regarding credit card terms and charges, to restrict issuance of credit cards to students, to expand protections in connection with unsolicited credit cards and third-party checks and to protect consumers from unreasonable practices that result in unnecessary credit costs or loss of credit, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. BLAGOJEVICH (for himself, Mr. BONIOR, Mr. QUINN, Mr. SESSIONS, Ms. SCHAKOWSKY, Mr. GUTIERREZ, Mrs. MALONEY of New York, and Mr. FROST):

H.R. 901. A bill to amend the Support for East European Democracy (SEED) Act of 1989 to provide for the transfer of amounts of the Polish-American Enterprise Fund upon the termination of that Enterprise Fund to a private, nonprofit organization located in Poland; to the Committee on International Relations.

By Mr. BLAGOJEVICH (for himself, Mr. SHAYS, Mr. CASTLE, Mr. CONYERS, Mr. SCOTT, Mrs. MCCARTHY of New York, Mrs. MORELLA, Mr. KENNEDY of Rhode Island, Mr. WEYGAND, Ms. KILPATRICK, Mr. UNDERWOOD, Mrs. MALONEY of New York, Mr. MORAN of Virginia, Mr. FORD, Mr. MARKEY, Mr. WAXMAN, Mr. WEXLER, Mr. PASCRELL, Mr. JACKSON of Illinois, Mr. NADLER, Mr. DAVIS of Illinois, Ms. DEGETTE, Ms. DELAURO, Mr. LIPINSKI, Ms. PELOSI, Mr. MCGOVERN, Mrs. TAUSCHER, and Mrs. CHRISTENSEN):

H.R. 902. A bill to regulate the sale of firearms at gun shows; to the Committee on the Judiciary.

By Mr. BLILEY (for himself, Mr. BATEMAN, Mr. BOUCHER, Mr. SISISKY, Mr. PICKETT, Mr. GOODLATTE, Mr. GOODE, Mr. BARTLETT of Maryland, Mr. BILBRAY, Mr. BILIRAKIS, Mr. BLUNT, Mr. BURR of North Carolina, Mr. COBLE, Mr. COBURN, Mr. COOK, Mr. CUNNINGHAM, Mr. EHRLICH, Mr. ENGLISH, Mr. FOSSELLA, Mr. GREEN of Wisconsin, Mr. HALL of Texas, Mr. HAYWORTH, Mr. HORN, Mr. JENKINS, Mr. KASICH, Mrs. KELLY, Mr. LAZIO, Mr. LOBIONDO, Mr. METCALF, Mrs. MYRICK, Mr. NORWOOD, Mr. PALLONE, Mr. PICKERING, Mr. PITTS, Ms. PRYCE of Ohio, Mr. RILEY, Mr. SAXTON, Mr. SHADEGG, Mr. SHAYS, Mr. SHIMKUS, and Mr. WELDON of Florida):

H.R. 903. A bill to require the Secretary of the Treasury to redesign the $1 bill so as to incorporate the preamble to the Constitution of the United States, a list describing the Articles of the Constitution, and a list describing the Articles of Amendment, on the reverse side of such currency; to the Committee on Banking and Financial Services.

By Mr. CARDIN (for himself, Mrs. ROUKEMA, Mr. SHAYS, Mr. TIERNEY, Mr. CAMPBELL, Mr. BERRY, Mr. SERRANO, Mr. DELAHUNT, Mr. BENTSEN, Mr. COOKSEY, Mr. ABERCROMBIE, Mr. UNDERWOOD, Mr. STARK, Mr. DEFAZIO, Mr. KLECZKA, Mrs. JOHNSON of Connecticut, Mr. WEYGAND, Mr. GREEN of Texas, Mr. MCNULTY, Mr. BOEHLERT, Mr. GALLEGLY, Mr. LAFALCE, Mr. ACKERMAN, Ms. SLAUGHTER, Mr. DOYLE, Mrs. MALONEY of New York, Mrs. THURMAN, Mr. HINCHEY, Mr. INSLEE, Mr. LEWIS of Georgia, Mr. COYNE, Mr. ROTHMAN, Mr. ENGLISH, Mrs. MINK of Hawaii, Mr. WALSH, Mr. KLINK, Ms. HOOLEY of Oregon, Mrs. EMERSON, Mr. LEVIN, Mr. DAVIS of Florida, Mr. UPTON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. GONZALEZ, and Mrs. MYRICK):

H.R. 904. A bill to assure access under group health plans and health insurance coverage to covered emergency medical services; to the Committee on Commerce, and in addition to the Committees on Education and the Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CASTLE:

H.R. 905. A bill to provide funding for the National Center for Missing and Exploited Children, to reauthorize the Runaway and Homeless Youth Act, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CONYERS (for himself, Mr. FROST, Mr. RANGEL, Ms. JACKSON-LEE of Texas, Mr. MEEHAN, Ms. WATERS, Mr. CLYBURN, Mr. LEWIS of Georgia, Mrs. MEEK of Florida, Mr. DAVIS of Illinois, Mr. BROWN of Ohio, Mr. MEEKS of New York, Mr. THOMPSON of Mississippi, Mr. RUSH, Mr. OWENS, Ms. KILPATRICK, Mr. WYNN, Mr. JACKSON of Illinois, Mr. HASTINGS of Florida, Mr. FATTAH, Ms. LEE, Mr. CUMMINGS, Mr. HILLIARD, Mr. BRADY of Pennsylvania, Mr. FORD, Mrs. JONES of Ohio, and Ms. SCHAKOWSKY):

H.R. 906. A bill to secure the Federal voting rights of persons who have been released from incarceration; to the Committee on the Judiciary.

By Mr. DEFAZIO:

H.R. 907. A bill to amend title 49, United States Code, to authorize the Secretary of Transportation to implement a pilot program to improve access to the national transportation system for small communities, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. DEFAZIO (for himself, Mr. LIPINSKI, and Ms. SLAUGHTER):

H.R. 908. A bill to improve consumers' access to airline industry information, to promote competition in the aviation industry, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. DEGETTE (for herself, Mr. ALLEN, and Mr. WAXMAN):

H.R. 909. A bill to provide funding for States to correct Y2K problems in computers that are used to administer State and local government programs; to the Committee on Government Reform.

By Mr. DREIER (for himself, Mr. HORN, Mr. MARTINEZ, Mrs. NAPOLITANO, Mr. GARY MILLER of California, and Ms. ROYBAL-ALLARD):

H.R. 910. A bill to authorize the Secretary of the Army, acting through the Chief of Engineers and in coordination with other Federal agency heads, to participate in the funding and implementation of a balanced, long-term solution to the problems of groundwater contamination, water supply, and reliability affecting the San Gabriel groundwater basin in California, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. ETHERIDGE (for himself, Mr. COBLE, Mr. PRICE of North Carolina, Mrs. CLAYTON, Mr. HAYES, Mr. WATT of North Carolina, Mr. BURR of North Carolina, Mr. TAYLOR of North Carolina, Mr. MCINTYRE, Mr. JONES of North Carolina, Mr. BALLENGER, and Mrs. MYRICK):

H.R. 911. A bill to designate the Federal building located at 310 New Bern Avenue in Raleigh, North Carolina, as the ''Terry Sanford Federal Building''; to the Committee on Transportation and Infrastructure.

By Mr. FRANK of Massachusetts (for himself, Mr. CAMPBELL, Mr. CONYERS, Mr. OLVER, Ms. PELOSI, Mr. STARK, and Ms. WOOLSEY):

H.R. 912. A bill to provide for the medical use of marijuana; to the Committee on Commerce.

By Mr. FRANK of Massachusetts (for himself and Mr. STARK):

H.R. 913. A bill to provide retrospective application of an amendment made by the Violent Crime Control and Law Enforcement Act of 1994 pertaining to the applicability of mandatory minimum penalties in certain cases; to the Committee on the Judiciary.

By Mr. FRANK of Massachusetts (for himself, Mr. PAYNE, Mr. SERRANO, Mr. SANDERS, Mr. LAFALCE, Mrs. CHRISTENSEN, Mr. VENTO, Mr. WYNN, Mr. FROST, Mr. BOEHLERT, Mr. COYNE, Mr. SMITH of Washington, Ms. PELOSI, Ms. WATERS, Mr. THOMPSON of Mississippi, Mr. HALL of Ohio, Mr. NEAL of Massachusetts, Mr. ACKERMAN, Mr. OBERSTAR, Mr. BOUCHER, Mr. OLVER, Mr. QUINN, Mr. KLECZKA, Mr. UNDERWOOD, Mr. GOODE, Mrs. MINK of Hawaii, Mr. FILNER, and Mr. HINCHEY):

H.R. 914. A bill to amend title XVIII of the Social Security Act to limit the penalty for late enrollment under the Medicare Program to 10 percent and twice the period of no enrollment; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GEKAS (for himself, Mr. GILMAN, Mr. DAVIS of Virginia, Mr. FILNER, Mr. WOLF, and Mrs. MORELLA):

H.R. 915. A bill to authorize a cost of living adjustment in the pay of administrative law judges; to the Committee on the Judiciary.

By Mr. GEKAS:

H.R. 916. A bill to make technical amendments to section 10 of title 9, United States Code; to the Committee on the Judiciary.

By Mr. GIBBONS:

H.R. 917. A bill to designate the Federal building and United States Post Office located at 705 N. Plaza Street in Carson City,

Nevada, as the ''Paul Laxalt Federal Building and United States Post Office''; to the Committee on Transportation and Infrastructure.

By Mr. HOLDEN:

H.R. 918. A bill to amend the Internal Revenue Code of 1986 to increase to 100 percent the amount of the deduction for the health insurance costs of self-employed individuals; to the Committee on Ways and Means.

By Mr. KENNEDY of Rhode Island:

H.R. 919. A bill to adjust the immigration status of certain Liberian nationals who were provided refuge in the United States; to the Committee on the Judiciary.

By Mr. KENNEDY of Rhode Island:

H.R. 920. A bill to expand the powers of the Secretary of the Treasury to regulate the manufacture, distribution, and sale of firearms and ammunition, and to expand the jurisdiction of the Secretary to include firearm products and non-powder firearms; to the Committee on the Judiciary.

By Mr. LAHOOD:

H.R. 921. A bill to direct the Secretary of Agriculture to provide emergency market loss assistance to swine producers for losses incurred due to economic and market conditions in the United States beyond their control that occurred during a three-month period in 1998, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LATHAM:

H.R. 922. A bill to amend the Internal Revenue Code of 1986 to increase the maximum amount allowable as an annual contribution to education individual retirement accounts from $500 to $2,000, phased in over 3 years; to the Committee on Ways and Means.

By Mr. LEWIS of Georgia (for himself, Mrs. THURMAN, Mr. WATTS of Oklahoma, Mr. BARRETT of Wisconsin, Mr. CAPUANO, Mr. KUCINICH, Mr. FILNER, Ms. PELOSI, Mr. LANTOS, Mr. HINCHEY, Mr. DIXON, Mr. TOWNS, Ms. NORTON, Mr. CUMMINGS, Mr. FORD, Mr. FRANK of Massachusetts, Ms. KILPATRICK, Mr. UNDERWOOD, Mr. FROST, Mr. SISISKY, Mr. BROWN of Ohio, Mr. FATTAH, Mrs. JONES of Ohio, Mr. WATT of North Carolina, Ms. CARSON, Mrs. CHRISTENSEN, Mrs. MALONEY of New York, Ms. WOOLSEY, Mrs. MEEK of Florida, Mr. THOMPSON of Mississippi, Mr. GEORGE MILLER of California, Mr. BERMAN, Mrs. CLAYTON, Mr. HASTINGS of Florida, Mr. OWENS, Ms. BROWN of Florida, Mr. CLYBURN, Mr. PAYNE, Mr. STEARNS, Mr. MEEKS of New York, Mr. BROWN of California, Mr. SANDLIN, and Mr. SPRATT):

H.R. 923. A bill to authorize the establishment of the National African-American Museum within the Smithsonian Institution; to the Committee on House Administration, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MALONEY of Connecticut (for himself and Mr. SPRATT):

H.R. 924. A bill to amend the Internal Revenue Code of 1986 to allow vendor refunds of Federal excise taxes on undyed kerosene used in unvented heaters for home heating purposes; to the Committee on Ways and Means.

By Mrs. MALONEY of New York (for herself, Mrs. MORELLA, Mr. PASCRELL, Mrs. KELLY, Mr. GREEN of Texas, Mr. COOK, Ms. BERKLEY, Mrs. MCCARTHY of New York, Mrs. THURMAN, Mrs. CHRISTENSEN, Ms. KILPATRICK, Mrs. CLAYTON, Ms. MILLENDER-MCDONALD, Ms. HOOLEY of Oregon, Ms. DELAURO, Ms. WOOLSEY, Mrs. NAPOLITANO, Ms. VELAZQUEZ, Mrs. MINK of Hawaii, Mr. KENNEDY of Rhode Island, Mr. FROST, Mr. WEINER, Mr. CROWLEY, Mr. SHOWS, Mr. MCNULTY, Mr. KLECZKA, Mr. GUTIERREZ, Mr. FILNER, Mr. RUSH, Mr. SHERMAN, Mr. NADLER, Mr. LANTOS, Mr. NEAL of Massachusetts, Mr. SANDLIN, Mr. BISHOP, Mr. CUMMINGS, Mr. HINCHEY, Mr. FORD, Mr. BROWN of California, Mr. UNDERWOOD, Mr. DIXON, Mr. BORSKI, Mr. SANDERS, Mr. CLEMENT, Mr. MASCARA, and Mr. FALEOMAVAEGA):

H.R. 925. A bill to amend the Public Health Service Act and Employee Retirement Income Security Act of 1974 to require that group and individual health insurance coverage and group health plans provide coverage for qualified individuals for bone mass measurement (bone density testing) to prevent fractures associated with osteoporosis and to help women make informed choices about their reproductive and post-menopausal health care; to the Committee on Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCHUGH:

H.R. 926. A bill to require the Secretary of the Army to issue an environmental impact statement before the International Joint Commission implements any water regulation plan affecting the water levels of Lake Ontario or the St. Lawrence River; referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCINNIS (for himself, Mr. HOUGHTON, Ms. DUNN, Mr. ENGLISH, Mr. HAYWORTH, Mr. LEWIS of Kentucky, Mr. WATKINS, Mr. FOLEY, Mr. TANCREDO, and Mr. SHOWS):

H.R. 927. A bill to amend the Internal Revenue Code of 1986 to increase the annual exclusion from the gift tax to $20,000; to the Committee on Ways and Means.

By Mr. MILLER of Florida:

H.R. 928. A bill to require that the 2000 decennial census include either a general or targeted followup mailing of census questionnaires, whichever, in the judgement of the Secretary of Commerce, will be more effective in securing the return of census information from the greatest number of households possible; to the Committee on Government Reform.

By Mr. MILLER of Florida (for himself, Mr. RYAN of Wisconsin, Mr. DAVIS of Virginia, and Mr. SOUDER):

H.R. 929. A bill to amend title 13, United States Code, to require that the questionnaire used in taking the 2000 decennial census be made available in certain languages besides English; to the Committee on Government Reform.

By Mrs. MINK of Hawaii:

H.R. 930. A bill to amend the Radiation Exposure Compensation Act to remove the requirement that exposure resulting in stomach cancer occur before age 30, and for other purposes; to the Committee on the Judiciary.

By Mrs. MINK of Hawaii:

H.R. 931. A bill to amend the Internal Revenue Code of 1986 to provide that an individual who leaves employment because of sexual harassment or the loss of child care will, for purposes of determining such individual's eligibility for unemployment compensation, be treated as having left such employment for good cause; to the Committee on Ways and Means.

By Mrs. MINK of Hawaii:

H.R. 932. A bill to amend the Internal Revenue Code of 1986 to treat a portion of welfare benefits which are contingent on employment as earned income for purposes of the earned income credit, and for other purposes; to the Committee on Ways and Means.

By Mrs. MORELLA (for herself, Mrs. JOHNSON of Connecticut, Mr. MEEHAN, Mr. WAXMAN, Mrs. MALONEY of New York, Ms. PELOSI, Mrs. MEEK of Florida, Mr. UNDERWOOD, Mr. DIXON, Mr. DELAHUNT, Ms. MILLENDER-MCDONALD, Mr. BENTSEN, Mr. CUMMINGS, Mr. GOODE, Mr. FORD, Ms. KILPATRICK, Mr. HINCHEY, Mr. NADLER, Mr. KLECZKA, Mr. GREEN of Texas, Mr. FROST, Mr. PASCRELL, Mr. FILNER, Ms. BERKLEY, Mrs. KELLY, Mr. SANDLIN, Mr. METCALF, Mr. SHOWS, Mr. MORAN of Virginia, Mr. FALEOMAVAEGA, Mr. FOLEY, and Mrs. MYRICK):

H.R. 933. A bill to amend title 5, United States Code, to ensure that coverage of bone mass measurements is provided under the health benefits program for Federal employees; to the Committee on Government Reform.

By Mr. PALLONE:

H.R. 934. A bill to prohibit the commercial harvesting of Atlantic striped bass in the coastal waters and the exclusive economic zone; to the Committee on Resources.

By Mr. PAUL (for himself and Mr. HOSTETTLER):

H.R. 935. A bill to amend the Internal Revenue Code of 1986 to allow individuals a credit against income tax for tuition and related expenses for public and nonpublic elementary and secondary education; to the Committee on Ways and Means.

By Mr. PAUL:

H.R. 936. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts contributed to charitable organizations which provide elementary or secondary school scholarships and for contributions of, and for, instructional materials and materials for extra-curricular activities; to the Committee on Ways and Means.

By Mr. PAUL (for himself, Mr. GREEN of Texas, Mr. RADANOVICH, Mr. DEAL of Georgia, Mr. STEARNS, and Mr. HINCHEY):

H.R. 937. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit for elementary and secondary school teachers; to the Committee on Ways and Means.

By Mr. RANGEL (for himself, Ms. WATERS, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mrs. MEEK of Florida, Mr. PALLONE, Mr. NADLER, Ms. LEE, Mr. NEAL of Massachusetts, Mr. FALEOMAVAEGA, Ms. CARSON, Mr. RUSH, Mr. SNYDER, Mr. DEFAZIO, Mr. MATSUI, Mr. DIXON, Mr. FORD, Mr. MOAKLEY, Ms. NORTON, Mr. CUMMINGS, Mr. FRANK of Massachusetts, Mr. LEWIS of Georgia, Mr. PAYNE, Mr. COYNE, Mr. CONYERS, Mr. ENGEL, Mr. JEFFERSON, Mr. CLAY, Mr. SCOTT, Mr. BROWN of California, Mr. GEJDENSON, Mr. KENNEDY of Rhode Island, Mrs. CLAYTON, Mr. ACKERMAN, Mr. MEEKS of New York, Mr. LEVIN, Mr. MCGOVERN, Mrs. MINK of Hawaii, Mr. WATT of North Carolina, Mr. QUINN, Mr. SABO, Mr. KUCINICH, Mr. UNDERWOOD, Ms. BROWN of Florida,

Mr. LAFALCE, Ms. KILPATRICK, Mrs. MALONEY of New York, Mr. PORTMAN, Mr. FROST, Mr. BRADY of Pennsylvania, Mrs. JONES of Ohio, Mr. WATTS of Oklahoma, Mr. WAXMAN, Mr. CROWLEY, and Mr. ETHERIDGE):

H.R. 938. A bill to designate the Federal building located at 290 Broadway in New York, New York, as the ''Ronald H. Brown Federal Building''; to the Committee on Transportation and Infrastructure.

By Mr. RANGEL (for himself, Mr. CONYERS, Mr. TOWNS, Mr. THOMPSON of Mississippi, Mrs. CHRISTENSEN, Mr. CUMMINGS, Ms. LEE, Mr. WYNN, Ms. MILLENDER-MCDONALD, Ms. CARSON, Mr. LEWIS of Georgia, Mr. FORD, Mr. CLAY, Mr. RUSH, Mr. DIXON, Ms. KILPATRICK, Mr. HILLIARD, Mrs. CLAYTON, Ms. NORTON, Mrs. JONES of Ohio, Ms. JACKSON-LEE of Texas, Mr. PAYNE, Mr. OWENS, Ms. BROWN of Florida, Mrs. MEEK of Florida, and Ms. PELOSI):

H.R. 939. A bill to amend the Controlled Substances Act and the Controlled Substances Import and Export Act to eliminate certain mandatory minimum penalties relating to crack cocaine offenses; referred to the Committee on the Judiciary, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHERWOOD:

H.R. 940. A bill to establish the Lackawanna Heritage Valley American Heritage Area; to the Committee on Resources.

By Mr. STARK (for himself, Mr. HORN, Mr. SPENCE, Mr. INSLEE, Mr. LEWIS of Georgia, Mr. MOAKLEY, Mr. KLECZKA, Mr. BROWN of Ohio, Mr. FROST, Ms. ESHOO, Mr. LUTHER, Ms. KILPATRICK, Mr. BARRETT of Wisconsin, Ms. SLAUGHTER, Mr. THOMPSON of Mississippi, Mrs. THURMAN, Mr. RANGEL, Mr. WYNN, Mrs. CLAYTON, Mr. HALL of Ohio, Ms. NORTON, Mr. WAXMAN, and Ms. ROS-LEHTINEN):

H.R. 941. A bill to establish a congressional commemorative medal for organ donors and their families; referred to the Committee on Banking and Financial Services, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STEARNS (for himself, Mr. FROST, Mr. OXLEY, Mr. MCCOLLUM, Mr. FOLEY, Mrs. MEEK of Florida, and Mr. SESSIONS):

H.R. 942. A bill to amend the Communications Act of 1934 to reduce restrictions on media ownership, and for other purposes; to the Committee on Commerce.

By Mr. THOMPSON of Mississippi (for himself, Mr. CLYBURN, Mr. CLAY, Ms. MCKINNEY, Mr. LAFALCE, Ms. JACKSON-LEE of Texas, Mr. KING of New York, Mrs. MINK of Hawaii, Mr. FRANK of Massachusetts, Mr. HILLIARD, Ms. KILPATRICK, Mr. FALEOMAVAEGA, Mr. LANTOS, Mr. BRADY of Pennsylvania, Mr. WYNN, Mrs. CLAYTON, Mr. OWENS, Mr. SABO, Mr. FORD, Mr. CUMMINGS, Mr. SCOTT, and Mr. RUSH):

H.R. 943. A bill to reimburse an individual who is the subject of an independent counsel's investigation and is indicted but found not guilty for attorneys' fees; to the Committee on the Judiciary.

By Mr. UNDERWOOD (for himself, Mr. ABERCROMBIE, and Mrs. MINK of Hawaii):

H.R. 944. A bill to convert a temporary Federal judgeship in the district of Hawaii to a permanent judgeship, to authorize an additional permanent judgeship in the district of Hawaii, extend statutory authority for magistrate positions in Guam and the Northern Mariana Islands, and for other purposes; to the Committee on the Judiciary.

By Mr. UNDERWOOD:

H.R. 945. A bill to deny to aliens the opportunity to apply for asylum in Guam; to the Committee on the Judiciary.

By Ms. WOOLSEY:

H.R. 946. A bill to restore Federal recognition to the Indians of the Graton Rancheria of California; to the Committee on Resources.

By Mr. YOUNG of Alaska:

H.R. 947. A bill to address resource management issues in Glacier Bay National Park, Alaska; to the Committee on Resources.

By Mr. MORAN of Kansas (for himself and Mr. PICKERING):

H.R. 948. A bill to amend chapter 31 of title 31, United States Code, to establish lower statutory limits for debt held by the public for each of fiscal years 2000 through 2009, and for other purposes; referred to the Committee on Ways and Means, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BACHUS (for himself, Mr. SHAW, Mr. BROWN of Ohio, Mr. BURTON of Indiana, Mr. ENGLISH, Mr. TRAFICANT, Mrs. MYRICK, Mr. ISTOOK, Mr. CHABOT, Mr. RUSH, Mr. BARR of Georgia, Mrs. NORTHUP, and Mr. HOSTETTLER):

H.J. Res. 35. A joint resolution disapproving the certification of the President under section 490(b) of the Foreign Assistance Act of 1961 regarding foreign assistance for Mexico during fiscal year 1999; to the Committee on International Relations.

By Mr. WATKINS (for himself and Mr. THORNBERRY):

H. Con. Res. 39. Concurrent resolution urging the President to oppose expansion of the Oil-for-Food Program in Iraq, condemning Saddam Hussein for the actions the Government of Iraq has taken against the Iraqi people and for its defiance of the United Nations, and for other purposes; to the Committee on International Relations.

By Mr. GILMAN:

H. Res. 84. A resolution recognizing the positive steps and achievements of the Republic of India and the Islamic Republic of Pakistan to foster peaceful relations between the two nations; to the Committee on International Relations.

By Mr. THOMAS:

H. Res. 87. A resolution electing members of the Joint Committee on Printing and the Joint Committee of Congress on the Library.

By Mr. THOMAS:

H. Res. 88. A resolution designating majority membership on certain standing committees of the House.

By Mr. GEKAS (for himself, Mr. BENTSEN, Ms. PELOSI, Mr. CALLAHAN, Mr. PORTER, and Mr. NETHERCUTT):

H. Res. 89. A resolution to express the sense of the House of Representatives that the Federal investment in biomedical research should be increased by $2,000,000,000 in fiscal year 2000; to the Committee on Commerce.

By Mr. PALLONE:

H. Res. 90. A resolution recognizing the ''Code Adam'' child safety program, commending retail business establishments that have implemented programs to protect children from abduction, and urging retail business establishments that have not implemented such programs to consider doing so; to the Committee on Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. GREENWOOD introduced A bill (H.R. 949) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel PRIDE OF MANY; which was referred to the Committee on Transportation and Infrastructure.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 11: Ms. SANCHEZ and Mr. FARR of California.

H.R. 13: Mr. TAYLOR of Mississippi.

H.R. 17: Mr. LIPINSKI, Mr. BLUNT, and Mr. TURNER.

H.R. 19: Mr. WAMP, Mr. PICKETT, Mr. ENGLISH, Mr. SESSIONS, and Mr. NORWOOD.

H.R. 22: Mr. NEY.

H.R. 36: Ms. LOFGREN, Mr. BROWN of California, Mr. MEEKS of New York, and Mr. BERMAN.

H.R. 38: Mr. COOKSEY.

H.R. 49: Mr. LAMPSON.

H.R. 53: Ms. GRANGER.

H.R. 61: Mr. SMITH of New Jersey.

H.R. 89: Mr. HINCHEY, Mr. ADERHOLT, Mr. RADANOVICH, Mr. SUNUNU, Mr. REYES, and Mr. MANZULLO.

H.R. 110: Mr. HOYER, Mr. WAXMAN, Mr. FILNER, Mr. SHOWS, Mrs. CHRISTENSEN, Mrs. MALONEY of New York, Ms. PELOSI, Mr. KLECZKA, Mr. SANDLIN, and Mr. OLVER.

H.R. 111: Mr. MCINTOSH, Mr. ANDREWS, Mr. JENKINS, Mr. BOUCHER, Mr. WELLER, Mrs. CHRISTENSEN, Ms. DUNN, Mr. FORD, Mr. THOMPSON of Mississippi, Mr. SISISKY, Mr. GORDON, Mr. MCNULTY, Mr. GOODE, Ms. SLAUGHTER, Mr. MATSUI, Mr. DELAHUNT, Ms. DEGETTE, Mrs. MALONEY of New York, Mr. HASTINGS of Washington, Mr. GEJDENSON, Mr. GIBBONS, Mr. WYNN, Mr. MARTINEZ, and Mr. COYNE.

H.R. 116: Mr. BROWN of California, Mrs. EMERSON, and Mrs. MYRICK.

H.R. 119: Mr. JENKINS, Mr. FORBES, Mr. HAYES, Mr. FOLEY, Mr. NORWOOD, Mr. LIPINSKI, Mr. THOMPSON of Mississippi, Mr. MICA, Mr. LUCAS of Oklahoma, Mr. BRYANT, Mr. FORD, Mr. LAHOOD, Mr. DAVIS of Illinois, Mr. SANDERS, Mr. GARY MILLER of California, and Mr. SCARBOROUGH.

H.R. 125: Mr. LEWIS of Georgia.

H.R. 150: Mrs. CHENOWETH and Mr. SCHAFFER.

H.R. 165: Mr. WEXLER, Mr. STARK, and Ms. LOFGREN.

H.R. 206: Mr. PAYNE, Mr. ANDREWS, Mr. OLVER, Mrs. MYRICK, and Mr. KUCINICH.

H.R. 218: Mr. DOOLITTLE and Mr. HUTCHINSON.

H.R. 219: Mr. SALMON, Mr. HOSTETTLER, and Mr. HAYWORTH.

H.R. 220: Mr. SCHAFFER.

H.R. 232: Mr. PETERSON of Pennsylvania.

H.R. 235: Mr. GOODLING and Mr. LEWIS of Kentucky.

H.R. 271: Mr. SHOWS, Mr. DEFAZIO, Mr. DIXON, Mr. DAVIS of Illinios, Mr. MOORE, Ms. SANCHEZ, and Ms. VELAZQUEZ.

H.R. 318: Mr. WEXLER and Mr. BILIRAKIS.

H.R. 323: Mr. DAVIS of Illinois, Mr. BLUMENAUER, Mr. HEFLEY, Mr. LEACH, Mrs. MYRICK, and Mr. PAYNE.

H.R. 351: Mr. COMBEST and Mr. LUCAS of Kentucky.

H.R. 357: Mrs. JONES of Ohio, Mr. MATSUI, and Mr. HOYER.

H.R. 363: Mrs. MINK of Hawaii and Mrs. THURMAN.

H.R. 364: Mr. SHERMAN.

H.R. 365: Mr. SHERMAN.

H.R. 366: Mr. SHERMAN.

H.R. 371: Mr. KENNEDY of Rhode Island, Mr. KIND of Wisconsin, Mr. BORSKI, Mr. ENGLISH, Mr. LUTHER, Mr. HERGER, Mr. POMBO, Mr. PETRI, Mrs. CAPPS, Ms. JACKSON-LEE of Texas, and Mr. HORN.

H.R. 372: Mr. BORSKI.

H.R. 382: Mr. GEORGE MILLER of California, Ms. SCHAKOWSKY, Mr. GREEN of Texas, Mrs. NAPOLITANO, Mr. WYNN, Mr. BROWN of California, and Mr. BENTSEN.

H.R. 393: Mr. PALLONE.

H.R. 394: Mr. PALLONE and Mrs. CAPPS.

H.R. 395: Mr. PALLONE and Mrs. CAPPS.

H.R. 397: Mr. PALLONE and Mrs. CAPPS.

H.R. 405: Mr. BARRETT of Nebraska, Mr. SHIMKUS, Mr. RAHALL, Mr. GOODLING, Mr. FOLEY, Mr. LAFALCE, Mr. WELDON of Pennsylvania, Mr. LEACH, and Mr. COSTELLO.

H.R. 406: Mr. BARRETT of Wisconsin, Mr. CANADY of Florida, Mr. GOODLING, and Mr. DOOLEY of California.

H.R. 412: Mr. BONIOR, Mr. GOODLING, Mr. RADANOVICH, Mr. MINGE, and Mr. TOOMEY.

H.R. 415: Mrs. JONES of Ohio and Ms. BROWN of Florida.

H.R. 417: Mr. ENGEL and Mr. THOMPSON of California.

H.R. 423: Mr. PETERSON of Pennsylvania.

H.R. 424: Mr. BARRETT of Nebraska, Mr. DELAHUNT, Mr. HAYWORTH, Mr. NUSSLE, Mr. SCARBOROUGH, Mr. TOWNS, and Mr. COYNE.

H.R. 443: Mr. OLVER, Mr. BILBRAY, and Mr. CONYERS.

H.R. 449: Mr. SAXTON and Mr. PETERSON of Pennsylvania.

H.R. 455: Ms. NORTON, Mr. HINCHEY, and Mr. PAYNE.

H.R. 457: Mr. LUTHER, Mr. BARRETT of Wisconsin, Mr. CLYBURN, Mr. KENNEDY of Rhode Island, Mr. WYNN, Mr. HOYER, Ms. SLAUGHTER, Mr. KLECZKA, Mr. MOAKLEY, and Mr. INSLEE.

H.R. 472: Mr. SHAW and Mrs. MYRICK.

H.R. 483: Mrs. CAPPS, Mr. GANSKE, Mr. BLUNT, Mr. SISISKY, Mr. PALLONE, and Mr. SANDERS.

H.R. 488: Mr. OLVER.

H.R. 489: Mr. DAVIS of Illinois, Mr. INSLEE, Mr. GEORGE MILLER of California, Mr. LEWIS of Georgia, and Mr. FALEOMAVAEGA.

H.R. 502: Mr. MICA.

H.R. 506: Ms. VELAZQUEZ, Mr. WAMP, Ms. DEGETTE, Mr. GILLMOR, Mr. WATT of North Carolina, and Mr. GUTKNECHT.

H.R. 515: Mr. HOEFFEL, Mr. BARRETT of Wisconsin, Ms. LOFGREN, Mr. RUSH, Mr. ROTHMAN, Mr. THOMPSON of Mississippi, Ms. WOOLSEY, and Mr. MOORE.

H.R. 516: Mr. DUNCAN, Mr. SAXTON, Mr. GORDON, Mr. STUMP, Mr. BLUNT, Mr. GIBBONS, and Mr. SUNUNU.

H.R. 517: Mr. SCHAFFER.

H.R. 518: Mr. SCHAFFER.

H.R. 530: Mr. RILEY, Mr. NEY, Mr. DEAL of Georgia, Mr. ISTOOK, Mr. WELLER, Mr. TIAHRT, and Mr. GIBBONS.

H.R. 532: Mr. BARRETT of Wisconsin, Mr. SABO, Mr. SNYDER, and Mr. VENTO.

H.R. 537: Mr. BLUNT.

H.R. 540: Mr. PICKERING, Mr. BARRETT of Wisconsin, Mr. WYNN, Ms. ESHOO, Mr. TOWNS, Mr. MICA, Mrs. CAPPS, Ms. KILPATRICK, Ms. SLAUGHTER, Mr. PASCRELL, Mr. SMITH of New Jersey, and Mrs. MYRICK.

H.R. 541: Mr. BERMAN and Mr. FALEOMAVAEGA.

H.R. 548: Mr. HINCHEY and Mr. WATT of North Carolina.

H.R. 573: Mr. SERRANO, Mr. PHELPS, Mr. DAVIS of Florida, Mr. BURTON of Indiana, Mr. BROWN of California, Mrs. NORTHUP, Mr. FILNER, Mr. MCNULTY, Mr. WISE, Mr. LIPINSKI, Mr. GONZALEZ, Mr. PICKETT, Mr. GARY MILLER of California, Mr. SANDLIN, Mr. FRANK of Massachusetts, Mr. MCINTOSH, Mr. HOSTETTLER, Mr. SAWYER, Mr. GREENWOOD, Mr. CALVERT, Mr. LUCAS of Oklahoma, and Mr. HALL of Ohio.

H.R. 576: Ms. LOFGREN.

H.R. 595: Mr. FORD, Mr. QUINN, Mr. BRADY of Pennsylvania, and Mr. MCGOVERN.

H.R. 608: Mr. ENGLISH, Mr. RUSH, and Mr. GUTIERREZ.

H.R. 609: Mr. NETHERCUTT.

H.R. 617: Mr. GOODLING, Mr. STARK, and Mr. PALLONE.

H.R. 621: Mr. KASICH and Mrs. EMERSON.

H.R. 623: Mr. GILLMOR.

H.R. 628: Mr. DICKEY, Mr. STEARNS, Mrs. MYRICK, Mr. ENGLISH, and Mr. HUTCHINSON.

H.R. 647: Mr. FOLEY and Mr. BLUNT.

H.R. 654: Mr. INSLEE, Mr. LAFALCE, and Mr. PALLONE.

H.R. 656: Mr. PETERSON of Pennsylvania and Mrs. MYRICK.

H.R. 664: Mr. MASCARA and Mr. GONZALEZ.

H.R. 670: Mr. PAYNE, Mr. PETERSON of Pennsylvania, and Mr. BEREUTER.

H.R. 682: Mr. HOUGHTON, Mr. ENGLISH, Mr. FOLEY, and Mr. GOODE.

H.R. 691: Mr. FILNER, Mr. NEY, Mr. BALDACCI, Mr. LAHOOD, Mr. DICKEY, Mr. TAYLOR of Mississippi, Mrs. MALONEY of New York, and Mr. ALLEN.

H.R. 696: Mrs. JONES of Ohio.

H.R. 701: Mr. LINDER, Mr. TAYLOR of Mississippi, Mr. STUMP, Mr. SANDLIN, Mr. WELDON of Pennsylvania, Mr. TURNER, Mr. GREEN of Wisconsin, Mr. BARCIA, Mr. WHITFIELD, and Mr. BENTSEN.

H.R. 707: Mr. SWEENEY.

H.R. 708: Mrs. THURMAN and Mr. TAYLOR of Mississippi.

H.R. 718: Mr. BONIOR, Mr. FALEOMAVAEGA, Mr. ENGLISH, Mr. DOOLEY of California, Mr. PETERSON of Minnesota, and Mr. ADERHOLT.

H.R. 735: Mr. BAKER.

H.R. 750: Mr. PETERSON of Minnesota, Mr. BONILLA, Mrs. CHRISTENSEN, and Mr. MARKEY.

H.R. 756: Mr. ADERHOLT and Mr. PETERSON of Pennsylvania.

H.R. 763: Mr. HILL of Montana and Mr. SANDLIN.

H.R. 773: Mr. MCNULTY, Mr. KIND of Wisconsin, Mr. JENKINS, Mr. WISE, Mr. PAYNE, Mr. GEKAS, Mr. FALEOMAVAEGA, Mrs. CAPPS, Mr. PASCRELL, Mrs. CHRISTENSEN, Mr. HAYWORTH, Mr. HUTCHINSON, Mr. KING of New York, Mrs. MCCARTHY of New York, Mr. SANDLIN, and Mr. STEARNS.

H.R. 780: Ms. KILPATRICK.

H.R. 788: Mr. KASICH.

H.R. 798: Mr. CLAY, Mr. OLVER, Mr. GUTIERREZ, Mrs. NAPOLITANO, Ms. MCKINNEY, Mr. HOEFFEL, Mr. ABERCROMBIE, Mr. FILNER, Mr. HINCHEY, Mr. VENTO, and Mr. BROWN of Ohio.

H.R. 800: Ms. PRYCE of Ohio, Mr. PETERSON of Pennsylvania, Mr. TERRY, Mr. UNDERWOOD, Mr. PHELPS, Mr. FROST, Mr. HERGER, Mr. HOEFFEL, Mr. TANCREDO, Mr. KIND of Wisconsin, Mr. LUCAS of Kentucky, Mr. LARGENT, and Mr. FLETCHER.

H.R. 804: Mr. KENNEDY of Rhode Island, Mr. STUPAK, and Mr. FALEOMAVAEGA.

H.R. 808: Mr. BEREUTER, Mr. ENGLISH, Mr. POMEROY, Mr. RILEY, Mrs. MINK of Hawaii, and Mr. HILL of Montana.

H.R. 833: Mr. COOK, Mr. COOKSEY, Mr. ENGLISH, Mr. GOODE, Mr. HILL of Montana, Mr. HILLEARY, Mr. METCALF, Mr. OXLEY, Mr. ROYCE, Mr. SISISKY, Mr. STUMP, Mr. TANNER, and Mr. TAUZIN.

H.R. 852: Mr. SHOWS, Mr. ISTOOK, and Mr. COOKSEY.

H.R. 872: Mr. RUSH, Mrs. MINK of Hawaii, Mr. LEWIS of Georgia, Mr. OLVER, Mr. TIERNEY, Ms. WATERS, Ms. LOFGREN, Mr. BROWN of Ohio, Mr. TOWNS, and Ms. MILLENDER-MCDONALD.

H.R. 877: Mr. PETERSON of Pennsylvania.

H.R. 882: Mr. TANNER, Mr. EWING, Mr. POMEROY, Mr. THUNE, Mr. COOKSEY, Mr. BOSWELL, Ms. DANNER, Mr. HILL of Indiana. Mr. GORDON, Mr. GUTKNECHT, Mr. CLEMENT, Mr. JEFFERSON, Mr. BALDACCI, Mr. BISHOP, Mr. ETHERIDGE, Mr. PHELPS, Mrs. CLAYTON, and Mr. WALDEN of Oregon.

H.J. Res. 1: Mr. MICA, Mr. PETERSON of Pennsylvania, and Mr. RAMSTAD.

H.J. Res. 31: Mr. STEARNS and Mr. THOMPSON of Mississippi.

H. Con. Res. 8: Mr. LEACH, Ms. PRYCE of Ohio, Mr. SANDERS, Mr. KENNEDY of Rhode Island , Mrs. MYRICK, Mrs. CAPPS, and Mr. FOLEY.

H. Con. Res. 17: Mr. LUTHER.

H. Con. Res. 22: Mr. ENGLISH and Mr. CALVERT.

H. Con. Res. 24: Mr. HOYER, Mr. STEARNS, Mr. SHAYS, Mr. GANSKE, Ms. DUNN, Mr. BRYANT, Mr. HUTCHINSON, Mr. SHAW, Mr. SMITH of Washington, Mr. STUPAK, Mr. DAVIS of Virginia, Mr. METCALF, Mr. KING of New York, Mr. PICKERING, Mr. BILBRAY, Mr. BARR of Georgia, Mr. KINGSTON, Mr. FRANK of Massachusetts, Mr. CRAMER, Mr. TERRY, Ms. DELAURO, Mr. COYNE, Mr. GOODLATTE, Ms. PRYCE of Ohio, Mr. ARMEY, Mr. DEMINT, Mr. BURR of North Carolina, Mr. PHELPS, Mr. DIXON, Mr. EHLERS, Mr. TANNER, Mr. HALL of Ohio, Mr. KUYKENDALL, Mr. LEACH, and Mr. SHADEGG.

H. Con. Res. 30: Mr. COMBEST, Mr. CALVERT, and Mr. GREEN of Wisconsin.

H. Con. Res. 31: Mr. STUPAK.

H. Con. Res. 34: Mr. COSTELLO, Mrs. KELLY, Mr. ENGLISH, Mr. FOLEY, Mr. OLVER, Mr. BRADY of Pennsylvania, and Ms. DELAURO.

H. Res. 32: Mr. FALEOMAVAEGA, Mr. LEACH, Mr. BERMAN, Mr. KING of New York, and Mr. UNDERWOOD.

H. Res. 41: Mr. BALLENGER, Mr. FOLEY, Mr. FOSSELLA, Mr. GUTIERREZ, Mrs. KELLY, Mr. MEEHAN, Mr. OLVER, Mr. STUPAK, Mr. TIERNEY, and Ms. VELAZQUEZ.

H. Res. 79: Mr. LAHOOD, Mr. DAVIS of Illinois, Mr. WELLER, Mr. SHOWS, and Mr. JACKSON of Illinois.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, FIRST SESSION

Vol. 145 WASHINGTON, TUESDAY, MARCH 2, 1999 No. 32

Senate

The Senate met at 9:30 a.m., and was called to order by the President pro tempore (Mr. THURMOND).

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, Sovereign of history and personal Lord of our lives, today we join with Jews throughout the world in the joyous celebration of Purim. We thank You for the inspiring memory of Queen Esther who, in the fifth century B.C., threw caution to the wind and interceded with her husband, the King of Persia, to save the exiled Jewish people from persecution. The words of her uncle, Mordecai, sound in our souls: ''You have come to the kingdom for such a time as this.''—Esther 4:14.

Lord of circumstances, we are moved profoundly by the way You use individuals to accomplish Your plans and arrange what seems like coincidence to bring about Your will for Your people. You have brought each of us to Your kingdom for such a time as this. You whisper in our souls, ''I have plans for you, plans for good and not for evil, to give you a future and a hope.''—Jeremiah 29:11.

Grant the Senators a heightened sense of the special role You have for each of them to play in the unfolding drama of American history. Give them a sense of destiny and a deep dependence on Your guidance and grace.

Today, during Purim, we renew our commitment to fight against sectarian intolerance in our own hearts and religious persecution in so many places in our world. This is Your world; let us not forget that ''though the wrong seems oft so strong, You are the Ruler yet.'' Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The acting majority leader is recognized.

Mr. BOND. Thank you, Mr. President.

THE CHAPLAIN'S PRAYER

Mr. BOND. Mr. President, I thank the Chaplain for the most wonderful words of guidance.

SCHEDULE

Mr. BOND. Mr. President, this morning the Senate will begin consideration of S. 314, a bill providing small business loans regarding the year 2000 computer problems. Under a previous order, there will be 1 hour for debate on the bill equally divided between Senators BOND and KERRY of Massachusetts with no amendments in order to be followed by a vote on passage of the bill at 10:30 a.m. Following that vote, the Senate will recess to allow Members to attend a confidential hearing regarding the Y2K issue in room S. 407 of the Capitol. At 2:15 p.m., under a previous order, the Senate will begin consideration of S. Res. 7, a resolution to fund a special committee dealing with the Y2K issue.

There will be 3 hours for debate on the resolution with no amendments or motions in order. A vote will occur on adoption of the resolution upon the expiration or yielding back of the time, which we anticipate to be approximately 5:15 p.m.

I thank my colleagues for their attention.

SMALL BUSINESS YEAR 2000 READINESS ACT

The PRESIDENT pro tempore. The clerk will report the pending business.

The legislative clerk read as follows:

A bill (S. 314) to provide the loan guarantee program to address the year 2000 computer problems of small business concerns, and for other purposes.

The Senate proceeded to consider the bill.

Mr. BOND. Mr. President, I thank you very much. I will begin, although my colleague and my cosponsor on this measure is on his way over. Let me begin the discussion of this measure.

I thank my colleagues, Senators BENNETT and DODD, particularly for the work of the Special Committee on the Year 2000 Technology Problem communicating to both the government agencies and the private sector about the seriousness of the year 2000 computer problem. I look forward to their presentations to the Senate today on the potential economic and national security concerns that this problem raises. I also thank Senators BENNETT and DODD, and particularly my ranking member, Senator KERRY, the ranking member of the Small Business Committee, for their cooperation and valuable assistance in the drafting of this important piece of legislation.

As my colleagues on the Committee on Small Business and the Special Committee on the Year 2000 Technology Problem know very well, the year 2000 computer problems may potentially cause great economic hardships and disruptions to numerous Americans and to numerous sectors of our economy. I am very pleased that the Senate has decided to make this problem one of its top priorities and has scheduled discussions on this topic early in the legislative session this year. It is commendable that the Senate is taking action on this problem quickly, and that we are taking action before the calamity happens, instead of after it occurs, which could otherwise be the case.

It is imperative that we move quickly on this measure. And I hope that we can work with our colleagues in the House to pass it and send it to the President, because by definition, since this is 1999, the year 2000 problem grows closer every day with the coming of the end of this calendar year.

The bill before us is an important step toward ensuring the continuing viability of many small businesses after

● This ''bullet'' symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Printed on recycled paper.

December 31, 1999. The bill will establish a loan guarantee program to be administered by the Small Business Administration that will provide small businesses with capital to correct their Year 2000 computer problems and provide relief from economic injuries sustained as a result of Y2K computer problems. Last year I introduced a similar bill that the Committee on Small Business adopted by an 18–0 vote and that the full Senate approved by unanimous consent. Unfortunately, the House of Representatives did not act on the legislation prior to adjournment. I reintroduced the bill this year because the consequences of Congress not taking action to assist small businesses with their Y2K problems are too severe to ignore. My colleagues on the Committee on Small Business unanimously approved this legislation once again and I sincerely hope that we can pass this bill, and as I said earlier, that the House of Representatives will act on this legislation promptly.

The problem that awaits this country, and indeed the entire world, at the end of this year is that many computers and processors in automated systems will fail because such systems will not recognize the Year 2000. Small businesses that are dependent upon computer technology, either indirectly or directly, could face failures that could jeopardize their economic futures. In fact, a small business is at risk if it uses any computers in its business, if it has customized software, if it is conducting e-commerce, if it accepts credit card payments, if it uses a service bureau for its payroll, if it depends on a data bank for information, if it has automated equipment for communicating with its sales or service force or if it has automated manufacturing equipment.

Last June, the Committee on Small Business, which I chair, held hearings on the effect the Y2K problem will have on small businesses. The outlook is not good—in fact it is poor at best, particularly for the smallest business. The Committee received testimony that the entities most at risk from Y2K failures are small and medium-sized companies, not larger companies. Two major reasons for this anomaly is that many small companies have not begun to realize how much of a problem Y2K failures could be for them, and many may not have the access to capital to cure such problems before they cause disastrous results.

A study on Small Business and the Y2K Problem sponsored by Wells Fargo Bank and the NFIB found that an estimated 4.75 million small employers are potentially subject subject to the Y2K problem. The committee has also received alarming statistics on the number of small businesses that could potentially face business failure or prolonged inactivity due to the Year 2000 computer problem. The Gartner Group, an international information technology consulting firm, has estimated that between 50% and 60% of small companies worldwide would experience at least one mission critical failure as a result of Y2K computer problems. The committee has also received information indicating that approximately 750,000 small businesses may either shut down due to the Y2K problem or be severely crippled if they do not take action to cure their Y2K problems.

Such failures and business inactivity affect not only the employees and owners of small businesses, but also their creditors, suppliers and customers. Lenders will face significant losses if their small business borrowers either go out of business or have a sustained period in which they cannot operate. Most importantly, however, is the fact that up to 7.5 million families may face the loss of paychecks for a sustained period of time if small businesses do not remedy their Y2K problems. Given these facts, it is easy to forecast that there will be severe economic consequences if small businesses do not become Y2K compliant in time and there are only 10 months to go. Indeed the countdown is on.

A good example of how small businesses are dramatically affected by the Y2K problem is the experience of Lloyd Davis, the owner of Golden Plains Agricultural Technologies, Inc., a farm equipment manufacturer in Colby, Kansas. Like many small business owners, Mr. Davis' business depends on trailing an international information technology consulting firm, has estimated that between 50% and 60% of small companies worldwide would experience at least one mission critical failure as a result of Y2K computer problems. The Committee has also received information indicating that approximately 750,000 small businesses may either shut down due to the Y2K problem or be severely crippled if they do not take action to cure their Y2K problems.

Such failures and business inactivity affect not only the employees and owners of small businesses but also their creditors, suppliers and customers. Lenders will face significant losses if their small business borrowers either go out of business or have a sustained period in which they cannot operate. Most importantly, however, is the fact that up to 7.5 million families may face the loss of paychecks for a sustained period of time if small businesses do not remedy their Y2K problems. Given these facts, it is easy to forecast that there will be severe economic consequences if small businesses do not become Y2K compliant in time and there are only 10 months to go. Indeed the countdown is on.

A good example of how small businesses are dramatically affected by the Y2K problem is the experience of Lloyd Davis, the owner of Golden Fields Agricultural Technologies, Inc., a farm equipment manufacturer in Colby, Kansas. Like many small business owners, Mr. Davis' business depends on trailing technology purchased over the years, including 386 computers running custom software. Mr. Davis uses his equipment to run his entire business, including handling the company's payroll, inventory control, and maintenance of large databases on his customers and their specific needs. In addition, Golden Fields has a web site and sells the farm equipment it manufactures over the internet.

Unlike many small business owners, however, Mr. Davis is aware of the Y2K problem and tested his equipment to see if it could handle the Year 2000. His tests confirmed his fear—the equipment and software could not process the year 2000 date and would not work properly after December 31, 1999. That is when Mr. Davis' problems began. Golden Fields had to purchase an upgraded software package. That cost $16,000. Of course, the upgraded software would not run on 386 computers, so Golden Fields had to upgrade to new hardware. Golden Fields had a computer on each of its 11 employees' desks, so that each employee could access the program that essentially ran the company and assist filling the internet orders the company received. Replacing all the hardware would have cost Golden Fields $55,000. Therefore Golden Fields needed to expend $71,000 just to put itself in the same position it was in before the Y2K problem.

Like many small business owners facing a large expenditure, Mr. Davis went to his bank to obtain a loan to pay for the necessary upgrades. Because Golden Fields was not already Y2K compliant, his bank refused him a loan because it had rated his company's existing loans as ''high-risk.'' Golden Fields was clearly caught in a Catch-22 situation. Nevertheless, Mr. Davis scrambled to save his company. He decided to lease the new hardware instead of purchasing it, but he will pay a price that ultimately will be more expensive than conventional financing. Moreover, instead of replacing 11 computers, Golden Fields only replaced six at a cost of approximately $23,000. Golden Fields will be less efficient as a result. The experience of Mr. Davis and Golden Fields has been and will continue to be repeated across the country as small businesses realize the impact the Y2K problem will have on their business.

A recent survey conducted by Arthur Andersen's Enterprise Group on behalf of National Small Business United indicates that, like Golden Fields, many small businesses will incur significant costs to become Y2K compliant and are very concerned about it. The survey found that to become Y2K compliant, 29% of small businesses will purchase additional hardware, 24% will replace existing hardware and 17% will need to convert their entire computer system. When then asked their most difficult challenge relating to their information technology, more than 54% of the businesses surveyed cited ''affording the cost.'' Congress must ensure that these businesses do not have the same trouble obtaining financing for their Y2K

corrections as Mr. Davis and Golden Fields Agricultural Technologies. Moreover, Congress must deal with the concerns that have recently been raised that there may be a ''credit crunch'' this year with businesses, especially small businesses, unable to obtain financing for any purposes if they are not Y2K compliant.

In addition to the costs involved, there is abundant evidence that small businesses are, to date, generally unprepared for, and in certain circumstances, unaware of the Y2K problem. The NFIB's most recent survey indicates that 40 percent of small businesses don't plan on taking action or do not believe the problem is serious enough to worry about. In addition, the Gartner Group has estimated that only 5 percent of small companies worldwide had repaired their Y2K computer problems as of the third quarter of 1998.

The Small Business Year 2000 Readiness Act that the Senate is considering today will serve the dual purpose of providing small businesses with the means to continue operating successfully after January 1, 2000, and making lenders and small firms more aware of the dangers that lie ahead. The act requires the Small Business Administration to establish a limited-term loan program whereby SBA guarantees the principal amount of a loan made by a private lender to assist small businesses in correcting Year 2000 computer problems. The problem will also provide working capital loans to small businesses that incur substantial economic injury suffered as a direct result of its own Y2K computer problems or some other entity's Y2K computer problems.

Each lender that participates in the SBA's 7(a) business loan program is eligible to participate in the Y2K loan program. This includes more than 6,000 lenders located across the country. To ensure that the SBA can roll out the loan program promptly, the act permits a lender to process Y2K loans pursuant to any of the procedures that the SBA has already authorized for that lender. Moreover, to assist small business that may have difficulty sustaining sufficient cash flows while developing Y2K solutions, the loan program will permit flexible financing terms so small businesses are able to service the new debt with available cash flow. For example, under certain circumstances, a borrower may defer principal payments for up to a year. Once the Y2K problem is behind us, the act provides that the loan program will sunset.

To assure that the loan program is made available to those small businesses that need it and to increase awareness of the Y2K problem, the legislation requires that SBA market this program aggressively to all eligible lenders. Awareness of this loan program's availability is of paramount importance. Financial institutions are currently required by federal banking regulators to contact their customers to ensure that they are Y2K compliant. The existence of a loan program designed to finance Y2K corrections will give financial institutions a specific solution to offer small companies that may not be eligible for additional private capital and will focus the attention of financial institutions and, in turn, their small business customers to the Y2K problem. To increase awareness of this program, I have already contacted the governor of each State to make them aware of the potential availability of the program. Moreover, so that we can state that we directed our best efforts to mitigating the Year 2000 problem, I am seeking to find other ways that the Federal government can assist State efforts to help small businesses become Y2K compliant.

The Small Business Year 2000 Readiness Act is a necessary step to ensure that the economic health of this country is not marred by a substantial number of small business failures following January 1, 2000, and that small businesses continue to be the fastest growing segment of our economy in the Year 2000 and beyond.

Mr. President, I thank the Chair, and I yield to my good friend and distinguished colleague from Massachusetts, the ranking member of the Small Business Committee.

The PRESIDING OFFICER (Mr. CRAPO). The Senator from Massachusetts is recognized.

Mr. KERRY. I thank the Chair. I thank my colleague, the chairman of the committee. I thank him for his work on this act and for his leadership within the committee so that we can proceed as he has described.

Most of the media attention with respect to the Y2K problem has been on big businesses, the challenges they face and the costs they are going to bear in order to fix the problem. But as my colleague has mentioned, small businesses face the same effects of Y2K as big businesses. However, they often have little or no resources available to devote to detecting the extent of the problem or to developing a workable and cost-effective solution. That is why we on the Small Business Committee are proceeding with this particular response which I think is most important.

It is in our economic best interest to make sure that all of our small businesses, some 20 million if we include the self-employed—are up and running soundly and effectively, creating jobs and providing services, on and after January 1 of the year 2000.

There are a lot of questions about what the full impact of the Y2K problem is going to be. Is it going to bring a whole series of nationwide glitches? Could it, in fact, induce a worldwide recession?

One hears differing opinions on the extent of that. I was recently at the World Economic Forum in Davos, Switzerland, and there was a considerable amount of focus there from sizable numbers of companies on this issue. I think it is fair to say that here in the United States we have had a greater response than has taken place in Europe or in many other countries. But it is interesting to note that the Social Security Administration, I understand, spent about 6 years and some 600 people, and spent upwards of $1 billion, in order to be ready and capable of dealing with the Y2K problem. Other Departments have spent significant amounts of money as well and have had very large teams of people working in order to guarantee that they are going to be safe. Compared to that, you have very large entities in Europe and elsewhere that are only just beginning.

So, if you look at the numbers of people and the amount of money and the amount of years people have been spending in order to try to put together solutions—obviously those experiences can be helpful to many other entities around the world as we cope with this problem. But the bottom line is, we know our economy is interdependent. We know that most of our technology, interdependent as it is, is date-dependent, and much of it is incapable of distinguishing between the years 2000 and 1900.

We have 10 short months now to become completely Y2K compliant, and national studies have found that the majority of small businesses in the United States are not ready and they are not even preparing. Specifically, the 1998 ''Survey of Small and Mid-Sized Business'' by Arthur Andersen Enterprise Group and National Small Business United found that only 62 percent of all small- and mid-sized businesses have even begun addressing Y2K issues. The good news is that a greater percentage of small- and mid-sized businesses are preparing for Y2K than last summer. The bad news is that they have only just begun that process and a significant group is taking a ''wait and see'' approach.

On a local level, Y2K consultants and commercial lenders in Massachusetts, from Bank Boston to the Bay State Savings Bank, tell us of reactions to the Y2K dilemma that vary from complete and total ignorance, or complete and total denial, to paralysis or simply to apathy.

I will give you an example. Bob Miller, the president of Cambridge Resource Group in Braintree, MA, shared with us what he has observed. Though his company specializes in the Y2K compliance of systems with embedded processors for Fortune 1000 companies and large State projects, he knows how real the technology problem is and how expensive a consultant can be. He has tried to help small companies through free seminars, but literally no one shows up. One time, in Maine, only 2 out of 400 companies responded. ''Small businesses just don't get it. Many think it is a big company problem, but it is not. It will bite them,'' says Mr. Miller. He advises companies to start now, and to build a contingency plan first, because it is so late in the game.

The owner of Coventry Spares, Ltd., a vintage motorcycle parts company, would not disagree with that. John Healy was one of those small business owners who thought it was somebody else's problem. It couldn't happen to him. Luckily for John Healy and his business, he got a scare and so he decided to test his computer system by creating a purchase order for motorcycle pistons with a receivable date of early January 2000. So what happened when he put the order into his system? He punched a key and he waited for his software to calculate how many days it would take to receive the order. He got back a series of question marks.

Then he turned to the company's software that publishes its ''Vintage Bikes'' magazine and he tested it with a 2000 date. His indispensable machine told him the date was not valid.

Mr. Healy's computer problems are, ironically, compounded by his own Yankee ingenuity. As his business evolved, he combined and customized a mishmash of computer systems. It saved money, it worked well, handling everything from the payroll to inventory management, but making these software programs of the various computers Y2K-compliant is all but impossible. As Mr. Healy said:

> ''[These programs] handle 85 percent of the business that makes me money. If I didn't fix this by the year 2000, I couldn't do anything. I'd be a dead duck in the water.''

When all is said and done, Mr. Healy estimates he is going to pay more than $20,000 to become Y2K-compliant, and that includes the cost of new hardware, operating system and database software and conversion.

So, how do we reach those small business owners who have been slow to act, or who, to date, have no plans at all to act? How do we help them facilitate assessment and remediation of their businesses? We believe the way we do that is by making the solution affordable.

According to the same Andersen and NSBU study that I quoted a moment ago, 54 percent of all respondents said ''affording the cost [was the] most difficult challenge in dealing with information technology.''

That sentiment was echoed by David Eddy, who is a Y2K consultant who owns Software Sales Group in Boston, and who testified before the Small Business Committee when we were putting this legislation together last June. Mr. Eddy recently wrote:

> ''Basically, all of our customers are having trouble paying for Y2K. . ..The cost varies from client to client, but no business has ''extra'' money around, so they are struggling.''

So, Mr. President, cost is a very legitimate, albeit risky, reason to delay addressing the Y2K problem—saving until you are a little ahead or waiting until the last possible moment to take on new debt to finance changes. Those are strategies that many companies are forced to adopt, but those are strategies that can still leave you behind the eight ball as of January 1, year 2000.

If you own your own facility, you have to ask yourself, Is the security system going to need an upgrade? What will the replacement cost be? Will simple things work? Will the sprinklers in your plant work? What happens if there is a fire? If you own a dry cleaning store and you hire a consultant to assess the equipment in your franchise, will remediation eat up all of your profit and set you back?

These are the basic questions of any small business person in this country. Some business owners literally cannot afford to hear the answers to those questions. It may come down to a choice between debt or dissolution, or rolling the dice, which is what a lot of small companies are deciding to do. They say to themselves: I can't really afford to do it, I am not sure what the implications are, I am small enough that I assume I can put the pieces together at the last moment—so they are going to roll the dice and see what happens.

There is another problem with waiting. Just as regulators have forced lenders to bring their systems into compliance, the lenders themselves are now requesting the same compliance of existing borrowers and loan applicants. In Massachusetts, for instance, the Danvers Savings Bank, one of the State's top SBA lenders, has stated publicly that it will not make loans to businesses unless they are in control of their Y2K problems. The bank fears that if a small company isn't prepared for Y2K problems, it could adversely affect its business, which could then, obviously, adversely affect the loan that the bank has made and the small business ability to repay the loan, which adversely affects the bottom line for the bank.

The Year 2000 Readiness Act gives eligible business owners a viable option. And that is why we ask our colleagues to join in supporting this legislation today.

This legislation will make it easy for lenders, and timely for borrowers, and it is similar to the small business loan bill that I introduced last year in Congress. It expands the 7(a) loan program, one of the most popular and successful guaranteed lending programs of the Small Business Administration.

Currently, this program gives small businesses credit, including working capital, to grow their companies. If the Year 2000 Readiness Act is enacted, those loans can be used until the end of the year 2000 to address Y2K problems ranging from the upgrade or replacement of date-dependent equipment and software to relief from economic injury caused by Y2K disruptions, such as power outages or temporary gaps in deliveries of supplies and inventory.

The terms of 7(a) loans are very familiar to those, obviously, within the small business community, and they have taken advantage of them. The fact is, these loans are very easy to apply for and to process. They are structured to be approved or denied, in most cases, in less than 48 hours. So for those who fear paperwork or fear the old reputation of some Government agencies, we believe this is a place where they can find a quick answer and quick help to their problems. We expect the average Y2K loan to be less than $100,000.

In addition, Mr. President, to give lenders an incentive to make 7(a) loans to small businesses for Y2K problems, the act raises the Government guaranties of the existing program by 10 percent, from 80 percent to 90 percent for loans of $100,000 or less, and from 75 to 85 percent for loans of more than $100,000. Under special circumstances, the act also raises the dollar cap of loan guarantees from $750,000 to $1 million for Y2K loans.

Eligible lenders can use the SBA Express Pilot Program to process Y2K loans. Under this pilot, lenders can use their own paperwork and make same-day approval, so there can be a streamlined process without a whole lot of duplication for small businesses, which we know is one of the things that most drives small business people crazy. The tradeoff for the ease and loan approval autonomy is a greater share of the loan risk. Unlike the general 7(a) loans, SBA Express Pilot loans are guaranteed at 50 percent.

We know that many small-business owners also have shoestring budgets, and that they are going to be hard-pressed to pay for another monthly expense. With this in mind, we have designed the Small Business Year 2000 Readiness Act to encourage lenders to work with small businesses addressing Y2K-related problems by arranging for affordable financing terms. For example, when quality of credit comes into question, lenders are directed to resolve reasonable doubts about the applicant's ability to repay the debt in favor of the borrower. And, when warranted, borrowers can get a moratorium for up to 1 year on principal payments on Y2K 7(a) loans, beginning when the loans are originated.

Mr. President, one final comment. As important as this Y2K loan program is, in my judgment, it has to be available in addition to, not in lieu of, the existing 7(a) program. It is a vital capital source for small businesses. We provided 42,000 loans in 1998, and they totaled $9 billion. That is not an insignificant sum. What we do not want to have happen is to diminish the economic up side of that kind of lending. With defaults down—and they are—and recoveries up and the Government's true cost under the subsidy rate at 1.39 percent, we should not create burdens that would slow or reverse the positive trend that we have been able to create.

To protect the existing 7(a) program, we have to make certain that it is adequately funded for fiscal years 1999 and 2000. And because the Y2K loan program is going to be part of the 7(a) business lending program, funds that have already been appropriated for the 7(a) program can be used for the Y2K loan program.

Already this year, demand for that lending is running very high. Typically, the demand for 7(a) loans increases by as much as 10 percent in the spring and in the summer. So we are entering the high season of cyclical lending within the SBA itself. If that holds true for the current fiscal year, the program may use nearly all of its funds to meet the regular loan demand. There may be even greater demand for Y2K lending as people become more aware of the problem with increased publicity and discussion of it in a national dialogue.

Under these circumstances, we need to be diligent about monitoring the 7(a) loan program to make certain there is adequate funding. I appreciate that Chairman BOND, who also serves on the Appropriations Committee, shares this concern and has agreed to work with me to secure the necessary funds targeted specifically for the Y2K loan program, and I thank Chairman BOND for his commitment.

I also thank Senators BENNETT and DODD and the Small Business Administration for working with our committee on this important initiative. We have tackled some tough policy issues, and the give-and-take, I believe, has made this legislation more helpful for businesses that face the Y2K problems.

I am very hopeful that all of our colleagues will join with us in voting yes today and that our friends on the House side will act as quickly as possible to pass S. 314. It is, obviously, a good program that will have a profound impact on the year 2000 and on the long-term economic prospects of our Nation.

Mr. President, I reserve the remainder of our time.

Mr. BOND addressed the Chair.

The PRESIDING OFFICER. Senator BOND.

Mr. BOND. Mr. President, I thank the ranking member, once again. His work on this measure, as so many others, and the work of his staff has been essential to assuring a product that meets the needs of small business and also deals with legitimate concerns which were raised initially by the SBA and others, and we are grateful to him for that effort. I thank him for his strong leadership and the very compelling case he makes.

Obviously, all the members of the Small Business Committee believe very strongly that small business needs some help, and we would love to have more people talking about the Y2K problem, but I should advise my colleagues, and those who are watching, that there is, as we speak, a hearing going on in the Y2K Committee where Senator DODD and Senator BENNETT are exploring some of the other issues.

This is really ''Y2K Day'' in the Senate because, as I stated in the opening, when we finish the vote on this measure—which I hope will be overwhelming in favor of it—there will be a confidential hearing regarding the Y2K issue in room S–407, and at 2:15 p.m., we will begin consideration of a resolution to fund this special committee dealing with the Y2K issues.

I noticed on one of the morning television shows that we are getting some good coverage and discussion in the media about the Y2K problem, and today certainly the Senate has explored in many, many different aspects how we can help smooth the transition to January 1, 2000, and beyond, when computers, if they are not fixed, might think that it is 1900 all over again.

Mr. President, we invite Members who want to come down to speak on this issue to do so. We hope they will have some time. We have 20 minutes more. And after, I may use some time on another matter, but I want to find out if there are other Members who wish to address the Y2K problem first.

I yield the floor.

Ms. LANDRIEU. Mr. President, today I rise in support of S. 314, the Small Business Year 2000 Readiness Act. I also want to thank Chairman BOND and Senator KERRY for their leadership on this issue. Without this legislation a large percentage of the 97,000 small businesses in Louisiana and nearly 5 million small business nationwide would not have access to needed credit necessary to repair Year 2000 computer problems.

According to recent studies and information provided to the Senate Small Business Committee, as estimated 750,000 small businesses are at risk of being temporarily shut down or incurring significant financial loss. Another four million businesses could be affected in other ways. In fact, any small business is at risk if it uses any computers in its business or related computer applications. For example, any e-commerce business or other businesses that use credit card payments, the use of a service bureau for its payroll, or automated manufacturing equipment could be affected. It is difficult to predict how serious the implications could be. But it is clear that if the Congress does not act, millions of small businesses, so important to our national economy, and millions of families dependent on these enterprises will suffer greatly.

A recent survey conducted on behalf of National Federation of Independent Business, NFIB, by Arthur Andersen indicated that many small businesses will incur significant costs to become Y2K compliant and are very concerned. The survey found that to become Y2K compliant, 29 percent of small to medium sized businesses will purchase additional hardware, 24 percent will replace existing hardware and 17 percent will need to convert their entire computer system. Then, when asked their most difficult challenge relating to their information technology, more than 54 percent of the businesses surveyed cited ''affording the cost.''

However, according to the NFIB, while these studies indicated many are worried, 40 percent of small businesses don't plan on taking action or do not believe the problem is serious enough to worry about. Fortunately, the Small Business Year 2000 Readiness Act, tries to address this problem as well as other credit issues, facing small businesses. First and foremost, it allows the Small Business Administration the authority to expand its guaranteed loan program to provide these businesses with the means to continue operating successfully after January 1, 2000. Moreover, it will provide technical assistance in order to help educate lenders and small firms about the dangers that lie ahead. And, finally, this measure allows small businesses to use Y2K loan proceeds to offset economic injury sustained after the year 2000, due to associated computer glitch problems.

Mr. President, with less than a year to go, and many small businesses not prepared for the unforeseeable consequences, Congress must respond expeditiously with the passage of this legislation. Without adequate capital and computer related costs that could result in millions of dollars of damages, the economic consequences could be severe. This legislation is a very positive step to help mitigate the potential loss of thousands of small businesses and the associated impact on our States' and national economies.

I ask that my colleagues join me in support of this critical legislation and know that the Congress will be able to send a positive message with the enactment of this legislation in the very near future.

Thank you, I yield the floor.

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I yield 3 minutes to the Senator from Vermont.

The PRESIDING OFFICER. The Senator from Vermont is recognized for 3 minutes.

Mr. LEAHY. Mr. President, there have been a number of hearings on Y2K. One was held yesterday in the Judiciary Committee. And in that meeting I offered a very simple and direct principle: Our goal should be to encourage Y2K compliance. No matter how much we talk about liabilities or who is to blame, or anything else, the bottom line is for people who want to go from December 31 to January 1, at the end of this year, we should look for compliance. That is what we are doing by passing this, the Small Business Year 2000 Readiness Act, S. 314. It offers help to small businesses working to remedy their computer systems before the millennium bug hits.

I want to commend Senators BOND and KERRY for their bipartisan leadership in the Small Business Committee on this bill. It is going to support small businesses around the country in the Y2K remedial efforts. I am proud to be a cosponsor of this legislation.

We know that small businesses are the backbone of our economy, whether it is the corner market in a small city, or the family farm, or a smalltown doctor. In my home State of Vermont, 98

percent of the businesses are small businesses. They have limited resources. That is why it is important to provide these small businesses with the resources to correct their Y2K problems —but to do it now.

Last month, for example, I hosted a Y2K conference in Vermont to help small businesses prepare for the year 2000. Hundreds of small business owners from across Vermont attended this conference. They took time out of their work so they could learn how to minimize or eliminate Y2K computer problems. Those who could not join us at the site joined us by interactive television around the State.

Vermonters are working hard to identify their vulnerabilities. They should be encouraged and assisted in these efforts. That is the right approach. The right approach is not to seek blame but to fix as many of the problems ahead of time as we can. Ultimately, the best business policy—actually, the best defense against Y2K-based lawsuits—is to be Y2K compliant.

The prospect of Y2K problems requires remedial efforts and increased compliance, not to look back on January 1 and find out who was at fault but to look forward on March 2 and say what can we do to fix it.

Unfortunately, not all small businesses are doing enough to address the year 2000 issue because of a lack of resources in many cases. They face Y2K problems both directly and indirectly through their suppliers, customers and financial institutions. As recently as last October the NFIB testified: ''A fifth of them do not understand that there is a Y2K problem. . . . They are not aware of it. A fifth of them are currently taking action. A fifth have not taken action but plan to take action, and two-fifths are aware of the problem but do not plan to take any action prior to the year 2000.'' Indeed, the Small Business Administration recently warned that 330,000 small businesses are at risk of closing down as a result of Y2K problems, and another 370,000 could be temporarily or permanently hobbled.

Federal and State government agencies have entire departments working on this problem. Utilities, financial institutions, telecommunications companies, and other large companies have information technology divisions working to make corrections to keep their systems running. They have armies of workers—but small businesses do not.

Small businesses are the backbone of our economy, from the city corner market to the family farm to the small-town doctor. In my home State of Vermont, 98 percent of the businesses are small businesses with limited resources. That is why it is so important to provide small businesses with the resources to correct their Y2K problems now.

Last month, I hosted a Y2K conference in Vermont to help small businesses prepare for 2000. Hundreds of small business owners from across Vermont attended the conference to learn how to minimize or eliminate their Y2K computer problems. Vermonters are working hard to identify their Y2K vulnerabilities and prepare action plans to resolve them. They should be encouraged and assisted in these important efforts.

This is the right approach. We have to fix as many of these problems ahead of time as we can. Ultimately, the best business policy and the best defense against Y2K-based lawsuits is to be Y2K compliant.

I am studying the Report from our Special Committee on the Year 2000 Technology Problem and thank Chairman BENNETT and Vice Chairman DODD for the work of that Committee. I note that they are just beginning their assessment of litigation. As they indicate in the Report released today: ''The Committee plans to hold hearings and work closely with the Judiciary and Commerce Committees to make legislative proposals in this area.''

I understand that the Special Committee is planning hearings on Y2K litigation soon. As best anyone has been able to indicate to me, only 52 Y2K-related lawsuits have been commenced to date. Of those, several have already been concluded with 12 having been settled and 8 dismissed.

At our Judiciary Committee hearing earlier this week we heard from a small businessman from Michigan who was one of the first Y2K plaintiffs in the country. He had to sue to obtain relief from a company that sold him a computer and cash register system that would not accept credit cards that expired after January 1, 2000 and crashed.

We also heard from an attorney who prevailed on behalf of thousands of doctors in an early Y2K class action against a company that provided medical office software that was not Y2K compliant.

Recent legislative proposals by Senator HATCH and by Senator MCCAIN raise many questions that need to be answered before they move forward. I look to the hearings before the Special Committee and to additional hearings before the Judiciary Committee to gather the factual information that we need in order to make good judgments about these matters. We heard Monday of a number of serious concerns from the Department of Justice with these recent proposals. Those concerns are real and need to be addressed.

If we do not proceed carefully, broad liability limitation legislation could reward the irresponsible at the expense of the innocent. That would not be fair or responsible. Removing accountability from the law removes one of the principal incentives to find solutions before problems develop.

Why would congressional consideration or passage of special immunity legislation make anyone more likely to expend the resources needed to fix its computer systems to be ready for the millennium? Is it not at least as likely to have just the opposite effect? Why should individuals, businesses and governments act comprehensively now if the law is changed to allow you to wait, see what problems develop and then use the 90-day ''cooling off'' period after receiving detailed written notice of the problem to think about coming into compliance? Why not wait and see what solutions are developed by others and draw from them later in the three-month grace period, after the harm is done and only if someone complains?

I would rather continue the incentives our civil justice systems allows to encourage compliance and remediation efforts now, in advance of the harm. I would rather reward responsible business owners who are already making the investments necessary to have their computer systems fixed for Y2K.

I sense that some may be seeking to use fear of the Y2K millennium bug to revive failed liability limitation legislation of the past. These controversial proposals may be good politics in some circles, but they are not true solutions to the Y2K problem. Instead, we should be looking to the future and creating incentives in this country and around the world for accelerating our efforts to resolve potential Y2K problems before they cause harm.

I also share the concerns of the Special Committee that ''disclosure of Y2K compliance is poor.'' We just do not have reliable assessments of the problem or of how compliance efforts are going. In particular, I remain especially concerned with the Special Committee's report that: ''Despite an SEC rule requiring Y2K disclosure of public corporations, companies are reluctant to report poor compliance.'' I have heard estimates that hundreds if not thousands of public companies are not in compliance with SEC disclosure rules designed to protect investors and the general public.

I hope that the Special Committee will follow through on its announced ''plans to address certain key sectors in 1999 where there has been extreme reluctance to disclose Y2K compliance.'' We should not be rewarding companies that have not fulfilled their disclosure responsibilities by providing them any liability limitation protections.

On the contrary, after all the talk earlier this year about the importance of the rule of law, we ought to do more to enforce these fundamental disclosure requirements. As the Special Committee reports: ''Without meaningful disclosure, it is impossible for firms to properly assess their own risks and develop necessary contingency plans.

Disclosure is also important in the context of congressional oversight. The Special Committee will continue to promote this important goal in 1999.'' The Senate should do nothing to undercut this effort toward greater disclosure in accordance with law.

Sweeping liability protection has the potential to do great harm. Such legislation may restrict the rights of consumers, small businesses, family farmers, State and local governments and the Federal Government from seeking redress for the harm caused by Y2K computer failures. It seeks to restructure the laws of the 50 states through federal preemption. Moreover, it runs the risk of discouraging businesses from taking responsible steps to cure their Y2K problems now before it is too late.

By focusing attention on liability limiting proposals instead of on the disclosures and remedial steps that need to be taken now, Congress is being distracted from what should be our principal focus—encouraging Y2K compliance and the prompt remedial efforts that are necessary now, in 1999.

The international aspect of this problem is also looming as one of the most important. As Americans work hard to bring our systems into compliance, we encounter a world in which other countries are not as far along in their efforts and foreign suppliers to U.S. companies pose significant risks for all of us. This observation is supported by the Report of the Special Committee, as well. We must, therefore, consider whether creating a liability limitation model will serve our interests internationally.

The Administration is working hard to bring the Federal Government into compliance. President Clinton decided to have the Social Security Administration's computers overhauled first and then tested and retooled and retested, again. The President was able to announce on December 28 that social security checks will be printed without any glitches in January 2000. That is progress.

During the last Congress, I joined with a number of other interested Senators to introduce and pass into law the consensus bill known as ''The Year 2000 Information and Readiness Disclosure Act.'' We worked on a bipartisan basis with Senator BENNETT, Senator DODD, the Administration, industry representatives and others to reach agreement on a bill to facilitate information sharing to encourage Y2K compliance. The new law, enacted less than five months ago, is working to encourage companies to share Y2K solutions and test results. It promotes company-to-company information sharing while not limiting rights of consumers.

The North American Electric Reliability Council got a great response from its efforts to obtain detailed Y2K information from various industries. We also know that large telephone companies are sharing technical information over websites designed to assist each other in solving year 2000 problems. Under a provision I included, that law also established a National Y2K Information Clearinghouse and Website at the General Services Administration. That website is a great place for small businesses to go to get started in their Y2K efforts.

If, after careful study, there are other reasonable efforts that Congress can make to encourage more computer preparedness for the millennium, then we should work together to consider them and work together to implement them.

Legislative proposals to limit Y2K liability now pending before the Commerce and Judiciary Committees were printed in last Wednesday's CONGRESSIONAL RECORD. Given the significant impact these bills might have on State contract and tort law and the legal rights of all Americans, I trust that the Senate will allow all interested Committees to consider them carefully before rushing to pass liability limitation provisions that have not been justified or thoroughly examined.

The prospect of Y2K problems requires remedial efforts and increased compliance, which is what the ''Small Business Year 2000 Readiness Act,'' S.314, will promote. It is not an excuse for cutting off the rights of those who will be harmed by the inaction of others, turning our States' civil justice administration upside down, or immunizing those who recklessly disregard the coming problem to the detriment of their customers and American consumers.

Ms. SNOWE. Mr. President, I rise today in support of the Small Business Year 2000 Readiness Act, of which I am an original cosponsor.

I would like to begin by thanking Senator BOND, who serves as Chairman of the Senate Small Business Committee, for his leadership on this important issue. As a member of the Small Business Committee and a Senator from a state where virtually all the businesses are small businesses, I strongly believe that assisting small businesses prepare for the Year 2000 must be a top priority.

So many aspects of our lives are influenced by computers. I believe the Y2K computer glitch is an issue of such importance that it demands decisive action on our part, because any delay at this point will make this problem exponentially more difficult to solve.

The bill before us today authorizes loan guarantees for small businesses to help with Y2K compliance. Loan guarantees will permit small businesses to assess their computers' Y2K compatibility, identify changes to assure compatibility, and finance purchase or repair of computer equipment and software to ensure that is compatible with Y2K. The loans will also allow small businesses to hire third party consultants to support their efforts.

Maine has an historical record of self-reliance and small business enterprise, and I am extremely supportive of the role the federal government can play in promoting small business growth and development. Small businesses are increasingly essential to America's prosperity, and they should and will play a vital role in any effort to revitalize our communities if we help them enter the 21st Century in a strong position.

As we all know, this problem stems from a simple glitch—how the more than 200 million computers in the United States store the date within their internal clocks.

Some computers and software may not run or start if the internal clock fails to recognize ''00'' as a proper year. The computer can continue waiting for you to enter what it thinks is a correct date and prevent you from accessing your records until you have done so. Without access to your records, you will be unable to track your inventory, sales, or even your bank accounts.

I began to wonder what the effects would be on small business when the Commerce Committee held a hearing on the issue last year. And after questioning officials, specifically Deputy Secretary of Commerce Robert Mallett, it became evident that many small businesses simply didn't have the kind of time and resources that many larger business may have at their disposal to fix this potentially serious problem.

At the Maine forums I sponsored last year as a member of both the Commerce and Small Business Committees, I worked to educate small businesses on the Y2K threat, and it was a learning experience for me as well.

The impact of Y2K on the small business community could be devastating. According to a National Federation of Independent Business and Wells Fargo Bank study, 82 percent of small businesses are at risk.

Fortunately, it doesn't have to be that way. With the benefit of foresight and proper planning, we can diffuse this ticking time bomb and ensure that the business of the nation continues on without a hitch—or a glitch.

From a technical standpoint, the necessary corrections are not difficult to make. However, determining that there's a problem, finding people qualified to fix the problem, and crafting a solution to fit the individual needs of different computers and programs poses significant challenges.

We must put ourselves in the position that a small business or entrepreneur is in. Consider that this problem effects more than just your business. By checking your system you are only halfway to solving the problem. You must also take time to ensure your supplier, distributer, banker, and accountant are also ''cured'' of the Year 2000 problem.

For example, if you manufacture a product on deadline, you'll want to make sure your computers will be able to keep track of your delivery schedule, inventory, and accounts receivable and payable. If your system fails to do this, the consequences could be debilitating for a business.

But think about this: suppose your suppliers aren't compatible, and their system crashes. You may not receive the raw materials you need to get your product to market on time—devastating if you're in a ''just in time'' delivery schedule with your supplier. And

what happens when your shipper's computers go down for the count?

That is why it is so important that we take steps to fix the problem now. The year 2000 is almost upon us, and each day that goes by trades away valuable time.

For the vast majority of businesses, there are five simple steps toward compliance. First, awareness of the problem. Second, assessing which systems could be affected and prioritizing their conversion or replacement. Third, renovating or replacing computer systems. Fourth, validating or testing the computer systems. And fifth, implementing the systems.

The bill before us today will help small business address these steps, and I urge my colleagues to join in an overwhelming show of support for our nation's small businesses by voting for this important legislation.

Mr. President, I yield the floor.

Mr. LEVIN. Mr. President, as a member of the Senate Small Business Committee and cosponsor of this legislation, I am pleased the Senate is acting expeditiously on S. 314, the Small Business Year 2000 Readiness Act. Making affordable government guaranteed loans available to small businesses to correct the computer problem associated with the Year 2000, or Y2K, is a critical part of that the federal government can do to ensure that all businesses can become Y2K compliant by the turn of the century.

As everyone knows by now, experts are concerned that on January 1, 2000, many computers will recognize a double zero not as the year 2000 but as the year 1900. This technical glitch could cause the computers to stop running altogether or start generating erroneous data. It is a serious problem that should be taken seriously by businesses, large and small.

Unfortunately, surveys show that many small businesses are not taking the action they should be taking to fix the problem and as a result could face costly consequences on January 1, 2000. According to recent research, nearly 25 percent of all businesses, of which 80 percent are small companies, have not begun to prepare for the serious system issues that are predicted to occur on January 1, 2000.

One of the reasons for this lack of preparedness by small businesses could be the lack of access to funds to pay for the needed repairs. That is why the Senate Small Business Committee reported by a unanimous vote this legislation to establish a special loan program for small businesses to pay for Y2K repairs. Our hope is to move this legislation expeditiously through the 106th Congress so that the special loan program established by this bill will be available in time to do Y2K repairs. The full extent of the year 2000 problem is unknown, but we can reduce the possibility of problems by taking action now.

System failures can be costly and that's why it's better to avoid them rather than fix them after failure. As we count down the remaining months of this century, let's give small businesses who have been the backbone of our great economic prosperity access to the funds they need to correct the Y2K computer bug. For many of our small businesses, S. 314 could help keep them from suffering severe financial distress or failure.

S. 314 requires the Small Business Administration to establish a limited-term government guaranteed loan program to guarantee loans made by private lenders to small businesses to correct their own Y2K problems or provide relief from economic injuries sustained as a result of its own or another entity's Y2K computer problems. It offers these loans at more favorable terms than other government guaranteed loans available to small businesses and it allows small businesses to defer interest for the first year. The bill report language also includes a provision I suggested allowing the favorable terms of this lending program to be applied to loans already granted to small businesses that were used primarily for Y2K repairs but under less favorable terms than offered under this program. Since this loan program already passed the Senate last year as a component of a larger bill, some small businesses may have already made the decision to take out small business loans to pay for Y2K repairs based on the reasonable expectation that this program would be enacted into law.

Ms. COLLINS. Mr. President, I rise in support of S. 314, the Small Business Year 2000 Readiness Act. The bill establishes a guaranteed loan program for small businesses in order to remediate existing computer systems or to purchase new Year 2000 compliant equipment. The loan program would be modeled after the Small Business Administration's popular 7(a) loan program, which has provided thousands of small businesses funding to grow their operations.

Many small businesses are having difficulty determining how they will be affected by the millennium bug and what they should do about it. Many of them face not only technological but also severe financial challenges in becoming Y2K-compliant. This legislation will help provide peace of mind to the small business community throughout the nation, which we must help prepare now for the coming crisis.

The Small Business Year 2000 Readiness Act would encourage business to focus on Year 2000 computer problems before they are upon us. A successful program being operated in my State underscores the benefits to such forethought.

Through the efforts of the Maine Manufacturing Extension Partnership (MEP), a program funded through the National Institutes of Science and Technology, small businesses have been successful in addressing their Y2K problems. With the use of an assessment tool, the Maine MEP is able to provide small business owners road maps for addressing critical Y2K issues concerning accounting systems, computerized production equipment, environmental management systems, and supplier vulnerabilities.

Once the Maine MEP completes an assessment of technical Y2K problems, it instructs the small business owner on how to apply for a loan from the Small Business Administration. As it turns out, this step is crucial. Small business owners have commented that, while they need help in determining their Y2K exposure, it is just as important to have a place to turn for funding so that they can take action to correct possible problems. Because businesses often do not budget for Y2K problems, it is vital to give businesses some assurance that they will be able to borrow the funds necessary to remediate their systems. The Small Business Year 2000 Readiness Act does exactly that.

My home State of Maine has over 35,000 small businesses, which were responsible for all of the net new jobs created in our State from 1992 through 1996. With their diversity and innovation, small businesses are the backbone of our economy and the engine fueling job growth.

Mr. President, by their very definition entrepreneurs are risk managers. In the years that I have been working with small businesses, I am aware of countless experiences where the entrepreneurial spirit has propelled business owners to overcome major obstacles to succeed. With the financial assistance that this new SBA loan program will offer, it is my expectation that small businesses will indeed succeed in squashing their Y2K bug.

Mr. MOYNIHAN. Mr. President, I am delighted to see that the Senate passed S. 314, the Small Business Year 2000 Readiness Act, today. I introduced this bill with Senators CHRISTOPHER S. BOND, JOHN F. KERRY, ROBERT F. BENNETT, CHRISTOPHER J. DODD, and OLYMPIA SNOWE on January 27, 1999. S. 314 establishes a loan guarantee program to help small businesses prepare for the year 2000. Because our economy is interdependent, we must make sure that our small businesses are still up and running and providing services on January 1, 2000. This bill will help ensure that that is the case.

I began warning about the Y2K problem 3 years ago. Since that time, people have begun to listen and progress has been made on the Y2K front. The federal government and large corporations are expected to have their computers functioning on January 1, 2000. Good news indeed. But small businesses continue to lag behind in fixing the millennium problem. I am confident that the Readiness Act will help small businesses remediate their computer systems and I urge the House to consider it forthwith. There is no time to waste.

Mr. JEFFORDS. Mr. President, most small businesses in Vermont rely on

electronic systems to operate. Many of these businesses are looking to the Year 2000 with apprehension or outright despair. Small businesses rely on microprocessors for manufacturing equipment, telecommunications for product delivery, and the mainstay of data storage—computer chips. These businessmen and women are concerned about the financial effects of the Year 2000 Computer Bug will have on their efforts to remedy the problem, as well as those after-effects caused by system failures. This is why I firmly believe that the quick enactment of Senator BOND's bill, S. 314, the Small Business Year 2000 Readiness Act should be a top priority for Congress.

The legislation will go a long way toward providing vitally needed loans for the nation's small businesses. This bill serves three purposes: first, it will authorize the U.S. Small Business Administration (SBA) to expand its guaranteed loan program so eligible small businesses have the means to continue operating successfully after January 1, 2000. Second, the bill will allow small businesses to use Y2K loan proceeds to offset economic injury sustained after the year 2000 as a result of Y2K problems. Third, the legislation will highlight those potential vulnerabilities small businesses face from Y2K so small businessmen and women understand the risks involved.

Unfortunately, while many small businesses are well aware of the Y2K Millennium Bug, recent surveys indicate that a significant proportion of them do not plan on taking action because they do not believe it is a serious enough threat. This bill will raise awareness of Y2K risks so small businesses who may face problems will choose to upgrade their hardware and software computer systems. As costs of doing so could be prohibitive for small businesses the legislation will meet the financial needs of small businesses by ensuring access to guaranteed SBA loans.

The operation of this legislation will remain the same as the current SBA loan program, where the agency guarantees the principal amount of a loan made by a private lender to assist new small businesses seeking to correct Y2K computer problems. Those lenders currently participating in the SBA's 7(a) business loan program will also be able to participate in the Y2K loan program by accessing additional guaranteed loan funds.

Mr. President, I commend the efforts of Chairman BOND on this legislation and I hope for its quick enactment. While this legislation will not eradicate the potential effects Y2K may have on electronic systems, it will at least ensure that resources are available to those small businesses who try to protect themselves from the threat, or recuperate following a Y2K-related difficulty.

Mr. KERREY. Mr. President, I rise to make a few remarks concerning S. 314. I am pleased that the Senate took a step forward today to help small businesses prepare for the Year 2000 Problem. I am very concerned about Y2K's potential affect on small businesses and rural communities, particularly in my home state of Nebraska where technology is increasingly playing a vital role in all aspects of commerce. In addition to the many small businesses that use technology in everyday transactions, Nebraska is home to a growing high-technology industry that could be derailed if we fail to take additional steps to solve the Year 2000 problem.

High-technology companies account for a significant portion of Nebraska's economic output. According to the United States Bureau of Labor Statistics, forty-four of every one-thousand private sector workers in Nebraska are employed by high-tech firms at an average salary of $37,000. Astonishingly, that's nearly $15,000 more than the average private sector wage.

This rapidly growing sector of Nebraska's economy is a testament to the ingenuity and work ethic that characterize the citizens of our state. From the data processing industry in Omaha to the telecommunications and technology interests in Lincoln to electronic retail commerce and agribusiness interests in the panhandle, Nebraskans are using and developing unique technologies to improve their lives. It's clear that the information age has arrived on the plains as nearly one-fourth of Nebraska's exports come through high-tech trade.

Currently, Nebraska ranks 32nd in high-tech employment and 38th in high-tech average wage. The hard work of community leaders across the state has encouraged new technology companies to put down roots in Nebraska. One of my top priorities is fostering the continued development of advanced communications networks and providing Nebraska's kids with the math, science and technology skills they need to become productive members of this industry. Telemedicine, distance learning and other telecommunications services offer exciting new possibilities for our businesses, schools and labor force. I mention these successes, to underscore how important technology has become not only to Nebraska's economy but to the nation's economy.

S. 314 provides a new resource to guarantee that the nation's small businesses, high-tech and otherwise, will have somewhere to turn to for financial help in solving this difficult problem. I hope the House will follow the Senate's lead and quickly take up this important bill.

Mr. ASHCROFT. Mr. President, I want to take an opportunity to congratulate the senior Senator from my home State for introducing and reporting the Small Business Year 2000 Readiness Act. This is an important bill that I am happy to co-sponsor and support. The bill represents an important step in Congress' ongoing efforts to limit the scope and impact of the Year 2000 problem before it is too late. Last year, we passed the Year 2000 Information and Readiness Disclosure Act, which was an important first step in removing any legal barriers that could prevent individuals and companies from doing everything possible to eliminate Year 2000 problems before they happen. I was particularly gratified that I was able to work with Senators HATCH and LEAHY to include the provisions of my temporary antitrust immunity bill, S. 2384, in last year's act. However, as I said at the time, the Disclosure Act must be understood as only the first step in our efforts to deal with this problem. Senator BOND'S bill, along with the liability bills working their way through the Commerce and Judiciary Committees, on which I sit, are the next logical steps in this ongoing effort.

Countless computer engineers and experts are busy right now trying to solve or minimize the Year 2000 and related date failure problems. Part of what makes this problem so difficult to address is that there is no one Year 2000 problem. There are countless distinct date failure problems, and no one silver bullet will solve them all. The absence of any readily-available one-size-fits-all solution poses particularly serious challenges for small business.

The Small Business Year 2000 Readiness Act addresses this problem by providing loan guarantees to small businesses to remedy their year 2000 problems. The act provides the necessary resources so that small businesses can nip this problem in the bud, so that the Year 2000 problem does not become the Year 2000 disaster.

The act is narrowly targeted at enabling small business to remedy Year 2000 issues before they lead to costly damages and even more costly litigation. Like the antitrust exemption I authored in the last Congress, this provision automatically sunsets once the window of opportunity for avoiding Year 2000 problems closes.

Finally, let me say, that like Year 2000 Information and Readiness Disclosure Act we enacted last year, this law does not offer a complete solution to the Year 2000 problem. There are many aspects to this problem—both domestic and international—and there may be limits to what government can do to solve this problem. These loan guarantees are one constructive step Congress can take. Another constructive step is to remove government-imposed obstacles that limit the ability of the private sector to solve this problem. For example, Congress needs to address the liability rules that govern litigation over potential Year 2000 problems. That process is ongoing in both the Commerce and Judiciary Committees, and I look forward to working with my colleagues on both committees to reach an acceptable approach that can be enacted quickly.

The remaining issues are difficult, but we cannot shrink from tackling the tough issues. Many have talked about the unprecedented prosperity generated by our new, high-tech economy.

I want to make sure that the next century is driven by these high-tech engines of growth and is stamped made in America. But we will not make the next century an American Century by dodging the tough issues and hoping the Year 2000 problem will just go away. We need to keep working toward a solution.

Resources to address the Year 2000 problem, particularly time, are finite. They must be focused as fully as possible on remediation, rather than on unproductive litigation. This issue is all about time, and we have precious little left before the Year 2000 problem is upon us. I hope we can continue to work together on legislation like this to free up talented individuals to address this serious threat.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. BOND addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. I ask unanimous consent that the Senator from Kentucky, Senator BUNNING, be added as a cosponsor to the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BOND. Mr. President, if there are no colleagues who wish to speak on the Y2K bill, I ask unanimous consent that time continue to be charged against me on S. 314 but that I may be permitted to speak up to 5 minutes as in morning business to introduce a piece of legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. BOND pertaining to the introduction of S. 495 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The PRESIDING OFFICER. Under the previous order, the hour of 10:30 a.m. having arrived, the Senate will now proceed to vote on passage of S. 314.

Mr. BOND. Mr. President, have the yeas and nays been ordered?

The PRESIDING OFFICER. They have not.

Mr. BOND. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The question is on passage of the bill.

The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 99, nays 0, as follows:

[Rollcall Vote No. 28 Leg.]

YEAS—99

Abraham	Enzi	Lott
Akaka	Feingold	Lugar
Allard	Feinstein	Mack
Ashcroft	Fitzgerald	McConnell
Baucus	Frist	Mikulski
Bayh	Gorton	Moynihan
Bennett	Graham	Murkowski
Biden	Gramm	Murray
Bingaman	Grams	Nickles
Bond	Grassley	Reed
Boxer	Gregg	Reid
Breaux	Hagel	Robb
Brownback	Harkin	Roberts
Bryan	Hatch	Rockefeller
Bunning	Helms	Roth
Burns	Hollings	Santorum
Byrd	Hutchinson	Sarbanes
Campbell	Hutchison	Schumer
Chafee	Inhofe	Sessions
Cleland	Inouye	Shelby
Cochran	Jeffords	Smith (NH)
Collins	Johnson	Smith (OR)
Conrad	Kennedy	Snowe
Coverdell	Kerrey	Specter
Craig	Kerry	Stevens
Crapo	Kohl	Thomas
Daschle	Kyl	Thompson
DeWine	Landrieu	Thurmond
Dodd	Lautenberg	Torricelli
Domenici	Leahy	Voinovich
Dorgan	Levin	Warner
Durbin	Lieberman	Wellstone
Edwards	Lincoln	Wyden

NOT VOTING—1

McCain

The bill (S. 314) was passed, as follows:

S. 314

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Small Business Year 2000 Readiness Act''.

SEC. 2. FINDINGS.

Congress finds that—

(1) the failure of many computer programs to recognize the Year 2000 may have extreme negative financial consequences in the Year 2000, and in subsequent years for both large and small businesses;

(2) small businesses are well behind larger businesses in implementing corrective changes to their automated systems;

(3) many small businesses do not have access to capital to fix mission critical automated systems, which could result in severe financial distress or failure for small businesses; and

(4) the failure of a large number of small businesses due to the Year 2000 computer problem would have a highly detrimental effect on the economy in the Year 2000 and in subsequent years.

SEC. 3. YEAR 2000 COMPUTER PROBLEM LOAN GUARANTEE PROGRAM.

(a) PROGRAM ESTABLISHED.—Section 7(a) of the Small Business Act (15 U.S.C. 636(a)) is amended by adding at the end the following:

''(27) YEAR 2000 COMPUTER PROBLEM PROGRAM.—

''(A) DEFINITIONS.—In this paragraph—

''(i) the term 'eligible lender' means any lender designated by the Administration as eligible to participate in the general business loan program under this subsection; and

''(ii) the term 'Year 2000 computer problem' means, with respect to information technology, and embedded systems, any problem that adversely effects the processing (including calculating, comparing, sequencing, displaying, or storing), transmitting, or receiving of date-dependent data—

''(I) from, into, or between—

''(aa) the 20th or 21st centuries; or

''(bb) the years 1999 and 2000; or

''(II) with regard to leap year calculations.

''(B) ESTABLISHMENT OF PROGRAM.—The Administration shall—

''(i) establish a loan guarantee program, under which the Administration may, during the period beginning on the date of enactment of this paragraph and ending on December 31, 2000, guarantee loans made by eligible lenders to small business concerns in accordance with this paragraph; and

''(ii) notify each eligible lender of the establishment of the program under this paragraph, and otherwise take such actions as may be necessary to aggressively market the program under this paragraph.

''(C) USE OF FUNDS.—A small business concern that receives a loan guaranteed under this paragraph shall only use the proceeds of the loan to—

''(i) address the Year 2000 computer problems of that small business concern, including the repair and acquisition of information technology systems, the purchase and repair of software, the purchase of consulting and other third party services, and related expenses; and

''(ii) provide relief for a substantial economic injury incurred by the small business concern as a direct result of the Year 2000 computer problems of the small business concern or of any other entity (including any service provider or supplier of the small business concern), if such economic injury has not been compensated for by insurance or otherwise.

''(D) LOAN AMOUNTS.—

''(i) IN GENERAL.—Notwithstanding paragraph (3)(A) and subject to clause (ii) of this subparagraph, a loan may be made to a borrower under this paragraph even if the total amount outstanding and committed (by participation or otherwise) to the borrower from the business loan and investment fund, the business guaranty loan financing account, and the business direct loan financing account would thereby exceed $750,000.

''(ii) EXCEPTION.—A loan may not be made to a borrower under this paragraph if the total amount outstanding and committed (by participation or otherwise) to the borrower from the business loan and investment fund, the business guaranty loan financing account, and the business direct loan financing account would thereby exceed $1,000,000.

''(E) ADMINISTRATION PARTICIPATION.—Notwithstanding paragraph (2)(A), in an agreement to participate in a loan under this paragraph, participation by the Administration shall not exceed—

''(i) 85 percent of the balance of the financing outstanding at the time of disbursement of the loan, if the balance exceeds $100,000;

''(ii) 90 percent of the balance of the financing outstanding at the time of disbursement of the loan, if the balance is less than or equal to $100,000; and

''(iii) notwithstanding clauses (i) and (ii), in any case in which the subject loan is processed in accordance with the requirements applicable to the SBAExpress Pilot Program, 50 percent of the balance outstanding at the time of disbursement of the loan.

''(F) PERIODIC REVIEWS.—The Inspector General of the Administration shall periodically review a representative sample of loans guaranteed under this paragraph to mitigate the risk of fraud and ensure the safety and soundness of the loan program.

''(G) ANNUAL REPORT.—The Administration shall annually submit to the Committees on Small Business of the House of Representatives and the Senate a report on the results of the program carried out under this paragraph during the preceding 12-month period, which shall include information relating to—

''(i) the total number of loans guaranteed under this paragraph;

''(ii) with respect to each loan guaranteed under this paragraph—

''(I) the amount of the loan;

''(II) the geographic location of the borrower; and

''(III) whether the loan was made to repair or replace information technology and other automated systems or to remedy an economic injury; and

''(iii) the total number of eligible lenders participating in the program.''.

(b) GUIDELINES.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Administrator of the Small Business Administration shall issue guidelines to carry out the program under section 7(a)(27) of the Small Business Act, as added by this section.

(2) REQUIREMENTS.—Except to the extent that it would be inconsistent with this section or section 7(a)(27) of the Small Business Act, as added by this section, the guidelines issued under this subsection shall, with respect to the loan program established under section 7(a)(27) of the Small Business Act, as added by this section—

(A) provide maximum flexibility in the establishment of terms and conditions of loans originated under the loan program so that such loans may be structured in a manner that enhances the ability of the applicant to repay the debt;

(B) if appropriate to facilitate repayment, establish a moratorium on principal payments under the loan program for up to 1 year beginning on the date of the origination of the loan;

(C) provide that any reasonable doubts regarding a loan applicant's ability to service the debt be resolved in favor of the loan applicant; and

(D) authorize an eligible lender (as defined in section 7(a)(27)(A) of the Small Business Act, as added by this section) to process a loan under the loan program in accordance with the requirements applicable to loans originated under another loan program established pursuant to section 7(a) of the Small Business Act (including the general business loan program, the Preferred Lender Program, the Certified Lender Program, the Low Documentation Loan Program, and the SBAExpress Pilot Program), if—

(i) the eligible lender is eligible to participate in such other loan program; and

(ii) the terms of the loan, including the principal amount of the loan, are consistent with the requirements applicable to loans originated under such other loan program.

(c) REPEAL.—Effective on December 31, 2000, this section and the amendments made by this section are repealed.

Mr. BENNETT. Mr. President, I move to reconsider the vote.

I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. LEAHY. I ask unanimous consent for 7 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

RESTRAINING CONGRESSIONAL IMPULSE TO FEDERALIZE MORE LOCAL CRIME LAWS

Mr. LEAHY. Mr. President, every Congress in which I have served—I have served here since 1975—has focused significant attention on crime legislation. It doesn't make any difference which party controls the White House or either House of Congress, the opportunity to make our mark on the criminal law has been irresistible. In fact, more than a quarter of all the Federal criminal provisions enacted since the Civil War—a quarter of all Federal criminal provisions since the Civil War—have been enacted in the 16 years since 1980, more than 40 percent of those laws have been created since 1970.

In fact, at this point the total number is too high to count. Last month, a task force headed by former Attorney General Edwin Meese and organized by the American Bar Association released a comprehensive report. The best the task force could do was estimate the Federal crimes to be over 3,300. Even that doesn't count the nearly 10,000 Federal regulations authorized by Congress that carry some sort of sanction.

I have become increasingly concerned about the seemingly uncontrollable impulse to react to the latest headline-grabbing criminal caper with a new Federal prohibition. I have to admit, I supported some of the initiatives. Usually, the expansion of Federal authority by the creation of a new Federal crime is only incremental. Some crime proposals, however, are more sweeping, and they invite Federal enforcement authority into entirely new areas traditionally handled by State and local law enforcement.

In the last Congress, for example, the majority on the Senate Judiciary Committee reported to the Senate a juvenile crime bill that would have granted Federal prosecutors broad new authority to investigate and prosecute Federal crimes committed by juveniles—crimes now normally deferred to the State. In addition, it would have compelled the States to revise the manner in which they dealt with juvenile crime, overridden all the State legislatures and told them to comport with a host of new Federal mandates. I strenuously opposed this legislation on federalism and other grounds.

Even the Chief Justice of the U.S. Supreme Court went out of his way in his 1997 Year-End Report of the Federal Judiciary to caution against ''legislation pending in Congress to 'federalize' certain juvenile crimes.'' The Meese Task Force also cites this legislation ''as an example of enhanced Federal attention where the need is neither apparent nor demonstrated.''

The Meese Task Force report chided Congress for its indiscriminate passage of new Federal crimes wholly duplicative of existing State crimes. This Task Force was told by a number of people that these new Federal laws are passed not because they were needed ''but because Federal crime legislation in general is thought to be politically popular. Put another way, it is not considered politically wise to vote against crime legislation, even if it is misguided, unnecessary, and even harmful.'' We all appreciate the hard truth in this observation.

While the juvenile crime bill was not enacted, we have not always generated such restraint. The Meese Task Force examined a number of other Federal crimes, such as drive-by shooting, interstate domestic violence, murder committed by prison escapees, and others, that encroach on criminal activity traditionally handled by the States—almost reaching the point that jaywalking in a suburban subdivision could become a Federal crime because that street may lead to a State road which may lead to a Federal road. You see where we are going. The Task Force found that federal prosecution of those traditional State crimes was minimal or nonexistent. Given the dearth of Federal enforcement, one is tempted to conclude that maybe the Federal laws do not encroach and that any harm to State authority from passage of these laws is similarly minimal. But the task force debunks the notion that federalization is ''cost-free.''

Federalizing criminal activity already covered by State criminal laws that are adequately enforced by State or local law enforcement authorities raises three significant concerns, even if the Federal enforcement authority is not exercised.

First, dormant Federal criminal laws may be revived at the whim of a federal prosecutor. Even the appearance—let alone the actual practice—of selectively bringing Federal prosecutions against certain individuals whose conduct also violates State laws, and the imposition of disparate Federal and State sentences for essentially the same underlying criminal conduct, offends our notions of fundamental fairness and undermines respect for the entire criminal justice system. The Task Force criticizes the ''expansive amount of unprincipled overlap in which very large amounts of conduct are susceptible to selection for prosecution as either federal or state crime is intolerable.''

Second, every new Federal crime results in an expansion of Federal law enforcement jurisdiction and further concentration of policing power in the Federal government. Americans naturally distrust such concentrations of power. That is the policy underlying our posse comitatus law prohibiting the military from participating in general law enforcement activities. According to the Task Force, Federal law enforcement personnel have grown a staggering 96 percent from 1982 to 1993 compared to a growth rate of less than half that for State personnel. The Task Force correctly notes in the report that:

> Enactment of each new federal crime bestows new federal investigative power on federal agencies, broadening their power to intrude into individual ives. Expansion of federal jurisdiction also creates the opportunity for greater collection and maintenance of data at the federal level in an era when various databases are computerized and linked.

Finally, and most significantly, Federal prosecutors are simply not as accountable as a local prosecutor to the people of a particular town, county or State. I was privileged to serve as a State's Attorney in Vermont for eight years, and went before the people of Chittenden County for election four times. They had the opportunity at every election to let me know what they thought of the job I was doing.

By contrast, Federal prosecutors are appointed by the President and confirmed by the Senate, only two Members of which represent the people who actually reside within the jurisdiction of any particular U.S. Attorney. Federalizing otherwise local crime not only establishes a national standard for particular conduct but also allows enforcement by a Federal prosecutor, who is not directly accountable to the people against whom the law is being enforced. The Task Force warns that the ''diminution of local autonomy inherent in the imposition of national standards, without regard to local community values and without regard to any noticeable benefits, requires cautious legislative assessment.''

Distrust and dismay at the exercise of Federal police power fueled the public outcry at the tragic endings of the stand-offs with Federal law enforcement authorities at Ruby Ridge in 1992 and at Waco in 1993. I participated in the Judiciary Committee oversight hearings into those incidents, and was struck that both of those standoffs were sparked by enforcement of Federal gun laws. The regulation of firearms is a subject with extraordinary variance among the States and requires great sensitivity and accountability to local mores.

Vermont has virtually no gun laws, and we also have one of the lowest crime rate in the country, but our laws reflect our needs. We should be very careful not just about federalizing a prohibition that already exists at most State levels, but also creating a Federal criminal prohibition where none exists at the State level, like mine.

Proposals to create new Federal crimes that run roughshod over highly sensitive public policy choices normally decided at the local level prompt significant concern over Federal overreaching and the exercise of Federal police power. For example, the majority on the Judiciary Committee reported in the last Congress a bill that would have made it a Federal crime to travel with a minor across State lines to get an abortion without complying with the parental consent law of the minor's home State. This law, if enacted, would invite Federal prosecutors to investigate and prosecute the violation of one State's parental consent law even if neither State would subject the conduct to criminal sanction. Establishing a national standard through creation of a new Federal crime to deal with conduct that the States have addressed in a different manner is a dangerous usurpation of local authority.

The death penalty is a good example. Congress has increasingly passed Federal criminal laws carrying the death penalty, even though twelve States, including Vermont, and the District of Columbia have declined to adopt the death penalty. Federal prosecutors in those States are free, with the Attorney General's approval, to buck the State's decision and seek the death penalty in certain Federal cases which have resulted in murder—for which every State has overlapping jurisdiction. In Vermont, for example, we are for the first time confronting a Federal death penalty case. These cases always present facts that could have been prosecuted by the State, and often involve high-profile cases that have generated press attention.

In the aftermath of a heinous murder, the public may cry out for blood vengeance. But the considered judgment of the State against the death penalty should not be easily bypassed, and Federal prosecutors should not be encouraged to find some basis for the exercise of Federal jurisdiction merely to be able to seek the death penalty.

The Task Force report concludes with a ''fundamental plea'' to legislators and members of the public alike ''to think carefully about the risks of excessive federalization of the criminal law and to have these risks clearly in mind when considering any proposal to enact new federal criminal laws and to add more resources and personnel to federal law enforcement agencies.'' This is a plea I commend to all Senators as we return to the business of legislating and are asked to consider any number of crime proposals in this Congress.

Mr. President, I urge Senators to think very carefully. We should not feel that the only way we show that we are against crime is to suddenly federalize all crimes and basically tell our State legislatures, our State law enforcement, our State prosecutors that they are insignificant. Let us resist that impulse. Maybe we can pass a resolution saying that all Senators are opposed to crime—as we are. But let the States do what they do best.

The PRESIDING OFFICER. Under the previous order, the Senator from Utah is recognized to make a motion to recess the Senate.

RECESS

Mr. BENNETT. Mr. President, I ask unanimous consent that the Senate now stand in recess until the hour of 2:15 today in order for Members to attend a confidential briefing in room S. 407 of the Capitol, and this briefing is in respect to the Y2K event.

There being no objection, the Senate, at 10:58 a.m., recessed until 2:15 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. INHOFE).

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

TEXAS INDEPENDENCE DAY

Mrs. HUTCHISON. Mr. President, I rise today to talk about a point of important history in our Nation; that is, to commemorate this day 163 years ago, Texas Independence Day.

Each year, I look forward to March 2nd. This is a special day for Texans, a day that fills our hearts with pride. On this day 163 years ago, a solemn convention of 54 men, including my great, great grandfather Charles S. Taylor, met in the small settlement of Washington-on-the-Brazos. There they signed the Texas Declaration of Independence. The declaration stated:

> We, therefore . . . do hereby resolve and declare . . . that the people of Texas do now constitute a free, sovereign and independent republic.

At the time, Texas was a remote territory of Mexico. It was hospitable only to the bravest and most determined of settlers. After declaring our independence, the founding delegates quickly wrote a constitution and organized an interim government for the newborn republic.

As was the case when the American Declaration of Independence was signed in 1776, our declaration only pointed the way toward a goal. It would exact a price of enormous effort and great sacrifice. For instance, when my great, great grandfather was there, signing the declaration of independence, and then, as most of the delegates did, went on eventually to fight the Battle of San Jacinto, he didn't know it at the time, but all four of his children who had been left back at home in Nacogdoches died trying to escape from the Indians and the Mexicans who they feared were coming after them. Fortunately, he and his wife, my great, great grandmother, had nine more children. But it is just an example of the sacrifices that were made by people who were willing to fight for something they believed in. That, of course, was freedom—freedom, in that instance, of Texas at that time. But that is something, of course, all Americans cherish greatly.

While the convention sat in Washington-on-the-Brazos, 6,000 Mexican troops were marching on the Alamo to challenge this newly created republic. Several days earlier, from the Alamo, Col. William Barrett Travis sent his immortal letter to the people of Texas and to all Americans. He knew the Mexican Army was approaching and he knew that he had only a very few men to help defend the San Antonio fortress. Colonel Travis wrote:

> FELLOW CITIZENS AND COMPATRIOTS: I am besieged with a thousand or more of the Mexicans under Santa Anna. I have sustained a continual Bombardment and cannonade for 24 hours and have not lost a man.

The enemy has demanded surrender at discretion, otherwise, the garrison is to be put to the sword, if the fort is taken. I have answered the demand with a cannon shot, and our flag still waves proudly over the wall. I shall never surrender or retreat. Then I call on you in the name of Liberty, of patriotism, of everything dear to the American character, to come to our aid with all dispatch. The enemy is receiving reinforcements daily and will no doubt increase to three or four thousand in four or five days. If this call is neglected I am determined to sustain myself as long as possible and die like a soldier who never forgets what is due his honor and that of his country—VICTORY OR DEATH.

WILLIAM BARRETT TRAVIS, *Lt. Col. Commander.*

What American, Texan or otherwise, can fail to be stirred by Col. Travis' resolve?

In fact, Colonel Travis' dire prediction came true—4,000 to 5,000 Mexican troops laid siege to the Alamo. In the battle that followed, 184 brave men died in a heroic but vain attempt to fend off Santa Anna's overwhelming army. But the Alamo, as we all in Texas know, was crucial to Texas' independence. Because those heroes at the Alamo held out for so long, Santa Anna's forces were battered and diminished.

Gen. Sam Houston gained the time he needed to devise a strategy to defeat Santa Anna at the Battle of San Jacinto, just a month or so later, on April 21, 1836. The Lone Star was visible on the horizon at last.

Each year, on March 2, there is a ceremony at Washington-on-the-Brazos State Park where there is a replica of the modest cabin where the 54 patriots laid down their lives and treasure for freedom. Each day on this day, I read Colonel Travis' letter to my colleagues in the Senate, a tradition started by my friend, Senator John Tower. This is a reminder to them and to all of us of the pride Texans share in our history and in being the only State that came into the Union as a republic.

Mr. President, I am pleased to continue the tradition that was started by Senator Tower, because we do have a unique heritage in Texas where we fought for our freedom. Having grown up in the family and hearing the stories of my great great grandfather, it was something that was ingrained in us—fighting for your freedom was something you did.

I think it is very important that we remember the people who sacrificed, the 184 men who died at the Alamo, the men who died at Goliad, who made it possible for us to win the Battle of San Jacinto and become a nation, which we were for 10 years before we entered the Union as a State.

I might add, we entered the Union by a margin of one vote, both in the House and in the Senate. In fact, we originally were going to come into the Union through a treaty, but the two-thirds vote could not be received and, therefore, President Tyler said, ''No, then we will pass a law to invite Texas to become a part of our Union,'' and the law passed by one vote in the House and one vote in the Senate. Now we fly both flags proudly—the American flag and the Texas flag—over our capitol in Austin, TX.

I am very pleased to, once again, commemorate our great heritage and history. Thank you, Mr. President.

INCREASING FUNDING OF THE SPECIAL COMMITTEE ON THE YEAR 2000 TECHNOLOGY-RELATED PROBLEMS

The PRESIDING OFFICER. Under the previous order, the hour of 2:15 having arrived, the Committee on Rules and Administration is discharged from further consideration of S. Res. 7, and the Senate will proceed immediately to its consideration.

The clerk will report.

The bill clerk read as follows:

A resolution (S. Res. 7) to amend Senate Resolution 208 of the 105th Congress to increase funding of the Special Committee on the Year 2000 Technology-Related Problems.

The Senate proceeded to consider the resolution.

The PRESIDING OFFICER. Under the previous order, the time for debate on the resolution shall be limited to 3 hours, equally divided between the Senator from Utah, Mr. BENNETT, and the Senator from Connecticut, Mr. DODD.

PRIVILEGE OF THE FLOOR

Mr. BENNETT. Mr. President, I ask unanimous consent that for the duration of this debate, the following members of the staff detailed to the Special Committee on the Year 2000 Technology Problems be granted the privilege of the floor: Frank Reilly, John Stephenson, Paul Hunter, J. Paul Nicholas, Ron Spear and Tom Bello.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT

Mr. BENNETT. Mr. President, I ask unanimous consent that the consent agreement with respect to the consideration of S. Res. 7 be modified to allow one technical amendment to the resolution, to be offered by myself and Senator DODD.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 30

(Purpose: To make a conforming change)

Mr. BENNETT. The technical amendment is now at the desk, and I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Utah [Mr. BENNETT], for himself and Mr. DODD, proposes an amendment numbered 30.

The text of the amendment follows:

On page 1, line 5, strike ''both places'' and insert ''the second place''.

Mr. BENNETT. Mr. President, I ask unanimous consent that the amendment be agreed to and that the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 30) was agreed to.

Mr. BENNETT. Thank you, Mr. President.

As I have said somewhat facetiously, today is ''Y2K Day in the neighborhood.'' We have had a series of events with respect to Y2K legislation, starting with the debate this morning on the Small Business Administration bill offered by Senator BOND of Missouri. We then went into a closed session where it was my privilege, along with Senator DODD, to make a presentation to Members of the Senate with respect to the impact of Y2K on our national defense and our intelligence capabilities. And now this afternoon, we have 3 hours to discuss the funding request for the Special Committee on the Year 2000 Technology Problems and, in that process, take the opportunity of the debate to lay out for the Senate and for the television public exactly what we are dealing with.

To summarize ''Y2K in the neighborhood,'' I have a single chart that we used in the press conference earlier that outlines what it is we are talking about.

Specifically, as you see, Mr. President, it says, ''Y2K—What is it?'' There are some who think it is a rock band and we will make that clear. And then, Why are we vulnerable? Where are the greatest risks? What is being done? What should we be doing next? And what can we expect? It is in the framework of those questions that I will be making my presentation today.

In the closed session, we talked about national defense issues, international assessments country by country and the preparedness of the U.S. intelligence community. I report to the Senate as a whole, for those Senators who were not able to be there, that we announced these conclusions to the Senators who were there and, I might say, Mr. President, we were very gratified by the number of Senators who did appear. The room was full, and the Senators were very attentive, which I think is appropriate given the significance of this issue.

We believe that there is a low-to-medium probability of exploitation of Y2K by any terrorist groups. People in the press conference asked me, ''Well, can you be specific?'' And the answer is no. We know of no intention on the part of terrorist groups to exploit Y2K uncertainty, but these groups are there, they are up to mischief, and so we say there is a probability, but it is at the low end of things.

There is a low probability of a nuclear launch coming by accident as a result of Y2K. Again, we cannot rule it out absolutely, but we think the probability of it is very low.

There is a medium probability of economic disruptions that could lead to civil unrest in various parts of the world, and we will discuss that here in the open session as we outline for you how vulnerable some parts of the world may be to Y2K interruptions.

There is a high probability of an economic impact with consequences unknown. Here we can only guess, but I think there is a high probability that Y2K will, in fact, produce some kind of economic dislocation that we will feel.

As far as U.S. preparedness is concerned, the U.S. Armed Forces will not lose their mission-critical capability, their war-fighting capacity. The United States will remain the world's superpower, and the U.S. intelligence community will not lose its capability to carry out its duties.

To go to, first, the question—What is Y2K?—in case there is anyone who really doesn't understand what we are talking about here, it goes to the inability of a computer to recognize the difference between 1900 and 2000 as a date if that computer is programmed for only two digits for the date field for years. This goes back to the 1960s, maybe even the 1950s when memory space was very, very expensive, very, very crucial and, in order to save space, programmers said, ''Well, we can just drop the ''19'' off the year and go to ''69'' for 1969, ''70'' for 1970, and so on. And when someone said, ''Well, what happens when you get to the year 2000 and you get two zeros and the computer will think it is 1900?'' The answer on the part of those programmers was, ''This program will be obsolete and abandoned long before we get to the year 2000.''

They didn't realize the ingenuity of programmers. They figured out a way to preserve those ancient programs and to lay other layers of programming on top of them in such a fashion that the old programs look like the new ones, but deep down in the bowels of all of that programming, you have programs that are scheduled to fail when they get to the crucial time when they go over from 99 to 00.

There are many other manifestations of it, going down to embedded chips, computers no bigger than my little fingernail that nonetheless have in them the capacity to fail over this issue. But basically that is the issue. That is what Y2K is. The failure of computers, when they have to transition from 1999 to 2000, those computers that are programmed with two digits for the annual date may fail—some of them certainly will fail—and that is what Y2K is all about.

By the way, people ask, What does ''Y2K'' stand for? ''Y'' stands for year, ''2'' stands for 2—that is fairly easy to follow—and ''K,'' from the Greek, standing for kilo, meaning 1,000. It is computer speech for the year 2000. My wife says to me, ''Why do you use that acronym? You just confuse people. Why don't you say 'year 2000' instead of 'Y2K.'" And I say, ''Well, it's quicker.'' She says, '''Y2K,' 'year 2000,' you only save one syllable. What is the point? You just do it to confuse people.'' But I guess I have been in Government long enough now that confusing people is part of the program.

So what is Y2K? I think that is the answer to the question.

Why are we vulnerable? We are vulnerable because at virtually every point of importance in the modern economy and modern activity there stands the computer—whether it is on a chip or in a huge mainframe—with the capacity to fail.

Let's take an event that we hope never happens to any of us, but that is a demonstration of a true emergency—a fire in a building—and see what happens. Here is a picture of a burning building.

In order to muster the firefighting capability to deal with this emergency, you have a number of people and a number of systems that are involved. There is the computer-aided dispatching system to send the firefighter to where the challenge is. There is the telecommunications system where the telephone calls go back and forth to send the message from the dispatching system; the building security and fire detection systems that make the phone call back to the dispatching system.

The firefighters jump in their cars or their trucks. The trucks have to be filled with fuel. And the pumps that control the fuel supply that goes into the firetrucks all have computers in them—embedded chips. The traffic control system that controls the ability of the fire engine to get through town all has computers in it. The water supply, when they get to the hydrant, is regulated by computers. And, of course, the personnel management systems that get the firefighters into the fire station in the first place now are all managed by computers.

A single event we take for granted, all of the things that are done to bring to bear on this event—some firefighting capability, but there are computers at virtually every step of the way.

Now, just another example of how interconnected we are in this world. Let's take a single transaction that takes place this time across international lines. This will be, perhaps, a little hard to follow because the chart is relatively smaller and less dramatic than a burning building, but just let me walk you through this as to what happens when there is a commercial transaction that goes across national lines.

An import-export kind of transaction. Every red arrow that you see there on the chart, Mr. President, is a transmission of information by computer. Every single time something takes place with the purchase and delivery of an item across national lines—you start the contracts, the negotiations by the Internet, a checking of credit, the contract by the Internet—all the way through. The white arrows on the chart are where something physically moves, when you are moving a piece of merchandise out of a factory onto a ship or out of the truck into a retail store or whatever.

Without going through all of the steps, I just point out that there are more red arrows than there are white ones. There are more opportunities for computer failure to ruin the ability of this transaction to go forward than there are physical opportunities for it to fail. We are so heavily interconnected in this world now that we are completely vulnerable to a computer failure. And at every red arrow on that chart right now there is a computer with a potential Y2K problem.

Someone once said to me, This problem is really very simple. You just get into the computer and find out where the date is and fix it; change it from two digits to four digits. And I say, yes, that is very simple, very simple problem, very simply solved. The only problem is, you do not know where that date field is, particularly in those old programs that I talked about.

It has been likened to this kind of a challenge: Suppose someone said to you, Mr. President, the Golden Gate Bridge has some bad rivets in it, and if you do not replace those faulty rivets, the Golden Gate Bridge will fall down. All you have to do is very simple: Knock out the bad rivet, put in a good rivet, and the bridge is made secure.

Now, one out of seven of those rivets in the Golden Gate Bridge is bad, and we cannot tell you which ones they are. You have to go through the Golden Gate Bridge and check every rivet to see which seventh rivet has to be fixed. And by the way, if you do not get every single one, the bridge will collapse, and you do this remediation work at rush hour while the bridge is being used. That is roughly comparable to the challenge that we face here. And that is why we are vulnerable. OK.

The next question is, Where are the greatest risks? Well, we can answer that two ways. On our committee, we have decided to rate the greatest risks in terms of which sectors of the economy have the greatest importance to us. And when you rank risk by importance, No. 1 immediately leaps to the top of the list; and that is power.

If the power goes off, it does not matter if your computer works otherwise. The only computers that will work in the world, if the power goes off, will be those that have batteries, and that is about 2 or 3 hours, and they are all gone. So we have put our first focus on power.

Second, telecommunications. If the telephone goes off, the power grid fails, because many of the signals that keep the power grid functioning go over telephone lines. So once again, everything stops.

Third, transportation. If transportation fails, you cannot get coal, for example, from coal mines into power-generating plants. If the switches on all of the railroad lines fail—and they are controlled by computers—there is no coal in the powerplants. The power grid fails, everything fails.

You begin to see, again, how interconnected everything is.

Fourth, finance. If the banks cannot clear checks, if there can be no transfer of funds, if the financial system collapses, then business collapses. Once

again, the chain starts, and you end up ultimately with no power, all the rest of it.

Then, general government. We are so dependent on government services to keep the economy running that if the general government services were to fail—in the Federal Government, for example, if the Health Care Financing Administration were to fail and be unable to make any Medicare reimbursements, it would ultimately destroy the health care industry, because 40 percent of the health care reimbursements are Medicare reimbursements. And you simply could not keep a health care facility going if you cut their cash by 40 percent and left it that way for a while.

Finally, general business.

Those are the ranks of importance that we have looked at in our committee.

Let me take this opportunity to make this statement about what we found. The committee has been operating for roughly a year now, and in that process people who have looked at the list I have just recited have gotten very excited. Indeed, they have begun to create a cottage industry of panic.

You can get on the Internet and you can look up any kind of web site, and they will take the possibility of computer failure in any of the areas I have just outlined and translate that into what has come to be known in the world of Y2K hyperbole as TEOTWAWKI. Now, TEOTWAWKI is the acronym that stands for ''The End Of The World As We Know It.'' They use that phrase so often, they created an acronym. Now you can get on the Internet and they will talk about TEOTWAWKI.

Mr. President, I am here to announce that TEOTWAWKI is not going to come to pass. We are satisfied, as a result of the hearings we held, and the interviews we held, and the investigations we have undertaken on the Senate Special Committee on the Year 2000 Technology Problem, that the world is not, in fact, going to come to an end over this problem—certainly not in the United States. We will have problems. There is no question, given the ubiquitous nature of the problem, that it will cause interruptions and difficulties in the United States, but it will not bring everything to a halt. It will not cause the shutdown of vital services. In our opinion, it will be a bump in the road for the United States.

Now, people say: What does that mean? How serious a bump and how long will it last, Senator BENNETT? I don't know, and I don't know anybody who does, because this is a moving target, there are so many potentials for challenge, that we cannot quantify it with the kind of accuracy that the press always searches for when they ask you these questions. It will have an impact. It will be felt. But how long it will last and how deep it will go I don't know. That is why the committee is going to continue, so that we can continue to study it, and as we get closer to it, we will be in a better position to make that kind of assessment.

Now, if we ask the question, Where are the greatest risks? —not in the pattern of the impact on the economy that I have talked about, but on our current state of readiness—we find that the greatest impact, based on what we now know in the committee, is probably going to be in the health care field. This is the field that we think is the least prepared to deal with the year 2000 problem in the United States.

One of the reasons for that is it so fragmented. There are so many hospitals. There are so many separate doctors' offices. Some of them have done nothing to prepare for the year 2000. Frankly, some of them can solve their problem in an afternoon. Some of them that are operating off of a single PC can get a patch downloaded from the Internet that can solve their problem. Some of them are going to require substantially more than that. And some of them, frankly, are far enough behind the curve, if they are not on top of it by now, it is too late and they ought to start thinking about contingency plans. We simply do not know. What we do know causes us to believe that health care is vulnerable.

Senator DODD, I am sure, will be addressing this in greater detail because he is the one who has focused on this to a greater extent than any other member of the committee.

Another area of readiness that we are concerned about is local government. I gave this Y2K speech at a Rotary Club meeting in a small town in Utah and people asked me, ''What should we do to get ready for Y2K?'' I gave them the same answer I always give them, which is, you should take charge of your own life; you should check with your own bank to make sure they are going to be Y2K compliant; you should check with your own employer to be sure he or she is getting things under control; and, among other things, I said, call your mayor to make sure your water system is going to be all right in your local community.

I have done that in Salt Lake City. I have had some long discussions with the mayor of Salt Lake, and she assures me it will be safe for me to be in Salt Lake on New Year's Eve because the water system will work.

After I gave the speech, a man came up, shook my hand, and said, ''You have caused me some problems.'' I asked why, and he said, ''I am the mayor.'' I said, ''Mr. Mayor, is your water system going to be all right?'' He said, ''I don't have the slightest idea but I am sure going to find out.'' He said, ''It never occurred to me that we had computer problems in our water purification plant.''

We have held hearings on this issue. I have been in a water purification plant. While I think most local governments are responsible enough and will be on top of it, I am concerned that there will be local governments where there will be critical emergency response systems that will fail—fire departments, ambulances, and so on, water systems, federally funded services. Many of the federally funded services are administered at the local level. Welfare checks are mailed out by county governments, not by the Federal Government, in many instances. And in these communities, there can be serious disruption even while the Nation as a whole is doing fine.

In the economy as a whole, the area that is at the greatest risk is where we find medium-sized businesses. The big businesses are probably just fine. Citigroup announced when we first got into this they were going to spend $500 million fixing their year 2000 problem. That went up to $650 million by the time we got around to drafting the report. Now, the day the report is issued, we are told they are spending closer to $800 million to get this solved. But Citigroup will get it solved. They have the money and the muscle and the will to get it taken care of.

The very small businesses will probably get it solved because, again, for them, they are dealing with a single computer that runs their payroll and maybe does their taxes, and they do everything else by hand. They can solve that problem in a short-term period of time. The middle-sized businesses that don't have the money of a Citigroup and that have a much bigger problem than a mom-and-pop store are running into difficulty. The surveys we are conducting tell us that these companies are where the problems are going to be.

Now you may say, so what? We should really care if an individual business here or an individual business there should fail or should have serious problems. In today's economy, we live in a world of outsourcing and just-in-time inventory. That means that General Motors has literally tens of thousands of suppliers. General Motors does not make everything themselves; they outsource. That is a fancy name for buying it from somebody else. They are dependent on these medium-sized businesses for their parts. One of the scary things is that many of these medium-sized businesses on which General Motors and other big manufacturers are dependent are overseas.

I used to run a very small business, so small that it wouldn't really attract anybody's attention, but the key component of our business, without which we had no product, was manufactured in Taiwan, and if we were unable to get that from Taiwan because of Y2K problems in Taiwan, we were out of business. We sold our product to a much bigger company. They were dependent upon us. They could have all of their computers Y2K compliant and be unable to get product from us and therefore have to drop a major product line for them. We couldn't supply it because we couldn't get this product from Taiwan. You see the chain of suppliers that runs throughout the economy in this just-in-time inventory world.

When I say I am concerned about medium-sized firms as an area of high

risk, it could affect big firms and could affect the economy as a whole.

Now, the next question after where is the greatest risk: What are we doing about it? What is being done? Here, I think, it is time for the Senate and the Congress, if I might, to be a little bit self-congratulatory. When this problem first came to the attention of the Congress, Senator BURNS of Montana has said he held hearings on this issue, or had been involved in hearings on this issue back in the early 1990s. He said we couldn't get anybody interested; nobody paid any attention. He was on the Commerce Committee. He said the thing just kind of dropped without a trace.

We first became aware of this on the Senate Banking Committee in 1996. That is where Senator DODD and I became zealots on this issue, and we began to work on this with respect to the financial services area. The more we got into that, the more we realized that it encompassed all of the things that I have described here this afternoon.

One example demonstrates what I am talking about when I say that Congress can be a little bit self-congratulatory about the question of what is being done. My son-in-law works for one of the major banks in this country. He said at a family gathering, ''You know, I don't know what's happened, but the bank examiners from the Federal Reserve who come into our bank now have only one thing on their minds, and that is Y2K, and they have made it the top priority in the bank.'' I thought, you know, we have finally done something in Congress that has produced a result because, at Senator DODD's suggestion, we got the bank regulators before our subcommittee of the Banking Committee and we raised this issue with them; we discovered several things. No. 1, they were not raising it as part of the safety and soundness examination they were doing in banks. No. 2, their own computers weren't going to work in the year 2000. They would not be able to conduct their regulatory activities if we didn't get it fixed. The mere act of holding a hearing and bringing these people forward produced a salutary result that actually got out into the economy and changed the way things are being done.

Well, now, I think we can take some credit for having raised that alarm. Senator MOYNIHAN wrote to the President and urged him to appoint a Y2K czar or coordinator. The President did not respond. I wrote to the President after we had our hearings in the Banking Committee and recommended it. He did not respond to me, either. But in February of 1998, he did, in fact, appoint a Y2K coordinator. I think the track record says it is the Congress that possibly spurred that. And we now have a President's Council on the Year 2000 Conversion, headed by John Koskinen, working very diligently to make sure the Federal Government and the economy as a whole is ready for this. We are doing everything we can to create awareness of the challenge. At the same time, we want to be sure, in words that we have used before, that while we are ''Paul Revere,'' we are not ''Chicken Little.'' We have to get everybody aroused to the fact that the British really are coming. They have to get out of their warm beds and pick up their muskets and get ready for this; but the sky is not falling and it will not be TEOTWAWKI; it will not be the end of the world as we know it.

Well, I see that the vice chairman of our committee, Senator DODD, has come on to the floor. Soon I will reserve the remainder of my time and give him an opportunity for a statement about this.

Other members of the committee have expressed an interest to come to the floor and talk about this issue. I want to acknowledge the tremendous support we have had on this committee. This is a unique kind of committee in that we have had tremendous bipartisan support. My staff and Senator DODD's staff function almost as one on this committee. We have made every effort to keep any kind of partisanship out of it. We go out on field visits together. Senator DODD has been indefatigable in his effort to keep this thing going, and he prods me in areas where I need it and keeps the committee focused in areas where sometimes I stray in other places. It has been one of the most satisfying legislative experiences that I have ever had.

Other members of the committee, the same way. Senator MOYNIHAN was into this issue before we even discovered it and came onto the committee with great enthusiasm. Senator SMITH of Oregon, who came to the Senate as a businessman, took charge of dealing with business and Y2K's impact on business and has been tremendously helpful. We have had Senator BINGAMAN, who we have asked to focus on the national defense issues. Senator COLLINS, as a representative of the Governmental Affairs Committee, has held hearings in that committee based on what she has come up with out of our committee. Senator KYL did all of the heavy lifting on the committee for last year's bill on disclosure and has been enormously valuable.

And then we have, unlike any other committee in the Senate, two ex officio members, TED STEVENS of Alaska and ROBERT C. BYRD of West Virginia; and the fact that the Federal Government received literally billions of dollars in emergency funds in the last supplemental, which, I think, have dealt with the true emergency. I think we are responsible for our being where we are in many of the government agencies. I don't think that would have happened if the chairman and ranking member of the Senate Appropriations Committee were not involved directly and particularly in the work of this particular special committee.

So, with that tribute to my fellow Senators on this committee and the work that has been done, I will reserve the remainder of my time, Mr. President, to allow the vice chairman of the committee and the ranking Democrat, Senator DODD, to make his statement.

Mr. MURKOWSKI addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. MURKOWSKI. Without breaking into the colloquy, I wonder if I can have 5 seconds to introduce a bill.

Mr. BENNETT. Mr. President, I ask unanimous consent that the Senator from Alaska be recognized for the purpose of introducing a bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. MURKOWSKI pertaining to the introduction of S. 501 are located in today's RECORD under ''Statements on introduced Bills and Joint Resolutions.'')

Mr. DODD addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. DODD. Thank you, Mr. President.

Mr. President, let me begin these remarks by seconding everything that my colleague from Utah has said about the other members of this committee. I will add, as I know he has expressed on numerous occasions, the tremendous work done by our respective staffs. They have done a tremendous amount of work in providing us with the kind of detailed information that we have been able to produce at this juncture in our interim report, which we released today.

Let me also, on behalf of other members of the committee, say to you and to our colleagues here that we have been truly fortunate to have BOB BENNETT lead this effort. I have said this on numerous occasions. He has literally been the leader on this in the Senate. He began early on and insisted that the Banking Committee have a subcommittee that would look at the implications of this year 2000 ''bug,'' as it is affectionately referred to, on financial institutions. It was as a result of his efforts that my curiosity was piqued.

As a member of that committee—not as the ranking Democrat, but as a member of that committee—I attended a number of hearings we had on financial services, and I quickly learned through that process that this issue went far beyond the individual institutions that had to do their own assessments. What Senator BENNETT discovered very early on and what others of us who sat in on those committee hearings soon learned, was that it wasn't enough to be a financial service and have your own house in shape when it came to the Y2K issue, and that the bank, or the savings and loan, or the stock brokerage, or any other financial service, insurance agent, or company—if they were in good shape internally, that wasn't enough. They had to also determine whether or not suppliers and customers, all sorts of contractors with

whom they do business, would also have to be in good shape.

That obviously drew us to the conclusion that this was an issue that deserved broader attention than just looking at the financial services sector. As a result, Senator BENNETT and I went to our respective leaders and asked and urged them to support this special committee that has no legislative authority. We have no authority to pass any laws or do anything, but merely try to make an assessment as we now approach the millennium date 304 days from today.

As a result of those efforts, beginning last year, TRENT LOTT, our majority leader, and TOM DASCHLE, the Democratic leader in the Senate, supported our efforts to form this committee. We owe them a great debt of gratitude, as well, as leaders for giving us the kind of support that has been necessary to do our jobs.

Today, at the conclusion of this discussion, there will be a vote on a matter that would provide an additional $300,000 over the next year for us to complete our work as we now enter this second phase of this assessment of how the Nation and the world is responding to this issue. So we hope that our colleagues will be supportive of that effort to allow us to complete our work.

Again, at the outset, I want to thank my friend and colleague from Utah whose own background in business—and a successful business, I might add—has brought some wonderful awareness and knowledge to all of this. It has been truly enjoyable to work with him and his staff over these past number of months which has brought us to the place we are today.

The Senate special committee, which formed in April, as I have said, has been working hard to assess a variety of industry sectors. Some sectors have been very cooperative. We should tell you that in this kind of effort so much information and so much news is focused on what is wrong. We need to take some time to tell you about what is right, too.

There is a lot that is going on that is right when it comes to this issue. It doesn't get the same attention. The old axiom that the media doesn't report about planes that fly is certainly true in the Y2K issue. The headlines are going to tell you about where the problems are. That is the nature of the news media and what gets covered. But there are a lot of planes that are flying, if you will, both literally and figuratively when it comes to the year 2000 issue. Those that have been doing the work getting the job done deserve to be recognized as well. Others have needed more persuasion, unfortunately. We will get to that.

After 10 months of research, we have now completed our report, which I have referred to already, which gives you the status on seven major sectors. It is not an all-conclusive list. But we came up with this list. Senator BENNETT did. He came up with a list of seven critical areas that we thought most people would have questions about and legitimate concerns. I will get to that in a second. I know Senator BENNETT has already discussed that to some degree.

The report was intended to provide as comprehensive as we could an analysis, and described as thoroughly as we could in a single document how ready we are to face this millennium issue that is going to be upon us in 304 days; in some cases before.

Reflecting on what we have learned from our research and hearings, I think it would be an understatement to say that Y2K is an important issue. Expert opinions on the subject have ranged from denial to the coming of Armageddon.

While we don't foresee any major disruptions, anyone who hasn't begun to consider the ramifications of this problem should do so immediately, in our opinion. Some businesses within different industries have been extremely forward thinking in their year 2000 preparation efforts. George Washington Memorial Hospital, right in our own Nation's Capital in the city of Washington, began its remediation efforts a half a decade ago in order to be ready for the year 2000 issue. State Street, an international financial service in Boston, MA, began fixing its year 2000 problem 6 years ago and is projected to spend some $200 million on remediation efforts. The cost has been significant. For some it will continue to rise as companies continue to discover problems and work through them.

Consider for a moment, if you would, Mr. President, the cost of not being ready, especially with regard to exposure to litigation. Projected litigation costs have ranged from $500 billion to $1 trillion. You can be sure that these costs in one way or another will be passed on to consumers in other groups.

Let me just mention the litigation issue. As my colleague from Utah knows, and others know, I have been a strong advocate of litigation reform. Senator GRAMM of Texas, Senator DOMENICI, myself, and others authored the securities litigation reform bill, and then last year we passed the uniform standards legislation to reduce the proliferation of computer-driven complaints where mere stock fluctuations would generate lawsuits. I think it was a good effort and was endorsed by the Securities and Exchange Commission, and overwhelmingly supported by our colleagues on both sides of the aisle. I am a supporter of litigation reform in this area, too. I think it is going to be very important that we do something in this area to reduce the potential costs of unwarranted litigation.

Having said that, however, Mr. President, I also want to say that there should be no mistake out there that this committee and this Congress are not about to create some firewall that protects businesses or industries when they should have known better and done better and didn't do so. If you are sitting back and saying, I hear Congress is about to pass some legislation that is going to insulate me and protect me from consumers and businesses and others that would have a legitimate complaint against a company that did not do its Y2K work, you would be mistaken. I think I am speaking for most of us here who feel that way. That is not to say we will not be able to pass a bill. I hope we can. But we shouldn't leave the impression that this is going to be somehow an abolition of tort law in this country.

There is a reason why we call these problems bugs or viruses. Like a disease, this issue can corrupt the functioning of vital systems, can cause damage, shutdown, and can bring the flow of work to a halt. They can take a business out of business very quickly. They can stop the flow of information and communication.

As concerned as I am, let me make the point that we believe the United States is one of the most prepared nations in the world. We have the resources we need both in terms of economics and expertise. However, most countries lag behind the United States in the year 2000 preparation.

I cannot stress to you enough, Mr. President, the serious nature of this topic. This is not an imaginary problem just because we can't at this time quantify as exactly as we would like, or forecast as exactly as we would like, the extent of this problem. We don't know for sure what is going to happen, and where it is going to happen. So we must prepare, in our view, for a bad situation. We hope it doesn't occur. There is no information we have that it is likely to occur. But we don't know. We just don't know with the kind of certainty we would like to share with our colleagues and share with the Nation.

Some chief executive officers and government leaders assume because this is a technical problem and they lack technical expertise that their hands are somehow tied. This is not the case. There is no singlehanded resolution to this crisis. A successful resolution will call for cooperation across the board. This is not just a technology problem. It will require managers who are willing to get involved at all levels. It will take leaders in business, in the U.S. Congress, and at the executive branch level to take the initiative and find out where companies and organizations, nonprofits and for-profits, are in their Y2K remediation and contingency planning.

Large, medium and small businesses must cooperate to find solutions. Chief executive officers must be aware of the extent of their companies' Y2K exposure. Companies must develop contingency plans. In fact, this is a critical issue right now. It doesn't mean you ought to stop remediation, but if you are concerned that you are not going to be able to get ready in 304 days, you ought to be actively involved in looking at contingency planning.

If there were no other message I could leave our colleagues with, or others who may be following this discussion today, the most important point I would like to make is the need for contingency planning. I can't think of anything more important. You ought to know how important contingency planning will be.

They also must insist that vital suppliers and vendors resolve their own problems and have their own contingency plans in place. The true heroes on January 1, 2000, will be those organizations, private and public companies—small, medium and large—that have found a way to adapt to this potential problem. A business owner who wants to prosper in the new millennium must prepare for the Y2K problem in such a way that the business—that their business, his or her business—does not skip a beat come New Year's Day.

As of today, as I have said repeatedly now today, we have 304 days remaining, but much can still be done in that time, as short as it is.

If you have lived in the Southeast of our country where there are hurricanes on almost an annual basis, or the Midwest and South where tornadoes are common, you may have heard warnings that gave you little time to make survival decisions. The year 2000 is a storm on the not-too-distant future horizon. It is a disaster, in some cases pervasive throughout the First World and beyond, but is one for which we can prepare.

It is one that we can work to neutralize. We on this committee have been assessing all that we can to understand more about this coming storm, and we have learned a great deal. Small businesses do not have any compliance plans in place.

Preparation for the continued health of our Nation's businesses and industries is vital, but paramount is the health of our health care. It is not an exaggeration to say that lives could be lost as a result of this crisis. I point to disturbing examples of what could happen relative to health care and the Y2K issue not to be an alarmist, quite the contrary, but to shed light on something that needs the attention of everyone in this country. Sixty million people are dependent on medication for the treatment of health problems from cancer to heart disease. Some require daily doses of life-sustaining medicines to keep their bodies from rejecting transplanted organs or to prevent cancers from spreading.

Let me just cite one example of what I am talking about of which this committee has become keenly aware. Laurene West is a registered nurse and a computer expert. She brings together some wonderful talents. And if you were to meet her, you would see a seemingly healthy woman. Were it not for the fact that I tell you now, you would never guess that her state of health will put her more at risk than any of us when the year 2000 arrives. Ms. West had a tumor removed from her brain and requires daily medication to prevent the regrowth of that tumor.

During her first of 13 surgeries, she developed a staph infection that does not respond to any known oral antibiotic. She is dependent on IV antibiotics which she cannot store because they have no shelf life. Any disruption to the supply of these antibiotics could be fatal to her. She knows health care. She knows computers. And she knows all too well the impact that the year 2000 could have on her health care.

Ms. West has been the most proactive voice calling upon us to take action. She worries that HMOs and physicians, to a certain extent, view the impending crisis with a degree of disbelief and apathy. Many health insurance organizations will not pay for the storage of even the most critical of drugs. We now are aware that as much as 80 percent—80 percent—of the ingredients of drugs manufactured in the United States of America come from overseas.

Let me repeat that. As much as 80 percent of the ingredients of drugs manufactured in this country come from overseas. Foreign companies account for 70 percent of the insulin market in the United States. Unfortunately, patients have been prevented from stocking lifesaving drugs because of restrictions placed on pharmacists by insurers and physicians who may not fully understand the magnitude of this problem. Ms. West has brought this to our attention. We applaud her efforts, and we are going to try to do something about her case and cases like it.

Health care is this Nation's single largest industry. It generates $1.5 trillion annually. There are 6,000 hospitals in America, 800,000 physicians, and 50,000 nursing homes, as well as hundreds of biomedical equipment manufacturers, health care insurers, suppliers of drugs and bandages that may be unprepared for the year 2000. According to the Gartner Group, 64 percent of our Nation's 6,000 hospitals have no plans to test their Y2K preparedness. About 80 to 85 percent of doctors' offices are said to be unaware of the Y2K problem.

Struggling compliance efforts by the Health Care Finance Administration and unaddressed concerns about medical devices are major roadblocks to the industry's year 2000 readiness. In short, the health care industry is one of the least prepared with 304 days to go for dealing with the Y2K problem and carries, in my opinion, the greatest potential for harm at this juncture. Due to limited resources and a lack of awareness, rural and inner-city hospitals are particularly at high risk.

Each industry we have examined is critical to the functioning of our society. We have all heard the analogies about making a phone call on December 31 around midnight and getting the bill the next month with a charge for 100 years of long-distance calls. But what if the phone doesn't work at all; what if you lose contact with your work, your family doctor, your 911 dispatcher. Think what would happen if the ability to communicate was taken from governments, militaries, businesses and people.

The U.S. has never experienced a widespread telecommunications outage, yet the telecom network is one of the most Y2K-vulnerable systems. And while 95 percent of telephone systems are expected to be compliant in time, there is no industry-wide effort to test data networks, cellular and satellite communications systems or the Nation's 1,400 regional telecom carriers. Despite telecom infrastructure readiness, customer equipment and company switchboards may experience some problems, leaving no guarantee of getting a dial tone on January 1.

A forum that included the Nation's largest telecom companies was formed in 1997 to address the year 2000 concerns and was early, to their credit, in formulating a compliance plan. We are awaiting a final industry report which is expected early this year.

With all of our assessment, research and hearings, we have learned a great deal about many sectors of our infrastructure. We have learned who is compliant and who is making headway, who is lagging behind, and who has failed to disclose their status. We discuss and recommend legislation to move the process forward, and we must look hard into the mirror. The Federal Government should be setting an example, in our view, for the rest of our country in preparing for the Y2K issue, yet the Federal Government's Y2K preparations vary widely.

The Social Security Administration, for instance, got an early start and is well prepared—we commend them for their efforts—while other agencies such as the Department of Defense and the Health Care Finance Administration are lagging somewhat behind. The Federal Government will spend somewhere, we are told, between $7.5 billion—and I apologize for the disparity—and $20 billion. I would like to make that number more definitive for you, but we are getting wide-ranging cost figures here. Those are the numbers we are being told just for the remediation at the Federal agencies, but it will not be able to renovate, test, and implement all of its critical missions in time. After a late start, the Federal Emergency Management Administration is now engaged in national emergency planning in the event of year 2000 disruptions, but many State and local governments are not prepared to deliver critical services such as benefit payments, 911, and emergency services.

Both Senator BENNETT and I have had a particular interest in small businesses. This is because small businesses fulfill such a crucial role in our Nation's economy, providing 51 percent of the total private sector output. Small businesses are absolutely vital to the economic well-being of our Nation. There are approximately 14 million small businesses in the United States today and, according to the NFIB Education Foundation, nearly a quarter of

these 14 million businesses haven't spent a dime on year 2000 remediation. Fifty-five percent of them correspond with suppliers via electronic interaction and 17 percent say that they would lose at least half their sales or production if automated processes were to fail. Many of these companies are playing wait and see—in reality, gambling that the problems are small, or at least they will be able to repair the damage before they go out of business.

In our February 5 hearing, we heard testimony from Mr. Ken Evans, president of the Arizona Farm Bureau Federation. Part of the responsibility of his organization is to look out for a type of small business that is literally the bread and butter of our country—the family farm. Some reports have indicated that these small businesses may not be affected by the year 2000 problem since few of the systems used by family farms are automated. However, as Mr. Evans pointed out before our committee hearing, smaller farms rely heavily on vendors, telecommunications services, bankers, and transportation companies that are all highly automated.

I know the Presiding Officer in the Chair comes from one of our rural States and knows better than most about just what I have said here, that people have sort of a mythological perception about the family farm and how it works. But today to succeed as a family farmer you have to be connected with these other vehicles to provide the services you need and to get your products and produce to the consumers.

The smooth functioning, as Mr. Evans pointed out, of day-to-day business on the small farm requires that phones work, the refrigeration is in service, and the transportation services are available.

In general, we think the level of preparedness seems to be determined by the relative size of the business or by how much the business is regulated by State and Federal agencies. While the heavily regulated insurance, investment, and banking industries are the furthest ahead in the Y2K compliance efforts, health care, oil, education, agriculture, farming, food processing, and the construction industries are lagging behind.

The cost to regain lost operational capability for mission-critical failures will range, we are told, from $20,000 to $3.5 million per business, depending upon the size of your company. It is estimated that it will take an average of 3 to 15 days to fix the problems. Large companies with greater resources, of course, are better able to deal with the year 2000 problem. Small and medium-sized businesses, however, are the most vulnerable to the year 2000 disruptions. One survey shows that more than 40 percent of 14 million small businesses do not have any compliance plans in place.

Mr. President, I am only going to speak briefly about the problem of litigation. I already mentioned my concerns about this and my desire for legislation. I think the price tag of $500 billion to $1 trillion speaks for itself. That would be a staggering cost to our Nation, not to mention to the individual businesses that may be the subject of litigation. It would be contrary, in my view, to our goal of preparation, to walk blindly into the next year without taking into consideration the question of litigation reform.

Any reform would have to be, in my view, specific. It ought to be bipartisan, especially considering this is a very unusual circumstance. There is no established precedent upon which to rely in making recommendations for reform. Reform would have to be narrowly tailored, in my view, for a very specific purpose. It would have to encourage businesses and organizations to seek solutions and disclose progress without fear of litigious retribution. At the same time, companies and organizations must not be allowed to choose to do nothing and escape responsibility. We will be looking at this in the coming weeks. Clearly, much is left to be resolved.

Again, Senator BENNETT has spoken about the interconnected relationships of governments, all organizations, all companies and people. To say that everything is connected is to put simple words to a very complex reality. To those chief executive officers who have told us that their Y2K exposure is nonexistent, due to early planning and remediation efforts, I would only ask: What will you do if power is disrupted on the grids? What will you do if you cannot ship products? What will you do if your vendors are not Y2K compliant? To government leaders at the local and State level who have not planned for this, we would ask: What will you tell the people you serve if their government cannot function? To those HMOs and physicians who are not anticipating a Y2K-related problem, my question to you is: What will happen if you are wrong and you do nothing?

Even if our country solves this problem, the fact that many of our industry sectors are tied closely to international businesses and economies will have an unknown effect on all of us. Plants grown overseas affect the supply of pharmaceuticals here. America imports goods ranging from produce to electronic equipment. How will our economy be affected if some of these products do not arrive on our shores? The fact is, what I am saying here, and what Senator BENNETT has said over and over again, is we are all in this together. You are not protected by geographical boundaries, by political entities, or by lamenting what is not happening offshore.

There is a storm on the horizon. We have seen the warning signs. The question is, do we have the ability to weather this storm? We think we do, but we have to work hard and all of us need to work together. In weathering this potential storm, we need to continue to look closely at the sectors of infrastructure that we have reported on in this interim report. We need to work closely with our international neighbors who are of particular interest to the United States, both economically and politically, in order to better assess their problems and better anticipate the effect that problems in their countries will have on us.

Our list of priorities for the coming months include the following: We need to revisit the domestic industry and infrastructure sectors first examined last year. As I indicated, we need to place increased emphasis on international Y2K preparedness. We hope to identify national and international security issues and concerns, some of which we have been briefed on even as late as today, as Members of this body, by the respective agencies of our Federal Government. We will continue to monitor Federal Government preparedness, but also turn our attention more to State and local government preparedness. Evaluating contingency emergency preparedness and planning is a high priority for this year. We need to determine the need for additional Y2K implementation or delaying implementation dates of new regulations.

I should have made note, by the way, when speaking about our paying attention to local governments and to municipalities, our colleague from New York, who I think is going to come shortly to the floor, has raised the issue.

Here he is. He has already raised the issue of how we might help the municipalities and State governments, and I commend him once again for bringing to this chamber the kind of vision he historically has brought on so many other matters. I leave it to the Senator from New York to discuss his ideas in that regard, and I leave him to comment on those matters.

In closing, I want to reiterate the words of our colleagues when they said we must work together. We must not let our differences keep us apart. If we are going to cooperate, if we are going to keep this from becoming a larger problem than it has to become, then the finger-pointing and name-calling and recriminations that can often be associated with this kind of an issue need to be eliminated entirely.

Again, I commend my colleague from Utah who has led this effort so well over the past year or two—several years, now. I am very, very confident that, whatever else may happen, we will be doing our very best in these coming 10 months to keep our colleagues and the American public well informed about this issue, raising concerns where we think they are legitimate, not engaging in the hyperbolic kind of rhetoric that can create a panic which poses its own set of problems, but to be realistic with people, backup what we say with the kind of evidence we think is important for the American public and others to have as we try to work our way through this issue.

With that, I reserve the remainder of my time and am glad to yield to my colleague from New York. I apologize, I didn't see him come in earlier or I would have yielded to him earlier.

The PRESIDING OFFICER (Mr. CRAPO). The senior Senator from New York.

Mr. MOYNIHAN. Mr. President, I rise in the first instance to congratulate the chairman of our committee and his vice chairman for the extraordinary work they have done in less than a year. I make the point, it is a point of Senate procedure, that it is rare there is a chairman and vice chairman, not chairman and ranking member. This has been a wholly bipartisan effort from the first, and I think we can see that from the results in so brief a span.

The issue has been with us for some while, and it would be derelict of me not to mention that it was brought to my attention by a dear friend from New York, a financial analyst, John Westergaard, who began talking to me about the matter in 1995. On February 13 of 1996, I wrote to the Congressional Research Service to say: Well, now, what about this? Richard Nunno authored a report which the CRS sent to me on June 7 saying that ''the Y2K problem is indeed serious and that fixing it will be costly and time-consuming. The problem deserves the careful and coordinated attention of the Federal Government, as well as the private sector, in order to avert major disruptions on January 1, 2000.''

I wrote the President, on July 31 of that year, to relay the findings of the CRS report and raise the issue generally. And, in time, a Presidential appointment was made to deal with this in the executive branch, to which I will return. But last spring—less than one year ago—the majority leader and the minority leader had the perception to appoint this gifted committee, with its exceptional staff, and now we have its report before us.

Two points, followed by a coda, if I may. Shortly after the committee s establishment, Senator BENNETT and I convened a field hearing—on July 6—in New York in the ceremonial chamber of the U.S. Federal Court House for the Southern District of New York at Foley Square. We found we were talking to the banks, the big, large, international banks in the city, and the stock exchange. And we found them well advanced in their preparations regarding this matter. I think my colleague from Connecticut would agree. They were not only dealing with it in their own terms, they had gone to the Bank for International Settlements in Basel where a Joint Year 2000 Council had been established at our initiative. They were hard at work on their own problems. They were worried about others.

One witness told us that 49 Japanese banks planned to spend some $249 million as a group on Y2K compliance; 49 banks are thinking of spending in combination $249 million. Citicorp was planning $600 million, and it already expended a goodly share of that.

Indeed, it was not all our initiative, but certainly it was serendipitous, if I can use that term, that the security industry commenced massive testing just a week later—on July 13, 1998. The tests went very well. The industry was on to this subject. The point being, if you are on to this, you can handle it. It is those who aren't who will leave us in the greatest trouble. There will be another industry-wide test later this month. So much for private initiative.

We should be grateful for what we have learned, here and abroad. As the Senator from Utah and the Senator from Connecticut have made clear, there are countries that have understood this, as we have done, and are on top of this. But there are too many other countries that don't know the problem exists or might as well not.

As a sometime resident in India, I was interested to find that Indian enterprises, concentrated in the Bangalore area, are very much involved in doing the computer remediation. If you would like to know something about the world we live in, Mr. President, the work for the day is sent to them from San Francisco or New York or Chicago; they do it overnight, which is not overnight for them, it is the daytime, and it is back on our desks in the morning. It is that kind of world we live in.

Hence, to the second subject, which is the nuclear one. There is potential here for the kind of unintended disaster of an order we cannot describe in terms of medical care or financial statements or, for that matter, air travel at New Year's—which is to say that the failure of computer systems in Russia to give the correct information about early warning systems, such that 6,000 nuclear warheads still in Russia are not inadvertently launched. They could be, you know. They are in place—not all—but enough. A hundred would do. Three would be a calamity. Two were dropped on Japan and ended the Second World War. These are all huge weapons, far above the tonnage and of a different chemical composition than the early atomic bombs, as we have come to know them.

The Russians seem to know they have a problem—or they may have a problem. Or they don't know whether they do or they don't. In that situation, ''we didn't quite catch it'' could bring incomprehensible catastrophe just at the moment when we thought that long, dark half a century was ended, the half century that began in 1946, when the Soviets exploded their first nuclear device.

We have a danger here and we have an opportunity, and we ought to respond to the one and seize the other. We are given to understand that our Department of Defense officials have begun some negotiations, discussions in Moscow to invite a Russian team to Colorado Springs—where it happens our facilities in these regards are located—to let us watch each other's nuclear launches, nuclear alerts, false alarms.

We can think, Mr. President, that this was something behind us, surely a matter of passing. It wasn't. We have learned just recently that in 1983, one Soviet officer, a Stanislav Petrov, a 44-year-old lieutenant colonel, was in the Serpukhov–15 installation where the Soviet Union monitored its early warning satellites over the United States, and all of a sudden the lights began to flash ''Start,'' because the warning time is very short.

He made a decision on his own: they only supposed that they had picked up a launching; the equipment picked up five ICBMs. Mankind was spared by one lieutenant colonel in the Soviet Army who knew enough strategic doctrine to know that the United States would never launch five. It might launch 5,000. So as the information went up, by the nanoseconds, through the chain of command, it was decided not to launch a counterstrike.

That is how close we came, probably never in a more mortal way. He is still alive and has told his tale. I ask unanimous consent that at the end of my remarks David Hoffman's account of this in the Washington Post be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See Exhibit 1.)

Mr. MOYNIHAN. Mr. President, I suggest that we seek to reach an agreement for the Russians to come and bring with them all their codes and their classified communications modes, learn what our early warning system is, tell us what they will of theirs, perhaps be open about its own weaknesses, which are so great. These are the people who still have the fate of mankind in their hands, and they haven't been paid in 6 months. What they talk about, evidently, is the need for money. How in God's name we cannot provide it I fail to see. The maintenance of our nuclear system in the course of a half century cost $5.5 trillion. I sometimes forget this, but in my years on the Finance Committee, I have learned that a billion minutes ago, Saint Peter was just 30 years dead. A billion is a large number. A trillion is beyond our capacity. They are asking thousands of millions. Very little.

I hope Beijing might want to join. I would invite Islamabad and New Delhi, places which are unstable and have nuclear devices. Out of that, Mr. President, out of this immediate crisis, we might find a longrun institution or institutions—they need not be here, exclusively—they can be in many places—in which we would monitor one another's nuclear activity while, pray God, we develop it down, and relearn the confidence-building measures that were so important in the cold war. That telephone between the Kremlin and the White House made more of a difference than we probably know. It is this kind of thing.

I note to my dear friends—and I will get complete agreement—this body has

known fewer persons with a greater understanding of the cold war than Senator Sam Nunn and the late Senator Henry Jackson who, in the early 1980s, brought up the concept of a joint early warning system. And then the MX was deployed, and we moved from essentially a deterrence position on nuclear matters, a second-strike, if you will, to a first-strike capacity, such that the Soviet systems had to be constantly alarmed.

Now, maybe that idea of Senators Nunn and Jackson will come, come at last. I would hope for two things. And I do not want to impose, and I do not want to presume, but I will do. This is not a time for too much delicacy.

I would hope that our chairman and vice chairman—I make that point: the Intelligence Committee and, I believe, the Ethics Committee have a chairman and vice chairman; all the rest is majority rule around here, which is fine, but this is bipartisan—if they might find it possible to visit Moscow and talk with members of the Duma there where the START II treaty, which we took all the 1980s to negotiate, lies unratified. And our plans for START III are, accordingly, on hold. They might go or they might invite—some action from the Congress, I think, is in order. And it would be no harm to point out to the Russian Government that they now have a legislative branch. And if it acts in ways that are not always agreeable to the executive, well, that is not an unknown phenomena. It has been going on for two centuries in the United States. It is an important and necessary initiative we ought to somehow pursue.

One final point. I hope my friends will not feel I am trespassing on their—our concerns, as I am a member and am honored to be a member of the committee—the Pentagon is too much disposed to discuss this matter in secret session. This is a time for more openness. This is a time the American people can be trusted with information which the Russian authorities already have.

One of the phenomenons of the cultural secrecy which has developed over the last century is that the U.S. Government is continuing to keep information from us which our adversaries know perfectly well. It is only we who do not know. This has done a perceptible harm to American democracy. We have no idea how distant it is from the beginning of the century when Woodrow Wilson could proclaim, as a condition of peace to conclude the First World War, ''open covenants openly arrived at.''

Now, mind you, that same President Wilson, to whom I am devoted, in the day after he asked for a declaration of war, he sent a series of 17 bills, which were rolled together and called the Espionage Act. It provided for prior restraint, as lawyers call it, censorship of the press. First Henry Lodge, on this floor, the chairman of the Foreign Relations Committee, said, ''Yes, I think that is a good idea.'' The next day he came back and said, ''You know, I don't think it's a good idea. The press should be free in this country.''

President Wilson wrote the bill manager on the House side, and said, ''Please keep it.'' It was not kept. But it was assumed it was kept, so much so that when the Pentagon Papers were released, the executive branch of our Government just assumed that was a crime and proceeded to prevent their publication and find out more about the person who had released them. And the next thing you know, we had an impeachment hearing in the Federal Government—a crisis that all grew out of secrecy and presumptions of secrecy.

I would hope—I doubt there is anybody in the Pentagon listening, but I see the chairman and vice chairman listening—I would hope they would say we could have an open briefing. The American people will respond intelligently to dangers of which they are appropriately apprised. And this surely is one.

But, sir, I have spoken sufficiently. I beg to say one last thing. On the House side, our colleague and friend, Representative STEPHEN HORN of California, has been very active producing ''report cards'' on the status of the different departments of the Government and keeping it up regularly. As the Senator from Connecticut observed, the Social Security Administration got A's all along. Others have not.

It would not be a bad idea for the chairmen and ranking members of our standing committees to review Representative HORN's report cards and keep an eye on the departments that report to them.

Other than that, I think I have spoken long enough. I do not think, however, I have sufficiently expressed my admiration and at times awe of the performance of our chairman and vice chairman. The Senate is grateful, is in their debt. So is the Nation. The Nation need not know that; it just needs to pay attention to their message, sir.

Mr. President, I yield the floor.

EXHIBIT 1

[From the Washington Post, Feb. 10, 1999]

''I HAD A FUNNY FEELING IN MY GUT''—SOVIET OFFICER FACED NUCLEAR ARMAGEDDON

(By David Hoffman)

MOSCOW—It was just past midnight as Stanislav Petrov settled into the commander's chair inside the secret bunker at Serpukhov-15, the installation where the Soviet Union monitored its early-warning satellites over the United States.

Then the alarms went off. On the panel in front of him was a red pulsating button. One word flashed: ''Start.''

It was Sept. 26, 1983, and Petrov was playing a principal role in one of the most harrowing incidents of the nuclear age, a false alarm signaling a U.S. missile attack.

Although virtually unknown to the West at the time, the false alarm at the closed military facility south of Moscow came during one of the most tense periods of the Cold War. And the episode resonates today because Russia's early-warning system has fewer than half the satellites it did back then, raising the specter of more such dangerous incidents.

As Petrov described it in an interview, one of the Soviet satellites sent a signal to the bunker that a nuclear missile attack was underway. The warning system's computer, weighing the signal against static, concluded that a missile had been launched from a base in the United States.

The responsibility fell to Petrov, then a 44-year-old lieutenant colonel, to make a decision: Was it for real?

Petrov was situated at a critical point in the chain of command, overseeing a staff that monitored incoming signals from the satellites. He reported to superiors at warning-system headquarters; they, in turn, reported to the general staff, which would consult with Soviet leader Yuri Andropov on the possibility of launching a retaliatory attack.

Petrov's role was to evaluate the incoming data. At first, the satellite reported that one missile had been launched—then another, and another. Soon, the system was ''roaring,'' he recalled—five Minuteman intercontinental ballistic missiles had been launched, it reported.

Despite the electronic evidence, Petrov decided—and advised the others—that the satellite alert was a false alarm, a call that may have averted a nuclear holocaust. But he was relentlessly interrogated afterward, was never rewarded for his decision and today is a long-forgotten pensioner living in a town outside Moscow. He spoke openly about the incident, although the official account is still considered secret by authorities here.

On the night of the crisis, Petrov had little time to think. When the alarms went off, he recalled, ''for 15 seconds, we were in a state of shock. We needed to understand, what's next?''

Usually, Petrov said, one report of a lone rocket launch did not immediately go up the chain to the general staff and the electronic command system there, known as Krokus. But in this case, the reports of a missile salvo were coming so quickly that an alert had already gone to general staff headquarters automatically, even before he could judge if they were genuine. A determination by the general staff was critical because, at the time, the nuclear ''suitcase'' that gives a Soviet leader a remote-control role in such decisions was still under development.

In the end, less than five minutes after the alert began, Petrov decided the launch reports must be false. He recalled making the tense decision under enormous stress—electronic maps and consoles were flashing as he held a phone in one hand and juggled an intercom in the other, trying to take in all the information at once. Another officer at the early-warning facility was shouting into the phone to him to remain calm and do his job.

''I had a funny feeling in my gut,'' Petrov said. ''I didn't want to make a mistake. I made a decision, and that was it.''

Petrov's decision was based partly on a guess, he recalled. He had been told many times that a nuclear attack would be massive—an onslaught designed to overwhelm Soviet defenses at a single stroke. But the monitors showed only five missiles. ''When people start a war, they don't start it with only five missiles,'' he remembered thinking at the time. ''You can do little damage with just five missiles.''

Another factor, he said, was that Soviet ground-based radar installations—which search for missiles rising above the horizon—showed no evidence of an attack. The ground radar units were controlled from a different command center, and because they cannot see beyond the horizon, they would not spot incoming missiles until some minutes after the satellites had.

Following the false alarm, Petrov went through a second ordeal. At first, he was

praised for his actions. But then came an investigation, and his questioners pressed him hard. Why had he not written everything down that night? ''Because I had a phone in one hand and the intercom in the other, and I don't have a third hand,'' he replied.

Petrov, who was assigned to the satellite early-warning system at its inception in the 1970s, said in the interview that he knew the system had flaws. It had been rushed into service, he said, and was ''raw.''

Petrov said the investigators tried to make him a scapegoat for the false alarm. In the end, he was neither punished nor rewarded. According to Petrov and other sources, the false alarm was eventually traced to the satellite, which picked up the sun's reflection off the tops of clouds and mistook it for a missile launch. The computer program that was supposed to filter out such information was rewritten.

It is not known what happened at the highest levels of the Kremlin on the night of the alarm, but it came at a climactic stage in U.S.-Soviet relations that is now regarded as a Soviet ''war scare.'' According to former CIA analyst Peter Pry, and a separate study by the agency, Andropov was obsessed with the possibility of a surprise nuclear attack by the West and sent instructions to Soviet spies around the world to look for evidence of preparations.

One reason for Soviet jitters at the time was that the West had unleashed a series of psychological warfare exercises aimed at Moscow, including naval maneuvers into forward areas near Soviet strategic bastions, such as the submarine bases in the Barents Sea.

The 1983 alarm also came just weeks after Soviet pilots had shot down Korean Air Lines Flight 007 and just before the start of a NATO military exercise, known as Able Archer, that involved raising alert levels of U.S. nuclear forces in Europe to simulate preparations for an attack. Pry has described this exercise as ''probably the single most dangerous incident of the early 1980s.''

Mr. BENNETT addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. BENNETT. I thank the Senator from New York for his generous remarks. He is always generous and gracious. I never deserve all the nice things he says about me, but I am always glad to have him say them nonetheless. I am grateful on this occasion as well.

PRIVILEGE OF THE FLOOR

I ask unanimous consent that Tania Calhoun, a detailee to the committee, be granted floor privileges for the balance of the debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENNETT. Thank you, Mr. President.

Mr. MOYNIHAN. Mr. Chairman, would you allow me to request a similar privilege of the floor?

I ask unanimous consent that Jason Klurfeld of my staff, a designee on the committee, have privileges of the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Utah is recognized.

Mr. BENNETT. Thank you.

In the list of questions I laid out at the beginning of my presentation, we are now at the point where we are asking the two questions: What should we be doing next and what can we expect?

The Senator from Connecticut talked about the liability bill. I agree with him absolutely that we cannot take this particular emergency and turn it into a stealth operation to slip through other legislation, even though I would be for it. The Senator from Connecticut would be opposed to it. I would love to do that. But I think that would be an inappropriate thing to try to do.

It has just come to my attention a demonstration of why we need some kind of limited liability relief tied to this. I had an interview with an individual who is following Y2K matters, and she said, ''What are you going to do about insurance companies that are canceling policies over Y2K?'' And quite frankly, I was skeptical. I said, ''I don't know of any insurance companies that are canceling policies.''

Well, she sent me one. And here it is; it arrived today. I think that is appropriate since this is the day we are talking about Y2K. Here—in an area that the Senator from Connecticut has pioneered, health care—is an insurance company that has sent out an endorsement on one, two, three, four, five, six, seven, eight different health care policies that they write.

They say:

The following exclusion is added to Section III [of these policies]:

This Policy does not apply to, and the Company will not pay any DAMAGES or CLAIM EXPENSES . . . arising out of, or in any way involving any actual or alleged failure of any . . . ''equipment'' . . . [relating to]:

(A) any date or time after September 8, 1999;

The reason for that, Mr. President, is because the 9th day of the 9th month of the 99th year could trigger four 9's in a computer program and cause it to fail.

(B) any date, time, or data representing or referring to different centuries or more than one century;

(C) the change of the Year 1999 to the Year 2000;

Or,

(D) the Year 2000 as a leap year.

The reason for that, Mr. President, is that the algorithm used in computers to compute dates—for reasons I won't take the time to explain—will not recognize the 29th of February, a leap year, in the year 2000; it recognizes it in every other leap year but it does not recognize it in the year 2000.

Here is an insurance company that says, ''We will not pay any claims arising from these predictable Y2K kinds of problems.'' So you have that added burden to a company that is doing its very best to get the Y2K thing under control and suddenly finds that their insurance policy is being unilaterally canceled.

Now, as I have said on this floor before, I am unburdened with a legal education, so I don't know quite how to deal with this one, but I am sure this is something that ought to go in the mix of what we might do with respect to some kind of legislation this year.

Another thing we should be doing next—should be doing now—has to do with more disclosure. Here we are working very closely with the SEC. Chairman Arthur Levitt of the SEC has been in close touch with the committee, with Senator DODD and me, as we have gone through this. The SEC is working very hard to get more disclosure. Unfortunately, we haven't had the kind of disclosure that I think shareholders are entitled to in this area. This is one thing we ought to keep pushing for. We ought to have more hearings. The Senator from New York talked about that.

The authorizing committees, committees of jurisdiction, should take up the burden of conducting oversight hearings of the Departments that they have responsibility for. This has already happened. The Armed Services Committee of the Senate held a very useful hearing last week with the level of preparedness of the Secretary of Defense. I won't repeat all the information that was developed there because it is already in the RECORD, but there ought to be more of that going on as we get closer to this. The burden of paying attention to what is going on in the executive branch should not fall exclusively on John Koskinen and the President's Council on the Year 2000. It should be shared by the Congress. We should have more activity rather than less, as the Congress stays involved in this.

Finally, we have suggested to Senators that they should meet with their own constituents. Senator DODD has done this in Connecticut, as I have in Utah. Senator SMITH has done it regularly in Oregon and as part of his own education as a member of this committee. But other Senators who are not members of the committee have been working in this way. We on the committee are prepared to help them in this effort. We are going to put together, in addition to the report that has been released today, talking points and guidance information for Senators who decide they want to hold town meetings or other meetings while they are back in their own home States.

That is very worthwhile. It helps accomplish the twin goals of the committee: No. 1, to calm down the panic so that people are not Chicken Little; and, at the same time, raise the awareness in a responsible way. Individual Senators speaking in their individual States have a higher profile than speeches on the floor of the Senate. That is something we ought to be doing and something that our committee will do its very best to facilitate.

Now, this is a moving target, as we have both said. One of the areas that has just come to light that we are going to need more information on is the chemical industry. We were assured that everything was all right in the chemical industry, and now we are discovering that maybe that is not the case. The chemical industry might replace the health care industry as an industry that we look at. This is going to require us to pay attention through the

remainder of this year, which is why the resolution funding the committee for the coming year is the subject of this debate.

There have been some questions, by the way, raised as to: Where is this money coming from, and how is Senator BENNETT going to pay for it? Where is the offset? I can assure all Senators, this is part of the overall allocation of Senate business. This is not new money; this is money that is already in the budget. It is just being allocated to this committee as opposed to some other use. We do not have to come up with an offset for it under the Budget Act. For those who are concerned about that, I assure you that is not of concern. It is a little heartening and indicates that Senators are indeed watching this on their television sets in their own offices. They are making these phone calls. If they weren't calling the cloakroom asking this, then we would know they were not paying attention.

The final question which we get all the time with respect to Y2K—Senator DODD gets it, I am sure; I get it almost everywhere I go—What can we expect? Are we going to be all right? We addressed this in our opening remarks in saying yes, we are probably going to be all right, generally. The United States is going to have some problems, but it is not going to be the end of the world as we know it.

I want to now focus on what I think we can expect outside of the United States, because that is the area of greatest concern as we have gone through this situation. There are far too many countries in the world where Y2K has not been given the kind of attention it deserves. Recently, to his credit, John Koskinen, the President's Y2K czar, working with officials at the United Nations, helped put together a Y2K Day at the United Nations and invited the Y2K coordinators from all of the countries around the world to come to New York and participate in this discussion at the United Nations. I went to New York, along with Congressman HORN, to represent the legislative branch there and demonstrate that it was not just the executive branch of the Government that was concerned about this.

There was a very heartening turnout. A large number of countries sent Y2K coordinators. It was a very useful day. That is the good news. The bad news is that many of these Y2K coordinators didn't know anything about Y2K up to about 2 weeks before they were appointed coordinator and given a ticket to New York. They had no idea what this was about. The fact that the United Nations was holding a day and they were invited to come, their government said, ''Maybe we need a Y2K coordinator to go; you go; name somebody''—he or she got on the airplane, flew to New York, and didn't have the slightest idea what we were talking about. That is the bad news.

The other bad news is that some of them simply could not afford a ticket. The World Bank funded the airline tickets for some of these Y2K coordinators, which raises the demonstration of the problem we have in many countries around the world. As our consultants have spanned out and talked to these people, many of them say, ''We recognize we have a problem; we recognize it is very serious. We are completely broke. What do you suggest we do about it? We simply can't afford the kind of remediation that you are going through in the United States.''

We just had a team of consultants that came back from Russia and they did a very valid job of assessing where things are in that country. But they said every official that they spoke to began the conversation by asking for money. Every single one said, ''We have a problem. Now, can you help us solve it, because we can't afford to do anything about it.'' Senator MOYNIHAN was talking about the Russian military not having been paid for months and months, and they say, ''If we haven't got any money to pay to our military, we don't have any money to deal with the Y2K problem.''

What will be the impact? There will be economic dislocation in many countries as a result of this. In some countries it will be more serious than others. The unknowable question is, What will be the impact on the United States? I cannot quantify that for you, but I will give you this overall assessment. I think Y2K will trigger what the economists call a ''flight to quality.'' That is, I think investors around the world, as they decide that infrastructure problems are going to arise in certain countries, will decide as a matter of prudence on their part, to withdraw their financial support for economic activity in that country, which will cripple the country further. The speed with which money moves around the world is now very different than it used to be as recently as 10 or 15 years ago. It used to be when there was foreign investment in a country, getting that investment out meant couriers going through airports with attache cases filled with crinkly pieces of paper handcuffed to their wrists.

Senator Dole assigned me to work on the Mexican peso problem in early 1995 when the Mexicans devalued the peso. The flight of foreign investment from Mexico took place in a matter of hours, and it was all done electronically—a few keystrokes at a keyboard and the money was gone. The speed with which foreign investment fled Mexico stunned a number of economists who had no idea that the foreign money would disappear virtually overnight.

I think you are going to see that kind of thing repeated as foreign investors say: Our Y2K assessment says Country X's infrastructure is going to fail, their power system is going to go down, their telecommunications system will fail and they won't be able to function. Even though we are confident in the management of the company we are backing in that country, we can't run the risk of having them shut down because of an infrastructure failure. We are going to call the loan, sell the stock, and do whatever is necessary to get our money out before it really hits.

This ''flight to quality'' may very well mean that the rich get richer and the poor get poorer as a result of Y2K, which raises the other two unknowables, but that we need to be concerned about: One, civil unrest in some of these countries and what that might mean to their economies and their place in the world markets; second, humanitarian requirements.

I say, somewhat facetiously, that we have foreign policy by CNN in this country. That is, when the CNN cameras go into a particular area of the world and send images back to the United States, we then respond. CNN cameras showed starving children in Somalia and George Bush sent in troops. I am not criticizing that decision to send in troops, but I wonder if there might not have been starving children in other parts of Africa that CNN didn't get into and that was the reason we didn't intervene in those countries as well. I have a nightmare of CNN cameras in villages or cities where there is no power, no telecommunications, the banking system is broken down, widespread rioting, and then the request is: What is the United States going to do about it? The United States has its Y2K problem under control—the richest country in the world—and we will be faced with the humanitarian challenge of some real hardship in some real areas.

So, again, Mr. President, that is one of the reasons why the special committee on year 2000 should be funded and continued, so that we can monitor these things in the way we have in the past and provide information and guidance to policymakers who have come to depend upon us as a repository of information in this whole situation.

Mr. DODD. Will the chairman yield?

Mr. BENNETT. Yes, I am through with my formal statement.

Mr. DODD. I see that our colleague is here, and I won't be long.

First, I want to commend Senator MOYNIHAN from New York for an excellent statement. He has been a real value to us on the committee. He brings such a wealth of knowledge, information and experience. I thought his observation about at least some of the material the Defense Department has is a worthwhile suggestion. We might want to explore how to make more of that information available to the general public. I think those who are skeptical about whether or not there is legitimacy in pursuing this committee and making the information available as we require it, their concern would be further dispelled were they to have the ability to share some of the information we have come across.

I commend my colleague from Utah. I think this memo where he has left off the name—and I will respect that as

well here, although I will point out that it is not a Connecticut company. Most people would assume that since it is an insurance company, it is probably located in Connecticut; but it is not. We may want to compose a letter to send to the industry as a whole. I would be very curious as to whether or not this is a unique, isolated case, or whether or not it is being duplicated by others.

For those who may not have heard this, we have come across a memo which details a number of different kinds of health care policies that would be significantly affected. In fact, they would be excluded from payment if, in fact, the damages occur ''as a result of failure of any machine, equipment, device, system, or component thereof, whether it is used for the purposes or whether or not the property of the insurer to correctly recognize, accept, and process or reform any function: any date or any time after September 8, 1999, to January 1.''

Clearly, this is the insurance companies saying ''we are not covering you here on this one,'' which is a very important piece of information. I think we ought to examine and look at that.

This is an early version of OMB's March report that we have been given which rates the Federal agencies in terms of their year 2000 compliance. Basically, there is good news here, Mr. President. An awful lot of agencies are doing pretty well. Some have a long way to go here. I think this may be a worthwhile item to be included in the RECORD.

I ask unanimous consent that Predictions by Country and Worldside Predictions by Industry be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

PREDICTIONS BY COUNTRY

Rate (percent)	Country
15	Australia, Belgium, Bermuda, Canada, Denmark, Holland, Ireland, Israel, Switzerland, Sweden, United Kingdom, United States.
33	Brazil, Chile, Finland, France, Hungary, Italy, Japan, Korea, Mexico, New Zealand, Norway, Peru, Portugal, Singapore, Spain, Taiwan.
50	Argentina, Armenia, Austria, Bulgaria, Columbia, Czech Republic, Egypt, Germany, Guatemala, India, Japan, Jordan, Kuwait, Malaysia, Poland, Puerto Rico, Saudi Arabia, South Africa, Sri Lanka, Thailand, Turkey, U.A.E., Venezuela, Yugoslavia.
66	Afghanistan, Bahrain, Bangladesh, Cambodia, Chad, China, Costa Rica, Ecuador, El Salvador, Ethiopia, Fiji, Indonesia, Kenya, Laos, Lithuania, Morocco, Mozambique, Nepal, Nigeria, Pakistan, Philippines, Romania, Russia, Somalia, Sudan, Uruguay, Vietnam, Zaire, Zimbabwe.

WORLDWIDE PREDICTIONS BY INDUSTRY

Rate (percent)	Industry
15	Aerospace, Banking, Computer Manufacturing, Insurance, Investment Services, Pharmaceuticals.
33	Biotechnology, Chemical Processing, Consulting, Discrete Manufacturing, Heavy Equipment, Medical Equipment, Publishing, Semiconductor, Software, Telecom, Power, Water.
50	Broadcast News, Hospitality, Food Processing, Law Enforcement, Law Practices, Medical Practices, Natural Gas, Ocean Shipping, Pulp and Paper, Television, Transportation.
66	City and Town Municipal Services, Construction, Education, Farming, Government Agencies, Healthcare, Oil.

Mr. DODD. Lastly, I don't have this with me, but I am going to ask unanimous consent that it be printed in the RECORD as well, Mr. President. I spent a couple of hours yesterday in my State with the Garner Group, a successful firm that represents 35,000 clients worldwide—public and private entities—and has a pretty good fix on what is happening at home and abroad. They have a new assessment, an updated assessment, an industry-by-industry assessment worldwide, national assessments, and for major nations around the globe as to where they are in all of this. I thought it might be worthwhile for the public and our colleagues to see that most recent information.

I ask unanimous consent that they be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

GOVERNMENT-WIDE SUMMARY—YEAR 2000 STATUS MISSION-CRITICAL SYSTEMS

[In percent]

Agency status	All systems	Systems being repaired transpose			
	Y2K complaint [1]	Assessment complete	Renovation complete [2]	Validation complete [3]	Implementation complete [4]
Tier Three:					
NASA, FEMA, Education, OPM, HUD, Interior, GSA, VA, SBA, EPA, NSF, NRC, SSA	96	100	100	99	96
Tier Two:					
Agriculture, Commerce, Defense, Energy, Justice, Labor, State, Treasury	77	100	94	83	74
Tier One:					
U.S. Agency for International, Development Health and Human Services, Transportation	63	100	98	79	42
All Agencies	79	100	96	87	76

[1] Percentage of all mission-critical systems that will accurately process data through the century change; these systems have been tested and are operational and includes those systems that have been repaired and replaced, as well as those that were found to be already compliant.

[2] Percentage of mission-critical systems that have been or are being repaired; ''Renovation complete'' means that necessary changes to a system's databases and/or software have been made.

[3] Percentage of mission-critical systems that have been or are being repaired; ''Validation complete'' means that testing of performance, functionality, and integration of converted or replaced platforms, applications, databases, utilities, and interfaces within an operational environment has occurred.

[4] Percentage of mission-critical systems that are being or have been repaired; ''Implementation Complete'' means that the system has been tested for compliance and has been integrated into the system environment where the agency performs its routine information processing activities. For more information on definitions, see GAO/AIMD–10.1.14, ''Year 2000 Computing Crisis: An Assessment Guide,'' September 1997, available at http://cio.gov under year 2000 Documents.

Mr. DODD. I point out to my chairman that one of the industries they point out that is not doing very well—it is not doing badly, but not very well—in terms of being Y2K compliant; it is the broadcast news industry, and particularly television. So when my colleague refers to ''foreign policy by CNN,'' he is accurate, but one of the problems is that CNN may have a problem—and I am sure they will respond very quickly. But I thought it was interesting when I went over this last evening detailing some of the industries identified as ones that have work to do, and broadcast news was one that is lagging behind.

I also see our colleague from Oregon. Before he shares his thoughts, I want to thank him as well. He has been a tremendous asset to our committee. He has brought a wonderful perspective since he joined this body, and comes from the public sector as well as the private sector. He served in the legislature in his own State with great distinction, but also he comes with a private sector perspective, which has been tremendously helpful throughout the hearings. And I thank him for his attention and for the time he has brought to this issue as well.

I yield the floor.

Mr. BENNETT. Mr. President, I join my friend from Connecticut in thanking the Senator from Oregon for his diligence on this committee. He comes to the hearings and he contributes. He pays attention. He has blazed a way with the meetings he held in his home State. As I say, I would encourage all other Senators to follow his example. I am happy to yield to him such time as he may require.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. SMITH of Oregon. Thank you, Mr President. I thank Chairman BENNETT and Senator DODD. It has been a great pleasure and a real privilege for me to participate in this committee with them.

I can tell you that I sought membership on the committee when I heard about its creation. I sought membership not because I am some computer whiz—in fact, my kids are always trying to teach me new things we can do with it—but, frankly, because I recognized that my State, as well as yours, is very much focused on the development of the high-tech industry. Oregon has grown in high-technology in a remarkable fashion in the last decade. So I thought it would be important. I didn't realize how important it would be until feeling my oats as a member of this new committee.

Last year, I held a town hall meeting in Medford, OR. We published notice of it. Usually at a town hall you get 20 or 30 people to show up who want to talk about some public policy. But we said it was going to be about Y2K. There were over 1,000 people who came to that meeting. I realized we were on to something here.

If any of my colleagues are listening to me at this time, I would say to them that no matter what State you are from, if you want to get the attention of the people you are trying to serve, call a Y2K town hall. You will be amazed. And you will perform a great public service to the people who are becoming aware of this, mindful of it, some afraid of it, some panicked by it.

What I have found in Oregon is that by going home to meet with my constituents and saying, ''Look, don't panic, but begin to be prepared,'' has had a calming effect on my State. I thank these two leaders in the Senate, these men who led this committee, because when they first began talking about this issue —and I know in the Republican caucus Bob BENNETT was sort of Chicken Little; he is Paul Revere now, and I honor him and salute him as that. I think, frankly, Chris DODD has done the same thing in the Democratic caucus. We all look to them with renewed respect, and deserved respect, because they have been the Paul Reveres for this country on this issue. It has been a great pleasure to serve with them.

I encourage my colleagues to vote for this bill that will allow the committee to continue to do its wonderful work. I was proud to vote this morning for another bill that would allow the SBA to help small businesses become Y2K compliant.

Chairman BENNETT asked me to focus my service on the committee on the whole business industry. Having come from the private sector, I will tell you that businesses have a ways to go, but they are making great progress, because the motive of the business man or woman is to make a profit. I found that for a food processor, for example—whatever the Government standard was, it was an important standard. It was always the floor and was never the ceiling. And when I wanted to sell frozen peas, I wasn't trying to sell it to the Government, I was trying to sell it to Campbell Soup, whose standard is much higher than those of the Government.

So for me as a business person, when Y2K would come to my desk, I would say, ''How does this affect my ability to sell my product and make a profit?''

So I say to all business people, this could affect your ability to stay in business and make a profit. So if you are interested in a profit, get interested in Y2K and figure out how it is that this computer glitch might affect either your energy supply, your financial services, your transportation, and your ability to communicate with the world. These things are all interconnected.

I never realized as fully as I do now as a member of the committee just how interconnected we are as a country, and now as an entire world. I would predict, as others have, that our problems in this country will be theirs. This is real. But it will not be of a millennial nature, like some fear. But in some parts of the world it may well be. And a business man or woman is going to have to figure out how to deal with an international trade world that is having to adjust to these Y2K problems.

I want to also say, to comfort the people out there, that the United States is prospering right now relative to the rest of the world in a remarkable way, in part because during the 1980s and the 1990s American industry began to retool. As we have retooled and restored our industrial base, we have done so with Y2K-compliant equipment and computerization. This will all make the bump in this country much smaller than it otherwise would be.

So there are lots of reasons for optimism. But there is still much work to be done.

I am just pleased to participate with my colleagues today, and I know that a vote is pending. So, Mr. President, without further delay, I encourage all of my colleagues to vote for this legislation. Today, I think has become something of a Y2K Day, and it does a great service to our whole country to alert them to the real dangers and not the mirages.

In a hearing I recently held in my State, I heard a tragic story about a gentleman who had listened to some literature that caused him to panic. He went out and took all of his savings from his personal account, roughly $30,000. But somebody heard that he had done it and went and robbed him of his life savings.

So don't panic; just simply be prepared. Find a reasonable level of storage for food and water for your family, take some copies of your financial statements, check your own computers, but don't do things that are unwarranted, because that will be something of a self-fulfilling prophecy. We are not here to be self-fulfilling prophets; we are here to be Paul Reveres, as Senator BENNETT and Senator DODD have shown us how to be.

Mr. President, I yield the remainder of my time. I urge an ''aye'' vote on this bill.

Mr. BENNETT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SESSIONS). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BENNETT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENNETT. Mr. President, I am prepared to yield back all time, both for myself and Senator DODD, and call for the yeas and nays on the underlying question.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to S. Res. 7, as amended. The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) is necessarily absent.

Mr. REID. I announce that the Senator from West Virginia (Mr. BYRD) is absent attending a funeral of a family member.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 92, nays 6, as follows:

[Rollcall Vote No. 29 Leg.]

YEAS—92

Abraham	Enzi	Mack
Akaka	Feingold	McConnell
Ashcroft	Feinstein	Mikulski
Baucus	Fitzgerald	Moynihan
Bayh	Frist	Murkowski
Bennett	Gorton	Murray
Biden	Graham	Nickles
Bingaman	Grams	Reed
Bond	Grassley	Reid
Boxer	Hagel	Robb
Breaux	Harkin	Roberts
Brownback	Hatch	Rockefeller
Bryan	Hollings	Roth
Bunning	Hutchinson	Santorum
Burns	Inhofe	Sarbanes
Campbell	Inouye	Schumer
Chafee	Jeffords	Sessions
Cleland	Johnson	Shelby
Cochran	Kennedy	Smith (NH)
Collins	Kerrey	Smith (OR)
Conrad	Kerry	Snowe
Coverdell	Kohl	Specter
Craig	Kyl	Stevens
Crapo	Landrieu	Thompson
Daschle	Lautenberg	Thurmond
DeWine	Leahy	Torricelli
Dodd	Levin	Voinovich
Domenici	Lieberman	Warner
Dorgan	Lincoln	Wellstone
Durbin	Lott	Wyden
Edwards	Lugar	

NAYS—6

Allard	Gregg	Hutchison
Gramm	Helms	Thomas

NOT VOTING—2

Byrd	McCain

The resolution (S. Res. 7), as amended, was agreed to.

S. RES. 7

Resolved, That section 5(a)(1) of Senate Resolution 208, agreed to April 2, 1998 (105th Congress), as amended by Senate Resolution 231, agreed to May 18, 1998, is amended by—

(1) striking ''$575,000'' the second place it appears and inserting ''$875,000''; and

(2) striking ''$200,000'' and inserting ''$500,000''.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. LOTT. Mr. President, I would like to take just a moment to once again express my appreciation to the leaders on the subject matter just passed overwhelmingly. The Senator from Utah, Senator BENNETT, and the Senator from Connecticut, Senator DODD, have done outstanding work.

I think they have served not only the Senate but the country well by highlighting the problems in this area with Y2K, but doing it in a way that does not cause undue alarm or panic. But it has been very helpful to Senators to hear what they have had to say, both in the closed session and also here on the floor this afternoon. I believe they have contributed mightily to the prospect of us dealing much more with the problems adherent in this area and getting some results before we face the turn of the century. So I commend them for their fine work.

EDUCATION FLEXIBILITY PARTNERSHIP ACT OF 1999—MOTION TO PROCEED

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now turn to a motion to proceed to the education flexibility bill, S. 280, and there be 30 minutes under the control of Senator WELLSTONE tonight with 3 hours 30 minutes under his control tomorrow and 30 minutes under the control of Senator JEFFORDS, or his designee, and following the conclusion or yielding back of that time, the Senate proceed to a vote on the motion.

The PRESIDING OFFICER. Is there objection?

Mr. KENNEDY. Reserving the right to object. I am just inquiring of the leader—since this is the legislation, I would like to, as the ranking member, make a brief opening statement, as we proceed to this motion, for 10 minutes. I ask for 10 minutes tonight.

Mr. LOTT. That probably would even be helpful if the Senator could do that tonight.

Mr. KENNEDY. Yes. And then if it is agreeable——

Mr. LOTT. Do I need to modify, then, my unanimous consent request to that effect? I don't believe I would. I will take care to make sure we get that 10 minutes designated in the balance of our request.

Mr. KENNEDY. At the start.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senate proceeded to consider the motion to proceed.

The PRESIDING OFFICER. The pending question is the motion to proceed to S. 280.

Who yields time?

Several Senators addressed the Chair.

Mr. LOTT. Mr. President, I need to just clarify a couple points before we begin this time. I further ask unanimous consent that before we proceed to the time designated for Senator WELLSTONE that Senator KENNEDY have 10 minutes to make an opening statement as the manager of the legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. LOTT. Therefore, in light of this consent, there will be no further votes this evening. The Senate will debate the motion to proceed to the education flexibility bill this evening.

Mr. President, I appreciate the cooperation of my colleagues on both sides of the aisle in working out this agreement. I know the Senator from Minnesota wishes to have some extended time to talk on this matter, but we have worked it out in a way he will have his time to talk, we will get the vote, and we can go on to debate the substance of this very important, broadly bipartisan supported bill.

I thank Senator DASCHLE for his cooperation in helping make this arrangement.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized for 10 minutes and the Senator from Minnesota will be recognized for 30 minutes.

Mr. KENNEDY. Mr. President, first of all, I welcome the opportunity that the Senate of the United States now in this early part of March will be considering various education policy questions because I believe, like other Members of this body, that the issues of education are of central concern to families all over America. I firmly believe that what families all over America are looking for is some form of partnership between the local community, the State, and the Federal Government, working in harmony to try to enhance the academic achievement and accomplishment for the young people in this country.

I think all of us are very much aware that enhancing education achievement is a complex issue, and therefore we have a variety of different kinds of ideas about how best that can be achieved. I think all of us understand that the Federal role has been a limited role. It has been a limited role in identifying where, as a matter of national policy, we want to give focus and attention to children in this country. Historically, that has been the focus and attention in terms of the neediest, the disadvantaged children in this country.

There have been other areas. For example, those that have some special needs. We have also been helpful in providing help and assistance to schools in terms of nutrition programs, breakfast and lunch programs. There has been a program in terms of the bilingual, help and assistance in Goals 2000 under President Clinton to try and help and assist local communities to move ahead in terms of education reform, and a number of other very important areas.

Tomorrow we will begin the debate on education policy. The issue that is going to be before the Senate will be whether we are going to provide additional kinds of flexibility to the States and the school districts in their use of a number of the Federal programs that reach out into the communities.

In 1994, we had reauthorization of the title 1 program. I joined in the initiative with Senator Hatfield. It was his initiative in providing a test program where we permitted a number of States to effectively waive the regulations on the title I programs with the assurance that the objective of the title I programs would be maintained and that the resources could be targeted to needy children. We have seen over a period of time a number of States take advantage of this flexibility.

There have been other school districts which have had the opportunity to make application—some of them have, but not many. What is before the Senate now is the consideration to effectively permit greater flexibility in the States and local communities for the using of title I funds. Ninety percent of the waivers that have been considered to date have been on the title I programs. There are other programs that can be waivers, but those have been the title I programs.

By and large, it is for reasons that have been best established within the local community. There have been waivers granted when they have not been able to reach a 50-percent standard of poor and needy children. It might be 48 or 45 or in some instances 40-percent poverty children. Without that waiver, there would not be the kinds of additional resources that would be available to that school to help and assist the needy children.

Now we are embarked on a more extensive kind of a consideration of a waiver program. What I think we understand is if we are going to get into providing additional waivers, we need to have important accountability about how these resources that are going to be expended are going to be used to help and assist the academic achievement of the targeted group, which are the neediest children. Tomorrow we will have an opportunity to go over that particular issue with Senator FRIST and others after we have an opportunity to move toward the bill.

Mr. President, I think, quite frankly, I would have agreed that there is a certain logic in considering the waiver provisions when we reauthorize the total bill. I don't have an objection to the consideration of this legislation. It may be a valuable tool in terms of a local community if we are going to be assured that these scarce resources that we have available that today are targeted on the neediest children, are going to go to the neediest children; that we are going to ensure that parents are going to be involved in any decisions; that it is going to affect those children, and that we are going to maintain our content and performance standards which are out there now so we can have some opportunity to be assured that those children are actually benefiting from any alteration or change from what has been the Federal policy; and that there will be ultimately the judgment of the Secretary of Education that if the measure is going to violate the fundamental principle of the intent of the legislation, then the power still retains within the Secretary of Education not to permit

such a waiver to move ahead. That is basically the initial issue that we will be debating.

We will also, I think, have an important opportunity to debate the President's proposal for smaller class size. That is something which is very, very important. We made a downpayment with Republicans and Democrats alike at the end of the last session to ensure additional schoolteachers in local school districts, and now the school districts themselves are going to wonder whether that was really a one-time only or whether it will be as the President intended to be—a commitment over a period of some 6 years. The afterschool programs which have been such a success, which the President and Secretary Riley have talked about—there will be initiatives, hopefully, in those areas. There are excellent programs by Senator BINGAMAN in terms of school dropouts that has been accepted in the past by this body; I hope we will be able to give attention to that area.

There will be a limited but important group of amendments which we think can be enormously helpful and valuable to our local communities in terms of being that kind of constructive partner in enhancing the education for the children of this country.

So that is where we are going, and I welcome the chance to have that debate over the period of these next several days. There are many things that are important in this session, but this will be one of the most important.

Finally, let me say I want to pay tribute to my friend and associate from Minnesota, Senator WELLSTONE, who has very strong views in terms of making sure these resources are going to actually be targeted to the neediest children in this country. He has been an effective and forceful fighter for those children. I know he will speak for himself, but he really questions whether any of these kinds of waivers can still give the kinds of assurances, as we have them in the current legislation, that will target those funds to the children. It is a powerful case that he makes—one that should be listened to by our colleagues—and it is a very persuasive case that he makes. We have come to a different conclusion, but I have enormous respect and friendship for him.

I must say that our colleagues should listen to him carefully on the points he is making, because I think he speaks for the neediest children in this country, as he has so often. It is a position that is a respectable position and I think a very defensible position, and I think it underlies the kind of central concerns many of us have if we fail to have the kind of accountability that hopefully will be included in the legislation. So I thank him for all of his work and for his consistency in protecting the title I children. I hope that all of our colleagues will pay close attention to what I know will be a very important statement.

I yield whatever time I have back, Mr. President.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota has 30 minutes.

Mr. WELLSTONE. Mr. President, first of all, let me thank Senator KENNEDY for his very gracious remarks. There is nobody in the Senate that I have more respect for, and I much appreciate what he had to say. I hope that we will, in fact, be in partnership on some critical amendments. In fact, I know we will be in partnership on some critical amendments that the Senate will be voting on.

Mr. President, I am debating this motion to proceed, and I am going to use a half hour tonight to kind of spell out or give an outline of where I am going to be heading, and then I will use 3½ hours tomorrow.

Mr. President, this is what I want to say on the floor of the Senate, and I hope that it is important. We have a piece of legislation that is on the floor of the Senate and I wonder why. This bill is called the Ed-Flex legislation, the Ed-Flex bill. But we never had a hearing in the U.S. Senate—not one hearing in one committee, the Labor and Human Resources Committee, on this bill. We never had an opportunity to listen to different people who are down in the trenches working with children. We never had an opportunity to carefully evaluate the pluses and minuses. Yet, my Republican colleagues bring this bill to the floor.

Secondly, it is absolutely true—and Senator KENNEDY did an excellent job of summarizing this—that there are a number of States that have moved forward. I voted for the legislation—and Senator KENNEDY was a coauthor of it—to give the States flexibility. I thought the agreement was that we would then be able to see what States have done and then reach a final judgment as to whether or not we wanted to pass such a sweeping piece of legislation. I will talk about why I think it is sweeping, not in the positive but in the negative. As the General Accounting Office pointed out, we don't have any evaluation of what these different States have done with this flexibility. Have they used this Ed-Flex bill to dramatically improve the opportunities for poor children in their States or not? We don't know. Yet, this bill is now on the floor of the U.S. Senate.

Mr. President, I am opposed to this piece of legislation. It passed 18–1 in committee, but I am opposed to this piece of legislation. I hope other colleagues will join me as this debate goes forward, for several reasons. First and foremost, I believe this legislation—just taking this bill for what it is—is a retreat from a commitment that we made as a nation in 1965 to poor children in America. We made this commitment and had title I as a provision in the Elementary and Secondary Education Act because we knew, unfortunately, that for all too many poor children and their families—you know, they are not the ones with the clout—they were not receiving the educational assistance and support that they deserved; thus, the title I program. It is now about $8 billion a year. I want to talk about the funding level of this program a little later on.

What this legislation does is it essentially turns the clock back 30 or 35 years. This legislation now says that we no longer, as a nation, as a Federal Government, will continue with this commitment. We will give money to States and they will decide what they want to do.

I am all for flexibility. I just wonder, where is the accountability? At the very minimum, in such a piece of legislation shouldn't there be clear language that points out that the basic core provisions of title I, which provide the protection for poor children in America, are fenced off and no State will be exempt from those provisions? That is to say that these children, low-income children, will have highly qualified teachers who will be working with them, that these low-income children will be held to high standards, that these low-income children will have an opportunity to meet those standards, and that the poorest communities with the highest percentage of low-income children will have first priority on the title I funding that is spent. All of that, with the legislation that is before us, can be waived. No longer will we have any of these standards.

So you have two issues. No. 1, you have the lack of accountability on the very core provisions of title I that are so important in making sure that this is a program that works for poor children. No. 2, you have a problem just in terms of dilution of funding.

One of the amendments I will have on the floor will say that this title I funding that goes to different States—that those schools with 75 percent low-income students, or more, will have first priority in that funding. The funding has to first go to those schools. Right now, with this legislation, we have moved away from that. In 1994, when we went through this, we had an amendment that said that schools with over 75 percent low-income students had first priority for this funding. Now we abandon that in this legislation. So, first of all, let me be crystal clear about why I object to this. I object to this piece of legislation because it represents an abandonment of a national commitment to poor children in America, and, frankly, I am disappointed in my colleagues. I am disappointed in my colleagues on both sides of the aisle, but I am especially disappointed in my Democratic colleagues. Where is our sense of justice? Whatever happened to our fight for poor children? How could we have let this legislation just move forward and come right to the floor in its present form? Where is our voice? I don't understand it.

I am sorry if I sound—well, I am worried about sounding self-righteous; I

don't want to, but I certainly feel strongly about this. I think the silence of the Democrats is deafening on this question.

Now, second of all, Mr. President, I am going to take time tonight—I won't take much time tonight, but I will have a lot of time tomorrow—to raise another question about this legislation. No wonder people in our country become cynical about politics because this Ed-Flex bill—see, I understand the politics of it. It is hard to vote against it. It is called Ed-Flex, which is a great title.

Then we say get the money to the States, get the Federal Government out, it is politically—yes. I see how it works. But do you want to know something? I don't want to let anybody—any Republican or any Democrat—pass this legislation off as some great step forward in expanding opportunities for children. It is not a great step forward for children. It is a great leap backwards. It is a great leap backwards because it is an abandonment of our commitment to poor children. It is an abandonment of our standard which should be met by title I programs for poor children. I will tell you something else; it is a great leap backwards, or a great leap sideways, because it doesn't represent what we should be doing for children in this country. Tomorrow I will have an opportunity to outline some of the directions that I am going to go in. But let me just raise a few questions.

When I am home, what most people in communities tell me that are down in the trenches working with children, and what most of the State legislators tell me who are education legislators, is, ''PAUL, the Federal Government is a real player in a number of different areas.'' Title I is one, and another is early childhood development. Here is how you can help us out pre-K. We have a White House conference on the development of the brain. We have all this literature that has come out. I have read a lot of it about the development of the brain. The fact is irrefutable and irreducible—that if we don't get it right for children by age 3, many of them will never be prepared for school. They will come to kindergarten way behind and then they will fall further behind and further behind and then they will wind up in prison.

But we don't have a piece of legislation out here on early childhood development. And, frankly, the President's budget is pathetic, much less the Republicans' proposing even less. I mean, in the President's budget, I think maybe at best 20 percent of those low-income families that would be eligible for assistance are going to be able to receive any. And what about middle-income? I cannot believe that we are continuing to play symbolic politics with children's lives.

If we were serious about a piece of legislation on the floor of the U.S. Senate that would really do something positive for children, then we would be about the business of making sure that working families can afford the very best child care for their children. And we don't do that. Instead, we get Ed-Flex, which won't do one additional positive thing that will help expand educational opportunities for children in this country, especially among poor children of this country.

Mr. President, let me talk about another area that I think is really important.

Children's Defense Fund study this past year: Every day in America three young people under age 25 die from HIV infection, 6 children commit suicide; 13 children are homicide victims; 14 children are killed by firearms; 81 babies die; 280 children arrested for violent crime; 434 babies are born to mothers who have late or have no prenatal care; 781 babies are born at low-birth weights; 1,403 babies are born to teen mothers; 1,087 babies are born without health insurance; 2,430 babies are born into poverty; 2,756 children drop out of high school every schoolday; 3,346 babies are born to unmarried mothers; 5,753 children are arrested; 8,470 children are reported abused or neglected; 11.3 million children are without health insurance; and, 14.5 million children live in poverty.

Do we have a piece of legislation out here on the floor that deals with the fact that one out of every four children under the age of 3 in America are growing up poor? Do we have a piece of legislation that deals with the reality that one out of every two children of color under the age of 3 in America are growing up poor?

I was talking to about 350 principals in Minneapolis-St. Paul about 2 weeks ago. And they said to me, ''There is another issue, PAUL.'' It is not just that so many kids come to school way behind. Ed-Flex does nothing for those children. It is also that a lot of children come to school emotionally scarred. These children have seen violence in their homes. They have seen violence in their neighborhood. And they need a whole lot of additional support.

Is there a piece of legislation out on the floor that calls for the Federal Government to get resources to local communities, then let them be flexible, let them design the programs that can provide the support for these children? No. Not at all. Instead we get Ed-Flex.

Mr. President, we have a program in this country called Head Start. It does just what the title says it does. It is an attempt to give a head start to children who come from impoverished backgrounds. I am amazed at the men and women that are Head Start teachers. I am amazed at the men and women that are child care workers. Their work is so undervalued. They barely make above minimum wage. Do we have a piece of legislation out here on the floor that provides more funding for Head Start? No. Mr. President, instead, we have a budget from the President that essentially says that we will get the funding to one-half of the eligible Head Start families and children at best. It is an embarrassment. It is an embarrassment. We have a program, a Head Start program, to provide a head start for children from impoverished backgrounds. We know it makes a real difference, and we don't even provide the funding for half of the children that could benefit. I don't think that is pre-teen. I think that is just 4 and 5-year-olds, much less early Head Start.

Does Ed-Flex do anything about providing the support for children for the Head Start program? No. Does it speak to early childhood development? No. Does it speak to afterschool care? No. My colleagues will have amendments on the floor. And good for them. We will be supporting them and speaking for them about smaller class sizes, about rebuilding crumbling schools, about involving parents, about giving children hope. All of that is important. Does this piece of legislation deal with any of that? No.

Mr. President, I am going to present some jarring statistics that translate into personal terms tomorrow about the whole lack of equity financing in education. I will draw from my friend, Jonathan Kovol, who wrote ''Savage Inequality.'' It is incredible that some children in our country—probably not the children of Senators and Representatives—go to schools without adequate lab facilities, without enough textbooks, without proper heat, delapidated buildings. And they don't have the financing. They don't have the financing for computers. They don't have the financing so students can be technologically literate. They don't have the financing for the best teachers. There are huge disparities.

Does this piece of legislation called Ed-Flex do anything to deal with the fact that we have such dramatic inequalities in access to good education for children in America? Does this piece of legislation, Ed-Flex, say that since our economy is doing so well, surely today we can provide a good educational opportunity for every child? No. It doesn't do any of that. What it does is it turns the clock back.

I can't believe so many of my colleagues have caved into this. How could we have let a bill come to the floor pretending to be a great initiative to improve the education of our children when it doesn't, and, in addition, turns the clock back and takes the accountability and takes some of the core requirements of title I, and no longer makes that the law of the land, no longer says that we have a national commitment, and essentially says to the States do what you want without any accountability? What do you think is going to happen to these children? Some States may be better. I hope it will be in Minnesota. I will tell you what. I will make some of my colleagues angry in other States. It will be worse. It will be worse.

That is why we have title I. That is why we have the IDEA program. We

know that unless you have a real commitment to children—IDEA is not covered in this bill. But unless you have a real commitment to children with disabilities, or low-income children, they are not going to get the assistance or the support.

Let me now turn to the third argument I want to make tonight, and I will develop this in much more detail tomorrow.

Here is the other thing that is so disingenuous about this Ed-Flex legislation. We ought to have some direction—and I will try to have an amendment that talks about this—for funding. We are spending $8 billion a year, and that is about a third, according to the Congressional Research Service, of what we need to be spending if we are, in fact, going to reach all the children who are eligible for this help and all the schools that are eligible. And you know what. When I met with the teachers, when I met with the principals, when I met with the educators in my State of Minnesota, they could not identify one provision in title I right now that needs to be changed in order for them to have the flexibility to do their best for children. And when we get into the debate, I am going to ask my colleagues to list what exactly the provisions are that create the problem, that create the impediment for the reform to do our best by these children. So far I haven't heard of any. I haven't heard of one statute. I haven't seen any of my colleagues identify one statute.

I will tell you what the men and women who are involved in education and who care about children tell me about title I. ''Senator, we don't have enough funding.'' That is what this is all about. We don't provide enough funding, and then it becomes a vicious zero sum game. So, for example, if you are a school with over 50 percent low-income children, you get some help for those children, but if you are under 50 percent, even though you have a lot of children, you don't get any funding at all. That is because we have such a limited amount of funding, and when we divide it up in our school districts, we allocate it to the schools with the highest percentage of poor children, but then many other schools with many poor children don't get any funding at all.

Let me give some examples. St. Paul. There are about 60 K–12 public schools in the St. Paul School District in Minnesota. There are 20 schools in St. Paul with at least 50 percent free and reduced lunch that receive no title I funds at all. One-third of St. Paul schools have significant poverty and receive no title I funds to help eliminate the achievement or learning gap.

There it is right there. Where is the discussion of the funding? We are making Ed-Flex out to be some great thing for our school districts and our local communities and we are not providing the resources that are needed.

Example. Five senior high schools receive no title I funding. Humboldt Senior High has 68 percent of its students on free and reduced lunch, no title I. A school with a 68 percent low-income population doesn't receive any title I funding because after we allocate it, there is so little that it goes to schools with an even higher percentage of low-income students. There is nothing left.

Let's get honest and let's get real and let's talk about funding if we want to make a difference.

Several middle schools receive no title I funding. Battle Creek Middle School has 77 percent free and reduced lunch but receives no title I funds. Frost Lake Elementary School, 68 percent free and reduced but no title I. Eastern Heights Elementary School, 64 percent free and reduced but no title I. Mississippi Magnet Elementary School, 67 percent of the students are low income, no title I.

The St. Paul School District in Minnesota, if it had another $8 million, could reduce class size, it could increase parental involvement, it could have good community outreach, and it could hire additional staff to work with the students who have the greatest need. But we don't have the funding. And we have a bill out here called Ed-Flex that pretends to be some great, some significant commitment to children and to education in our country. Can't we do better than that?

Let me talk about Minneapolis, and this is just a draft of what Minneapolis is expecting on present course. Here is what Minneapolis is going to get with Ed-Flex but no additional funding. This is basically what is going to happen. Of the 87 K–12 schools in Minneapolis, 31 schools will receive no title I funds, 14 schools which have at least a 50 percent low-income student population will receive no title I. That is unbelievable. Schools that have over 50 percent low-income student population do not receive any funding because there is not enough funding. I don't hear any discussion in this Ed-Flex bill about funding or pointing us in the direction of additional funding.

Let me give some examples. Burroughs Elementary School, 43 percent free and reduced, will receive no title I funding. Anthony Elementary School, 42 percent low-income, no title I funding. They would use the money for afterschool tutoring to improve math and science, to improve technology, to increase staffing and to improve parental involvement. Marcy Open Elementary School, 44 percent low-income, no title I funding. The school is in danger of losing 10 educational assistants because the funding level doesn't keep up with the kids and what needs to be done. Kenny Elementary School, 39 percent low-income, no title I funding. This school would use the additional resources, if they had them, for additional tutors in small group instruction, to buy certain computer-assisted instruction, make the ''Read Naturally'' Program available to more students, and focus on the students who are English language learners. No funding. Dowling Urban Environmental Learning Center, 45 percent free and reduced lunch, no title I, and they would use this to help prevent students from becoming special ed students, do early intervention to help students succeed.

Well, Mr. President, I don't know how much time I have remaining tonight. How much time do I have remaining?

The PRESIDING OFFICER. The Senator has 6 minutes.

Mr. WELLSTONE. Six minutes. Well, let me just kind of read from—I will give plenty of examples tomorrow of great success, but I have just a few comments from constituents of mine. Vicki Turner says:

> The title I program of the Minneapolis public schools provided not only help for my two children, but the parental involvement program was crucial in helping me develop as an individual parent and now as a teacher for the program.

Gretchen Carlson Collins, title I director, Hopkins School District, said:

> There is no better program in education than title I of the ESEA. We know it works.

John and Helen Matson say:

> How can anyone question the need for a strong ESEA. Ed-Flex waivers are an invitation to undermine the quality of public school systems.

High school senior Tammie Jeanelle Joby was in title I in third grade.

> Title I has helped make me the hard-working student that I am. My future plan after high school is to attend St. Scholastica. I may specialize in special education or kindergarten.

And the list goes on.

Mr. President, tomorrow I will develop each of these arguments. Tonight, let me just kind of signal to my colleagues that I am debating this motion to proceed, and I will have amendments and I will fight very hard on this piece of legislation because this is a rush to recklessness. Unfortunately, the recklessness has to do with the lives of children in America, specifically poor children in America. And I find it hard to believe that we have a piece of legislation which will have such a critical and crucial impact on the lack of quality of lives of children in our country that we brought this piece of legislation to the floor of the Senate without even a hearing, and we brought this piece of legislation to the floor of the Senate without even seeing how different Ed-Flex States, which are part of the demonstration projects, are doing right now.

Mr. President, I am not going to let my colleagues, Republicans or Democrats, pretend that this piece of legislation represents some major step forward for education for children in America. It does not. I think at least some of my colleagues—Senator KENNEDY spoke about this—are going to have some amendments that I think really will make a difference.

Second, I am going to make it as clear as I can tomorrow, and as crystal clear as I can with amendments and with debate—and I am ready for the debate—that in no way, shape or form is

it acceptable for the U.S. Senate to support a piece of legislation which essentially turns its back on or abandons our national commitment to poor children in America to make sure that the standards are met, that there are good teachers, that the money goes to the neediest schools and the neediest children, that there are high standards, that the schools are required to meet those standards, that we have some evidence of progress being made. The core requirements of title I must remain intact.

This piece of legislation on the floor right now does not require this to be the case. This piece of legislation essentially removes those core requirements and leaves up to the States what they want to do. This piece of legislation essentially wipes away the requirement that the money should go to the neediest schools first and allows States to do what they want to do. That is not acceptable. That is an abandonment of our commitment to low-income children in America. I look forward to this debate.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I ask unanimous consent to proceed as in morning business.

The PRESIDING OFFICER (Mr. BROWNBACK). Without objection, it is so ordered.

Mr. DURBIN. Thank you, Mr. President.

SOCIAL SECURITY AND MEDICARE

Mr. DURBIN. Mr. President, the topic which I would like to speak about during this brief time on the floor is one which is important to millions of Americans and involves two of our most important and successful programs: Social Security and Medicare.

They are so important to so many families that President Clinton has proposed that 77 percent of the surplus which we anticipate over the next few years be invested in both of these programs so that they will be available for future generations of Americans.

There are some who believe that the surplus, as it is generated, should be spent instead and invested in tax cuts for Americans. Of course, any politician, any person in public life, proposing a tax cut is going to get a round of applause. People would like to pay less in taxes, whether they are payroll taxes, income taxes, or whatever. But we have to realize that a tax cut is instant gratification and what the President has proposed instead is that we invest the surplus in programs with long-term benefits to not only current Americans but those of us who hope in the years ahead to take advantage of them as well.

We have to keep the security in Social Security and the promise of good medical care in our Medicare Program. And I think we have to understand that just solving the problems of Social Security is not enough; income security goes hand in hand with health care security.

One of the proposals coming from some Republican leaders suggests that there would be a tax cut. And as you can see from this chart, the Republican investment in Medicare under this plan is zero, and the Republican investment in tax cuts, $1.7 trillion.

Now, of course, that is quite a stark contrast. Instead of prudent investments, I am afraid that many of those who suggest tax cuts of this magnitude are not really giving us the bread and butter that we really need for these important programs like Social Security and Medicare. Instead, they are handing out these candy bar tax cuts. I do not think that that is what America needs nor what we deserve. Let me take a look at the tax cut as it would affect individual American families.

There is a question that many of us have when we get into the topic of tax cuts, and that is the question of fairness, progressivity: Is this tax cut really good for the average working family? One of the proposals which has been suggested by a Republican leader and Republican candidate for President, who serves in the House of Representatives, is an across-the-board tax cut. Well, take a look at what this means for the families of average Americans.

For the lower 60 percent of wage earners in America, people making $38,000 or less, this Republican tax cut is worth $99 a year, about $8.25 a month—not even enough to pay the cable TV bill. But if you happen to be in the top 1 percent of the earners, with an average income of $833,000, your break is $20,697.

I listened over the weekend while one of our noted commentators, George Will, who was born and educated in my home State of Illinois, suggested: Well, of course, because people who make this much money pay so much more in taxes, they should get a larger tax cut.

We have been debating this for a while, but we really decided it decades ago. In a progressive tax system, if you are wealthy, if you have higher income, then in fact you will pay more in taxes. So I do not think it is a revelation to suggest that people making almost a million dollars a year in income are going to end up paying more in taxes. Well, the Republican tax cut plan, as it has been proposed, an across-the-board tax cut, does very little for the average person, but of course is extremely generous to those in the highest income categories.

Today in America, 38 million citizens rely on Medicare, including 1.6 million in my home State of Illinois. By the time my generation retires, this number will have increased substantially. With these increasing numbers of Americans relying on Medicare, and advances in health care technology currently increasing costs, any way you look at it, you need more money for the Medicare Program, unless you intend to do one of several things:

You can slash the benefits; you can change the program in terms of the way it helps senior citizens; you can ask seniors and disabled Americans who use Medicare, who are often on fixed incomes, to shoulder substantially higher costs; you can significantly reduce the payments to providers, the doctors and the hospitals; or you can increase payroll taxes by up to 18 percent for both workers and their employers.

A report that was released today by the Senate Budget Democrats lays out some of these harsh alternatives that would be necessary if the Republicans refuse to make investments in the Medicare Program.

President Clinton says, take 15 percent of the surplus, put it in Medicare; it will not solve all the problems of Medicare, but it will buy us 10 years to implement reforms in a gradual way. The Republicans, instead, suggest no money out of the surplus for Medicare, and instead put it into tax cuts. I think that is a rather stark choice.

Mrs. BOXER. Will my friend yield?

Mr. DURBIN. I am happy to yield to the Senator from California.

Mrs. BOXER. I am so pleased that the Senator from Illinois has once more come to the floor to discuss something so fundamental to our country. I think if you asked people in the country, ''What is good about your national Government?'' yes, they would say a strong military; they would also say Social Security and Medicare.

Has the Senator talked about the 1995 Government shutdown yet?

Mr. DURBIN. Go ahead.

Mrs. BOXER. I want to ask him a few questions and then let him finish his remarks.

As the Senator was talking and showing this chart, it brought back to me the 1995 Government shutdown. We remember what that was about. Essentially, the President took a very firm stand in favor of Medicare, the environment, and education, and against the kind of tax cuts for the wealthy that would have meant devastating those programs. And the Government actually shut down over this. I am sure my friend remembers, it was a stunning thing. But it was really tax cuts for the wealthy, taking it straight from Medicare.

Now what we have is a situation that is very similar. We know we have to fix Social Security. The Republicans have said they agree with that, but they are silent on the issue of Medicare. They do nothing about shoring it up whatsoever. And yet they propose the same kind of tax cuts.

So I say to my friend, in 1995 Republicans essentially shut down the Government because they wanted these tax cuts at the expense of Medicare. And this year it looks like they are shutting down Medicare so they can go back to these tax cuts.

I wonder if he sensed, as I did, as we watched this budgetary debate unfold—if it did not bring back all these memories, and how he feels about that, because it was a pretty tough time we went through and I do not want to see those times repeated.

I ask my colleague to comment.

Mr. DURBIN. Of course I remember that period of time. It was an amazing period. I recall particularly the commentator, Rush Limbaugh, who enjoys some notoriety across America. He said: You know, if they closed down the Federal Government, no one would even notice. They were kind of goading us to go ahead and call the bluff of those who wanted to shut it down.

Well, in fact the Government was shut down when Congress failed to pass the necessary bills to continue the funding of Government agencies. And across America people started noticing. I am sure the Senator from California—I was then a Congressman from Illinois—received phone calls from people saying, ''Wait a minute. You mean to tell me that these workers cannot go to work and they're going to be paid ultimately? You mean to say the services that we depend on, that Government needs to do, aren't going to be performed?'' And that is exactly what happened.

I think the American people were outraged over this, outraged that the Government would shut down. If there were those on the other side who believed that the American people would rally to their cause over this Government shutdown and say, ''Oh, you've got it right, give tax cuts to wealthy people, and go ahead and cut Medicare and cut the environmental protection and cut education programs,'' that did not happen.

Mrs. BOXER. I wonder if the Senator would share with us the chart that he has there, because that goes back to 1995.

Mr. DURBIN. Yes. I am happy to.

Really, it is a good illustration of what happened. Back in 1995 with the Government shutdown, this was a time when the Republican Party was calling for tax cuts of $250 billion and was going to cut Medicare for that to occur. And that is exactly what led to the President's veto of their bill and ultimately led to the shutdown of the Government.

Mrs. BOXER. Let me say to my friend again, I appreciate his leadership on this. We did hold a press conference today, the Democratic members of the Budget Committee, to call everyone's attention to this.

When you deal with a budget the size of this Federal budget, it has a lot of important things that we do. But this is one thing that we need to call attention to, the fact that if we are going to protect Social Security and Medicare, we are going to have to defer these tax cuts for the wealthiest people, some of them earning millions of dollars, who would get back tens of thousands of dollars, while the average person would get back $99. As a result, we would see Medicare essentially shut down as we know it, and we don't want to go through another Government shutdown of that nature. We don't want a Medicare shutdown; we don't want an education shutdown. We want a budget that addresses these issues.

Again, I thank my colleague. He and I have known each other a long time. We have both gone through the situation of aging parents together. We have talked many times about how important Medicare is. I will never forget my friend and I being on the floor of the Senate when there was a move to raise the eligible age for Medicare. He and I stood here and fought. We said right now people are praying that they will turn 65 so they can get some health insurance, and then if we increase that age when we should actually be reducing the age that people can get Medicare—we should allow the President's plan to go forward on that as well, to allow people to buy in if they have no Medicare at 55, 60, and 62. This was going to raise the age. We told the stories of our families and how Medicare brought peace to our aging parents.

So we are, I think, going to stand shoulder to shoulder through to the fight.

I want to again thank him for yielding.

Mr. DURBIN. I thank the Senator from California.

Of course, she raises a point near and dear to all of us. Some people think Medicare is a program that seniors worry about. I think it is a program that their children worry about. They want to make sure that their mothers and fathers—grandparents in some instances—have the protection of Medicare. It is hard to believe this program only dates back about 35 years. It is a program that has now become so essential, and it is a program that has worked.

As a result of the Medicare Program, people are living longer, the quality of health care for elderly people has improved. At the same time, the Medicare Program has really democratized health care across America. Hospitals, which once might have served the very elite clientele, now serve virtually everyone because they are part of the Medicare Program. I think that is a plus. I think that says a lot about our country.

I worry when I look at the alternative budget plans here because the Democratic plan is very specific. It says if there is to be a surplus—and we think there will be—that this surplus should be used for specific purposes: to save Social Security and to preserve Medicare. Unfortunately, on the other side, there is no mention of Medicare. The Republican proposal doesn't talk about putting any of the surplus into Medicare.

That, I think, is shortsighted, because if you don't put the surplus, a portion of it, into Medicare, it causes some terrible things to occur. For instance, to extend Medicare to 2020 without new investment, without the influx of capital which we are talking about in the surplus, and without benefit cuts and payroll tax increases, we would need to cut payments to providers by over 18 percent. That is a cut of $349 billion. For the average person, these figures, I am sure, swim through their head. They think, What can that mean?

What it means is your local hospital, your local doctor, the people who are providing home health care for elderly people to stay in their homes, would receive less in compensation. As they reduce their compensation, many of them will not be able to make ends meet. I have seen it happen in Illinois already.

I have been somewhat critical of the Clinton administration. Some of the changes they have made in home health care services, I think, are very shortsighted. Many seniors, for example, would love to stay in their homes. That is where they feel safe and comfortable. They have the furniture and the things they have collected through their lives and their neighbors who they know. They don't want to head off to some other place, a nursing home or convalescent home. They would much rather stay in their home. What do they need to stay there? Many times just a visit by a nurse, a stop by a doctor once in a while. Although that seems extraordinary in this day and age, the alternative is a much more expensive situation where someone finds himself in a nursing home with extended and expensive care.

I hope that we realize that we made a mistake in 1995 when we had this Republican tax cut of $250 billion at the expense of Medicare and the Government was shut down. I hope we don't repeat it. We called the hospitals in our State of Illinois back in 1995 and asked what would this mean to you, if, in fact, you lost some $270 billion in Medicare reimbursement; what would it mean? Most of the hospitals were reluctant to speak openly and publicly and on the record. They told us privately many of them would have to close because many hospitals in my home State of Illinois and rural States like Kansas depend to a great extent on Medicare and Medicaid to reimburse their services and to keep their doors open. So, cutbacks can cost us the kinds of hospitals we need in areas that, frankly, are underserved medically.

Large cuts that might be envisioned without dedicating part of the surplus could threaten many of these hospitals. When a hospital closes, it isn't just the seniors who are affected. The whole community suffers. It is a situation in

many of my rural towns and downstate Illinois where that emergency room is literally a matter of life or death. Farmers, miners and people who work around their homes count on the availability of their services. When a hospital's financial security is put under significant strain, they are forced to look for other sources of revenue. Cost shifting becomes inevitable. So virtually every American would pay for Congress' failure to invest in Medicare.

The second option, if we don't invest a portion of the surplus into Medicare, is one that would ask seniors and disabled to pay more for their own medical care. They would need to double their contributions to extend the solvency of Medicare to the year 2020 if the President's proposal of investing 15 percent of the surplus into Medicare is not made.

Take a look at this chart to get an idea of what it means to a senior citizen. This is a chart which shows the current amount that is being paid in part B premium of $1,262; then take a look, if we do not dedicate a part of the surplus, what the senior will have to pay instead. Instead of $100 a month, it is over $200 a month.

Some might say it is not too much to go from $100 to $200. I think they don't understand that many senior citizens live on fixed incomes, very low incomes, and that this kind of premium increase in order to continue Medicare as they know it would cause a great hardship to many of their families.

Today, on average, seniors pay 19 percent of their income to purchase the health care that they need. Medicare is currently only paying about half of their bills. These seniors living on fixed incomes are really going to face some sacrifice if this increase takes place. The medium total annual income of Americans over the age of 65 is a mere $16,000; for seniors over 85, it is even less, $11,251; for the oldest and frailest among us, such as those using home health services, the average income is less than $9,000. Now, can someone making about $800 a month, for example, see an increase in their Medicare premium from $100 to $200 without some personal sacrifice? I don't think so. Medicare as it is currently drawn up helps seniors to live with dignity. Medicare reform may involve tough choices but it shouldn't involve mean choices. This Medicare reform on the backs of seniors and disabled, unfortunately, leads us to that.

Reform and investment are clearly needed to strengthen Medicare. There are some who will say all you want to do is spend more money; you have to do more fundamental things like reform. I don't disagree with the concept of reform. I think it is part of the package. But the reality is, the Medicare Program has grown, the number of beneficiaries has doubled since the program was enacted, and Americans are living longer.

I think there is a fair argument to be made that one of the reasons that Americans are living longer is because of Medicare and the access to health care that it provides. Before Medicare, less than 50 percent of retirees had health insurance. Now, virtually every one of them does. This is a question of priority. How much do we value increased life expectancy? Are people in my generation who are working and actually contributing to the surplus—a surplus that we hope to soon have—willing to put off a tax cut to make sure that Social Security and Medicare are there for decades? Are we willing to invest in what is basically our own retirement health insurance program in the years to come?

By not enacting a massive tax cut that benefits the most wealthy Americas, but instead passing more limited tax cuts targeted to help working families, we can, in fact, get a tax cut that is reasonable and consistent with saving Social Security and Medicare. It seems very unwise to enact large tax cuts before we secure both of these important programs.

Let me close by saying that this budget season is one that causes many people's eyes to glaze over. I have served a combination now of about 8½ years on Budget Committees in the House and the Senate. I do my best to keep up with it. It is an arcane science to follow this budget politics. But I have to say that it does reflect our values. We have to decide what is important.

Last week, we had a bill on the floor here that was, on its face, a very good proposal—a bill that would have increased military pay and retirement benefits. I believe that those things should happen. The President proposed it, the Republican Party and Democratic Party agree on it. But the bill that came to the floor was significantly different than the President's proposal. In fact, it spent about $17 billion more over 6 years than the President had proposed.

This bill came to the floor of the Senate without one committee hearing. Some came to the floor and said we need to do this so that men and women will stay in the military, and that we give them adequate pay and the reward of retirement. So they suggested we vote for the bill. I didn't think it was a responsible thing to do. I can remember that, two years ago, on the floor of the Senate we tied ourselves in knots over amending the Constitution to provide for authority to the Federal courts to force Congress to stop deficit spending. We had reached our limits and we had said that the only thing that could control congressional spending is a constitutional amendment and court authority. Well, that constitutional amendment failed by one vote. But that was only two years ago. We were so despondent over dealing with deficits two years ago that we were at the precipice where we were about to amend the Constitution and virtually say we have given up on congressional responsibility in this area.

Well, here we are two years later, and the first bill we consider is not a constitutional amendment about deficits, but rather one over spending this surplus on military pay raises that we cannot justify in terms of their sources. I have asked a variety of members and people in the administration where would the extra money come from—the extra $17 billion—for military pay raises. They say, ''Frankly, we don't know.'' I don't think that is a good way to start the 106th Congress, in terms of its substantive issues; but it is a reminder that we need a budget resolution that honestly looks at our budget to maintain not only a balanced budget, but surpluses for years to come, and investment of those surpluses in a way that we can say to future generations that, yes, we understood; we had a responsibility not only to the seniors, but to the families and their grandchildren, to make sure that those programs would survive.

So, Mr. President, I hope that as this debate continues we can find some common ground to work together to make sure that the surplus as it exists in the future is invested in programs of real meaning to American families for many years to come.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ALLARD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. ALLARD. Mr. President, I ask unanimous consent that the Senate now proceed to a period for morning business with members permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

INTERNET TAX FREEDOM ACT AND THE ADVISORY COMMISSION ON ELECTRONIC COMMERCE

Mr. LOTT. Mr. President, the last Congress passed the Internet Tax Freedom Act. it was not an easy process, and compromises were reached. In the end, the debate resulted in a bill which made a good law. It calls for a 3-year moratorium on new taxes. This was important, Mr. President. The Internet is not only a new tool of communication and information but is fast becoming the most vibrant new marketplace as America goes into the next millennium. Having said that, I am aware of the concerns expressed by those on main street as well as mayors—from Greenwood to Belzoni to Shuqualak, Mississippi—and in towns all across America.

Mr. DASCHLE. Mr. President, I share the distinguished Majority Leader's enthusiasm for the potential of electronic

commerce and his assessment of the role of the Internet Tax Freedom Act in the encouragement of that potential. I also appreciate the concerns he referenced about the need for balance on the Advisory Commission on Electronic Commerce. The advisory panel can provide policymakers with valuable perspective on many of the issues that must be resolved if the potential of electronic commerce is to be fully realized.

Mr. LOTT. Mr. President, that is correct. Congress did recognize that an examination of e-commerce was needed to fully understand the ripple effects of taxing access to or transactions conducted on the Internet. During Senate deliberations on the bill, my colleagues and I listened intently to varying viewpoints. Consequently, the statute created a national Commission reflecting the stakeholders who would provide recommendations to Congress. Mr. President, the balance required by the statute has yet to be achieved. The Congressional leadership involved in the selection is taking another look at the current makeup of the membership and considering options to resolve the impasse.

Mr. DASCHLE. Mr. President, I concur with the Majority Leader. When Congress debated the Internet Tax Freedom Act, considerable attention was paid to the section of the bill that delineated the membership of the Advisory Commission. The legislation is very clear in specifying a balanced makeup of this panel. While some adjustments have already been made in an effort to achieve that goal, further discussion of the make up of the Commission and the requirements of the statute is clearly required.

As the Majority Leader knows, state and local governments have a lot at stake with respect to the deliberations of this Commission, and the Internet Tax Freedom Act anticipates their full participation on the panel. If we hope to reach consensus on a uniform taxation system that allows electronic commerce to flourish without eroding state and local tax bases, a balanced, representative Commission is in all parties' self-interest.

Mr. LOTT. Mr. President, the Internet has arrived, and it is worldwide. Let me share a few statistics. There are an estimated 66,000 new users a day, e-commerce is growing at about 200% a year, web sites went from 10,000 to 3.2 million in just 3 years. Congress needs the Commission's recommendations, and I look forward to reviewing them.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Monday, March 1, 1999, the federal debt stood at $5,643,045,679,358.32 (Five trillion, six hundred forty-three billion, forty-five million, six hundred seventy-nine thousand, three hundred fifty-eight dollars and thirty-two cents).

Five years ago, March 1, 1994, the federal debt stood at $4,554,537,000,000 (Four trillion, five hundred fifty-four billion, five hundred thirty-seven million).

Ten years ago, March 1, 1989, the federal debt stood at $2,743,808,000,000 (Two trillion, seven hundred forty-three billion, eight hundred eight million).

Fifteen years ago, March 1, 1984, the federal debt stood at $1,473,047,000,000 (One trillion, four hundred seventy-three billion, forty-seven million).

Twenty-five years ago, March 1, 1974, the federal debt stood at $470,866,000,000 (Four hundred seventy billion, eight hundred sixty-six million) which reflects a debt increase of more than $5 trillion—$5,172,179,679,358.32 (Five trillion, one hundred seventy-two billion, one hundred seventy-nine million, six hundred seventy-nine thousand, three hundred fifty-eight dollars and thirty-two cents) during the past 25 years.

HANNAH COVINGTON MCGEE, AN EXCEPTIONAL LADY

Mr. HELMS. There are times, Mr. President, when every Senator, on one occasion or another, for one reason or another, feels the need to share with his colleagues a moment of grief or happiness or sadness or hope.

This being a time like that for me, Mr. President, my purpose is to share a few thoughts about a wonderfully gifted, beautiful, thoughtful lady named Hannah Covington McGee.

I suppose I should begin, Mr. President, by stating that Hannah married a young fellow named Jerry McGee 33 years ago. Dr. Jerry McGee today is president of Wingate University, a splendid Baptist institution in North Carolina. Jerry is the kind of friendly, caring and active husband and father with an enthusiasm for his responsibility as a top-flight educator—and his privilege of being Hannah's husband all those years.

Mr. President, Jerry and Hannah this past weekend were enjoying a six-week sabbatical at Tortola Island, one of the British Virgin Islands. Their stay on Tortola had been, both said last week, the happiest weeks of their lives. It all ended when Hannah was awakened Sunday morning suffering an excruciating numbness which quickly developed into the massive cerebral hemorrhage that claimed Hannah McGee's life at such an early age.

Hannah grew up in Rockingham in North Carolina. At age 14 she caught the eye of a star athlete at Richmond County Senior High School. She married that star athlete years later—after both of them had finished college. They immediately began together devoting their lives to young people.

A mutual friend asked Jerry about Hannah. Jerry's response was that Hannah provided the kind of relationship that everyone dreams of; he confirmed that he had been in love with Hannah since his high school football days when she was that 14-year-old girl with the ponytail.

Mr. President, services for that beautiful, loving and caring Hannah will be held at the Wingate Baptist Church tomorrow very close to the campus of Wingate University. She will be remembered as one who was forever and tirelessly doing things for others and, as Jerry McGee put it, ''It never once occurred to her that anybody ought to do anything for her.''

Mr. President, I certainly know nothing more than anyone else about the hereafter, or what will happen on that inevitable day for all of us. But I suspect that Saint Peter was standing at the Pearly Gate Sunday motioning for Hannah to come in and take her seat on the right hand of God who loves her just as all of us who know her do.

Mr. President, The Charlotte (N.C.) Observer this morning published a detailed story, written by Wendy Goodman, praising Hannah McGee. I ask unanimous consent that Wendy Goodman's fine article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Charlotte (NC) Observer, Mar. 2, 1999]

WINGATE PRESIDENT'S WIFE—AND MUCH MORE—DIES

(By Wendy Goodman)

WINGATE.—When Wingate University celebrates the opening of the George A. Batte Fine Arts Center later this year, a woman who had a hand in making the center a reality won't be there.

Hannah McGee helped lead the fund-raising campaign and decorate the new building's interior. An art lover, McGee hoped Wingate would serve as a cultural center for Union County.

McGee died Sunday morning in San Juan, Puerto Rico, of a brain aneurysm. She was 54.

''She had a great eye for things beautiful and artistic,'' said friend Stelle Snyder. ''You could see her love for the arts in her home, in her work at Wingate, in anything she did.

''Hannah had so many responsibilities behind the scenes, and she loved her work.''

Monday, flags at Wingate University flew at half-staff in honor of Hannah McGee. As the wife of Wingate President Jerry McGee, she left a lasting impression on the university and the entire community.

A Rockingham native, she moved to Wingate about 6½ years ago when her husband was named president of the university. But Hannah McGee was more than a president's wife, friends said.

''Hannah touched so many things in her own special way here at Wingate,'' said friend Barbara Williamson. ''People never even knew all the hard stuff Hannah did because it was all behind the scenes.''

Hannah McGee helped launch English as a second language program in Union County. As a board member of the Union County Players, she made costumes and worked backstage for several performances.

She played a major role in beautifying and restoring the M.B. Dry Memorial Chapel at the school. She never hesitated to open the doors to her home and entertain students, faculty and other guests.

''Bit by bit, we'll see Hannah's no longer with us,'' Snyder said.

Jerry McGee had taken a three-month sabbatical leave from the university in January to relax and spend more time with his wife of 33 years. The McGees were childhood sweethearts, and Jerry McGee often referred to

Hannah as ''the girl with the ponytail who stole my heart.''

The couple were in Tortola in the British Virgin Islands when Hannah McGee got sick. She was flown to a San Juan hospital and died Sunday morning.

''She was the mother, wife, daughter and sister that everyone dreams of—one of the easiest people to love who ever lived,'' Jerry McGee said in a news release Monday.

Hannah McGee is survived by her husband and two adult sons, Ryan and Sam.

Funeral services will be 11 a.m. Wednesday at Wingate Baptist Church and burial will follow at Dockery Family Center in Rockingham. A memorial service also will be March 9 in Austin Auditorium on the Wingate University campus.

JUDICIAL NOMINATIONS IN THE FIRST SESSION OF THE 106TH CONGRESS

Mr. LEAHY. Mr. President, as the Senate belatedly begins this congressional session, I look forward to working with the Democratic Leader, the Majority Leader, Senator HATCH, the Chairman of the Senate Judiciary Committee, and all Senators again this year with respect to fulfilling our constitutional duty regarding judicial nominations.

Last year the Senate confirmed 65 federal judges to the District Courts and Courts of Appeals around the country and to the Court of International Trade. That was 65 of the 91 nominations received for the 115 vacancies the federal judiciary experienced last year.

Together with the 36 judges confirmed in 1997, the total number of article III federal judges confirmed during the last Congress was a 2-year total of 101—the same total that was confirmed in one year when Democrats made up the majority of the Senate in 1994. The 104th Congress (1995–96) had resulted in a 2-year total of only 75 judges being confirmed. By way of contrast, I note that during the last two years of the Bush Administration, even including the presidential election year of 1992, a Democratic Senate confirmed 124 federal judges.

As we begin this year there are 64 current judicial vacancies and seven more on the horizon. In 1983, at the beginning of the 98th Congress there were only 31 vacancies. Even after the creation of 85 new judgeships in 1984, the number of vacancies had been reduced by a Democratic majority in the Senate for a Republican President to only 41 at the start of the 101st Congress in 1989.

After the first Republican Senate in a decade, during the 104th Congress (1995–96), the number of unfilled judicial vacancies increased for the first time in decades without the creation of any new judgeships. Vacancies went from 65 at the start of 1995, to 89 at the start of the 105th Congress in 1997. That is an increase in judicial vacancies of 37 percent without a single new judgeship having been authorized.

We made some progress last year when the Senate confirmed 65 judges. That only got us back to the level of vacancies that existed in 1995. If last year is to represent real progress and a change from the destructive politics of the two preceding years in which the Republican Senate confirmed only 17 and 36 judges, we need to at least duplicate those results again this year. The Senate needs to consider judicial nominations promptly and to confirm without additional delay the many fine men and women President Clinton is sending us.

We start this year already having received 19 judicial nominations. I am confident that many more are following in the days and weeks ahead. Unfortunately, past delays mean that 26 of the current vacancies, over 40 percent, are already judicial emergency vacancies, having been empty for more than 18 months. A dozen of the 19 nominations now pending had been received in years past. Ten are for judicial emergency vacancies. The nomination of Judge Paez to the Ninth Circuit dates back over three years to January 1996. Judge Paez along with three others were reported favorably by the Judiciary Committee to the Senate last Congress but were never considered by the full Senate. I hope that the Senate will confirm all these qualified nominees without further delay.

In addition to the 64 current vacancies and the seven we anticipate, there is also the longstanding request by the Federal judiciary for additional judges who are needed to hear the ever growing caseload in our Federal courts. In his 1998 Year-End Report of the Federal Judiciary, Chief Justice Rehnquist noted: ''The number of cases brought to the federal courts is one of the most serious problems facing them today.'' Criminal cases rose 15 percent in 1998, alone. Yet the Republican Congress has for the past several years simply refused to consider the authorization of the additional judges requested by the Judicial Conference.

In 1984 and in 1990, Congress did respond to requests for needed judicial resources by the Judicial Conference. Indeed, in 1990, a Democratic majority in the Congress created judgeships during a Republican presidential administration.

In 1997, the Judicial Conference of the United States requested that an additional 53 judgeships be authorized around the country. If Congress had passed the Federal Judgeship Act of 1997, S. 678, as it should have, the Federal judiciary would have 115 vacancies today. That is the more accurate measure of the needs of the federal judiciary that have been ignored by the Congress over the past several years.

In order to understand the impact of judicial vacancies, we need only recall that more and more of the vacancies are judicial emergencies that have been left vacant for longer periods of time. Last year the Senate adjourned with 15 nominations for judicial emergency vacancies left pending without action. Ten of the nominations received already this year are for judicial emergency vacancies.

In his 1997 Year-End Report, Chief Justice Rehnquist focused on the problem of ''too few judges and too much work.'' He noted the vacancy crisis and the persistence of scores of judicial emergency vacancies and observed: ''Some current nominees have been waiting a considerable time for a Senate Judiciary Committee vote or a final floor vote.'' He went on to note: ''The Senate is surely under no obligation to confirm any particular nominee, but after the necessary time for inquiry it should vote him up or vote him down.''

During the entire four years of the Bush Administration there were only three judicial nominations that were pending before the Senate for as long as 9 months before being confirmed and none took as long as a year. In 1997 alone there were 10 judicial nominations that took more than 9 months before a final favorably vote and 9 of those 10 extended over a year to a year and one-half. In 1998 another 10 confirmations extended over 9 months: Professor Fletcher's confirmation took 41 months—the longest-pending judicial nomination in the history of the United States—Hilda Tagle's confirmation took 32 months, Susan Oki Mollway's confirmation took 30 months, Ann Aiken's confirmation took 26 months, Margaret McKeown's confirmation took 24 months, Margaret Morrow's confirmation took 21 months, Judge Sonia Sotomayor's confirmation took 15 months, Rebecca Pallmeyer's confirmation took 14 months, Dan Polster's confirmation took 12 months, and Victoria Roberts' confirmation took 11 months.

I calculate that the average number of days for those few lucky nominees who are finally confirmed is continuing to escalate. In 1996, the Republican Senate shattered the record for the average number of days from nomination to confirmation for judicial confirmation. The average rose to a record 183 days. In 1997, the average number of days from nomination to confirmation rose dramatically yet again, and that was during the first year of a presidential term. From initial nomination to confirmation, the average time it took for Senate action on the 36 judges confirmed in 1997 broke the 200-day barrier for the first time in our history. It was 212 days. Unfortunately, that time is still growing and the average is still rising to the detriment of the administration of justice. Last year, in 1998, the Senate broke the record, again. The average time from nomination to confirmation for the 65 judges confirmed in 1998 was over 230 days.

At each step of the process, judicial nominations are being delayed and stalled. Judge Richard Paez, Justice Ronnie L. White, Judge William J. Hibbler and Timothy Dyk were each left on the Senate calendar without action when the Senate adjourned last October. Marsha Berzon, Matthew Kennelly and others were each denied a

vote before the Judiciary Committee following a hearing. Helene N. White, Ronald M. Gould and Barry P. Goode, were among a total of 13 judicial nominees never accorded a hearing last year before the Judiciary Committee.

At the conclusion of the debate on the nomination of Merrick Garland to the United States Court of Appeals for the District of Columbia, as 23 Republicans were preparing to vote against that exceptionally well-qualified nominee whose confirmation had been delayed 18 months, Senator HATCH said ''playing politics with judges is unfair, and I am sick of it.'' I agree with him. I look forward to a return to the days when judicial nominations are treated with the respect and attention that they deserve.

It is my hope that we can start in the right spirit and move in the right direction by reporting out the nominations of Timothy Dyk to the Federal Circuit; Judge Richard Paez and Marsha L. Berzon to the Ninth Circuit; William J. Hibbler and Matthew F. Kennelly to the District Court for the Northern District of Illinois; and Ronnie L. White to the District Court for the Eastern District of Missouri. They have each already had confirmation hearings before the Senate Judiciary Committee. Four of the six have previously been reported favorably by the Committee. The Senate should act to confirm these six nominees before the end of the month.

We should proceed to confirmation hearings for Helene N. White, Ronald M. Gould, Barry P. Goode, Lynette Norton, Legrome D. Davis and Virginia Phillips. Each of these nominations has been before the Committee for more than nine months already. It is time for us to proceed.

With the continued commitment of all Senators we can make real progress this year. We can help fill the long-standing vacancies that are plaguing the Federal judiciary and provide the resources needed to the administration of justice across the country.

VETERANS' ACCESS TO MEDICARE

Mr. BURNS. Mr. President, I am pleased to join Mr. JEFFORDS in co-sponsoring the Veterans' Equal Access to Medicare Act. This bill requires the Secretary of Veterans Affairs and the Secretary of Health and Human Services to create a demonstration program to allow Medicare-eligible veterans to receive their treatment at VA treatment facilities. This is a thoughtful approach to try to help our veterans, especially our elderly veterans, receive all of their treatments in one place. In the process, we hope to save money for the taxpayers and get greater benefits for our treatment dollars.

This is a voluntary program to establish 10 regional sites nationwide to provide this new service. This bill calls out several criteria for potential sites: one must be near a closed military base, one must be in a predominantly rural area, and no new buildings must be built as part of this program. I'm especially interested in the potential for Montana to be the rural site. We currently have veterans traveling hundreds of miles for their VA treatments. By establishing some type of joint VA/Medicare program, we create opportunities to expand access and improve continuity of medical care for Montana Veterans.

I'm encouraged by the awareness being raised in the VA recently for our State. The recent town meetings by the VA officials are just the beginning. My presence there was intended to show the VA how serious we take the necessity of improvement. We have to get better. My commitment through the coming months is to look for additional ways to ease communication between Montana Veterans and the Washington, D.C. establishment. We also need to increase the opportunities for Veterans to hear more about the future plans for Veterans' health care. Again, I'll be working on both of these topics this spring.

We owe our veterans a debt of service for their sacrifices for our country. The program in this bill is a great opportunity for us to be fiscally responsible while improving the care and treatment of a group of honored citizens. I strongly encourage my colleagues to support this bill.

SPACE TRANSPORTATION LOAN GUARANTEES

Mr. BURNS. Mr. President, I am pleased to join Mr. BREAUX in co-sponsoring the Commercial Space Transportation Cost Reduction Act. This is a appropriate extension of programs that we have used to encourage other fledgling industries such as shipbuilding and rail. Through this legislation, we hope to build a commercially competitive launch industry here in America that brings the world's satellites to our doorstep for launch into orbit.

This bill sets up loan guarantee programs; not grant handouts, but loan guarantees to help encourage commercial investment in start-up space industries. We want to encourage anyone with an idea good enough to raise some start up funds to approach the financial market with some assurance that their request for business loans will be approved. By placing $500 million in a NASA account in a guarantee program, we will leverage growth and investment to many times that. To encourage truly competitive ideas, we've placed a number of guidelines on this bill. We will only guarantee a maximum of 80% of the capitol required for a space vehicle construction project, the rest must be raised privately. Ten to twenty percent of the pool is set aside for small businesses, and we've specifically excluded the DoD launch vehicle development programs currently underway. There is a credit-worthiness requirement with specific loan criteria for being eligible for the loan. Finally, it guarantees the U.S. Government the best price for any launch system developed under this program. To make sure that no launch companies become dependent on this funding, we've provided for an expiration of this program in 10 years.

I'm especially interested in the potential benefit to Montana. Many start-up companies choose to locate in Western states where they have room to actively test their ideas and inventions. When combined with VentureStar's interest in Montana, this loan guarantee program could help develop a space technology region in our state that would attract high-tech companies with high-tech jobs. Montana already has a lot to offer, and I'm convinced that this program is one more way to give potential businesses a reason to make Montana their headquarters.

As seen this past summer, launching rockets is a risky business even for well-established companies. We need to find ways to encourage banks to qualitatively judge the overall risks and invest in creative new ways to get satellites into orbit. By providing loan guarantees to qualified companies, we can grow our capable domestic launch program into the world's choice for getting access to space. I strongly encourage my colleagues to support this bill.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting one treaty and sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT OF FEDERAL LABOR RELATIONS AUTHORITY FOR FISCAL YEAR 1997—MESSAGE FROM THE PRESIDENT—PM 12

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Governmental Affairs.

To the Congress of the United States:

In accordance with section 701 of the Civil Service Reform Act of 1978 (Public Law 95–454; 5 U.S.C. 7104(e)), I am pleased to transmit the Nineteenth Annual Report of the Federal Labor Relations Authority for Fiscal Year 1997.

The report includes information on the cases heard and decisions rendered by the Federal Labor Relations Authority, the General Counsel of the Authority, and the Federal Service Impasses Panel.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *March 2, 1999.*

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 350. An act to improve congressional deliberations on proposed Federal private sector mandates, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BOND, from the Committee on Small Business, without amendment:

S. 364. A bill to improve certain loan programs of the Small Business Administration, and for other purposes (Rept. No. 106–6).

By Mr. GRAMM, from the Committee on Banking, Housing, and Urban Affairs, without amendment:

S. 313. A bill to repeal the Public Utility Holding Company Act of 1935, to enact the Public Utility Holding Company Act of 1999, and for other purposes (Rept. No. 106–7).

By Mr. HATCH, from the Committee on the Judiciary, with amendments:

S. 247. A bill to amend title 17, United States Code, to reform the copyright law with respect to satellite retransmissions of broadcast signals, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of committees were submitted:

By Mr. WARNER, from the Committee on Armed Services:

The following named officers for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. James B. Armor, Jr., 7031
Col. Barbara C. Brannon, 0424
Col. David M. Cannan, 3149
Col. Richard J. Casey, 7432
Col. Kelvin R. Coppock, 0425
Col. Kenneth M. Decuir, 9876
Col. Arthur F. Diehl, III, 6363
Col. Lloyd E. Dodd, Jr., 5193
Col. Bob D. Dulaney, 3361
Col. Felix Dupre, 5938
Col. Robert J. Elder, Jr., 7484
Col. Frank R. Faykes, 4797
Col. Thomas J. Fiscus, 5444
Col. Paul J. Fletcher, 5438
Col. John H. Folkerts, 4060
Col. William M. Fraser, III, 9314
Col. Stanley Gorenc, 8279
Col. Michael C. Gould, 3374
Col. Paul M. Hankins, 1000
Col. Elizabeth A. Harrell, 1522
Col. Peter J. Hennessey, 1571
Col. William W. Hodges, 4545
Col. Donald J. Hoffman, 5449
Col. William J. Jabour, 2791
Col. Thomas P. Kane, 9763
Col. Claude R. Kehler, 6600
Col. Frank G. Klotz, 6089
Col. Robert H. Latiff, 2190
Col. Michael G. Lee, 9675
Col. Robert E. Mansfield, Jr., 9591
Col. Henry A. Obering, III, 3819
Col. Lorraine K. Potter, 9945
Col. Neal T. Robinson, 0542
Col. Robin E. Scott, 8526
Col. Norman R. Seip, 6765
Col. Bernard K. Skoch, 2109
Col. Robert L. Smolen, 7953
Col. Joseph P. Stein, 2625
Col. Jerald D. Stubbs, 0457
Col. Kevin J. Sullivan, 2930
Col. James P. Totsch, 3674
Col. Mark A. Volcheff, 3790
Col. Mark A. Welsh, III, 4911
Col. Stephen G. Wood, 7553
Col. Donald C. Wurster, 1815

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force, to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Michael B. Smith, 0409

The following named officer for appointment in the Reserve of the United States Marine Corps to the grade indicated under title 10, U.S.C., section 12203:

To be major general

Brig. Gen. Leo V. Williams, III, 3893

The following named officers for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brig. Gen. John R. Baker, 3934
Brig. Gen. John D. Becker, 8234
Brig. Gen. Robert F. Behler, 1612
Brig. Gen. Scott C. Bergren, 1312
Brig. Gen. Paul L. Bielowicz, 8502
Brig. Gen. Franklin J. Blaisdell, 5802
Brig. Gen. Robert P. Bongiovi, 5760
Brig. Gen. Carrol H. Chandler, 9115
Brig. Gen. Michael M. Dunn, 3491
Brig. Gen. Thomas B. Goslin, Jr., 2970
Brig. Gen. Lawrence D. Johnston, 1244
Brig. Gen. Michael S. Kudlacz, 4038
Brig. Gen. Arthur J. Lichte, 5483
Brig. Gen. William R. Looney, III, 5052
Brig. Gen. Stephen R. Lorenz, 2664
Brig. Gen. T. Michael Moseley, 1516
Brig. Gen. Michael C. Mushala, 4529
Brig. Gen. Larry W. Northington, 0293
Brig. Gen. Everett G. Odgers, 2279
Brig. Gen. William A. Peck, Jr., 3626
Brig. Gen. Timothy A. Peppe, 8336
Brig. Gen. Richard V. Reynolds, 1156
Brig. Gen. Earnest O. Robbins, II, 3677
Brig. Gen. Randall M. Schmidt, 1246
Brig. Gen. Norton A. Schwartz, 7542
Brig. Gen. Todd I. Stewart, 1167
Brig. Gen. George N. Williams, 5397

(The above nominations were reported with the recommendation that they be confirmed.)

Mr. WARNER. Mr. President, for the Committee on Armed Services, I report favorably 40 nomination lists in the Air Force, Army, Marine Corps, and Navy which were printed in full in the Congressional Records of February 3, 1999, and February 4, 1999 and ask unanimous consent, to save the expense of reprinting on the Executive Calendar, that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

In the Air Force nominations beginning Bruce R. Burnham, and ending Mahender Dudani, which nominations were received by the Senate and appeared in the Congressional Record of February 3, 1999.

In the Air Force nominations beginning Malcolm M. Dejnozka, and ending Gaelle J. Glickfield, which nominations were received by the Senate and appeared in the Congressional Record of February 3, 1999.

In the Air Force nominations beginning *Les R. Folio, and ending Daniel J. Feeney, which nominations were received by the Senate and appeared in the Congressional Record of February 3, 1999.

In the Air Force nomination of Vincent J. Shiban, which was received by the Senate and appeared in the Congressional Record of February 3, 1999.

In the Air Force nomination of Kymble L. Mccoy, which was received by the Senate and appeared in the Congressional Record of February 3, 1999.

In the Air Force nominations beginning Robert S Andrews, and ending David J Zollinger, which nominations were received by the Senate and appeared in the Congressional Record of February 3, 1999.

In the Air Force nominations beginning Richard L Ayres, and ending William C Wood, which nominations were received by the Senate and appeared in the Congressional Record of February 3, 1999.

In the Air Force nominations beginning Peter C Atinopoulos, and ending George T Zolovick, which nominations were received by the Senate and appeared in the Congressional Record of February 3, 1999.

In the Army nominations beginning George L. Hancock, Jr., and ending Sidney W. Atkinson, which nominations were received by the Senate and appeared in the Congressional Record of February 3, 1999.

In the Army nominations beginning Samuel J. Boone, and ending Donna C. Weddle, which nominations were received by the Senate and appeared in the Congressional Record of February 3, 1999.

In the Army nominations beginning Frederic L. Borch, III, and ending Stephanie D. Willson, which nominations were received by the Senate and appeared in the Congressional Record of February 3, 1999.

In the Army nomination of Wendell C. King, which was received by the Senate and appeared in the Congressional Record of February 3, 1999.

In the Army nominations beginning George A. Amonette, and ending Kenneth R. Stolworthy, which nominations were received by the Senate and appeared in the Congressional Record of February 3, 1999.

In the Army nominations beginning *Craig J. Bishop, and ending David W. Niebuhr, which nominations were received by the Senate and appeared in the Congressional Record of February 3, 1999.

In the Army nominations beginning Dale G. Nelson, and ending Frank M. Swett, Jr., which nominations were received by the Senate and appeared in the Congressional Record of February 3, 1999.

In the Army nomination of Dennis K. Lockard, which was received by the Senate and appeared in the Congressional Record of February 3, 1999.

In the Army nominations beginning Stuart C. Pike, and ending Delance E. Wiegele, which nominations were received by the Senate and appeared in the Congressional Record of February 3, 1999.

In the Army nomination of Franklin B. Weaver, which was received by the Senate and appeared in the Congressional Record of February 3, 1999.

In the Army nominations beginning Thomas J. Semarge, and ending *Jeffrey J. Fisher, which nominations were received by the Senate and appeared in the Congressional Record of February 3, 1999.

In the Army nomination of *William J. Miluszusky, which was received by the Senate and appeared in the Congressional Record of February 3, 1999.

In the Army nomination of *Daniel S. Sullivan, which was received by the Senate and appeared in the Congressional Record of February 3, 1999.

In the Army nominations beginning Christopher A. Acker, and ending X1910, which nominations were received by the Senate and appeared in the Congressional Record of February 3, 1999.

In the Army nominations beginning George L. Adams, III, and ending Juanita H

Winfree, which nominations were received by the Senate and appeared in the Congressional Record of February 3, 1999.

In the Army nominations beginning Lisa Andersonlloyd, and ending Peter C Zolper, which nominations were received by the Senate and appeared in the Congressional Record of February 3, 1999.

In the Army nominations beginning Mark O. Ainscough, and ending Arthur C Zuleger, which nominations were received by the Senate and appeared in the Congressional Record of February 3, 1999.

In the Army nominations beginning Gregg T. Anders, and ending Carl C Yoder, which nominations were received by the Senate and appeared in the Congressional Record of February 3, 1999.

In the Army nominations beginning Robert V. Adamson, and ending Jack W Zimmerly, which nominations were received by the Senate and appeared in the Congressional Record of February 3, 1999.

In the Marine Corps nomination of Terry G. Robling, which was received by the Senate and appeared in the Congressional Record of February 3, 1999.

In the Marine Corps nomination of Milton J. Staton, which was received by the Senate and appeared in the Congressional Record of February 3, 1999.

In the Marine Corps nomination of Stephen W. Austin, which was received by the Senate and appeared in the Congressional Record of February 3, 1999.

In the Marine Corps nomination of William S. Tate, which was received by the Senate and appeared in the Congressional Record of February 3, 1999.

In the Marine Corps nomination of Robert S. Barr, which was received by the Senate and appeared in the Congressional Record of February 3, 1999.

In the Marine Corps nomination of John C. Lex, which was received by the Senate and appeared in the Congressional Record of February 3, 1999.

In the Marine Corps nomination of Lance A. Mcdaniel, which was received by the Senate and appeared in the Congressional Record of February 3, 1999.

In the Marine Corps nomination of Joseph M. Perry, which was received by the Senate and appeared in the Congressional Record of February 3, 1999.

In the Marine Corps nomination of Myron P. Edwards, which was received by the Senate and appeared in the Congressional Record of February 3, 1999.

In the Marine Corps nominations beginning David J Abbott, and ending Kevin H Winters, which nominations were received by the Senate and appeared in the Congressional Record of February 3, 1999.

In the Navy nomination of Jose M. Gonzalez, which was received by the Senate and appeared in the Congressional Record of February 3, 1999.

In the Navy nomination of Douglas L. Mayers, which was received by the Senate and appeared in the Congressional Record of February 3, 1999.

In the Navy nominations beginning Errol F. Becker, and ending Eduardo R. Morales, which nominations were received by the Senate and appeared in the Congressional Record of February 3, 1999.

In the Army nominations beginning Tim O. Reutter, and ending *John M. Griffin, which nominations were received by the Senate on February 3, 1999, and appeared in the Congressional Record of February 4, 1999.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. LAUTENBERG:

S. 491. A bill to enable America's schools to use their computer hardware to increase student achievement and prepare students for the 21st century workplace; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SARBANES (for himself, Ms. MIKULSKI, Mr. WARNER, Mr. ROBB, and Mr. SANTORUM):

S. 492. A bill to amend the Federal Water Pollution Act to assist in the restoration of the Chesapeake Bay, and for other purposes; to the Committee on Environment and Public Works.

By Mr. SARBANES (for himself, Ms. MIKULSKI, and Mr. EDWARDS):

S. 493. A bill to require the Secretary of the Army, acting through the Chief of Engineers, to evaluate, develop, and implement pilot projects in Maryland, Virginia, and North Carolina to address problems associated with toxic microorganisms in tidal and non-tidal wetlands and waters; to the Committee on Environment and Public Works.

By Mr. GRAHAM (for himself, Mr. GRASSLEY, Mr. ROTH, Mr. MOYNIHAN, Mr. CHAFEE, Mr. ROCKEFELLER, Mr. MACK, Mr. BREAUX, Mr. KERREY, Ms. MIKULSKI, Mr. BRYAN, Mr. HOLLINGS, Mr. INOUYE, Mr. HARKIN, Mr. BAYH, Mr. ROBB, and Mr. MURKOWSKI):

S. 494. A bill to amend title XIX of the Social Security Act to prohibit transfers or discharges of residents of nursing facilities as a result of a voluntary withdrawal from participation in the medicaid program; to the Committee on Finance.

By Mr. BOND (for himself, Mr. ASHCROFT, and Mr. INHOFE):

S. 495. A bill to amend the Clean Air Act to repeal the highway sanctions; to the Committee on Environment and Public Works.

By Mr. REED (for himself and Mr. WYDEN):

S. 496. A bill to provide for the establishment of an assistance program for health insurance consumers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MOYNIHAN:

S. 497. A bill to designate Great Kills Park in the Gateway National Recreation Area as ''World War II Veterans Park at Great Kills''; to the Committee on Energy and Natural Resources.

By Mr. WYDEN:

S. 498. A bill to require vessels entering the United States waters to provide earlier notice of the entry, to clarify the requirements for those vessels and the authority of the Coast Guard over those vessels, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. FRIST (for himself, Mr. JEFFORDS, Mr. DORGAN, Mr. LEVIN, Mrs. MURRAY, Mr. DEWINE, Mr. MURKOWSKI, Mr. THURMOND, Mr. DURBIN, and Mr. INOUYE):

S. 499. A bill to establish a congressional commemorative medal for organ donors and their families; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SMITH of New Hampshire (for himself, Mr. JEFFORDS, and Mr. HELMS):

S. 500. A bill to amend section 991(a) of title 28, United States Code, to require certain members of the United States Sentencing Commission to be selected from among individuals who are victims of a crime of violence; to the Committee on the Judiciary.

By Mr. MURKOWSKI (for himself and Mr. STEVENS):

S. 501. A bill to address resource management issues in Glacier Bay National Park, Alaska; to the Committee on Energy and Natural Resources.

By Mr. ASHCROFT (for himself and Mr. DOMENICI):

S. 502. A bill to protect social security; to the Committee on the Budget and the Committee on Governmental Affairs, jointly, pursuant to the order of August 4, 1977, with instructions that if one Committee reports, the other Committee have thirty days to report or be discharged.

By Mr. ALLARD:

S. 503. A bill designating certain land in the San Isabel National Forest in the State of Colorado as the ''Spanish Peaks Wilderness''; to the Committee on Energy and Natural Resources.

By Mr. CLELAND:

S. 504. A bill to reform Federal election campaigns; to the Committee on Rules and Administration.

By Mr. GRASSLEY:

S. 505. A bill to give gifted and talented students the opportunity to develop their capabilities; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. LINCOLN (for herself, Mr. MOYNIHAN, Mr. BREAUX, Mr. KERREY, Ms. LANDRIEU, and Mr. COCHRAN):

S. 506. A bill to amend the Internal Revenue Code of 1986 to permanently extend the provisions which allow nonrefundable personal credits to be fully allowed against regular tax liability; to the Committee on Finance.

By Mr. WARNER (for himself, Mr. CHAFEE, Mr. BAUCUS, Mr. VOINOVICH, Mr. LAUTENBERG, Mr. BENNETT, and Mrs. BOXER):

S. 507. A bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; to the Committee on Environment and Public Works.

By Mr. SANTORUM (for himself and Mr. ALLARD):

S. 508. A bill to prohibit implementation of ''Know Your Customer'' regulations by the Federal banking agencies; read the first time.

By Mr. DODD (for himself and Mr. COVERDELL):

S. 509. A bill to amend the Peace Corps Act to authorize appropriations for fiscal years 2000 through 2003 to carry out that Act, and for other purposes; to the Committee on Foreign Relations.

By Mr. CAMPBELL (for himself, Mr. CRAIG, Mr. KYL, Mr. CRAPO, Mr. GORTON, and Mr. GRAMS):

S. 510. A bill to preserve the sovereignty of the United States over public lands and acquired lands owned by the United States, and to preserve State sovereignty and private property rights in non-Federal lands surrounding those public lands and acquired lands; to the Committee on Energy and Natural Resources.

By Mr. MCCAIN:

S. 511. A bill to amend the Voting Accessibility for the Elderly and Handicapped Act to ensure the equal right of individuals with disabilities to vote, and for other purposes; to the Committee on Rules and Administration.

By Mr. GORTON (for himself, Mrs. FEINSTEIN, Mr. LAUTENBERG, Mr. TORRICELLI, Mr. LIEBERMAN, and Mr. EDWARDS):

S. 512. A bill to amend the Public Health Service Act to provide for the expansion, intensification, and coordination of the activities of the Department of Health and Human Services with respect to research on autism; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LOTT (for himself and Mr. DASCHLE):

S. Res. 55. A resolution making appointments to certain Senate committees for the 106th Congress; considered and agreed to.

By Mr. COVERDELL (for himself, Mr. TORRICELLI, and Mr. ROBB):

S. Res. 56. A resolution recognizing March 2, 1999 as the ''National Read Across America Day'', and encouraging every child, parent and teacher to read throughout the year; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LAUTENBERG:

S. 491. A bill to enable America's schools to use their computer hardware to increase student achievement and prepare students for the 21st century workplace; to the Committee on Health, Education, Labor, and Pensions.

THE ''EDUCATION FOR THE 21ST CENTURY ACT''

Mr. LAUTENBERG. Mr. President, I rise to introduce ''E–21''—the Education for the 21st Century Act.

The E–21 Act will help ensure that all middle school graduates attain basic computer literacy skills that will prepare them for high school and beyond, and ultimately, for the 21st Century workplace. The E–21 Act will also allow all school districts to obtain and utilize the latest high-quality educational software, free of charge.

Mr. President, the first piece of legislation I introduced in the Senate was to provide financial assistance to introduce computers into schools, to help students learn and expand their horizons. That was in 1983. Back then, it was the exceptional school that even had a computer. It was an unusual teacher or student who knew how to use one.

That legislation was enacted into law. Along with other resources, it helped bring computers into our schools as part of everyday learning.

Mr. President, as many of my colleagues know, I got my start in the computing business. Back then, computers filled large rooms and were so expensive that only the largest corporations could afford their own computing centers. Today, even more powerful computers sit on a desktop in millions of homes, schools and businesses across the nation.

Mr. President, we've made great strides toward introducing computers into schools, but too many of these computers are not being utilized to their potential due to lack of updated computer training for teachers.

Mr. President, a recent study by the Educational Testing Service confirmed that computers do increase student achievement and improve a school's learning climate. However—and this is critical—the study specified that to achieve those results, teachers must be appropriately trained and use effective educational software programs. Otherwise, these computers become mere furniture in a classroom.

To boost student achievement through computers and technology, my ''Education for the 21st Century Act'' will provide up to $30 million per year to train a team of teachers from every middle school in the nation in the most up-to-date computing technology. These Teacher Technology leaders could then share their training with the rest of the faculty in their schools, so all teachers are ready to pass these skills on to their students.

Mr. President, the E–21 Act will also create national educational software competitions, open to high school and college students, to work in partnership with university faculty and professional software developers. The best of these software packages would be available free-of-charge over the Internet through the Department of Education's web page.

Mr. President, I want to make clear to my colleagues that this emphasis on computer training is not at the expense of the fundamental, basic skills that underlie education: reading, writing and arithmetic. It's still important to master these traditional basics. But we should also add a ''new basic'' to the list—computer literacy. Americans will need those skills to compete in the 21st Century.

Mr. President, this proposal is part of President Clinton's FY 2000 Budget, and as Ranking Member of the Budget Committee and a member of the Appropriations Committee, I will work to see that it is funded for years to come.

Mr. President, as a businessman who got his start at the beginning of the computing age, I am proud to see the way our nation has led the world in computer technology. I want to make sure that we continue to lead—through the second computer century—the 21st Century.

I therefore ask my colleagues to support ''E–21''—the Education for the 21st Century Act.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 491

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Education for the 21st Century (e–21) Act''.

SEC. 2. PURPOSE.

It is the purpose of this Act to enable America's schools to use their computer hardware to increase student achievement and prepare students for the 21st century workplace.

SEC. 3. FINDINGS.

Congress makes the following findings:

(1) Establishing computer literacy for middle school graduates will help ensure that students are receiving the skills needed for advanced education and for securing employment in the 21st century.

(2) Computer literacy skills, such as information gathering, critical analysis and communication with the latest technology, build upon the necessary basics of reading, writing, mathematics, and other core subject areas.

(3) According to a study conducted by the Educational Testing Service (ETS), eighth grade mathematics students whose teachers used computers for simulations and applications outperformed students whose teachers did not use such educational technology.

(4) Although an ever increasing amount of schools are obtaining the latest computer hardware, schools will not be able to take advantage of the benefits of computer-based learning unless teachers are effectively trained in the latest educational software applications.

(5) The Educational Testing Service (ETS) study showed that students whose teachers received training in computers performed better than other students. The study also found that schools that provide teachers with professional development in computers enjoyed higher staff morale and lower absenteeism rates.

(6) Some of the most exciting applications in educational technology are being developed not only by commercial software companies, but also by university faculty and secondary school and college students. The fruit of this academic talent should be channeled more effectively to benefit our Nation's elementary and secondary schools.

SEC. 4. MIDDLE SCHOOL COMPUTER LITERACY CHALLENGE.

(a) GRANTS AUTHORIZED.—The Secretary of Education is authorized to award grants to States that integrate into the State curriculum the goal of making all middle school graduates in the State technology literate.

(b) USES.—Grants awarded under this section shall be used for teacher training in technology, with an emphasis on programs that prepare 1 or more teachers in each middle school in the State to become technology leaders who then serve as experts and train other teachers.

(c) MATCHING FUNDS.—Each State shall encourage schools that receive assistance under this section to provide matching funds, with respect to the cost of teacher training in technology to be assisted under this section, in order to enhance the impact of the teacher training and to help ensure that all middle school graduates in the State are computer literate.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $30,000,000 for each of the fiscal years 2000 through 2004.

SEC. 5. HIGH-QUALITY EDUCATIONAL SOFTWARE FOR ALL SCHOOLS.

(a) COMPETITION AUTHORIZED.—The Secretary of Education is authorized to award grants, on a competitive basis, to secondary school and college students working with university faculty, software developers, and experts in educational technology for the development of high-quality educational software and Internet web sites by such students, faculty, developers, and experts.

(b) RECOGNITION.—

(1) IN GENERAL.—The Secretary of Education shall recognize outstanding educational software and Internet web sites developed with assistance provided under this section.

(2) CERTIFICATES.—The President is requested to, and the Secretary shall, issue an official certificate signed by the President and Secretary, to each student and faculty member who develops outstanding educational software or Internet web sites recognized under this section.

(c) FOCUS.—The educational software or Internet web sites that are recognized under this section shall focus on core curriculum areas.

(d) PRIORITY.—

(1) FIRST YEAR.—For the first year that the Secretary awards grants under this section, the Secretary shall give priority to awarding grants for the development of educational software or Internet web sites in the areas of mathematics, science, and reading.

(2) SECOND AND THIRD YEARS.—For the second and third years that the Secretary awards grants under this section, the Secretary shall give priority to awarding grants for the development of educational software or Internet web sites in the areas described in paragraph (1) and in social studies, the humanities, and the arts.

(e) JUDGES.—The Secretary shall designate official judges to recognize outstanding educational software or Internet web sites assisted under this section.

(f) DOWNLOADING.—Educational software recognized under this section shall be made available to local educational agencies for free downloading from the Department of Education's Internet web site. Internet web sites recognized under this section shall be accessible to any user of the World Wide Web.

(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $5,000,000 for each of the fiscal years 2000 through 2004.

By Mr. SARBANES (for himself, Ms. MIKULSKI, Mr. WARNER, Mr. ROBB, and Mr. SANTORUM):

S. 492. A bill to amend the Federal Water Pollution Act to assist in the restoration of the Chesapeake Bay, and for other purposes; to the Committee on Environment and Public Works.

THE CHESAPEAKE BAY RESTORATION ACT OF 1999

Mr. SARBANES. Mr. President, today, I am introducing along with a number of my colleagues, a bill to continue and enhance the efforts to clean up the Chesapeake Bay. Joining me in sponsoring this bill are my colleagues from Maryland, Virginia, and Pennsylvania, Senators MIKULSKI, WARNER, ROBB, and SANTORUM.

Mr. President, the Chesapeake Bay is the largest estuary in the United States and the key to the ecological and economic health of the mid-Atlantic region. The Bay, in fact, is one of the world's great natural resources. We tend to take it for granted because it is right here at hand, so to speak, and I know many Members of this body have enjoyed the Chesapeake Bay. The Bay provides thousands of jobs for the people in this region and is an important component in the national economy. The Bay is a major commercial waterway and shipping center for the region and for much of the eastern United States. It supports a world-class fishery that produces a significant portion of the country's fin fish and shellfish catch. The Bay and its waters also maintain an enormous tourism and recreation industry.

The Chesapeake Bay is a complex system. It draws its life-sustaining waters from a watershed that covers more than 64,000 square miles and parts of six states. The Bay's relationship to the people, industries, and communities in those six states and beyond is also complex and multifaceted.

I could continue talking about these aspects of the Bay, but my fellow Senators are aware of the Bay's importance and have consistently regarded the protection and enhancement of the quality of the Chesapeake Bay as an important national objective.

Through the concerted efforts of public and private organizations, we have learned to understand the complexities of the Bay and we have learned what it takes to maintain the system that sustains us. The Chesapeake Bay Program is an extraordinary example of how local, State, regional, and Federal agencies can work with citizens and private organizations to manage complicated, vital, natural resources. Indeed, the Chesapeake Bay Program serves as a model across the country and around the world.

When the Bay began to experience serious unprecedented declines in water quality and living resources in the 1970s, the people in my state suffered. We lost thousands of jobs in the fishing industry. We lost much of the wilderness that defined the watershed. We began to appreciate for the first time the profound impact that human activity could have on the Chesapeake Bay ecosystem. We began to recognize that untreated sewage, deforestation, toxic chemicals, agricultural runoff, and increased development were causing a degradation of water quality, the loss of wildlife, and elimination of vital habitat. We also began to recognize that these negative impacts were only part of a cycle that could eventually impact other economic and human health interests.

Fortunately, over the last two decades we have come to understand that humans can also have a positive effect on the environment. We have learned that we can, if we are committed, help repair natural systems so that they continue to provide economic opportunities and enhance the quality of life for future generations.

We now treat sewage before it enters our waters. We banned toxic chemicals that were killing wildlife. We have initiated programs to reduce nonpoint source pollution, and we have taken aggressive steps to restore depleted fisheries.

The States of Maryland, Virginia, and Pennsylvania deserve much of the credit for undertaking many of the actions that have put the Bay and its watershed on the road to recovery. All three States have had major cleanup programs. They have made significant commitments in terms of resources. It is an important priority item on the agendas of the Bay States. Governors have been strongly committed, as have State legislatures and the public. There are a number of private organizations—the Chesapeake Bay Foundation, for example—which do extraordinary good work in this area.

But there has been invaluable involvement by the Federal Government as well. The cooperation and attention of Federal agencies has been essential. Without the Federal Clean Water Act, the Federal ban on DDT, and EPA's watershed-wide coordination of Chesapeake Bay restoration and cleanup activities, we would not have been able to bring about the concerted effort, the real partnership, that is succeeding improving the water quality of the Bay and is succeeding in bringing back many of the fish and wildlife species.

The Chesapeake Bay is getting cleaner, but we cannot afford to be complacent. There are still tremendous stresses on the Bay. This is a fast-growing area of the country, with an ever increasing population, development, and continuous changes in land use.

We need to remain vigilant in continuing to address the needs of the Bay restoration effort. The hard work, investment, and commitment, at all levels, which has brought gains over the last three decades, must not be allowed to lapse or falter.

The measure I am introducing today reauthorizes the Bay program and builds upon the Federal Government's past role in the Chesapeake Bay Program and the highly successful Federal-State-local partnership to which I made reference. The bill also establishes simple agency disclosure and budget coordination mechanisms to help ensure that information about Federal Bay-related grants and projects are readily available to the scientific community and the public.

As I mentioned before, the Chesapeake Bay Program is a model of efficient and effective coordination. Still, there is always room for improvement as experience informs and enlightens our judgments. While coordination between the various levels of government has been exemplary, coordination among Federal agencies can be strengthened. This legislation begins to develop a better coordination mechanism to help ensure that all Federal agency programs are accounted for.

In addition, this bill requires the Environmental Protection Agency to establish a ''Small Watershed Grants Program'' for the Chesapeake Bay region. These grants will help organizations and local governments launch a variety of locally-designed and locally-implemented projects to restore relatively small pieces of the larger Chesapeake Bay watershed. By empowering local agencies and community groups to identify and solve local problems, this grant program will promote stewardship across the region and improve the whole by strengthening the parts.

This bill was carefully crafted with the advise, counsel, and assistance of many hard working organizations in the Chesapeake Bay region, including the Chesapeake Bay Commission, the Chesapeake Bay Foundation, The Alliance for the Chesapeake Bay and various offices within the state governments of Maryland, Virginia, and Pennsylvania.

Mr. President, it is the hope of the cosponsors that this bill will ultimately be incorporated into a larger piece of legislation that is due to be reauthorized or considered this year. However, if such legislation is not considered or should become stalled in the legislative process—the larger legislation covers a wide range of issues—it is our intention to try to move forward with this legislation separately.

The Chesapeake Bay cleanup effort has been a major bipartisan undertaking in this body. It has consistently, over the years, been strongly supported by virtually all members of the Senate. I strongly urge my colleagues to join with us in supporting this legislation and contributing to the improvement and the enhancement of one of our Nation's most valuable and treasued natural resources.

Mr. President, I ask unanimous consent that the full text of the bill, a section-by-section analysis, and letters of support of the bill be inserted in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 492

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Chesapeake Bay Restoration Act of 1999''.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the Chesapeake Bay is a national treasure and a resource of worldwide significance;

(2) over many years, the productivity and water quality of the Chesapeake Bay and its watershed were diminished by pollution, excessive sedimentation, shoreline erosion, the impacts of population growth and development in the Chesapeake Bay watershed, and other factors;

(3) the Federal Government (acting through the Administrator of the Environmental Protection Agency), the Governor of the State of Maryland, the Governor of the Commonwealth of Virginia, the Governor of the Commonwealth of Pennsylvania, the Chairperson of the Chesapeake Bay Commission, and the Mayor of the District of Columbia, as Chesapeake Bay Agreement signatories, have committed to a comprehensive cooperative program to achieve improved water quality and improvements in the productivity of living resources of the Bay;

(4) the cooperative program described in paragraph (3) serves as a national and international model for the management of estuaries; and

(5) there is a need to expand Federal support for monitoring, management, and restoration activities in the Chesapeake Bay and the tributaries of the Bay in order to meet and further the original and subsequent goals and commitments of the Chesapeake Bay Program.

(b) PURPOSES.—The purposes of this Act are—

(1) to expand and strengthen cooperative efforts to restore and protect the Chesapeake Bay; and

(2) to achieve the goals established in the Chesapeake Bay Agreement.

SEC. 3. CHESAPEAKE BAY.

The Federal Water Pollution Control Act is amended by striking section 117 (33 U.S.C. 1267) and inserting the following:

''SEC. 117. CHESAPEAKE BAY.

''(a) DEFINITIONS.—In this section:

''(1) ADMINISTRATIVE COST.—The term 'administrative cost' means the cost of salaries and fringe benefits incurred in administering a grant under this section.

''(2) CHESAPEAKE BAY AGREEMENT.—The term 'Chesapeake Bay Agreement' means the formal, voluntary agreements executed to achieve the goal of restoring and protecting the Chesapeake Bay ecosystem and the living resources of the Chesapeake Bay ecosystem and signed by the Chesapeake Executive Council.

''(3) CHESAPEAKE BAY ECOSYSTEM.—The term 'Chesapeake Bay ecosystem' means the ecosystem of the Chesapeake Bay and its watershed.

''(4) CHESAPEAKE BAY PROGRAM.—The term 'Chesapeake Bay Program' means the program directed by the Chesapeake Executive Council in accordance with the Chesapeake Bay Agreement.

''(5) CHESAPEAKE EXECUTIVE COUNCIL.—The term 'Chesapeake Executive Council' means the signatories to the Chesapeake Bay Agreement.

''(6) SIGNATORY JURISDICTION.—The term 'signatory jurisdiction' means a jurisdiction of a signatory to the Chesapeake Bay Agreement.

''(b) CONTINUATION OF CHESAPEAKE BAY PROGRAM.—

''(1) IN GENERAL.—In cooperation with the Chesapeake Executive Council (and as a member of the Council), the Administrator shall continue the Chesapeake Bay Program.

''(2) PROGRAM OFFICE.—

''(A) IN GENERAL.—The Administrator shall maintain in the Environmental Protection Agency a Chesapeake Bay Program Office.

''(B) FUNCTION.—The Chesapeake Bay Program Office shall provide support to the Chesapeake Executive Council by—

''(i) implementing and coordinating science, research, modeling, support services, monitoring, data collection, and other activities that support the Chesapeake Bay Program;

''(ii) developing and making available, through publications, technical assistance, and other appropriate means, information pertaining to the environmental quality and living resources of the Chesapeake Bay ecosystem;

''(iii) in cooperation with appropriate Federal, State, and local authorities, assisting the signatories to the Chesapeake Bay Agreement in developing and implementing specific action plans to carry out the responsibilities of the signatories to the Chesapeake Bay Agreement;

''(iv) coordinating the actions of the Environmental Protection Agency with the actions of the appropriate officials of other Federal agencies and State and local authorities in developing strategies to—

''(I) improve the water quality and living resources in the Chesapeake Bay ecosystem; and

''(II) obtain the support of the appropriate officials of the agencies and authorities in achieving the objectives of the Chesapeake Bay Agreement; and

''(v) implementing outreach programs for public information, education, and participation to foster stewardship of the resources of the Chesapeake Bay.

''(c) INTERAGENCY AGREEMENTS.—The Administrator may enter into an interagency agreement with a Federal agency to carry out this section.

''(d) TECHNICAL ASSISTANCE AND ASSISTANCE GRANTS.—

''(1) IN GENERAL.—In cooperation with the Chesapeake Executive Council, the Administrator may provide technical assistance, and assistance grants, to nonprofit organizations, State and local governments, colleges, universities, and interstate agencies to carry out this section, subject to such terms and conditions as the Administrator considers appropriate.

''(2) FEDERAL SHARE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Federal share of an assistance grant provided under paragraph (1) shall be determined by the Administrator in accordance with guidance issued by the Administrator.

''(B) SMALL WATERSHED GRANTS PROGRAM.—The Federal share of an assistance grant provided under paragraph (1) to carry out an implementing activity under subsection (g)(2) shall not exceed 75 percent of eligible project costs, as determined by the Administrator.

''(3) NON-FEDERAL SHARE.—An assistance grant under paragraph (1) shall be provided on the condition that non-Federal sources provide the remainder of eligible project costs, as determined by the Administrator.

''(4) ADMINISTRATIVE COSTS.—Administrative costs shall not exceed 10 percent of the annual grant award.

''(e) IMPLEMENTATION AND MONITORING GRANTS.—

''(1) IN GENERAL.—If a signatory jurisdiction has approved and committed to implement all or substantially all aspects of the Chesapeake Bay Agreement, on the request of the chief executive of the jurisdiction, the Administrator—

''(A) shall make a grant to the jurisdiction for the purpose of implementing the management mechanisms established under the Chesapeake Bay Agreement, subject to such terms and conditions as the Administrator considers appropriate;

''(B) may make a grant to a signatory jurisdiction for the purpose of monitoring the Chesapeake Bay ecosystem.

''(2) PROPOSALS.—

''(A) IN GENERAL.—A signatory jurisdiction described in paragraph (1) may apply for a grant under this subsection for a fiscal year by submitting to the Administrator a comprehensive proposal to implement management mechanisms established under the Chesapeake Bay Agreement.

''(B) CONTENTS.—A proposal under subparagraph (A) shall include—

''(i) a description of proposed management mechanisms that the jurisdiction commits to take within a specified time period, such as reducing or preventing pollution in the Chesapeake Bay and its watershed or meeting applicable water quality standards or established goals and objectives under the Chesapeake Bay Agreement; and

''(ii) the estimated cost of the actions proposed to be taken during the fiscal year.

''(3) APPROVAL.—If the Administrator finds that the proposal is consistent with the Chesapeake Bay Agreement and the national goals established under section 101(a), the Administrator may approve the proposal for an award.

''(4) FEDERAL SHARE.—The Federal share of an implementation grant under this subsection shall not exceed 50 percent of the cost of implementing the management mechanisms during the fiscal year.

''(5) NON-FEDERAL SHARE.—An implementation grant under this subsection shall be made on the condition that non-Federal sources provide the remainder of the costs of implementing the management mechanisms during the fiscal year.

''(6) ADMINISTRATIVE COSTS.—Administrative costs shall not exceed 10 percent of the annual grant award.

''(7) REPORTING.—On or before October 1 of each fiscal year, the Administrator shall make available to the public a document that lists and describes, in the greatest practicable degree of detail—

''(A) all projects and activities funded for the fiscal year;

''(B) the goals and objectives of projects funded for the previous fiscal year; and

''(C) the net benefits of projects funded for previous fiscal years.

''(f) FEDERAL FACILITIES AND BUDGET COORDINATION.—

''(1) SUBWATERSHED PLANNING AND RESTORATION.—A Federal agency that owns or operates a facility (as defined by the Administrator) within the Chesapeake Bay watershed shall participate in regional and subwatershed planning and restoration programs.

''(2) COMPLIANCE WITH AGREEMENT.—The head of each Federal agency that owns or occupies real property in the Chesapeake Bay watershed shall ensure that the property, and actions taken by the agency with respect to the property, comply with the Chesapeake Bay Agreement, the Federal Agencies Chesapeake Ecosystem Unified Plan, and any subsequent agreements and plans.

''(3) BUDGET COORDINATION.—

''(A) IN GENERAL.—As part of the annual budget submission of each Federal agency with projects or grants related to restoration, planning, monitoring, or scientific investigation of the Chesapeake Bay ecosystem, the head of the agency shall submit to the President a report that describes plans for the expenditure of the funds under this section.

''(B) DISCLOSURE TO THE COUNCIL.—The head of each agency referred to in subparagraph (A) shall disclose the report under that subparagraph with the Chesapeake Executive Council as appropriate.

''(g) CHESAPEAKE BAY PROGRAM.—

''(1) MANAGEMENT STRATEGIES.—The Administrator, in coordination with other members of the Chesapeake Executive Council, shall ensure that management plans are developed and implementation is begun by signatories to the Chesapeake Bay Agreement to achieve and maintain—

''(A) the nutrient goals of the Chesapeake Bay Agreement for the quantity of nitrogen and phosphorus entering the Chesapeake Bay and its watershed;

''(B) the water quality requirements necessary to restore living resources in the Chesapeake Bay ecosystem;

''(C) the Chesapeake Bay Basinwide Toxins Reduction and Prevention Strategy goal of reducing or eliminating the input of chemical contaminants from all controllable sources to levels that result in no toxic or bioaccumulative impact on the living resources of the Chesapeake Bay ecosystem or on human health;

''(D) habitat restoration, protection, and enhancement goals established by Chesapeake Bay Agreement signatories for wetlands, riparian forests, and other types of habitat associated with the Chesapeake Bay ecosystem; and

''(E) the restoration, protection, and enhancement goals established by the Chesapeake Bay Agreement signatories for living resources associated with the Chesapeake Bay ecosystem.

''(2) SMALL WATERSHED GRANTS PROGRAM.—The Administrator, in cooperation with the Chesapeake Executive Council, shall—

''(A) establish a small watershed grants program as part of the Chesapeake Bay Program; and

''(B) offer technical assistance and assistance grants under subsection (d) to local governments and nonprofit organizations and individuals in the Chesapeake Bay region to implement—

''(i) cooperative tributary basin strategies that address the water quality and living resource needs in the Chesapeake Bay ecosystem; and

''(ii) locally based protection and restoration programs or projects within a watershed that complement the tributary basin strategies.

''(h) STUDY OF CHESAPEAKE BAY PROGRAM.—

''(1) IN GENERAL.—Not later than April 22, 2000, and every 5 years thereafter, the Administrator, in coordination with the Chesapeake Executive Council, shall complete a study and submit to Congress a comprehensive report on the results of the study.

''(2) REQUIREMENTS.—The study and report shall—

''(A) assess the state of the Chesapeake Bay ecosystem;

''(B) assess the appropriateness of commitments and goals of the Chesapeake Bay Program and the management strategies established under the Chesapeake Bay Agreement for improving the state of the Chesapeake Bay ecosystem;

''(C) assess the effectiveness of management strategies being implemented on the date of enactment of this section and the extent to which the priority needs are being met;

''(D) make recommendations for the improved management of the Chesapeake Bay Program either by strengthening strategies being implemented on the date of enactment of this section or by adopting new strategies; and

''(E) be presented in such a format as to be readily transferable to and usable by other watershed restoration programs.

''(i) SPECIAL STUDY OF LIVING RESOURCE RESPONSE.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Administrator shall commence a 5-year special study with full participation of the scientific community of the Chesapeake Bay to establish and expand understanding of the response of the living resources of the Chesapeake Bay ecosystem to improvements in water quality that have resulted from investments made through the Chesapeake Bay Program.

''(2) REQUIREMENTS.—The study shall—

''(A) determine the current status and trends of living resources, including grasses, benthos, phytoplankton, zooplankton, fish, and shellfish;

''(B) establish to the extent practicable the rates of recovery of the living resources in response to improved water quality condition;

''(C) evaluate and assess interactions of species, with particular attention to the impact of changes within and among trophic levels; and

''(D) recommend management actions to optimize the return of a healthy and balanced ecosystem in response to improvements in the quality and character of the waters of the Chesapeake Bay.

''(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $30,000,000 for each of fiscal years 2000 through 2005.''.

CHESAPEAKE BAY RESTORATION ACT OF 1999—SECTIONAL SUMMARY

SECTION 1. SHORT TITLE

This section establishes the title of the bill as the ''Chesapeake Bay Restoration Act of 1999.''

SECTION 2. FINDINGS AND PURPOSE

This section states that the purpose of the Act is to expand and strengthen the cooperative efforts to restore and protect the Chesapeake Bay and to achieve the goals embodied in the Chesapeake Bay Agreement.

SECTION 3. CHESAPEAKE BAY

(a) DEFINITIONS

This section defines the terms ''Administrative Cost,'' ''Chesapeake Bay Agreement,'' ''Chesapeake Bay Ecosystem,'' ''Chesapeake Bay Program,'' ''Chesapeake Executive Council,'' and ''Signatory Jurisdiction.''

(b) CONTINUATION OF CHESAPEAKE BAY PROGRAM

This section provides authority for EPA to continue to lead and coordinate the Chesapeake Bay Program, in coordination with other members of the Chesapeake Executive Council, and to maintain a Chesapeake Bay Liaison Office.

The Chesapeake Bay Program Office is required to provide support to the Chesapeake Executive Council for implementing and coordinating science, research, modeling, monitoring and other efforts that support the Chesapeake Bay Program.

The section requires the Chesapeake Bay Program Office, in cooperation with Federal, State and local authorities, to assist Chesapeake Bay Agreement signatories in developing specific action plans, outreach efforts and system-wide monitoring, assessment and public participation to improve the water quality and living resources of the Bay.

(c) INTERAGENCY AGREEMENTS

This section authorizes the Administrator of the EPA to enter into interagency agreements with other Federal agencies to carry out the purposes and activities of the Chesapeake Bay Program Office.

(d) TECHNICAL ASSISTANCE AND ASSISTANCE GRANTS

This section authorizes the EPA Administrator to provide technical assistance and assistance grants to nonprofit private organizations, State and local governments, colleges, universities, and interstate agencies.

(e) IMPLEMENTATION AND MONITORING GRANTS

The section authorizes the EPA to issue grants to signatory jurisdictions for the purpose of monitoring the Chesapeake Bay ecosystem.

The section establishes criteria for proposals and establishes limits on administrative costs (no more than 10% of grant amount) and the allowable ''Federal Share'' (no more than 50% of total project cost).

The EPA Administrator is required to produce a public document each year that describes all projects funded under this section.

(f) FEDERAL FACILITIES AND BUDGET COORDINATION

The Section requires Federal agencies that own or operate a facility within the Chesapeake Bay watershed to participate in regional and subwatershed planning and restoration programs, and to ensure that federally owned facilities are in compliance with the Chesapeake Bay Agreement.

The section establishes a mechanism for budget coordination to ensure efficiency across government programs.

(f) CHESAPEAKE BAY PROGRAM

This section directs the Administrator, in consultation with other members of the Executive Council, to ensure that management plans are developed and implementation is begun by signatory jurisdictions to achieve and maintain: the Chesapeake Bay Agreement goals for reducing and capping nitrogen and phosphorus entering the mainstem Bay; water quality requirements needed to restore living resources in the bay mainstem and tributaries; the Chesapeake Bay Basinwide Toxins Reduction and Prevention Strategy goals; and the Chesapeake Bay Agreement habitat restoration, protection, and enhancement goals are achieved.

This section also authorizes the EPA Administrator, in consultation with other members of the Executive Council, to offer the technical assistance and financial grants

assistance grants to local governments, nonprofit organizations, colleges, and universities to implement locally-based watershed protection and restoration programs or projects that complement the Chesapeake Bay tributary basin strategy.

(h) STUDY OF THE CHESAPEAKE BAY PROGRAM

This section requires the Administrator and other members of the executive Council to study and evaluate the effectiveness the Chesapeake Bay program management strategies and to periodically (every 5 years) submit a comprehensive report to Congress.

(i) SPECIAL STUDY OF LIVING RESOURCES RESPONSE

The section requires the EPA Administrator to conduct a five-year study of the Chesapeake Bay and report to Congress on the status of its living resources and to make recommendations on management actions that may be necessary to ensure the continued recovery of the Chesapeake Bay and its ecosystem.

(j) AUTHORIZATION OF APPROPRIATIONS

The section authorizes appropriations to the Environmental Protection Agency of $30,000,000 for each fiscal year from 2000 through and including 2005.

STATE OF MARYLAND,
OFFICE OF THE GOVERNOR,
February 23, 1999.

Hon. PAUL S. SARBANES,
U.S. Senate, Washington, DC.

DEAR PAUL: Thank you for your continuing to support environmental initiatives that benefit Maryland citizens. You have long been a champion of our great Chesapeake Bay, and an outstanding advocate for the protection and restoration of all our State's natural treasures. Your current proposed legislation to amend the Federal Water Pollution Control Act to assist in restoration of the Chesapeake Bay is just another example of how you have been able to translate your concern into action. The work you have facilitated through the Chesapeake Bay Program has been an outstanding example of interstate cooperation and progressive environmental programs that have been invaluable to Maryland and Bay restoration.

If we are to be successful in the next century, we must look ahead and be ready to face new challenges as well as continue to meet the old ones. Your proposed legislation embodies that vision and therefore has my full support. Its content demonstrates your understanding of the needs of Maryland and the other states in the watershed. It also recognizes the critical role played by local governments and citizen groups. The legislation clearly moves the Bay cleanup in the direction needed. In addition to my personal support, the bill has been reviewed by the Maryland Bay Cabinet and received its endorsement as well. We are all eager to see the legislation move forward and would be happy to assist you.

Thank you again for taking this initiative. Should you require our assistance, you may contact John Griffin, Secretary, Department of Natural Resources at (410) 260–8101.

Sincerely,

PARRIS N. GLENDENING,
Governor.

COMMONWEALTH OF VIRGINIA
OFFICE OF THE GOVERNOR,
February 23, 1999.

Hon. PAUL S. SARBANES,
U.S. Senate, Washington, DC.

DEAR SENATOR SARBANES: The Commonwealth of Virginia supports the language of the proposed Chesapeake Bay Restoration Act, as shown in the attached copy dated February 8, 1999.

The cooperative Chesapeake Bay Program has been and will continue to be essential to the restoration of the Chesapeake Bay system. Reauthorization will strengthen an already successful Program and help support an increased level of effort.

The proposed increase in Federal support is already more than matched by state monies put into the recently created Virginia Water Quality Improvement Fund. Since its creation in 1997 the Virginia General Assembly approves Governor Gilmore's current legislative initiative, it will appropriate an additional $45.15 million for 1999.

We thank you for being the sponsor of this bill, and we will assist in whatever way is appropriate to help ensure its passage by Congress.

Very truly yours,

JOHN PAUL WOODLEY, JR.

CITIZENS ADVISORY COMMITTEE TO
THE CHESAPEAKE EXECUTIVE COUNCIL,
February 22, 1999.

Senator PAUL SARBANES,
Senate Hart Office Building,
Washington, DC.

DEAR SENATOR SARBANES: On behalf of the Citizens Advisory Committee to the Chesapeake Executive Council (CAC), I would like to express our appreciation for your leadership in developing the draft Chesapeake Bay Restoration Act. Provisions such as those embodied in this proposed legislation are vital to building upon one of the most successful partnerships ever assembled, involving every level of government and the private sector, to restore the health of an entire ecosystem.

The Citizens Advisory Committee was created by the Chesapeake Executive Council to represent residents and stakeholders of the Chesapeake Bay watershed in the Bay restoration efforts. By serving as a link with stakeholder communities in Maryland, Pennsylvania, Virginia and the District of Columbia, CAC provides a non-governmental perspective on the Bay cleanup effort and on how Bay Program policies affect citizens who live and work in the Chesapeake Bay watershed.

The successes of the past twelve years in restoring the health of the Bay are a direct result of hard work, funding, and the dedicated commitment of the partners. Each and every one of these factors is essential to continue fulfilling the long-term restoration goals, particularly as the Bay Program partners embrace a renewed Bay agreement in the next year. Reauthorization and enhancement of Bay Program legislation will signal to the states, local governments and citizens that the Congress and the federal government will continue to be a strong partner with them as they renew their commitment to these goals and to a cleaner, healthier Chesapeake Bay. I am particularly encouraged by the provisions to continue the Small Watershed Grant program which provides a mechanism for local groups and governments to take an active, hands-on role in the Bay restoration activities.

The members of CAC look forward to working with you and the other members of Congressional delegations from the Bay Program jurisdictions toward successful passage of this legislation. Again, thank you for your leadership. Please feel free to call upon CAC if there is any assistance that we can provide.

Sincerely,

ANDREW J. LOFTUS,
Chair.

CHESAPEAKE BAY COMMISSION,
Annapolis, MD, February 19, 1999.

Hon. PAUL S. SARBANES,
U.S. Senate,
Washington, DC.

DEAR SENATOR SARBANES: I am writing, in my new capacity as Chairman of the Chesapeake Bay Commission, to commend you for your endeavors to reauthorize the Chesapeake Bay Program through the introduction of the Chesapeake Bay Restoration Act of 1999. The Commission strongly supports this legislation. We commit to you our resources and expertise in working to secure its passage.

We believe that the cooperation of government at the federal, state and local level is, and will continue to be, essential to protecting and restoring the Bay. Your bill helps to establish the blueprint and financial support for that collaboration.

We strongly support the small watershed provisions of the bill. The health of the Bay depends on the cumulative effect of thousands of daily decisions that either compromise or improve water quality in our subwatersheds. Offering community groups financial support and direct access to the tremendous informational resources of the Chesapeake Bay Program can only help them to make environmentally-sound decisions.

We would also like to commend you for pursuing improved coordination of federal agency budgets. One of the great hallmarks of the Program is EPA's close coordination with the states in its expenditure of Bay Program monies. The Act calls for each federal agency with projects related to the Chesapeake Bay ecosystem to submit a plan detailing how the expenditure of these funds will proceed. This enhanced communication can only help to avoid unnecessary duplication and cultivate cooperation among our federal partners.

Finally, we are encouraged by your inclusion of a special study to better relate the health of our living resources to water quality improvements. Establishing better linkages will improve the public's support of restoration efforts.

Again and again you have proven yourself to be a tremendous leader for the Chesapeake Bay restoration effort. We hope that this legislation, with your support, will be enacted by the 106th Congress.

With gratitude, I remain

Sincerely yours,

ARTHUR D. HERSHEY,
Chairman.

CHESAPEAKE BAY LOCAL
GOVERNMENT ADVISORY COMMITTEE,
Easton, MD, February 17, 1999.

Hon. PAUL S. SARBANES,
Washington, DC.

DEAR SENATOR SARBANES: The Chesapeake Bay Local Government Advisory Committee supports all efforts to sustain and enhance Chesapeake Bay Program activities through renewal of Federal legislation in the ''Chesapeake Bay Restoration Act of 1999.''

To date, the Chesapeake Bay Program has made great strides in solidifying multijurisdictional efforts to improve the condition of watershed resources in and around the Bay. It has magnified the importance of continued efforts to enhance water quality and to restore the living resources native to the Bay. The Chesapeake Bay Program has elevated the role and importance of local governments participating not only in the Bay Program, but in completing watershed restoration projects in their own jurisdiction.

On behalf of the Chesapeake Bay Local Government Advisory Committee, I thank you for your continuing leadership and commitment to the Bay Restoration effort. If there is any way that the Committee or its staff can assist you, please don't hesitate to call.

Sincerely,

RUSS PETTYJOHN,
Chairman, Chesapeake Bay Local Government Advisory Committee.

LITITZ BOROUGH,
Mayor, Pennsylvania.

ALLIANCE FOR THE CHESAPEAKE BAY,
February 25, 1999.

Hon. PAUL S. SARBANES,
U.S. Senate, Washington, DC.

DEAR SENATOR SARBANES: On behalf of the board of directors of the Alliance for the Chesapeake Bay, I am writing to you to express our support for your efforts to draft new legislation to reauthorize the Chesapeake Bay Program.

Your leadership has been vital over the years in keeping congressional attention focused on the work being conducted in Maryland, Virginia and Pennsylvania to restore the Bay. There is ample evidence that the unique collaborative effort which was formalized in the 1987 amendment to the Clean Water Act is producing positive results for the Bay. It is also apparent that there is much left to do. The bill you have drafted adds some significant features to the Bay Program; the increase in the authorization level to $30 million will substantially enhance the ability of the Bay partners to meet the needs of the Bay in the next decade.

We are conveying our support for the reauthorization of the Bay Program to other members of Congress from the Bay states in the hope that all will join as co-sponsors.

Again, thank you for your vigilance and your vision with regard to the Bay.

Sincerely,

JOHN T. KAUFFMAN,
President.

CHESAPEAKE BAY FOUNDATION,
March 3, 1999.

Hon. PAUL S. SARBANES,
Washington, DC.

DEAR SENATOR SARBANES: I am writing to express the Chesapeake Bay Foundation's support for the Chesapeake Bay Restoration Act of 1999. Although I realize that no single piece of legislation can save the Chesapeake Bay, I believe this bill will help push the Bay Program towards an increased effort to carrying out the commitments made by the signatories.

I am particularly glad to see the section enhancing the oversight and reporting responsibilities of the Environmental Protection Agency. CBF has long felt that it is important for the Environmental Protection Agency to take a stronger leadership role in assuring that the participants are held accountable for their commitments.

I am also enthusiastic about the provisions providing for a small watershed grant program. Restoration of the Bay's essential habitat—its forests, wetlands, oysters, and underwater grass beds—is a critical component of the effort to save the Bay, and this legislation should help move that effort forward.

In summary, this legislation provides a step forward for the Bay Program, and will help steer it in the right direction. I would like to thank you and your cosponsors for your efforts on behalf of this legislation and on behalf of the Chesapeake Bay.

Very truly yours,

WILLIAM C. BAKER,
President.

By Mr. SARBANES (for himself, Ms. MIKULSKI, and Mr. EDWARDS):

S. 493. A bill to require the Secretary of the Army, acting through the Chief of Engineers, to evaluate, develop, and implement pilot projects in Maryland, Virginia, and North Carolina to address problems associated with toxic microorganisms in tidal and non-tidal wetlands and waters; to the Committee on Environment and Public Works.

TOXIC MICROORGANISMS ABATEMENT PILOT PROJECT ACT

Mr. SARBANES. Mr. President, last Thursday's Baltimore Sun reported that Pfiesteria, a sometimes toxic microorganism, has been found in five more Maryland rivers. The article explained that new research is proving what scientists have suspected since serious outbreaks of toxic Pfiesteria first occurred in 1997—namely that Pfiesteria exists in a wide area. While the organism isn't always toxic, the fact that it has been found in a wide area coupled with the fact that it has proved injurious in the past, strongly supports the assertion that Pfiesteria poses a potential threat to the economic well-being of thousands of businesses in the fishing, recreation, and tourism industries along the east coast.

In 1997, Maryland, Virginia, and North Carolina suffered from several separate incidents that involved fish behaving in an erratic manner, a large number of fish with lesions, and fish kills. State and outside scientists concluded that Pfiesteria was the most likely cause of the problem. In Maryland, the fishing industry alone, lost millions of dollars in revenue.

In 1998, the magnitude of reported Pfiesteria outbreaks was considerably less, however, we cannot become complacent. The report in the Baltimore Sun confirms that the 1997 Pfiesteria outbreaks may not have been a one-time phenomenon. We must begin to safeguard the economy, both regional and national, from the impacts of Pfiesteria.

Today, I am joined by my colleague from Maryland, Senator MIKULSKI, and my colleague from North Carolina, Senator EDWARDS in introducing a bill, entitled the Toxic Microorganism Abatement Pilot Project Act, which would authorize the Army Corps of Engineers to begin developing tools and techniques to abate the flow of nutrients into our waters and thereby prevent or at least minimize the effects of future toxic Pfiesteria outbreaks.

In 1997, the Administration directed that an interagency research and monitoring strategy be developed in response to the outbreaks of Pfiesteria in the Chesapeake Bay. Several Federal agencies participated in the development of this strategy including the National Oceanographic and Atmospheric Administration (NOAA), the Environmental Protection Agency (EPA), the Centers for Disease Control, and the Departments of Interior and Agriculture. Funding to implement the plan was included in the fiscal 1998 and 1999 budgets. Unfortunately, the key federal agency with expertise in habitat maintenance, water resources and engineering principles—the Army Corps of Engineers—was not included in the interagency task force and the agency's unique qualifications were not integrated into the strategic plan. While research into the exact causes of toxic Pfiesteria blooms is imperative, it is just as important that we take early, aggressive, and concrete steps to prevent such blooms if we can.

This bill is designed to ensure that all available expertise is brought to bear in combating these biotoxins. The legislation would authorize the Army Corps of Engineers to conduct an evaluation and to engage in pilot projects to develop tools and techniques for combating Pfiesteria and other toxic microorganisms. At the end of each pilot project, the Army Corps of Engineers will be required to submit a report to Congress that describes the project, its success, and the general applicability of the methods used in the project.

Because of its expertise in construction and watershed management, the Army Corps of Engineers has a vital role to play in responding to the threats posed by toxic microorganisms. This legislation provides the funding and authority for the agency to do so.

I ask unanimous consent that a copy of the bill and a copy of the Baltimore Sun article be inserted in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 493

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Toxic Microorganism Abatement Pilot Project Act''.

SEC. 2. FINDINGS.

Congress finds that—

(1) effective protection of tidal and nontidal wetlands and waters of the United States is essential to sustain and protect ecosystems, as well as recreational, subsistence, and economic activities dependent on those ecosystems;

(2) the effects of increasing occurrences of toxic microorganism outbreaks can adversely affect those ecosystems and their dependent activities;

(3) the Corps of Engineers is uniquely qualified to develop and implement engineering solutions to abate the flow of nutrients;

(4) because nutrient flow abatement is a new challenge, it is desirable to have the Corps of Engineers conduct a series of pilot projects to test technologies and refine techniques appropriate to nutrient flow abatement; and

(5) since the States of Maryland, North Carolina, and Virginia have recently experienced serious outbreaks of waterborne microorganisms and there is a large store of scientific data about outbreaks in those States, pilot projects in those States can be effectively evaluated.

SEC. 3. DEFINITIONS.

In this Act:

(1) SECRETARY.—The term ''Secretary'' means the Secretary of the Army, acting through the Chief of Engineers.

(2) STATE.—The term ''State'' means Maryland, North Carolina, and Virginia.

(3) TOXIC MICROORGANISM.—The term ''toxic microorganism'' means Pfiesteria piscicida and any other potentially harmful aquatic dinoflagellate.

SEC. 4. PILOT PROJECTS FOR AQUATIC HABITAT REMEDIATION.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the

Secretary shall evaluate, develop, and implement a pilot project in each State (on a watershed basis) to address and control problems associated with the degradation of ecosystems and their dependent activities resulting from toxic microorganisms in tidal and nontidal wetlands and waters.

(b) REPORT.—Not later than 1 year after the completion of the pilot project under subsection (a), the Secretary shall submit to Congress a report describing—

(1) the pilot project; and

(2) the findings of the pilot project, including a description of the relationship between the findings and the applications of the tools and techniques developed under the pilot project.

(c) FEDERAL AND NON-FEDERAL SHARES.—

(1) FEDERAL SHARE.—The Federal share of the cost of evaluating, developing, and implementing a pilot project under subsection (a) shall be 75 percent.

(2) NON-FEDERAL SHARE.—The non-Federal share of the cost of evaluating, developing, and implementing a pilot project under subsection (a) shall be provided in the form of—

(A) cash;

(B) in-kind services;

(C) materials; or

(D) the value of—

(i) land;

(ii) easements;

(iii) rights-of-way; or

(iv) relocations.

(d) LOCAL COOPERATION AGREEMENTS.—Subject to subsection (c), in carrying out this section, the Secretary shall enter into local cooperation agreements with non-Federal entities under which the Secretary shall provide financial assistance to implement actions taken to carry out pilot projects under this section.

(e) IMPLEMENTATION.—The Secretary shall carry out this section in cooperation with—

(1) the Secretary of the Interior;

(2) the Secretary of Agriculture;

(3) the Administrator of the Environmental Protection Agency;

(4) the Administrator of the National Oceanic and Atmospheric Administration;

(5) the heads of other appropriate Federal, State, and local government agencies; and

(6) affected local landowners, businesses, and commercial entities.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000.

[From the Baltimore Sun, Feb. 25, 1999]

PFIESTERIA FOUND IN 5 MD. RIVERS—PRESENCE WIDESPREAD IN RIVERS, STREAMS BUT NOT ALWAYS HARMFUL

NO ''ONE-TIME PHENOMENON''

TOXIC MICROORGANISM DETECTED FOR FIRST TIME IN OCEAN CITY AREA

(By Heather Dewar)

New research is proving what scientists long suspected: that the toxic microorganism Pfiesteria piscicida lives in many Maryland rivers and streams, even though it doesn't always kill fish or make people sick.

Pfiesteria expert Dr. JoAnn Burkholder has found the dangerous dinoflagellates in samples taken from the bottom muck of five Maryland waterways, including two where it had not been found before. One of those waterways, the St. Martin River, flows into the state's coastal bays west of Ocean City.

It was the first time the toxic microorganism had turned up in a river that flows toward the Atlantic Coast tourist mecca, though it has not caused any known fish kills or human illnesses there, said David Goshorn of the Maryland Department of Natural Resources.

''We have suspected all along that Pfiesteria is pretty widespread,'' Goshorn said, ''and what she has done is to confirm our suspicion.''

A spokesman for the Maryland Coastal Bays Program said the finding of Pfiesteria cells in local waters was ''not surprising, but it is worrisome at the very least.''

''My guess is that Pfiesteria being there, as long as it isn't toxic in the real world, is not that harmful,'' said Dave Wilson Jr., a spokesman for the coastal bays conservation effort. ''Hopefully, people will understand that Pfiesteria is not running rampant in the coastal bays, but it does have the potential to do so.''

The aquatic organism has been found in coastal waters from New Jersey to Georgia, but it causes fish kills or human illnesses only when conditions are just right or just wrong, Burkholder said.

Pfiesteria ''is probably all over the bay,'' said Burkholder, who presented preliminary findings to Maryland officials at a two-day scientific meeting of Pfiesteria experts near Baltimore-Washington International Airport yesterday. ''It's just that most of the time it's going to be pretty benign.''

WEATHER AS A FACTOR

Experts say Pfiesteria seems most likely to multiply, attack fish and sicken people in warm, shallow, still waters that are a mix of fresh and salt, are rich in nutrients—like the pollutants that come from human sewage, animal manure or farm fertilizer—and also rich in fish, especially oily fish like menhaden. Weather also plays a role, but scientists aren't certain what it is.

Maryland experts think unusual weather patterns, combined with high nutrient levels, helped trigger significant Pfiesteria outbreaks in the Pocomoke River and two other Eastern Shore waterways in 1997. The three waterways were closed, and 13 people were diagnosed with memory loss and confusion after being on the water during the outbreaks.

Researchers think a different set of weather quirks helped limit Pfiesteria to three small incidents last year, none of which killed fish or caused confirmed cases of human illness.

A spokesman for Gov. Parris N. Glendening, who pushed for controversial controls on farm runoff after the 1997 incidents, said Burkholder's latest findings show that action was justified.

''What they point to is that this is not a one-time phenomenon,'' said Ray Feldmann of the governor's office. ''We cannot take a bury-our-heads-in-the-sand approach to the phenomenon we saw in the summer of 1997. We still need to be concerned about this.

''We're encouraged that we've got a plan in place that has the potential for helping to hold off future outbreaks.''

Burkholder, a North Carolina State University researcher who helped discover Pfiesteria in the late 1980s, said Maryland waters do not seem to be as prone to toxic outbreaks as the waters of North Carolina, which has experienced 88 Pfresteria-related fish kills in the past eight years.

The latest finding ''tells me that Chesapeake Bay is not ideal for toxic Pfiesteria, but you have the potential to go a lot more toxic unless you take appropriate precautions,'' Burkholder said. ''Do you want to be a center for toxic outbreaks, or do you not?''

The preliminary results are part of a study for the DNR, which is trying to map the extent of Pfiesteria in Maryland waters.

In October and November, when the dinoflagellate is usually burrowed into bottom mud, DNR workers took 100 sediment samples from 12 rivers. They were the Patuxent and Potomac on the Western Shore; the Chester, Choptank, Chicamacomico, Nanticoke, Wicomico, Manokin, Big Annemessex and Pocomoke, all flowing into the Chesapeake Bay on the Eastern Shore; and the St. Martin, which flows into Assawoman Bay near Ocean City, and Trappe Creek, which enters Chincoteague Bay near Assateague Island National Seashore.

In the first 30 samples, Burkholder found Pfiesteria piscicida in concentrations high enough to kill fish in the Big Annemessex, Chicamacomico, Pocomoke, and St. Martin. She found the same organism on the Wicomico, but the cells did not kill fish in her laboratory. In Trappe Creek, she found a dinoflagellate that did not kill fish and has not been identified.

Burkholder and other experts stressed that there have been no recent fish kills or signs that people have gotten sick at the sites where DNR workers took the Pfiesteria-infested samples in October and November.

The Patuxent, Potomac, Chester and Choptank turned up no traces of Pfiesteria, but Burkholder said she has about 70 more sediment samples waiting to be analyzed, and expects to find signs of the microorganism in at least some of them.

RHODE RIVER DISCOVERY

Another marine scientist discovered Pfiesteria almost by accident in the Rhode River south of Annapolis this fall.

Park Roblee of the University of North Carolina has developed a test that can spot Pfiesteria in the water, but he cannot tell whether the organism is in its toxic stage. He told scientists at this week's meeting that he got samples from the Rhode River expecting them to be Pfiesteria-free but to his surprise they came up positive. Again, there were no signs of a fish kill in the area.

Roblee said workers from his laboratory traveled the coast from New Jersey to Florida, taking water samples ''basically wherever I–95 crossed a river or stream that flowed into an estuary.'' The samples showed signs of Pfiesteria at eight out of 100 sites, he said.

In other findings reported yesterday, University of Maryland researcher David Oldach said no signs of serious illness were found in 1998, the first year of a five-year study of people who might come in contact with Pfiesteria. Oldach said 90 Eastern Shore watermen and 25 people who don't work near the water have volunteered for the study and undergone testing.

By Mr. GRAHAM (for himself, Mr. GRASSLEY, Mr. ROTH, Mr. MOYNIHAN, Mr. CHAFEE, Mr. ROCKEFELLER, Mr. MACK, Mr. BREAUX, Mr. KERREY, Ms. MIKULSKI, Mr. BRYAN, Mr. HOLLINGS, Mr. INOUYE, Mr. HARKIN, Mr. BAYH, and Mr. ROBB):

S. 494. A bill to amend title XIX of the Social Security Act to prohibit transfers or discharges of residents of nursing facilities as a result of a voluntary withdrawal from participation in the Medicaid program; to the Committee on Finance.

NURSING HOME RESIDENT PROTECTION AMENDMENTS OF 1999

Mr. GRAHAM. Mr. President, I would like to take this opportunity to commend Senator GRASSLEY, Chairman ROTH and Senator MOYNIHAN for their bipartisan commitment to protect our nation's seniors from indiscriminate dumping by their nursing homes. I would like to request that their statements be added to the RECORD.

The Nursing Home Residential Security Act of 1999 has the support of the

nursing home industry and senior citizen advocates. It is with their support that we encourage the Senate to take action on this important piece of legislation. I also have letters of support from the American Health Care Association, the National Seniors Law Center, and the American Association for Retired Persons which I will include in the RECORD.

Mr. President, last year, it looked like 93-year-old Adela Mongiovi might have to spend her 61st Mother's Day away from the assisted living facility that she had called home for the last four years. Her son Nelson and daughter-in-law Geri feared that they would have to move Adela when officials at the Rehabilitation and Healthcare Center of Tampa told them that their Alzheimer's Disease-afflicted mother would have to be relocated so that the nursing home could complete ''renovations.''

As the Mongiovis told me when I met with them and visited their mother in Tampa last April, the real story far exceeded their worst fears. The supposedly temporary relocation was actually a permanent eviction of all 52 residents whose housing and care were paid for by the Medicaid program. Ms. Mongiovi passed away during the holiday season and I send my heartfelt condolences to her family.

The nursing home chain which owns the Tampa facility and several others across the United States wanted to purge its nursing homes of Medicaid residents, ostensibly to take more private insurance payers and Medicare beneficiaries which pay more per resident.

This may have been a good financial decision in the short run, however, its effects on our nation's senior citizens, if practiced on a widespread basis, would be even more disastrous.

In an April 7, 1998, Wall Street Journal article, several nursing home executives argued that state governments and Congress are to blame for these evictions because they have set Medicaid reimbursements too low. While Medicaid payments to nursing homes may need to be revised, playing Russian roulette with elderly patients' lives is hardly the way to send that message to Congress. And while I am willing to engage in a discussion as to the equity of nursing home reimbursement rates, my colleagues and I are not willing to allow nursing home facilities to dump patients indiscriminately.

The fact that some nursing home companies are willing to sacrifice elderly Americans for the sake of their bottom-line is bad enough. What is even worse is their attempt to evade blame for Medicaid evictions. The starkest evidence of this shirking of responsibility is found in the shell game many companies play to justify evictions. Current law allows nursing homes to discharge patients for inability to pay.

If a facility decreases its number of Medicaid beds, state and federal governments are no longer allowed to pay the affected residents' bills. They can then be conveniently and unceremoniously dumped for—you guessed it—their inability to pay.

Nursing home evictions have a devastating effect on the health and well-being of some of society's most vulnerable members. A recent University of Southern California study indicated that those who are uprooted from their homes undergo a phenomenon knows as ''transfer trauma.'' For these seniors, the consequences are stark. The death rate among these seniors is two to three times higher than that for individuals who receive continuous care.

Those of us who believe that our mothers, fathers, and grandparents are safe because Medicaid affects only low-income Americans need to think again. A three year stay in a nursing home can cost upwards of $125,000. As a result, nearly half of all nursing home residents who enter as privately-paying patients exhaust their personal savings and lose health insurance coverage during their stay. Medicaid becomes many retirees' last refuge of financial support.

On April 19, 1998, the Florida Medicaid Bureau responded to evidence of Medicaid dumping in Tampa by levying a steep $260,000 fine against the Tampa nursing home. That was a strong and appropriate action, but it was only a partial solution. Medicaid funding is a shared responsibility of states and the federal government.

While the most egregious incident occurred in Florida, Medicaid dumping is not just a Florida problem. Nursing homes which were once locally-run and family-owned are increasingly administered by multi-state, multi-facility corporations that have the power to affect seniors across the United States.

Mr. President, let me also point out that the large majority of nursing homes in America treat residents well and are responsible community citizens. Our bill is simple and fair and designed to prevent future abuses by bad actors. It would prohibit current Medicaid beneficiaries or those who ''spend down'' to Medicaid from being evicted from their homes.

Adele Mongiovi was not just a ''beneficiary.'' She was also a mother and grandmother. To Ms. Mongiovi, the Rehabilitation and Health Care Center of Tampa was not just an ''assisted living facility''—it was her home.

Mr. President, let us provide security and peace of mind for all of our nation's seniors and their families. Mr. President, I ask unanimous consent that letters of support for the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

AMERICAN HEALTH CARE ASSOCIATION,
Washington, DC, February 3, 1999.

Hon. BOB GRAHAM,
U.S. Senate,
Washington, DC.

DEAR SENATOR GRAHAM: I am writing to lend the support of the American Health Care Association to the Nursing Home Protection Amendments of 1999, which you introduced as S. 2308 last year and plan to reintroduce this year. This legislation helps to ensure a secure environment for residents of nursing facilities which withdraw from the Medicaid program.

We know firsthand that a nursing facility is one's home, and we strive to make sure resident are healthy and secure in their home. We strongly support the clarifications your bill will provide to both current and future nursing facility residents, and do not believe residents should be discharged because of inadequacies in the Medicaid program.

The bill addresses a troubling symptom of what could be a much larger problem. The desire to end participation in the Medicaid program is a result of the unwillingness of some states to adequately fund the quality of care that residents expect and deserve. Thus, some providers may opt out of the program to maintain a higher level of quality than is possible when relying on inadequate Medicaid rates. Nursing home residents should not be the victims of the inadequacies of their state's Medicaid program.

In 1996, the Congress voted to retain all standards for nursing facilities. We support those standards. In 1997, Congress voted separately to eliminate requirements that states pay for those standards. These two issues are inextricably linked, and must be considered together. We welcome the opportunity to have this debate as Congress moves forward on this issue.

Again, we appreciate the chance to work with you to provide our residents with quality care in a home-like setting that is safe and secure. We also feel that it would be most effective when considered in the context of the relationship between payment and quality and access to care.

Finally, we greatly appreciate the inclusive manner in which this legislation was crafted, and strengthened. When the views of consumers, providers, and regulators are considered together, the result, as with your bill, is intelligent public policy.

We look forward to working with you to further clarify Medicaid policy and preserve our ability to provide the best care and security for our residents.

Sincerely yours,

BRUCE YARWOOD,
Legislative Counsel.

NATIONAL SENIOR CITIZENS LAW CENTER,
Washington, DC, February 3, 1999.

Senator BOB GRAHAM,
Washington, DC.

DEAR SENATOR GRAHAM: Last spring, the Vencor Corporation began to implement a policy of withdrawing its nursing facilities from participation in the Medicaid program. The abrupt, involuntary transfer of large numbers of Medicaid residents followed. Although Vencor reversed its policy, in light of Congressional concern, state agency action, and adverse publicity, the situation highlighted an issue in need of an explicit federal legislative solution—the rights of Medicaid residents to remain in their home when their nursing facility voluntarily ceases to participate in the federal payment program.

I supported the legislation you introduced in the last Congress and have read the draft bill that you will introduce to address this issue in this session. The bill protects residents who were admitted at a time when their facility participated in Medicaid by prohibiting the facility from involuntarily transferring them later when it decides to discontinue its participation. As you know, many people in nursing facilities begin their residency paying privately for their care and

choose the facility in part because of promises that they can stay when they exhaust their private funds and become eligible for Medicaid. In essence, your bill requires the facility to honor the promises it made to these residents at the time of their admission. It continues to allow facilities to withdraw from the Medicaid program, but any withdrawal is prospective only. All current residents may remain in their home.

This bill gives peace of mind to older people and their families by affirming that their Medicaid-participating facility cannot abandon them if it later voluntarily chooses to end its participation in Medicaid.

The National Senior Citizens Law Center supports this legislation. We look forward to working with your staff on this legislation and on other bills to protect the rights and interests of nursing facility residents and other older people. In particular, we suggest that you consider legislation addressing a related issue of concern to Medicaid beneficiaries and their families—problems of nursing facilities' discriminatory admissions practices.

Many facilities limit the extent of their participation in the Medicaid program by certifying only a small number of beds for Medicaid. As a consequence of their limited participation in the Medicaid program, they discriminate against program beneficiaries by denying them admission. In addition, residents who pay privately and become eligible for Medicaid during their residency in the facility because of the high cost of nursing facility care are also affected by limited bed, or distinct part, certification. Once such residents become impoverished and need to rely on Medicaid to help pay for their care, they are often told that ''no Medicaid beds are available'' and that they must move. Facilities engage in other practices that discriminate against people who need to rely on Medicaid for their care. We would be happy to work with your staff in developing legislative solutions to these concerns.

Thank you for your work and leadership on these important issues.

Sincerely,

TOBY S. EDELMAN.

AARP

Washington, DC, February 25, 1999.

Hon. BOB GRAHAM,
U.S. Senate,
Washington, DC

DEAR SENATOR GRAHAM: AARP appreciates your leadership in sponsoring the Nursing Home Residential Security Act of 1999, a bill that protects low-income nursing home residents from discharge when a nursing home withdraws from the Medicaid program.

Across the country, some nursing home operators have been accused of dumping Medicaid residents—among the most defenseless of all health care patients. As with similar complaints about hospitals and physicians, these violations can be serious threats to people's health and safety. Yet, federal and state governments have been limited to their oversight and enforcement capacities. This bill would establish clear legal authority to prevent inappropriate discharges, even when a nursing home withdraws from the Medicaid program. AARP believes that this is an important and necessary step in protecting access to nursing homes for our nation's most vulnerable citizens.

This bill offers important protections because of the documented that Medicaid patients face, especially people seeking nursing home care. For years, there has been strong evidence demonstrating that people who are eligible for Medicaid have a harder time gaining entry to a nursing home than do private payers. In some parts of the country, there is a shortage of nursing home beds. Under such circumstances, only private-pay patients have real choice among nursing homes. Medicaid patients are often forced to choose a home that they would not have otherwise chosen, despite concerns about its quality of care or location.

Under the proposed legislation, government survey, certification, and enforcement authority would continue, even after the facility withdraws from the Medicaid program, and the facility would be required to continue to comply with it. The bill also protects prospective residents by requiring oral and written notice that the nursing home has withdrawn from the Medicaid program. Thus, the prospective nursing home resident would be given notice that the home would be permitted to transfer or discharge a new resident at such time as the resident is unable to pay for care.

Access to quality nursing homes has been a long-standing and serious concern for AARP. It is an issue that affects, in a real way, our members and their families. The current patchwork system of long-term care forces many Americans to spend down to pay for expensive nursing home care. Therefore, it is unfair to penalize such order, frail nursing home residents who must rely on Medicaid at a critical time in their lives.

Again, thank you for your leadership on this issue. If we can be of further assistance, please give me a call or have your staff contact Maryanne Keenan of our Federal Affairs staff at (202) 434–3772.

Sincerely,

HORACE B. DEETS.

Mr. GRASSLEY. Mr. President, today I am pleased to join Senators GRAHAM, ROTH, and MOYNIHAN in introducing legislation that will be an important step in safeguarding our most vulnerable citizens. The Nursing Home Residential Security Act of 1999 will protect nursing home residents who are covered by Medicaid from being thrown out of a facility to make room for a more lucrative, private-pay patient.

It is hard to believe that a facility would uproot a frail individual for the sole purpose of a few extra dollars. However, in the past year there have been documented cases of Medicaid beneficiaries who have been at risk of being forced to leave a facility based solely on reimbursement status. The result is often severe trauma and a mortality rate that is two to three times higher than other nursing home residents. This is no way to treat our elderly.

I want to make it clear that these situations are rare. The vast majority of nursing homes are compassionate and decent facilities. My state of Iowa has been privileged to have many nursing homes that stand as models of quality care. Unfortunately, a few bad apples can damage the reputation of an entire industry. That is why I am pleased that this bipartisan legislation has the support of the nursing home industry as well as senior citizens' advocates.

This commonsense proposal would prevent nursing homes who have already accepted a Medicaid patient from evicting or transferring the patient based solely on payment status. Nursing homes would still be entitled to decide who gains access to their facilities, however, they would be required to inform new residents that if they spend down to Medicaid, they are entitled to discharge or transfer them to another facility.

This legislation is an important step in protecting these frail individuals. People move into nursing homes for around-the-clock health care in a safe environment. The last thing they expect is to be put out on the street. That's also the last thing they deserve. This bill prevents residents from getting hurt if their nursing home pulls out of Medicaid and ensures that people know their rights up front, before they enter a facility.

This commonsense proposal has also been introduced in the House of Representatives by Congressman BILIRAKIS where it has received strong bipartisan support. I encourage my colleagues in the Senate to cosponsor this worthwhile proposal. And, I look forward to the passage of this resolution this year.

Mr. ROTH. Mr. President, today, I am pleased to join with Senator MOYNIHAN, Senator GRAHAM, and Senator GRASSLEY to introduce important legislation to protect some of our most vulnerable citizens—nursing home residents. Our bill will keep nursing home residents who rely on Medicaid from being ''dumped'' out of the facility they call home, should that facility decide to drop participation in the Medicaid program.

The problem we will solve with this bill does not occur often. In fact, nearly 90 percent of all nursing homes participate in the Medicaid program. Pullouts are very rare and usually result from facilities deciding to close. But when a still-functioning facility decides to stop serving Medicaid clients, our bill will ensure that current residents do not find themselves pushed out of the place they view as home.

Recently, Medicaid beneficiaries in facilities in Indiana and Florida found themselves in precisely this horrible situation. They were forced out of nursing homes that decided to drop participation in the Medicaid program. Residents' well-being was disrupted and families were forced to scramble to develop other care alternatives.

Our new legislation, and H.R. 540, its companion bill in the House, will protect current residents from displacement. The bill simply requires that facilities withdrawing from the Medicaid program continue to care for current residents under the terms and conditions of the Medicaid program until those residents no longer require care. Facilities would essentially phase-down participation in Medicaid rather than dropping from the program overnight.

Both the nursing home industry and senior citizens' advocates support our legislation. This is a common sense, good-government bill that will enhance the peace of mind of low-income elderly and disabled individuals.

I applaud the House Conference Committee for having already held a hearing on H.R. 540, and Representatives

BILIRAKIS and DAVIS are to be congratulated for their leadership on this important issue. As we introduce our bill in the Senate today, I would like to particularly thank Senator BOB GRAHAM, whose commitment to this legislation has been pivotal. Working with him, Senator MOYNIHAN, Senator GRASSLEY, and other original Finance Committee cosponsors Senators CHAFEE, MACK, ROCKEFELLER, BREAUX, BRYAN, and KERREY, I look forward to taking up the bill up in our committee.

Mr. MOYNIHAN. Mr. President, I am pleased to join my colleagues Senators GRAHAM, ROTH and GRASSLEY in introducing this legislation—the Nursing Home Residential Security Act of 1999. It is a modest modification providing an enormous protection for nursing home residents.

The situation today is as follows. Frail elderly individuals who require nursing home care are faced with costs of $40,000 to $50,000 on average per year. These sums quickly deplete family savings. As a result, about two-thirds of nursing home residents at some point spend down their assets and require the assistance of Medicaid coverage. Because Medicaid typically has low reimbursement rates, nursing homes, in turn, must carefully balance their finances by screening which patients to accept, limiting the number of Medicaid residents. When nursing homes can no longer operate with low Medicaid rates, they may choose to reduce the number of beds available for Medicaid residents or no longer participate in the Medicaid program altogether.

What, then, happens to the residents who depend on Medicaid to cover their nursing home costs? The Wall Street Journal first reported on April 7 of last year what has occurred: Vencor Inc., with the nation's largest nursing home chain of 310 facilities, decided to withdraw participation in the Medicaid program. Residents covered by Medicaid were so notified and told they would have to leave the nursing homes—their homes.

Industry analysts had predicted that some other companies may follow Vencor's lead in jettisoning Medicaid residents. For example, Renaissance Healthcare Corp. withdrew from Medicaid the year before due to rising expenses.

The evictions in Vencor's Indiana and Florida nursing homes caused panic among residents and their families, and aggravated some patients' frail medical conditions. In all, it was a wrenching experience for residents and their families.

Our legislation is a small modification amid an otherwise larger problem. The bill would merely protect current Medicaid residents in nursing homes from evictions if their nursing home decides to withdraw from the Medicaid program. Nursing homes will be able to continue to screen patients for acceptance into their facility. The screening process is quite sophisticated and includes collection of information about assets and income to determine when the individual will likely spend down his or her resources before requiring Medicaid coverage.

The larger dilemma still exists. We need a system that both covers our frail elderly in nursing homes after they spend themselves into poverty due to nursing home costs and ensures that nursing homes can stay in business in order to provide such services.

Momentum is moving behind this legislation. Our bill enjoys bipartisan support in Congress as well as support from the nursing home industry and advocates. On the Senate side, we introduce this bill today with a total of 15 sponsors. Last week, the House Commerce Subcommittee on Health and Environment held a hearing on this legislation. Chairman ROTH and I are committed to marking up this bill in our Committee in the near future. I commend Senator GRAHAM for his leadership in initiating this proposal, and urge its early adoption.

By Mr. BOND (for himself, Mr. ASHCROFT, and Mr. INHOFE):

S. 495. A bill to amend the Clean Air Act to repeal the highway sanctions; to the Committee on Environment and Public Works.

LEGISLATION TO REPEAL CLEAN AIR ACT TO REPEAL THE HIGHWAY SANCTIONS

Mr. BOND. Mr. President, the purpose of this bill is simple and clear. The only thing the bill does is to repeal the highway sanction provisions in the Clean Air Act.

I want to start by saying that I know what the so-called environmental community is going to say. Actually, they have already said it. I recall a press release that said, ''Another smoggy stealth attack is in the works,'' and ''sharpening the dirty-air knives.'' Well, that sounds fancy and exciting, but it is just flat wrong.

Mr. President, I ask you, where is the common sense? I do not want dirty air. And I do not think anybody in this room, in this body, wants dirty air. But any attempt to change the status quo gets some spinmeisters at work.

Let me explain where there is a real problem. There is a provision in the Clean Air Act that allows the EPA Administrator, with the approval of the Secretary of Transportation, to halt highway funding for a nonattainment area. For instance, if a State does not have an approved clean air plan, after a certain period of time sanctions apply, and those sanctions include halting highway funding. Now, transit funding can continue and bike path money can go forward. There is also a ''safety'' exemption where the Secretary of Transportation determines that a ''project is an improvement in safety to resolve a demonstrated safety problem and likely will result in a significant reduction in, or avoidance of, accidents.''

I have several problems with that provision.

First, highway funding is a matter of safety. We dedicate transportation funds to specific improvement programs, like railroad crossings and programs on drunk driving. But highway safety is also an issue when it comes to road conditions.

In my own State of Missouri, I can tell you that highway fatality rates are higher than the national average because roads are more dangerous. In the period 1992 to 1996, 5,279 people died on Missouri highways. Nationally, Federal Highways estimates that road conditions are a factor in about 30 percent of traffic fatalities. Well, I believe that figure is higher in Missouri, because I have been on the narrow two-lane roads and have seen the white crosses where people have died.

Highway improvements, such as wider lanes and shoulders, adding or improving medians, and upgrading roads from two lanes to four lanes can reduce traffic fatalities and accidents. The Secretary can grant exemptions from the current law to allow a project to go forward, but he can also deny them. I have a problem with the Government, the Federal Government, micromanaging a State's transportation plan.

The law also says the State will have to submit data to justify that the ''principal purpose of the project is an improvement in safety.'' Tell that to the grandmother who has lost her granddaughter on a stretch of highway. She will never go to the prom, because she was killed on that highway.

I would argue that highway construction and improvements are almost always a matter of safety and that to have to seek an exemption is an unnecessary and inappropriate delay. Any further delay imposed by the Federal Government on highway projects which are necessary for safety is unacceptable.

Second, taking away or imposing any kind of delay on highway funding does nothing to improve air quality or to reduce congestion. According to the American Association of State Highway and Transportation Officials, ''Congestion damages air quality, increases travel times, costs an estimated $43 billion annually in delays in the country's 50 largest urban areas, and generates additional delay costs in rural and suburban areas.''

Some will argue, ''If you build it, they will come.'' That normally applies to baseball diamonds, but they are talking about highways. I am not denying that there is some truth to that, but congestion already exists. They are already there. People in our State and rural Missouri are driving, and they are driving on narrow highways because they have to. There are no trolleys; there are no regularly scheduled buses. Halting or delaying funds to address the problem is inappropriate.

I think the cliche, ''Pay now or pay more later,'' is appropriate. What we would be ''paying'' for is potentially the loss of life, loss of economic opportunities, and the loss of convenience for the traveling public. Isn't this an issue of quality of life? I think so.

Third, the Highway Trust Fund is supported by highway users for highway construction and maintenance. It is a dedicated tax for a dedicated purpose. The people of Missouri are paying highway fund taxes and not getting a full dollar back for their highways. And to take away some of the money that they have put in because of totally unrelated concerns is inappropriate as a punitive sanction.

The 105th Congress spent the entire Congress, almost, working on a transportation policy.

One of the most contentious debates we had at the time and the significant outcomes of that debate was the issue of the trust fund. The Congress finally agreed to and the President signed into law what I refer to as the Bond-Chafee provision which says that the money goes in as the money comes out the next year for transportation and programs authorized by law.

Included in TEA–21—highway dollars being spent on—is $8.1 billion over 6 years for the Congestion Mitigation and Air Quality Improvement Program. This is money dedicated to helping States and local governments meet the requirements of the Clean Air Act. Under current law, CMAQ—as it is called—funding will continue without interruption, but highway construction could be halted or face a delay.

Using a ''dedicated tax for a dedicated purpose'' as a hammer in this instance is, I believe, inappropriate and unfair.

I do not view this legislation as an attack on the Clean Air Act. It is a matter of common sense.

Some may ask, if they do not already know, what precipitated the introduction of this legislation. I contemplated introducing this bill in the past but had other matters that were more important. But on November 8, 1998, the San Francisco-based Sierra Club filed suit in the District of Columbia District Court against the EPA to force the EPA to mandate sanctions not just on St. Louis and the nonattainment area but on the entire State of Missouri and to make these sanctions retroactive. That action, I believe, is irresponsible and extreme.

The EPA itself chose not to impose sanctions on the St Louis area or the State of Missouri because the State and the nonattainment area are doing everything that is necessary to come into compliance. The St. Louis area has adopted an inspection/maintenance program. They have instituted a plan to reduce volatile organic compound emissions by at least 15 percent. They have opted into EPA's reformulated gasoline program. And the St. Louis Regional Clean Air Partnership has been formed to encourage voluntary actions. In these circumstances, the Sierra Club lawsuit is purely punitive and purely unwarranted, but it is possible as long as we have this legislation on the books.

I do not personally know one Member of the Senate who fought for highway funding for his or her State's highway needs who would support actions to take that funding away, especially in a frivolous lawsuit by a group with a different agenda, with different priorities than the citizens of the State who are paying in the money. If this provision of law is left in place, what is happening in Missouri could happen elsewhere. Highway sanctions are in place for Helena, MT, and a situation is developing in Atlanta, GA, which has been brought to my attention.

There are those who say you can count the number of times highway sanctions have been imposed on one hand, but that still is too many. I disagree with the linking of highway funds and clean air attainment. We must address both. Quality of life requires both clear air and safe highways. I am dedicated to both. I hope we can have hearings and move on this measure in the near future.

By Mr. REED (for himself and Mr. WYDEN):

S. 496. A bill to provide for the establishment of an assistance program for health insurance consumers; to the Committee on Health, Education, Labor, and Pensions.

THE HEALTH CARE CONSUMER ASSISTANCE ACT

Mr. REED. Mr. President, I rise today to introduce the Health Care Consumer Assistance Act, along with my colleague from Oregon, Mr. WYDEN. This legislation creates a consumer assistance program that is key to patient protections in the health insurance market.

In 1997, President Clinton's Health Quality Commission identified the need for consumer assistance programs that allow consumers access to accurate, easily understood information and get assistance in making informed decisions about health plans and providers. Today, only a loose patchwork of consumer assistance services exists. And, while a number of sources provide assistance, most are limited. Many consumer groups have advocated for the establishment of consumer assistance programs to support consumers' growing need of information.

The legislation I am introducing today gives states grants to establish nonprofit, private health care ombudsman programs designed to help consumers understand and act on their health care choices, rights, and responsibilities. Under my bill, the Secretary of Health and Human Services will offer funds for states to select an independent, nonprofit agency to provide the following services to consumers: information relating to choices, rights, and responsibilities within the plans they select; operate a 1–800 telephone hotline to respond to consumer requests for information, advice and assistance; produce and disseminate educational materials about patients' rights; provide assistance and representation to people who wish to appeal the denial, termination, or reduction of health care services, or a refusal to pay for health services; and collect and disseminate data about inquiries, problems and grievances handled by the consumer assistance program.

This program has been championed by Ron Pollack of Families USA and Beverly Malone of the American Nurses Association, who served as members of the President's Commission on Quality, as well as numerous other consumer advocates.

Mr. President, I have joined with many of my Democratic colleagues in sponsoring S. 6, the Patients' Bill of Rights Act of 1999. I am pleased that S. 6 would establish a consumer assistance program, similar to that established by my legislation. My purpose today is to emphasize the importance of such a consumer protection program. This legislation is not without controversy, but I believe that American consumers deserve protection and assistance as they attempt to navigate the often confusing and complex world of health insurance.

Mr. President, I ask unanimous consent to have the text of my bill printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 496

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Health Care Consumer Assistance Act''.

SEC. 2. GRANTS.

(a) IN GENERAL.—The Secretary of Health and Human Services (referred to in this Act as the ''Secretary'') shall award grants to States to enable such States to enter into contracts for the establishment of consumer assistance programs designed to assist consumers of health insurance in understanding their rights, responsibilities and choices among health insurance products.

(b) ELIGIBILITY.—To be eligible to receive a grant under this section a State shall prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including a State plan that describes—

(1) the manner in which the State will solicit proposals for, and enter into a contract with, an entity eligible under section 3 to serve as the health insurance consumer office for the State; and

(2) the manner in which the State will ensure that advice and assistance services for health insurance consumers are coordinated through the office described in paragraph (1).

(c) AMOUNT OF GRANT.—

(1) IN GENERAL.—From amounts appropriated under section 5 for a fiscal year, the Secretary shall award a grant to a State in an amount that bears the same ratio to such amounts as the number of individuals within the State covered under a health insurance plan (as determined by the Secretary) bears to the total number of individuals covered under a health insurance plan in all States (as determined by the Secretary). Any amounts provided to a State under this section that are not used by the State shall be remitted to the Secretary and reallocated in accordance with this paragraph.

(2) MINIMUM AMOUNT.—In no case shall the amount provided to a State under a grant under this section for a fiscal year be less

than an amount equal to .5 percent of the amount appropriated for such fiscal year under section 5.

SEC. 3. ELIGIBILITY OF STATE ENTITIES.

To be eligible to enter into a contract with a State and operate as the health insurance consumer office for the State under this Act, an entity shall—

(1) be an independent, nonprofit entity with demonstrated experience in serving the needs of health care consumers (particularly low income and other consumers who are most in need of consumer assistance);

(2) prepare and submit to the State a proposal containing such information as the State may require;

(3) demonstrate that the entity has the technical, organizational, and professional capacity to operate the health insurance consumer office within the State;

(4) provide assurances that the entity has no real or perceived conflict of interest in providing advice and assistance to consumers regarding health insurance and that the entity is independent of health insurance plans, companies, providers, payers, and regulators of care; and

(5) demonstrate that, using assistance provided by the State, the entity has the capacity to provide assistance and advice throughout the State to public and private health insurance consumers regardless of the source of coverage.

SEC. 4. USE OF FUNDS.

(a) BY STATE.—A State shall use amounts received under a grant under this Act to enter into a contract described in section 2(a) to provide funds for the establishment and operation of a health insurance consumer office.

(b) BY ENTITY.—

(1) IN GENERAL.—An entity that enters into a contract with a State under this Act shall use amounts received under the contract to establish and operate a health insurance consumer office.

(2) NONCOMPLIANCE.—If the State fails to enter into a contract under subsection (a), the Secretary shall withhold amounts to be provided to the State under this Act and use such amounts to enter into the contract described in paragraph (1) for the State.

(c) ACTIVITIES OF OFFICE.—A health insurance consumer office established under this Act shall—

(1) provide information to health insurance consumers within the State relating to choice of health insurance products and the rights and responsibilities of consumers and insurers under such products;

(2) operate toll-free telephone hotlines to respond to requests for information, advice or assistance concerning health insurance in a timely and efficient manner;

(3) produce and disseminate educational materials concerning health insurance consumer and patient rights;

(4) provide assistance and representation (in nonlitigative settings) to individuals who desire to appeal the denial, termination, or reduction of health care services, or the refusal to pay for such services, under a health insurance plan;

(5) make referrals to appropriate private and public individuals or entities so that inquiries, problems, and grievances with respect to health insurance can be handled promptly and efficiently; and

(6) collect data concerning inquiries, problems, and grievances handled by the office and periodically disseminate a compilation and analysis of such information to employers, health plans, health insurers, regulatory agencies, and the general public.

(d) AVAILABILITY OF SERVICES.—The office shall not discriminate in the provision of services regardless of the source of the individual's health insurance coverage or prospective coverage, including individuals covered under employer-provided insurance, self-funded plans, the medicare or medicaid programs under title XVIII or XIX of the Social Security Act (42 U.S.C. 1395 and 1396 et seq.), or under any other Federal or State health care program.

(e) SUBCONTRACTS.—An office established under this section may carry out activities and provide services through contracts entered into with 1 or more nonprofit entities so long as the office can demonstrate that all of the requirements of this Act are met by the office.

(f) TRAINING.—

(1) IN GENERAL.—An office established under this section shall ensure that personnel employed by the office possess the skills, expertise, and information necessary to provide the services described in subsection (c).

(2) CONTRACTS.—To meet the requirement of paragraph (1), an office may enter into contracts with 1 or more nonprofit entities for the training (both through technical and educational assistance) of personnel and volunteers. To be eligible to receive a contract under this paragraph, an entity shall be independent of health insurance plans, companies, providers, payers, and regulators of care.

(3) LIMITATION.—Not to exceed 7 percent of the amount awarded to an entity under a contract under subsection (a) for a fiscal year may be used for the provision of training under this section.

(g) ADMINISTRATIVE COSTS.—Not to exceed 1 percent of the amount of a block grant awarded to the State under subsection (a) for a fiscal year may be used for administrative expenses by the State.

(h) TERM.—A contract entered into under subsection (a) shall be for a term of 3 years.

SEC. 5. FUNDING.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary in each fiscal year to carry out this Act.

(b) REPORT OF SECRETARY.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary shall prepare and submit to the appropriate committees of Congress a report that contains—

(1) a determination by the Secretary of whether amounts appropriated to carry out this Act for the fiscal year for which this report is being prepared are sufficient to fully fund this Act in such fiscal year; and

(2) with respect to a fiscal year for which the Secretary determines under paragraph (1) that sufficient amounts are not appropriated, the recommendations of the Secretary for fully funding this Act through the use of additional funding sources.

By Mr. WYDEN:

S. 498. A bill to require vessels entering the United States waters to provide earlier notice of the entry, to clarify the requirements for those vessels and the authority of the Coast Guard over those vessels, and for other purposes; to the Committee on Commerce, Science, and Transportation.

THE COASTAL PROTECTION AND VESSEL CONTROL IMPROVEMENT ACT

Mr. WYDEN. Mr. President, as we speak, rescue crews are fighting valiantly to contain the damage from the wreck of the tanker New Carissa off of Coos Bay, Oregon three weeks ago. But the clock is ticking, the water is rising, and time is running short. An environmental disaster of truly alarming proportions is staring my state in the face.

Thousands of gallons of fuel oil have already leaked out of the wrecked ship and thousands more may be spilled along our precious coastline within days, if not hours.

As Oregonians struggle to make the best of a bad situation, it is not too early to start talking about how we prevent the next addition to the legacy of New Carissa. It seems clear to me that we need to look at the pernicious practice of foreign flagging. How many gallons of oil need to spill and how many miles of coastline have to be destroyed before we stop allowing unseaworthy vessels manned by untrained crews into our coastal waters.

It seems easier to register a supertanker in some foreign countries than it is to register an automobile in Portland, Oregon. As long as this so-called Flag of Convenience system continues, it's only a matter of time before the next New Carissa runs aground on a local beach. Yet our maritime policy continues to allow it.

Grave concerns have also been raised about the amount and quality of information being released to the public about this disaster. People who live in the area simply have not been told what to expect. That is unacceptable. When disaster strikes, government has an ironclad responsibility to give people as much information as possible.

Today, I am introducing legislation that focuses on avoiding disasters like the New Carissa. We need to stop playing Russian roulette with our coastal resources and the communities that depend on them.

Congressman DEFAZIO has authored companion legislation in the House of Representatives, which was adopted as an amendment to the Coast Guard Reauthorization Bill.

This legislation requires all vessels, foreign and domestic, to notify the Coast Guard when they intend to enter our country's territorial waters, allows the Coast Guard to bar them from entry if there are safety concerns, and gives the Coast Guard the authority to direct the movements of such vessels in our waters in hazardous situations. This bill would have given the Coast Guard the ability to block the New Carissa from allowing its deadly course of sailing so close to shore during a hazardous gale, a practice that local pilots shun.

In other words, had this bill been in place, the Coast Guard would have had the ability to stop this tragedy before it occurred, instead of having to clean up after it.

I urge my colleagues to support this important legislation, and ask unanimous consent that a copy of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 498

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

SECTION 1. CLARIFICATION OF COAST GUARD AUTHORITY TO CONTROL VESSELS IN TERRITORIAL WATERS OF THE UNITED STATES.

The Ports and Waterways Safety Act (33 U.S.C. 1221 et seq.) is amended by adding at the end the following:

''SEC. 15. ENTRY OF VESSELS INTO TERRITORIAL SEA; DIRECTION OF VESSELS BY COAST GUARD.

''(a) NOTIFICATION OF COAST GUARD.—

''(1) NOTIFICATION.—Under regulations prescribed by the Secretary, a commercial vessel entering the territorial sea of the United States shall notify the Secretary not later than 24 hours before that entry.

''(2) INFORMATION.—The regulations under paragraph (1) shall specify that the notification shall contain the following information:

''(A) The name of the vessel.

''(B) The port or place of destination in the United States.

''(C) The time of entry into the territorial sea.

''(D) With respect to the fuel oil tanks of the vessel—

''(i) the capacity of those tanks; and

''(ii) the estimated quantity of fuel oil that will be contained in those tanks at the time of entry into the territorial sea.

''(E) Any information requested by the Secretary to demonstrate compliance with applicable international agreements to which the United States is a party.

''(F) If the vessel is carrying dangerous cargo, a description of that cargo.

''(G) A description of any hazardous conditions on the vessel.

''(H) Any other information requested by the Secretary.

''(b) DENIAL OF ENTRY.—The Secretary may deny entry of a vessel into the territorial sea of the United States if—

''(1) the Secretary has not received notification for the vessel in accordance with subsection (a); or

''(2) the vessel is not in compliance with any other applicable law relating to marine safety, security, or environmental protection.

''(c) DIRECTION OF VESSEL.—The Secretary may direct the operation of any vessel in the navigable waters of the United States as necessary during hazardous circumstances, including the absence of a pilot required by Federal or State law, weather, casualty, vessel traffic, or the poor condition of the vessel.''.

By Mr. FRIST (for himself, Mr. JEFFORDS, Mr. DORGAN, Mr. LEVIN, Mrs. MURRAY, Mr. DEWINE, Mr. MURKOWSKI, Mr. THURMOND, Mr. DURBIN, and Mr. INOUYE):

S. 499. A bill to establish a congressional commemorative medal for organ donors and their families; to the Committee on Banking, Housing, and Urban Affairs.

THE GIFT OF LIFE CONGRESSIONAL MEDAL ACT OF 1999

Mr. FRIST. Mr. President, I take great pleasure today in introducing the Gift of Life Congressional Medal Act of 1999. With this legislation, which doesn't cost taxpayers a penny, Congress has the opportunity to recognize and encourage potential donors, and give hope to over 52,000 Americans who have end-stage disease. As a heart and lung transplant surgeon, I saw one in four of my patients die because of the lack of available donors. Public awareness simply has not kept up with the relatively new science of transplantation. As public servants, we need to do all we can to raise awareness about the gift of life.

Under this bill, each donor or donor family will be eligible to receive a commemorative Congressional medal. It is not expected that all families, many of whom wish to remain anonymous, will take advantage of this opportunity. The program will be coordinated by the regional organ procurement organizations [OPO's] and managed by the entity administering the Organ Procurement and Transplantation Network. Upon request of the family or individual, a public official will present the medal to the donor or the family. This creates a wonderful opportunity to honor those sharing life through donation and increase public awareness. Some researchers have estimated that it may be possible to increase the number of organ donations by 80 percent through public education.

Any one of us, or any member of our families, could need a life saving transplant. We would then be placed on a waiting list to anxiously await our turn, or our death. The number of people on the list has more than doubled since 1990—and a new name is added to the list every 18 minutes. In my home State of Tennessee, 62 Tennesseans died in 1998 while waiting, and more than 775 people are in need of a transplant. Nationally, because of a lack of organs, close to 5,000 listed individuals died in 1998.

However, the official waiting list reflects only those who have been lucky enough to make it into the medical care system and to pass the financial hurdles. If you include all those reaching end-stage disease, the number of people potentially needing organs or bone marrow, very likely over 120,000, becomes staggering. Only a small fraction of that number would ever receive transplants, even if they had adequate insurance. There simply are not enough organ and tissue donors, even to meet present demand.

Federal policies surrounding the issue of organ transplantation are difficult. Whenever you deal with whether someone lives or dies, there are no easy answers. There are between 15,000 and 20,000 potential cadaveric donors each year, yet inexcusably, in 1997 there were only some 5,400 actual donors. That's why we need you to help us educate others about the facts surrounding tissue and organ donation.

Mr. President, there has been unprecedented cooperation, on both sides of the aisle, and a growing commitment to awaken public compassion on behalf of those who need organ transplants. It is my very great pleasure to introduce this bill on behalf of a group of Senators who have already contributed in extremely significant ways to the cause of organ transplantation. And we are proud to ask you to join us, in encouraging people to give life to others.

By Mr. SMITH of New Hampshire (for himself, Mr. JEFFORDS, and Mr. HELMS):

S. 500. A bill to amend section 991(a) of title 28, United States Code, to require certain members of the United States Sentencing Commission to be selected from among individuals who are victims of a crime of violence; to the Committee on the Judiciary.

UNITED STATES SENTENCING COMMISSION LEGISLATION

Mr. SMITH of New Hampshire. Mr. President, I rise to introduce a bill that I sponsored in the last Congress to give victims of crime a greater voice in sentencing. My bill, which is being cosponsored by Senators JEFFORDS and HELMS, would reserve two of the seven seats on the United States Sentencing Commission for victims of violent crimes.

Mr. President, the Sentencing Commission is an independent entity within the judicial branch that establishes sentencing policies and practices for the Federal courts. This includes sentencing guidelines that prescribe the appropriate form and severity of punishment for offenders convicted of Federal crimes.

The U.S. sentencing Commission is composed of seven voting members who are appointed by the President, with the advice and consent of the Senate, for six-year terms. The Commission also includes two non-voting members. Of the seven voting members of the Sentencing Commission, three must be Federal judges.

Under my bill, two of the four seats on the Sentencing Commission that are not filled by Federal judges would be reserved for victims of a crime of violence or, in the case of a homicide, an immediate family member of such a victim. My bill utilizes the definition of a crime of violence that is found in section 16 of title 18 of the United States Code.

All seven voting seats on the Sentencing Commission are vacant. Now is the right time to give victims of crime a voice by requiring that two of those vacant seats must be filled by Americans who have been victimized by violent crimes.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was order to be printed in the RECORD, as follows:

S. 500

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

SECTION 1. COMPOSITION OF UNITED STATES SENTENCING COMMISSION.

(a) IN GENERAL.—Section 991(a) of title 28, United States Code, is amended by inserting after ''same political party,'' the following: ''Of the members who are not Federal judges, not less than 2 members shall be individuals who are victims of a crime of violence (as that term is defined in section 16 of title 18) or, in the case of a homicide, an immediate family member of such a victim.''.

(b) APPLICABILITY.—The amendment made by this section shall apply with respect to

any appointment made on or after the date of enactment of this Act.

By Mr. MURKOWSKI (for himself and Mr. STEVENS):

S. 501. A bill to address resource management issues in Glacier Bay National Park, Alaska; to the Committee on Energy and Natural Resources.

GLACIER BAY FISHERIES ACT

Mr. MURKOWSKI. Mr. President, I am today introducing—together with my good friend Senator STEVENS—new legislation to ensure that the marine waters of Glacier Bay National Park remain open to the fisheries that have been conducted there for many, many years.

For a number of years, the Park Service has attempted to seize authority over fisheries management in Glacier Bay from the State of Alaska, which holds title to the marine waters and submerged lands within Glacier Bay National Park. This is an infringement of the State's sovereignty under the constitutional doctrine of equal footing, as confirmed by Congress in the Submerged Lands Act, and the Alaska Statehood Act.

As my colleagues should all be aware, commercial fisheries have been conducted in these waters for well over 100 years, since long before the federal government became interested in them. Subsistence fishing and gathering by local residents has been practiced for up to 9,000 years, and perhaps longer.

Yet today, officials of the National Park Service want Glacier Bay off limits to those who have depended on it for their sustenance and livelihoods for generations.

Most recently, agents of the Park Service harassed a number of commercial crab fishermen who were fishing in areas which have always been open to them. Some of these were areas which may be closed under legislation adopted last year, but for which the Park Service has not yet promulgated regulations to effect the closure.

Although Park Service officials now say they merely asked for voluntary compliance and attempted to educate fishermen about their plans, the fishermen tell a different, and more sinister, story.

This particular crab fishery is only six days long, with the first two days being crucial to a fisherman's financial success. Because of this, fishermen must work literally around the clock for the first 48 to 72 hours. After the first two days, their earning potential—even for a top fisherman—drops from almost $60,000 per day to less than $20,000.

It is important to note that these are not large scale fisheries. We are talking about a small handful of fishermen, some working solely with their families.

Out of the 14 vessels working in the Bay during the recent fishery, 11 were boarded—right in the middle of those crucial first two days—by armed and intimidating Park Service agents. Many were either told they were in closed waters, or threatened that if they did not move, they would be prosecuted. Needless to say, these fishermen are law-abiding members of society, so they pulled up their fishing gear and moved, taking very serious financial losses as a result.

Mr. President, let me ask you how difficult it would have been to write a letter before the season opened and send it to these 14 fishermen? How hard would it be to send a letter to 20 fishermen? or to 50? In other words, Mr. President, how hard would it have been to avoid such confrontational and damaging tactics?

It would not have been hard at all, Mr. President, and the fact that the agency did not choose to do so is just one more example of how unfairly the Park Service has behaved to those who live and work in Alaska.

It is time for this to stop, and to ensure that it does, I am today offering a simple, clean solution. First, the bill authorizes subsistence fishing and gathering under the existing federal governing authority for such activities. Second, the bill authorizes the State of Alaska to conduct its marine fisheries without interference, except a fishery for Dungeness crab, for which a compensation plan has already been adopted. And third, the bill authorizes the use of up to $2,000,000 per year—which the Park Service is already collecting but which it has failed to use for the purpose intended by Congress—to be used to pay damages to fishermen who were unfairly harmed.

Mr. President, this is a matter of simple fairness. These are not new fisheries, but old ones—fisheries which throughout their long history have never caused a problem, and are today more tightly controlled than ever by State of Alaska law and regulation.

Fishermen have caused no harm here. The only harm has been caused either by the arrogant demands of those who want the park to themselves, or those who are well-meaning but ignorant of the facts. It is time the former become better neighbors, and time for the latter to learn the truth.

I ask unanimous consent that the text of our legislation be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 501

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Glacier Bay Fisheries Act''.

SAEC. 2. RESOURCE HARVESTING.

(a) In Glacier Bay National Park, the Secretary of the Interior shall accommodate—

(1) the conduct of subsistence fishing and gathering under Title VIII of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3111 et. seq.); and

(2) the conduct by the State of Alaska, in accordance with the principles of sustained yield, of marine commercial fisheries, except fishing for Dungeness crab in the waters of the Beardslee Islands and upper Dundas Bay.

SEC. 3. CLAIMS FOR LOST EARNINGS.

Section 3(g) of Public Law 91–383 (16 U.S.C. 1a–2(g)) is amended—

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

(2) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(3) by inserting after paragraph (2) the following:

''(3) to pay an aggregate of not more than $2,000,000 per fiscal year in actual and punitive damages to persons that, at any time after January 1, 1999, suffered or suffer a loss in earnings from commercial fisheries legally conducted in the marine waters of Glacier Bay National Park, due to any action by an officer, employee, or agent of any Federal department or agency, that interferes with any person legally fishing or attempting to fish in such commercial fisheries.

By Mr. ASHCROFT (for himself and Mr. DOMENICI):

S. 502. A bill to protect social security; to the Committee on the Budget and the Committee on Governmental Affairs, jointly, pursuant to the order of August 4, 1977, with instructions that if one Committee reports, the other Committee have thirty days to report or be discharged.

THE PROTECT SOCIAL SECURITY BENEFITS ACT OF 1999

Mr. ASCHROFT. Mr. President, there is no more worthy government obligation than ensuring that those who paid a lifetime of Social Security taxes will receive their full Social Security benefits. Social Security is a national, cultural and legal obligation. Social Security is our most import social program, a contact between the government and its citizens. Americans, including one million Missourians, depend on this commitment.

This is more than just a governmental commitment. We have a responsibility as a culture to care for the elderly. Social Security is the only retirement income most of our seniors receive. It is our obligation, passed down from generation to generation, to provide retirement security for every American.

As individuals, all of us care about Social Security because we know the benefits it pays to our mothers and fathers, relatives and friends. And we think of the Social Security taxes we and our children pay—up to 12.4 percent of our income. We pay these taxes with the understanding that they help our parents and their friends, and we hope that our taxes will somehow, someday make it possible to help pay for our own retirements.

In my case, thinking of Social Security brings to mind friends and constituents such as Lenus Hill of Bolivar, MO, who relies on her Social Security to meet living expenses. Billy Yarberry lives on a farm near Springfield and depends on Social Security. And there is Rev. Walter Keisker of Cape Girardeau, who will be 100 years old next July and lives on Social Security. These faces bring meaning to Social Security.

Whenever I meet with folks in Missouri, I am asked, ''Senator, you won't let them use my Social Security taxes to pay for the United Nations, will you?'' Or, ''Why can't I get my full benefits if I work after 65?'' Or, ''You know I need my Social Security, don't you?''

And then there are the letters on Social Security I get every day.

Ed and Beverly Shelton of Independence, MO, write: ''Aren't the budget surpluses the result of Social Security taxes generating more revenue than is needed to fund current benefits? Therefore, the Social Security surplus is the surplus!* * * Yes, we are senior citizens and receive a very limited amount of Social Security. We are children who survived the Great Depression and World War II so we know how to stretch a dollar and rationed goods—just wish Congress were as careful with spending our money as we are!''

These concerns are why I am introducing today the Protect Social Security Benefits Act. Americans who have devoted 12% of their wages to the Social Security Trust Fund deserve their full Social Security payments now and in the century to come. The bill is part of a five part package that, taken together, seeks to provide greater protection for the Social Security Trust Fund.

The substance and message of these provisions is that Social Security must be protected: protected from politicians who raid Social Security to finance additional deficits; protected from those who want to gamble with Social Security in the stock market; protected so that investment decisions ensure current and future benefits; protected so that seniors who work get full benefits; protected so that we keep our commitment to America's retirees.

The Ashcroft Protect Social Security Benefits Act of 1999 prevents the use of surpluses in the Social Security Trust Funds to finance deficits in the rest of the federal budget. We must build a wall so high around the Social Security Trust Funds so that it cannot be used to pay for new government spending. Social Security should not finance new spending. But that is exactly what has happened in the past, is now happening, and will continue happening in the future, unless changes are made. It must end.

Specifically, the bill makes it out of order for the House or Senate to pass, or even debate, a budget or bill that uses Social Security surpluses to finance deficits in the rest of the budget. In both the House and Senate, a three-fifths vote, or a super majority, would be required to change that. Let me assure you that this is extremely unlikely. We have enough trouble getting 51 Senators to agree to anything, let alone 60. Thus, it would be extremely difficult to use the Social Security surplus to fund new deficit spending.

Two other bills I am supporting will also reduce debt and thereby strengthen our economy, Social Security and our future. The first bill structures the payment of the national debt by amortizing it—paying it off in installments—over the next 30 years. The second bill reduces the public debt limit every two years as an additional incentive to reduce borrowing. Additional surpluses in the Social Security Trust Fund can buy down publicly-held debt. By reducing the public debt, my plan will make it easier for America to meet its Social Security obligations in three ways. First, over the long run, paying off the debt will lower interest payments, which are now over $200 billion annually, equaling about 15% of the budget. Second, by relieving America of the burden of the $3.8 trillion national debt over the next 30 years, it will free up more resources that may be able to meet Social Security obligations in the future. Finally, a debt-free America will have a stronger, faster-growing economy, and will be better equipped to come up with the money to redeem the Trust Fund when we need it.

We must remember that federal debt incurs very real costs, in the form of interest payments and higher interest rates. With that in mind, we cannot afford not to pay off the debt. While it will cost money to pay off the debt, it is better to budget for those costs now. On this point, I agree with President Clinton. His idea to use Social Security surpluses to pay down our existing debt is a wise one, and I am offering a responsible plan to make it happen.

Finally, and given the fact that Social Security surpluses are routinely being used to finance deficits in the rest of the budget of the federal government, it is time to decide carefully how Social Security should be treated in any proposed constitutional amendment to balance the budget. I have always supported a balanced budget amendment. In the past, I have supported an effort that did not distinguish between Social Security accounts and the rest of the federal budget. However, last year's raid of the Social Security surplus to fund other government spending under the guise of ''emergency spending'' has convinced me that Social Security must be protected under our constitution. Social Security must be walled off for special treatment in any proposed balanced budget amendment. We must make clear that the federal budget should be balanced without counting any Social Security surpluses.

Walling off the trust funds is the first step, not the only step, needed to protect Social Security. This is the right way to start the effort to improve Social Security so it is strong for our children and grandchildren.

To do this, we need to be honest, realizing that, for now, time is on our side to make thoughtful improvements. For the past few months, I have comprehensively reviewed Social Security. My conviction is that understanding must always come before reforming. The following summarizes the facts about Social Security.

Social Security does now and will in the near future accumulate annual surpluses. Together, income from payroll taxes and interest is greater than the amount of benefits being paid out. The Social Security Trustees believe that these surpluses will continue each year for the next 14 years. In that time, a $2.8 trillion total surplus will accumulate.

In the year 2013, however, when more baby boomers will be in retirement, annual benefit payments will exceed annual taxes received by Social Security through taxes and interest. As a result, Social Security will run an annual deficit. By 2021, annual benefit payments will exceed annual taxes received by Social Security and interest earned on the accumulated surpluses. In the year 2032, Social Security payroll taxes will not only be insufficient to pay benefits; the surpluses will be used up. Social Security will be bankrupt.

Bipartisan efforts are underway to address this long-term situation. I will take an active part in this work. We must strengthen Social Security's capacity to pay benefits in full beyond the year 2032.

But there is no getting around the fact that a key to the long-term solvency of Social Security is how the current mushrooming Social Security surplus is invested, managed and spent. That's why the Protect Social Security Benefits Act focuses on how the current Social Security surplus is invested and managed.

Where is the Social Security surplus? This question helps us understand what the Social Security surplus is, and is not. In truth, the Trust Funds have no money, only interest-bearing notes. It would be foolish to have money in the trust fund that earned no interest or had no return. In return for the Social Security notes, Social Security taxes are sent to the U.S. Treasury and mingled with other government revenues, where the entire pool of cash pays the government's day-to-day expenses. While the Trust Funds records now show a total of $857 billion in the fund, these assets exist only in the form of government securities, or debt. According to the Washington Post, ''The entire Social Security Trust Fund, all [$857] billion or so of it, fits readily in four ordinary, brown, accordion-style folders that one can easily hold in both hands. The 174 certificates reside in a plain combination-lock filing cabinet on the third floor of the bureau's office building.''

In recent years, Social Security surpluses have been used to finance deficit spending in the rest of the federal budget. Take Fiscal Year 1998 for example. The Social Security surplus was $99 billion. The deficit in the rest of the government budget was $29 billion. So $29 billion—or 30% of the Social Security surplus—financed other government programs that were not paid for with general tax revenues. this occurred despite President Clinton's promise to save ''every penny of any surplus'' for Social Security.

For next year, this money shuffling is even greater. To quote the Senate Budget Committee's February 1, 1999, analysis:

Conclusion: the President's budget, despite the rhetoric, not only spends all the non-Social Security surplus over the next five years, while providing no meaningful tax relief to American families, but also dips in the Social Security surplus for $146 billion to pay for the President's spending priorities.

This kind of money shuffling must end. I cannot go back to Lenus Hill or Billy Yarberry and tell them that I stood by silently as the government devoted—spent half of their retirement money to paying for the President's new spending initiatives. We must stop the dishonest practice of hiding new government deficits with Social Security surpluses.

The Protect Social Security Benefits Act of 1999 is designed to cripple attempts to use surpluses in the Social Security Trust Funds to pay for deficits in the rest of the federal budget. Specifically, the bill states that it is out of order for the House and Senate to pass—or even debate—a budget that uses Social Security surpluses to finance new debt in the rest of the budget. This provision could only be overridden if three-fifths of the House or Senate openly vote to bypass this rule.

Three times Congress has passed laws that tried to take Social Security off-budget. These efforts have called for accounting statements that require the government to keep the financial status of Social Security separate from the rest of the budget. But these efforts are inadequate unless Congress puts in place safeguards that protect surpluses in Social Security from financing new government spending.

Right now, such procedures do not exist in current law or in senate rules. On the contrary, current law and senate rules create 21 separate points of order that apply to spending increases and tax increases, making it difficult to protect Social Security surpluses. But none actually stop these surpluses from paying for new budget deficits. We need a point of order protecting Social Security surpluses from irresponsible government raiding.

The Protect Social Security Benefits Act would create precisely such a point of order. This would prohibit the federal government from running a federal funds (on-budget) deficit without 60 votes, or what is known as a super-majority. With no on-budget deficit to finance, we would use the entire Social Security surplus to shrink the publicly-held federal debt. Reducing the publicly-held debt would cut annual interest costs that now cost $200 billion and 15% of the entire federal government budget. Eliminating this interest cost would provide more flexibility to address the long-term financing difficulties Social Security now faces that could someday jeopardize payment of full benefits.

The only exception to this point of order would be in time of war. If Congress were to declare war, and the government needed to go into deficit in order to protect our national security, then the point of order would not apply. It would remain in effect at all other times. In the event that the House or Senate did not pass a budget resolution, the point of order would apply to all appropriations bills passed after September 1. This fail-safe would ensure that the President and the Congress could not raid the Social Security fund for irresponsible spending, as they did last year to the tune of $22 billion.

The Ashcroft Protect Social Security Benefits Act is the first provision in a multi-part Social Security package that will address vital issues relating to the management, investment, and taxation of Social Security. This plan is designed to protect the Social Security system. More importantly, it is designed to protect the American people—from debt, from bad investments, from misinformation, and from attempts to spend our retirement dollars on current government spending. While I value the Social Security system, I value the American people, people like Lenus Hill and the one million other Missourians who receive Social Security benefits, more. My primary responsibility is to them. My plan to protect the Social Security system will protect the American people first, and I urge my colleagues to join me in support of this plan.

By Mr. ALLARD:

S. 503. A bill designating certain land in the San Isabel National Forest in the State of Colorado as the ''Spanish Peaks Wilderness''; to the Committee on Energy and Natural Resources.

SPANISH PEAKS WILDERNESS ACT OF 1999

Mr. ALLARD. Mr. President, wilderness is described in the law as lands that are, ''* * * in contrast with those areas where man and his own works dominate the landscape, * * * an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain.'' With today's introduction of the Spanish Peaks Wilderness bill congressmen SCOTT MCINNIS, BOB SCHAFFER and I are setting aside around 18,000 acres of land that more than meets the intent of the authors of the 1964 Wilderness Act. This land will be an important addition to wilderness in Colorado.

Spanish Peaks had been considered for inclusion in previous wilderness bills. However, because of unresolved issues it was not appropriate to designate it in the past. Those issues included various inholdings, the use of an old access road in the wilderness area, as well as the potential coal bed methane production on portions of the land. Those issues have either been resolved in this bill or they have been resolved through other methods. The resolution of these issues has maintained the integrity of the proposed wilderness area as well as protecting the needs of the local community.

Because of this, the legislation should have the backing of the local community, Colorado environmental groups, and the majority of the Colorado delegation. There is no reason why it cannot be passed quickly.

All Colorado wilderness bills should go through the process this bill went through. Congressman MCINNIS, Congressman SCHAFFER and I decided that cooperation, consensus, and communication were essential to success. Therefore, we casted our net broadly for concerns, and when they were raised in good faith we actually sat down and worked them out. I have been struck by the fact that when people are given the opportunity to be part of the process they feel like they have a stake in the outcome and they try to be constructive in their criticisms. Because of constructive critics like the Huerfano County Commissioners, this legislation is better now then it was when they first looked at it.

Whil the legislation is complete, we are still seeking clarification on one point. The Huerfano County Commissioners are seeking to have a trail that is slightly inside the wilderness area, as designated in the legislation, excluded. My staff has spoken with the local Forest Service staffer and they appear to have no objection to this change. It is still uncertain whether we actually need to change the legislation to do this or whether the map can be adjusted by the Forest Service without any legislative changes. If it is the former than we will make that change prior to passing it out of the Senate. If it is the latter, we will exchange letters with the Forest Service to ensure we are talking about the same trail in the same place. This change should not be of concern. It is only slightly inside the boundaries and any changes we make to exclude it would be of only a slight impact on the entire designation.

I want to thank Congressman MCINNIS, Congressman SCHAFFER, and the local community for working through this process. When the Colorado delegation works as a team they work the best for the State of Colorado.

By Mr. CLELAND:

S. 504. A bill to reform Federal election campaigns; to the Committee on Rules and Administration.

THE FEDERAL ELECTION ENFORCEMENT AND DISCLOSURE REFORM ACT

Mr. CLELAND. Mr. President. I rise today to address the important issue of campaign finance reform. As we begin the 106th Congress, campaign finance reform continues to be an important national need. Therefore, I am again introducing my Federal Election Enforcement And Disclosure Reform Act with the hope that this will be the year that Congress makes positive strides towards meaningful reform.

After participating in the Governmental Affairs Committee's extensive 1997 campaign finance hearings, it was apparent to me that there is a critical need for reform of our entire campaign finance system. What I witnessed, heard and read made me even more convinced that we must strengthen our campaign financing laws, and provide strong enforcement through the Federal Election Commission of these laws, or risk seeing our election process be swept away in a tidal wave of money. In spite of public support, and positive action in the House, the Senate failed last year to enact meaningful legislation addressing these problems, and we have now gone through yet another election cycle in which the abuses continued to persist. With the record high of $1 billion spent in pursuit of federal office in 1996—a 73 percent increase since 1992, I had hoped that the 1998 election would at least reflect a natural decline from the grossly inflated figures. However, post-election reports filed with the FEC show that spending in Senate general election campaigns went from $220.8 million in 1996, to $244.3 in 1998, an 11% increase. It has been estimated that if these trends continue, by 2025 it will take $145 million to finance an average Senate campaign. This absurd trend cannot continue.

Although the Senate failed last year to enact meaningful reform, I am hopeful that, with a new Congress, we will take up this important issue in earnest. The legislation I am re-introducing today, the Federal Election Enforcement and Disclosure Reform Act, addresses one of the most serious problems with our current system, the inability of the Federal Election Commission (FEC) to adequately enforce our existing campaign laws. I recently read a compelling article entitled ''No Cop on the Beat,'' which appeared in the January 23, 1999 issue of the National Journal. The author, Eliza Newlin Carney, perhaps summarizes best the current judgment on the effectiveness of the FEC when she states that ''[a] long-standing joke around town is that the commission is a government success story: It is precisely the weak and ineffective agency that Congress intended it to be.''

The article was written following a December 1998 FEC hearing on the 1996 elections during which FEC auditors alleged that the national campaign committees of both major parties violated campaign finance rules with respect to broadcast advertising. Although party leaders maintained that the advertisements in question were legitimate ''issue'' ads appropriately paid for by millions of dollars in ''soft'' money, based on their investigation, the FEC auditors alleged that they were illegal ads which caused both major party Presidential campaigns to exceed the federal spending limit and, more importantly, allowed both campaigns to ''essentially bilk . . . the federal Treasury out of no less than $25 million.'' The auditors recommended that the campaigns repay the money. However, the commissioners unanimously rejected these recommendations and refused to specifically address the alleged grievous violations of federal campaign laws.

Although the author of the National Journal piece is very critical of the enforcement system, her criticism correctly does not end with the FEC. ''[T]he FEC isn't the only cop that seems to have deserted the beat.'' According to the author, the FEC's refusal to enforce the campaign regulations has also had a chilling effect on the Justice Department's willingness to complete thorough investigations of the abuses in the 1996 election cycle. Furthermore, she points out that last year Congress again failed to enact new campaign finance laws to help correct the problems. She concludes by mentioning the movement by some politicians to totally deregulate the system—''By default, the no-holds-barred camp seems to be winning. Their deregulation model is starting to look an awful lot like the system we have today.''

As we can see in the preliminary preparations already underway, the 2000 election cycle is likely to be heading in the same direction and I believe that this is the optimal time for us to act in order to prevent such abuses. Although my bill will not address all of the campaign finance system problems, it will revitalize the Federal Election Commission to enable it to more effectively enforce current campaign finance laws, and to close some loopholes in current campaign disclosure requirements in order to provide the American people with more comprehensive and more timely information on campaign finances.

As I made clear last year, I do not intend my legislation to fix all of the problems with the campaign finance system. It is my understanding that Senators MCCAIN and FEINGOLD also intend to re-introduce their important legislation, which I intend to again cosponsor. I continue to believe that enactment of McCain-Feingold or similar legislation is an essential step for the Senate to take this year in beginning the process of repairing a campaign finance system which is totally out of control. Banning soft money and imposing disclosure and contribution requirements on sham issue ads aired close to an election, as provided for under McCain-Feingold, are absolutely vital reforms, without which the campaign finance system will only grow less accountable, and more vulnerable to the appearance, if not the fact, of undue influence by big money.

However, I want to broaden the scope of debate, and to begin the process of seeking common ground on important reforms which go beyond the problems of soft money and issue ads. As previously discussed, one of the most glaring deficiencies in our current federal campaign system is the ineffectiveness of its supposed referee, the Federal Election Commission. The FEC, whether by design or through circumstance, has been beset by partisan gridlock, uncertain and insufficient resources, and lengthy proceedings which offer no hope of timely resolution of charges of campaign violations.

Thus, the first major element of my bill is to strengthen the ability of the Federal Election Commission to be an effective and impartial enforcer of federal campaign laws. Among the most significant FEC-related changes I am proposing are the following:

Alter the Commission structure to remove the possibility of partisan gridlock by establishing a 7-member Commission, appointed by the President based on qualifications, for single 7-year terms. The Commission would be composed of two Republicans, two Democrats, one third party member, and two members nominated by the Supreme Court.

Give the FEC independent litigating authority, including before the Supreme Court, and establish a right of private civil action to seek court enforcement in cases where the FEC fails to act, both of which should dramatically improve the prospects for timely enforcement of the law.

Provide sufficient funding of the FEC from a source independent of Congressional intervention by the imposition of filing fees on federal candidates, with such fees being adequate to meet the needs of the Commission—estimated to be $50 million a year.

A second major component of the Federal Election Enforcement and Disclosure Reform Act is to create a new Advisory Committee on Federal Campaign Reform to provide for a body outside of Congress to continually review and recommend changes in our federal campaign system. The Committee would be charged, ''to study the laws (including regulations) that affect how election campaigns for Federal office are conducted and the implementation of such laws and may make recommendations for change,'' which are to be submitted to Congress by April 15 of every odd-numbered year. As with the FEC, the Advisory Committee would receive independent and sufficient funding via the new federal candidate filing fees.

The impetus for the Advisory Committee is two-fold: (1) to build a ''continuous improvement'' mechanism into the Federal campaign system, and (2) to address the demonstrable fact that Congress responds slowly, if at all, to the need for changes and updates in our campaign laws. In both instances, the conclusion is the same: we cannot afford to wait twenty-five years or until a major scandal develops to adapt our campaign finance system to changing circumstances.

The final section of my bill seeks to enhance the effectiveness of campaign

contribution disclosure requirements. As Justice Brandeis observed, ''Publicity is justly commended as a remedy for social and industrial diseases. Sunlight is said to be the best of disinfectants; electric light the most effective policeman.'' This is certainly true in the realm of campaign finance, and perhaps the most enduring legacy of the Watergate Reforms of a quarter-century ago is the expanded campaign and financial disclosure requirements which emerged. By and large, they have served us well, but as with everything else, they need to be periodically reviewed and updated in light of experience. Therefore, based in part on testimony I heard during the 1997 Governmental Affairs Committee investigation and in part on the FEC's own recommendations for improved disclosure, my bill will make several changes in current disclosure requirements.

Specifically, I am recommending two reforms which will make it more difficult for contributors and campaigns alike to turn a blind eye to current disclosure requirements by, first, preventing a campaign from depositing a contribution until all of the requisite disclosure information is provided; and second, requiring those who contribute $200 or more to provide a signed certification that their contribution is not from a foreign national, and is not the result of a contribution in the name of another person.

In addition, my legislation adopts a number of disclosure recommendations made by the FEC in its 1997 report to Congress, including provisions: requiring all reports to be filed by the due date of the report; requiring all authorized candidate committee reports to be filed on a campaign-to-date basis, rather than on a calendar year cycle; and mandating monthly reporting for multi candidate committees which have raised or spent, or anticipate raising or spending, in excess of $100,000 in the current election cycle.

It is easy to be pessimistic when considering campaign finance reform efforts especially after last year's inaction by the Senate. The public and the media are certainly expecting Congress to fail to take significant action to clean up the scandalous campaign system under which we now run. But ladies and gentlemen of the Senate, I suggest that we cannot afford the luxury of complacency. We may think we will be able to win the next re-election because the level of outrage and the awareness of the extent of the vulnerability of our political system have perhaps not yet reached critical mass. But I am confident that it is only a matter of time, and perhaps the next election cycle—which will undoubtedly feature more unaccountable soft money, more sham issue ads of unknown parentage, more circumvention of the spirit and in some cases the letter of current campaign finance law—before the scales are decisively tilted in favor of reform.

We will have campaign finance reform. The only question is whether this Congress will step up to the plate, and fulfill its responsibilities, to give the American people a campaign system they can have faith in and which can preserve and protect our noble democracy as we enter a new century.

Mr. President, I ask unanimous consent that a summary of my bill be printed in the RECORD.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SUMMARY OF FEDERAL ELECTION ENFORCEMENT AND DISCLOSURE REFORM ACT

I. FEC REFORM

A. The Federal Election Commission (FEC) would be restructured as follows:

The Commission will be composed of 7 members appointed by the President who are specially qualified to serve on the Commission by reason of relevant knowledge: two Republican members appointed by the President; two Democratic members appointed by the President; one member appointed by the President from among all other political parties whose candidates received at least 3% of the national popular vote in the most recent Presidential or U.S. House or U.S. Senate elections; in the event no third party reached this threshold, the President may consider all third parties in making this appointment; and two members appointed by the President from among 10 nominees submitted by the U.S. Supreme Court. One of these two members would be chosen by the Commission to serve as Chairman.

Relevant knowledge (for purposes of qualification for appointment to the FEC) is defined to include:

A higher education degree in government, politics, or public or business administration, or 4 years of relevant work experience in the fields of government or politics, and

A minimum of two years experience in working on or in relation to Federal election law or other Federal electoral issues, or four years of such experience at the state level.

Commissioners will be limited to one 7 year term.

B. The FEC would be given the following additional powers:

Electronic filing of all reports required to be filed with the FEC would be mandatory, with a waiver permitted for candidates or other entities whose total expenditures or receipts fall below a threshold amount set by the Commission. The requirement for the submission of hard (paper) copies of such reports would be continued.

The Commission would be authorized to conduct random audits and investigations in order to increase voluntary compliance with campaign finance laws.

The FEC would be authorized to seek court enforcement when the Commission believes a substantial violation is occurring, failure to act will result in ''irreparable harm'' to an affected party, expeditious action will not cause ''undue harm'' to the interests of other parties, and the public interest would best be served by the issuance of an injunction.

The Commission would be authorized to implement expedited procedures for complaints filed within 60 days of a general election.

Penalties for knowing and willful violations of the Federal Election Campaign Act would be increased.

The Commission would be expressly granted independent litigating authority, including before the Supreme Court.

Private individuals or groups would be authorized to independently seek court enforcement when the FCC fails to act within 120 days of when a complaint is filed. A ''loser pays'' standard would apply in such proceedings.

The Commission would be authorized to levy fines, not to exceed $5,000, for minor reporting violations, and to publish a schedule for fines for such violations.

Candidates for the Senate would be required to file with the FEC rather than the Secretary of the Senate.

C. The FEC would be provided with resources in the following manner:

Consistent with its expanded duties, the FEC would be authorized to receive $50 million in FY2000 and FY2001, with this amount indexed for inflation thereafter.

The funding would be derived from a ''user fee'' imposed on federal candidate and party committees. The FEC would establish a fee schedule and determine the requisite fee level to fund the operations of the FEC and the new Advisory Committee on Federal Campaign Reform. This determination will include a waiver for the first $50,000 raised by campaigns.

II. ADVISORY COMMITTEE ON FEDERAL CAMPAIGN REFORM

A. A new Advisory Committee on Federal Campaign Reform would be created.

B. The Committee would be composed of 9 members, who are specially qualified to serve on the Committee by reason of relevant knowledge, to be appointed as follows: 1 appointed by the President of the United States, 1 appointed by the Speaker of the House, 1 each appointed by the Majority and Minority Leaders of the U.S. House and Senate, 1 appointed by the Supreme Court, 1 appointed by the Reform Party (or whatever third party's candidate for President received the largest number of popular votes in the most recent Presidential election), and 1 appointed by the American Political Science Association. Committee members would elect the Chairman.

C. Committee members would each serve four-year terms, and would be limited to two consecutive terms.

D. The appointees by the Supreme Court, the Reform Party (or other third party), and the American Political Science Association must be individuals who, during the five years before their appointment, have not held elective office as a member of the Democratic or Republican Parties, have not received any wages or salaries from the Democratic or Republican Parties, or have not provided substantial volunteer services or made any substantial contribution to the Democratic or Republican Parties, or to a Democratic or Republican party public office-holder or candidate for office.

E. Relevant knowledge (for purposes of qualification for appointment to the Committee) is defined to include:

A higher education degree in government, politics, or public or business administration, or 4 years of relevant work experience in the fields of government or politics, and

A minimum of two years experience in working on or in relation to national campaign finance or other electoral issues, or four years of such experience at the state level.

F. The Committee would be authorized to spend $1 million a year in its first year, indexed for inflation thereafter. Funding would be provided by the new campaign user fee discussed above.

G. The Committee would be required to monitor the operation of federal election laws and to submit a report, including recommended changes in law, to Congress by April 15 of every odd numbered year.

H. Congress would be required to consider the Committee's recommendations under ''fast track'' procedures to guarantee expeditious consideration in both houses of Congress.

III. ENHANCED CAMPAIGN FINANCE DISCLOSURE

A. Campaign would be prohibited from putting contributions which lack all requisite contributor information into any account other than an escrow account from which money cannot be spent. Contributions placed in such an account would not be subject to the current ten-day maximum holding period on checks.

B. A new requirement would be placed on contributions in excess of $200 (aggregate): a written certification by the contributor that the contribution is not derived from any foreign income source, and is not the result of a reimbursement by another party.

C. The current option to file reports submitted by registered or certified mail based on postmark date would be deleted, thus requiring all reports to be filed by the due date of the report.

D. Authorized candidate committee reports would be required to be filed on a campaign-to-date basis, rather than on a calendar year cycle.

E. Monthly reporting would be mandated for multi candidate committees which have raised or spent, or anticipate raising or spending, in excess of $100,000 in the current election cycle.

F. The requirement for filing of last-minute independent expenditures would be clarified to make clear that such report must be received within 24 hours after the independent expenditure is made.

G. Campaign disbursements to secondary payees who are independent subcontractors would have to be reported.

H. Political committees, other than authorized candidate committees, which have received or spent, or anticipate receiving or spending, $100,000 or more in the current election cycle would be subjected to the same ''last minute'' contribution reporting requirements as candidate committees. (Under current law, all contributions of $1,000 or more received after the 205th day, but before 48 hours, before an election must be reported to the FEC within 48 hours.)

By Mrs. LINCOLN (for herself, Mr. MOYNIHAN, Mr. BREAUX, Mr. KERREY, Ms. LANDRIEU, and Mr. COCHRAN):

S. 506. A bill to amend the Internal Revenue Code of 1986 to permanently extend the provisions which allow nonrefundable personal credits to be fully allowed against regular tax liability; to the Committee on Finance.

THE WORKING FAMILIES TAX RELIEF ACT

Mrs. LINCOLN. Mr. President, today I am introducing legislation to ensure that middle income working families receive the tax credits that Congress intended for them.

There are many absurdities in our tax code, and I look forward to working with my colleagues to reform and simplify our entire tax system. Today, however, I offer a small first step toward making our tax laws sensible. The legislation I am introducing will protect millions of working families by allowing taxpayers to deduct their nonrefundable personal credits without having to include those credits in any determination of Alternative Minimum Tax (AMT) liability. Tax laws created to deal with wealthy folks who overuse tax shelters simply should not apply to middle income families. This legislation is necessary, and it will actually remove language from the tax code making it more simple and more user friendly.

Imagine for a moment two working parents in Arkansas making $33,800. They work hard to spread their incomes far enough to pay their mortgage and care for their two school-age children and one in college. It may surprise you to know that this family falls under a tax burden that was created to ensure that the very wealthy pay their fair share of taxes. This family would have to pay the AMT.

While the threshold income limits of the AMT have been set since 1986, incomes have slowly crept up due to inflation. This, coupled with the inclusion of family tax credits in AMT liability determination, has led to the ironic situation that my legislation seeks to correct. The Alternative Minimum Tax must be changed so that a family will not be strapped with an added tax burden simply because they choose to have children or educate them.

Not only must we change the AMT, we must change it permanently. Last year, Congress provided a one year provision which removed the nonrefundable personal credits from AMT liability determination. I was pleased to see the President extend this provision for two more years in his budget. But we need to fix this problem permanently rather than using a band-aid approach of year-to-year alterations.

The AMT is a looming peril for a massive number of middle-income Americans. Two Treasury Department economists recently projected that the number of households earning from $30,000 to $50,000 that are subjected to the AMT will more than triple in the coming decade. Because the individual AMT parameters are not indexed for inflation, 2.8 million taxpayers will completely lose these important family credits by 2008. On top of this injustice, many unwitting taxpayers will owe penalties and interest on underpaid taxes. Such a situation cannot be allowed to exist. While Congress must soon address the issue of indexing the AMT for inflation, permanently removing the nonrefundable personal credits from the reach of the AMT is the first step to ensuring that America's middle-income taxpayers will receive the financial relief they deserve while avoiding the confusion and frustration of year-to-year tax legislation.

American families were given a child tax credit to help them raise their kids. Education credits were created to help make a college education more affordable for all Americans. These tax credits are good for families. They are important to working people and they are great for the long term future of our economy. As our law currently stands, however, many middle-income families will not be able to use these credits because they will be either totally eliminated or significantly reduced by the AMT. The education and child credits are not, however, the only credits that stand to be voided by the growing menace of the AMT. People who bring children into their homes will lose the value of the adoption credit. The credit for the elderly and the disabled will lose its value, and the dependant care credit will be effectively canceled by the AMT. This is absurd and the problem must be rectified.

I would like to thank the ranking member of the Finance Committee, Senate MOYNIHAN, and his very capable staffer, Stan Fendley, for working with me on this legislation. And I'd like to thank Senators MOYNIHAN, COCHRAN, BREAUX, KERREY, and LANDRIEU for signing on as original co-sponsors. I encourage our colleagues to join us in this common sense approach to helping working families.

Mr. President I ask unanimous consent that this bill be printed in the RECORD with these comments as well as the January 10, 1999 New York Times article by David Cay Johnston titled ''Funny, They Don't Look Like Fat Cats.''

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 506

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

SECTION 1. NONREFUNDABLE PERSONAL CREDITS FULLY ALLOWED AGAINST REGULAR TAX LIABILITY.

(a) IN GENERAL.—Section 26(a) of the Internal Revenue Code of 1986 (relating to limitation based on amount of tax) is amended to read as follows:

''(a) LIMITATION BASED ON AMOUNT OF TAX.—The aggregate amount of credits allowed by this subpart for the taxable year shall not exceed the taxpayer's regular tax liability for the taxable year.''

(b) CONFORMING AMENDMENTS.—Section 24(d) of the Internal Revenue Code of 1986 is amended by striking paragraphs (2) and by redesignating paragraph (3) as paragraph (2).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1998.

[From the New York Times, Jan. 10, 1999]

FUNNY, THEY DON'T LOOK LIKE FAT CATS

(By David Cay Johnston)

Three decades ago, Congress, embarrassed by the disclosure that 155 wealthy Americans had paid no Federal income taxes, enacted legislation aimed at preventing the very rich from shielding their wealth in tax shelters.

Today, that legislation, creating the alternative minimum tax, is instead snaring a rapidly growing number of middle-class taxpayers, forcing them to pay additional tax or to lose some of their tax breaks.

Of the more than two million taxpayers who will be subject this year to the alternative minimum tax, or A.M.T., about half have incomes of $30,000 to $100,000. Some are single parents with jobs; some are people making as little as $527 a week. Over all, the number of people affected by the tax is expected to grow 26 percent a year for the next decade.

But many of the wealthy will not be among them. Even with the A.M.T., the number of taxpayers making more than $200,000 who pay no taxes has risen to more than 2,000 each year.

How a 1969 law aimed at the tax-shy rich became a growing burden on moderate earners illustrates how tax policy in Washington can be a fall of mirrors.

While some Republican Congressmen favor eliminating the tax, other lawmakers say such a move would be an expensive tax break for the wealthy—or at lest would be perceived that way, and thus would be politically unpalatable. And any overhaul of the system would need to compensate for the $6.6 billion that individuals now pay under the A.M.T. This year, such payments will account for almost 1 percent of all individual income tax revenue.

''This is a classic case of both Congress and the Administration agreeing that the tax doesn't make much sense, but not being able to agree on doing anything about it,'' said C. Eugene Steuerle, an economist with the Urban Institute, a nonprofit research organization in Washington.

Mr. Steuerle was a Treasury Department tax official in 1986, when an overhaul of the tax code set the stage for drawing the middle class into the A.M.T.

In eliminating most tax shelters for the wealthy, Congress decided to treat exemptions for children and deductions for medical expenses just like special credits for investors in oil wells, in they cut too deeply into a household's taxable income.

Congress decided that once these ''tax preferences'' exceeded certain amounts—$40,000 for a married couple, for example—people would be moved out of the regular income tax and into the alternative minimum tax. At the time, the threshold was high enough to affect virtually no one but the rich. But it has since been raised only once—by 12.5 percent, to $45,000 for a married couple—while the cost of living has risen 43 percent. And so the limits have sneaked up on growing numbers of taxpayers of more modest means.

''Everyone knew back then that it had problems that had to be fixed,'' Mr. Steuerle recalled. ''They just said, 'next year.' ''

But ''next year'' has never come—and it is unlikely to arrive in 1999, either. While tax policy experts have known for years that the middle class would be drawn into the A.M.T., few taxpayers have been clamoring for change.

Among those few, however, are David and Margaret Klaassen of Marquette, Kan. Mr. Klaassen, a lawyer who lives and works out of a farmhouse, made $89,751.07 in 1997 and paid $5,989 in Federal income taxes. Four weeks ago, the Internal Revenue Service sent the Klaassens a notice demanding $3,761 more under the alternative minimum tax, including a penalty because the I.R.S. said the Klaassens knew they owed the A.M.T.

Mr. Klaassen acknowledges that he knew the I.R.S. would assert that he was subject to the A.M.T., but he says the law was not meant to apply to his family. ''I've never invested in a tax shelter,'' he said. ''I don't even have municipal bonds.''

The Klaassens do, however, have 13 children and their attendant medical expenses—including the costs of caring for their second son, Aaron, 17, who has battled leukemia for years. It was those exemptions and deductions that subjected them to the A.M.T.

''What kind of policy taxes you for spending money to save your child's life?'' Mr. Klaassen asked.

The tax affects taxpayers in three ways. Some, like the Klaassens, pay the tax at either a 26 percent or a 28 percent rate because they have more than $45,000 in exemptions and deductions. Others do not pay the A.M.T. itself, but they cannot take the full tax breaks they would have received under the regular income tax system without running up against limits set by the A.M.T. The A.M.T. can also convert tax-exempt income from certain bonds and from exercising incentive stock options into taxable income.

It may be useful to think of the alternative minimum tax as a parallel universe to the regular income tax system, similar in some ways but more complex and with its own classifications of deductions, its own rates and its own paperwork. The idea was that taxpayers who had escaped the regular tax universe by piling on credits and deductions would enter this new universe to pay their fair share. (Likewise, there is a corporate A.M.T. that parallels the corporate income tax.)

At first, the burden of the A.M.T. fell mainly on the shoulders of business owners and investors, said Robert S. McIntyre, executive director of Citizens for Tax Justice, a nonprofit group in Washington that says the tax system favors the rich. Based on I.R.S. data, Mr. McIntyre said he found that 37 percent of A.M.T. revenue in 1990 was a result of business owners using losses from previous years to reduce their regular income taxes; an additional 18 percent was because of big deductions for state and local taxes.

But that has begun to shift, largely as a result of the 1986 changes, which eliminated most tax shelters and lowered tax rates.

When President Reagan and Congress were overhauling the tax code, they could not make the projected revenues under the new rules equal those under the old system. Huge, and growing, budget deficits made it politically essential for the official estimates to show that after tax reform, the same amount of money would flow to Washington.

One solution, said Mr. Steuerle, the former Treasury official, was to count personal and dependent exemptions and some medical expenses as preferences to be reduced or ignored under the A.M.T., just as special credits for petroleum investments and other tax shelters are.

Mortgage interest and charitable gifts were not counted as preferences, according to tax policy experts who worked on the legislation, because they generated more money than was needed.

But the A.M.T. has not stayed ''revenue neutral,'' in Washington parlance.

The regular income tax was indexed for inflation in 1984, so that taxpayers would not get pushed into higher tax brackets simply because their income kept pace with the cost of living.

The A.M.T. limits, however, have not been indexed. The total allowable exemptions before the tax kicks in have been fixed since 1993 at $45,000 for a married couple filing jointly. For unmarried people, the total amount is now $33,750, and for married people filing separately, it is $22,500.

If the limit had been indexed since 1986, when the A.M.T. was overhauled, it would be about $57,000 for married couples filing jointly—and most middle-income households would still be exempt.

Mr. Steuerle said he warned at the time that including ''normal, routine deductions and exemptions that everyone takes'' in the list of preferences would eventually turn the A.M.T. into a tax on the middle class.

That appears to be exactly what has happened.

For example, a married person who makes just $527 a week and files her tax return separately can be subject to the tax, said David S. Hulse, an assistant professor of accounting at the University of Kentucky.

And the Taxpayer Relief Act of 1997, which allows a $500-a-child tax credit as well as education credits, may make even more middle-class families subject to the A.M.T. by reducing the value of those credits.

Two Treasury Department economists recently calculated that largely because of the new credits, the number of households making $30,000 to $50,000 who must pay the alternative minimum tax will more than triple in the coming decade. The economists, Robert Rebelein and Jerry Tempalski, also calculated that for households making $15,000 to $30,000 annually, A.M.T. payments will grow 25-fold, to $1.2 billion, by 2008.

Last year, many more people would have been subject to the A.M.T. if Congress had not made a last-minute fix pushed by Representative Richard E. Neal, Democrat of Massachusetts, that—for 1998 only—exempted the new child and education credits. The move came after I.R.S. officials told Congress that the credits added enormous complexity to calculating tax liability. Figuring out how much the A.M.T. would reduce the credits was beyond the capacity of most taxpayers and even many paid tax preparers, the I.R.S. officials said.

EVEN if Congress makes a permanent fix to the problems created by the child and education credits, it will put only a minor drag on the spread of the A.M.T. as long as the tax is not indexed for inflation. The two Treasury economists calculated that revenues from the tax would climb to $25 billion in 2008 without a fix, or to $21.9 billion with one.

In 1999, if there is no exemption for the credits, a single parent who does not itemize deductions but who makes $50,000 and takes a credit for the costs of caring for two children while he works, will be subject to the A.M.T., estimated Jeffrey Pretsfelder, an editor at RIA Group, a publisher of tax information for professionals.

If the tax laws are not changed, 8.8 million taxpayers will have to pay the A.M.T. a decade from now, the Congressional Joint Committee on Taxation estimated last month. Add in the taxpayers who will not receive the full value of their deductions because they run up against the limits set by the A.M.T., and the total grows to 11.6 million taxpayers—92 percent of whom have incomes of less than $200,000, the two Treasury economists estimated.

While many lawmakers and Treasury officials have criticized the impact of the tax on middle-class taxpayers, there are few signs of change, as Republicans and the Administration talk past each others.

Representative Bill Archer, the Texas Republican who as the chairman of the House Ways and Means Committee is the chief tax writer, said the A.M.T. should be eliminated in the next budget.

''Unfortunately, the A.M.T. tax can penalize large families, which is part of the reason why Republicans for years have tried to eliminate it or at least reduce it,'' Mr. Archer said. ''Unfortunately, President Clinton blocked our efforts each time.''

Lawrence H. Summers, the Deputy Treasury Secretary, said the Administration was ''very concerned that the A.M.T. has a growing impact on middle-class families, including by diluting the child credit, education credits and other crucial tax benefits, and we hope to address this issue in the President's budget.

''Subject to budget constraints, we look forward to working with Congress on this important issue,'' he continued.

That revenue concerns have thwarted exempting the middle class runs counter to the reason Congress initially imposed the tax.

''You need an A.M.T. because people who make a lot of money should pay some income taxes,'' said Mr. McIntrye, of Citizens for Tax Justice. ''If you believe, like Mr. Archer and a lot of Republicans do, that the more you make the less in taxes you should pay, then of course you are against the A.M.T. But somehow I don't think some people see it that way.''

The Klaassens, meanwhile, are challenging the A.M.T. in Federal Court. The United

States Court of Appeals for the 10th Circuit is scheduled to hear arguments in March on their claim that the tax infringes their religious freedom. The Klaassens, who are Presbyterians, said they believe children ''are a blessing from God, and so we do not practice birth control,'' Mr. Klaassen said.

When Mr. Klaassen wrote to an I.R.S. official complaining that a $1,085 bill for the A.M.T. for 1994 resulted from the size of his family, he got back a curt letter saying that his ''analysis of the alternative minimum tax's effect on large families was interesting but inappropriate'' and advising him that it was medical deductions, not family size, that subjected him to the A.M.T.

Under the regular tax system, medical expenses above 7.5 percent of adjusted gross income—the last line on the front page of Form 1040—are deductible. Under the A.M.T., the threshold is raised to 10 percent.

Still doubting the I.S.R.'s math, Mr. Klaassen decided to test what would have happened had he filed the same tax return, changing only the number of children he claimed as dependents. He found that if he has seven or fewer children, the A.M.T. would not have applied in 1994.

But the eighth child set off the A.M.T., at a cost of $223. Having nine children raised the bill to $717. And 10 children, the number he had in 1994, increased that sum to $1,085—the amount the I.R.S. said was due.

''We love this country and we believe in paying taxes,'' Mr. Klaassen said. ''But we cannot believe that Congress ever intended to apply this tax to our family solely because of how many children we choose to have. And I have shown that we are subject to the AMT solely because we have chosen not to limit the size of our family.''

The IRS, in papers opposing the Klaassens, noted that tax deductions are not a right but a matter of ''legislative grace.''

Mr. Klaassen turned to the Federal courts after losing in Tax court. The opinion by Tax Court Judge Robert N. Armen Jr. was summed up this way by Tax Notes, a magazine that critiques tax policy: ''Congress intended the alternative minimum tax to affect large families when it made personal exemptions a preference item.''

Several tax experts said that Mr. Klaassen had little chance of success in the courts because the statute treating children as tax preferences was clear. They also said that nothing in the AMT laws was specifically aimed at his religious beliefs.

Meanwhile, for people who make $200,000 or more, the AMT will be less of a burden this year because of the Taxpayer Relief Act of 1997, which included a provision lowering the maximum tax rate on capital gains for both the regular tax and the AMT to 20 percent.

Mr. Rebelein and Mr. Tempalski, the Treasury Department economists, calculated recently that people making more than $200,000 would pay a total of 4 percent less in AMT for 1998 because of the 1997 law. By 2008, their savings will be 9 percent, largely as a result of lower capital gains rates and changed accounting rules for business owners.

''This law was passed to catch people who use tax shelters to avoid their obligations,'' Mr. Klaassen said. ''But instead of catching them it hits people like me. This is just nuts.''

THREE WAYS TO DEAL WITH A TAXING PROBLEM

President Clinton, his tax policy advisers and the Republicans who control the tax writing committees in Congress all agree that the alternative minimum tax is a growing problem for the middle class. But there is no agreement on what to do. Here are some options that have been discussed.

Raise the exemption—Representative Bill Archer, the Texas Republican who is the chairman of the House Ways and Means Committee, two years ago proposed raising the $45,000 AMT exemption for a married couple by $1,000. But that would leave many middle-class families subject to the tax, because it would not fully account for inflation. To do that would require an exemption of about $57,000, followed by automatic inflation adjustments. That is the most widely favored approach, drawing support from people like J.D. Foster, executive director of the Tax Foundation, a group supported by corporations, and Robert S. McIntyre, executive director of Citizens for Tax Justice, which is financed in part by unions and contends that the tax system favors the rich.

Exempt child and education credits—For 1998 only, Congress exempted the child tax credit and the education tax credits from the AMT. But millions of taxpayers will lose these credits, or get only part of them, unless Congress makes a fix each year or permanently exempts them.

Eliminate it—Mr. Archer and other Republicans want to get rid of the AMT but have not proposed how to make up for the lost revenue, which in a decade is expected to grow to $25 billion annually. Recently, however, Mr. Archer has said that in a period of Federal budget surpluses, it may be time to scrap the budget rules that require paying for tax cuts with reduced spending or tax increases elsewhere.

By Mr. WARNER (for himself, Mr. CHAFEE, Mr. BAUCUS, Mr. VOINOVICH, Mr. LAUTENBERG, Mr. BENNETT, and Mrs. BOXER):

S. 507. A bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; to the Committee on Environment and Public Works.

THE WATER RESOURCES DEVELOPMENT ACT OF 1999

Mr. WARNER. Mr. President, I am pleased to introduce today legislation to reauthorize the civil works mission of the Corps of Engineers.

I am joined today by the Chairman of the Committee on Environment and Pubic Works, Senator CHAFEE; the Committee's Ranking Member, Senator BAUCUS; the new Chairman of the Subcommittee on Transportation and Infrastructure, Senator VOINOVICH; Senator BENNETT, Senator LAUTENBERG, and Senator BOXER in cosponsoring this legislation.

Since 1986, it has been the policy and practice of the Congress to reauthorize Corps of Engineers civil works activities—projects for flood control, navigation, hurricane protection and erosion control, and environmental restoration—on a two-year cycle. Last year, the Senate passed S. 2131 by unanimous consent. Regrettably, the House was unable to consider companion legislation.

In an effort to keep these critically needed projects on schedule, I am pleased that the Chairman CHAFEE and Majority Leader LOTT have indicated their strong support for promptly considering this bill this year. The bill I am introducing today mirrors S. 2131 passed last year with updated cost estimates and project revisions provided by the Corps of Engineers.

This legislation authorizes the construction of 37 new flood control, navigation, environmental restoration, hurricane protection and shoreline erosion control and recreation projects. It modifies 43 previously authorized projects and calls on the Corps of Engineers to conduct 29 studies to determine the economic justification of future water resource projects.

Mr. President, the landmark Water Resources Development Act of 1986 established the principle of cost-sharing of economically justified projects that have a federal interest. Local interests are required to share 35 percent of the cost of construction of flood control and hurricane protection and shoreline erosion control projects. The non-federal financial requirements for navigation projects depend on the depth of the project and range from 25 percent to 50 percent of the cost of construction.

The legislation we are introducing today is consistent with the cost sharing provisions of prior water resource laws. Also, the Committee has been consistent in requiring that every new construction project receive a cmpleted project report by the Chief of Engineers before it is included in this legislation.

As the former Chairman of the Subcommittee on Transportation and Infrastructure, I commend Chairman CHAFEE and Senator BAUCUS for standing firm in support of these cost-sharing and economic benefits tests. These policies have proven effective in authorizing projects that are worthy of federal investment and have the strong support of local sponsors. No other approach has been more effective in weeding out questionable projects than requiring either a state or the local government to contribute to the cost of engineering, design and construction of a project.

I am pleased that this financial commitments from local sponsors, that have been thoroughly evaluated and received a report from the Chief of Engineers, and have demonstrated that the economic benefits to be achieved by the project exceed the federal costs.

These fundamental requirements are applied to each project and only those that meet all of these tests are included in this legislation.

Mr. President, this legislation is critically important to many communities who have already contributed significant resources to prepare these projects for authorization. There is ample evidence to confirm that the federal investment in water resource projects is a wise investment of taxpayer dollars. In 1997 alone, Corps flood control projects prevented approximately $45.2 billion in damages. The continued maintenance and deepening of our commercial waterways remains critical to the U.S. successfully competing in a one-world marketplace. The value of commerce on these waterways

totaled over $600 billion in 1996, generating 15.9 million jobs.

It is important for the Committee to enact this bill prior to the appropriations cycle this year. I pledge to work with my colleagues so that the full Senate can soon consider this bill.

At this time, Mr. President, I ask unanimous consent that the full text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 507

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Water Resources Development Act of 1999''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definition of Secretary.

TITLE I—WATER RESOURCES PROJECTS

Sec. 101. Project authorizations.
Sec. 102. Project modifications.
Sec. 103. Project deauthorizations.
Sec. 104. Studies.

TITLE II—GENERAL PROVISIONS

Sec. 201. Flood hazard mitigation and riverine ecosystem restoration program.
Sec. 202. Shore protection.
Sec. 203. Small flood control authority.
Sec. 204. Use of non-Federal funds for compiling and disseminating information on floods and flood damages.
Sec. 205. Everglades and south Florida ecosystem restoration.
Sec. 206. Aquatic ecosystem restoration.
Sec. 207. Beneficial uses of dredged material.
Sec. 208. Voluntary contributions by States and political subdivisions.
Sec. 209. Recreation user fees.
Sec. 210. Water resources development studies for the Pacific region.
Sec. 211. Missouri and Middle Mississippi Rivers enhancement project.
Sec. 212. Outer Continental Shelf.
Sec. 213. Environmental dredging.
Sec. 214. Benefit of primary flood damages avoided included in benefit-cost analysis.
Sec. 215. Control of aquatic plant growth.
Sec. 216. Environmental infrastructure.
Sec. 217. Watershed management, restoration, and development.
Sec. 218. Lakes program.
Sec. 219. Sediments decontamination policy.
Sec. 220. Disposal of dredged material on beaches.
Sec. 221. Fish and wildlife mitigation.
Sec. 222. Reimbursement of non-Federal interest.
Sec. 223. National Contaminated Sediment Task Force.
Sec. 224. Great Lakes basin program.
Sec. 225. Projects for improvement of the environment.
Sec. 226. Water quality, environmental quality, recreation, fish and wildlife, flood control, and navigation.
Sec. 227. Irrigation diversion protection and fisheries enhancement assistance.
Sec. 228. Small storm damage reduction projects.
Sec. 229. Shore damage prevention or mitigation.

TITLE III—PROJECT-RELATED PROVISIONS

Sec. 301. Dredging of salt ponds in the State of Rhode Island.
Sec. 302. Upper Susquehanna River basin, Pennsylvania and New York.
Sec. 303. Small flood control projects.
Sec. 304. Small navigation projects.
Sec. 305. Streambank protection projects.
Sec. 306. Aquatic ecosystem restoration, Springfield, Oregon.
Sec. 307. Guilford and New Haven, Connecticut.
Sec. 308. Francis Bland Floodway Ditch.
Sec. 309. Caloosahatchee River basin, Florida.
Sec. 310. Cumberland, Maryland, flood project mitigation.
Sec. 311. City of Miami Beach, Florida.
Sec. 312. Sardis Reservoir, Oklahoma.
Sec. 313. Upper Mississippi River and Illinois waterway system navigation modernization.
Sec. 314. Upper Mississippi River management.
Sec. 315. Research and development program for Columbia and Snake Rivers salmon survival.
Sec. 316. Nine Mile Run habitat restoration, Pennsylvania.
Sec. 317. Larkspur Ferry Channel, California.
Sec. 318. Comprehensive Flood Impact-Response Modeling System.
Sec. 319. Study regarding innovative financing for small and medium-sized ports.
Sec. 320. Candy Lake project, Osage County, Oklahoma.
Sec. 321. Salcha River and Piledriver Slough, Fairbanks, Alaska.
Sec. 322. Eyak River, Cordova, Alaska.
Sec. 323. North Padre Island storm damage reduction and environmental restoration project.
Sec. 324. Kanopolis Lake, Kansas.
Sec. 325. New York City watershed.
Sec. 326. City of Charlevoix reimbursement, Michigan.
Sec. 327. Hamilton Dam flood control project, Michigan.
Sec. 328. Holes Creek flood control project, Ohio.
Sec. 329. Overflow management facility, Rhode Island.

SEC. 2. DEFINITION OF SECRETARY.

In this Act, the term ''Secretary'' means the Secretary of the Army.

TITLE I—WATER RESOURCES PROJECTS

SEC. 101. PROJECT AUTHORIZATIONS.

(a) PROJECTS WITH CHIEF'S REPORTS.—The following projects for water resources development and conservation and other purposes are authorized to be carried out by the Secretary substantially in accordance with the plans, and subject to the conditions, described in the respective reports designated in this section:

(1) SAND POINT HARBOR, ALASKA.—The project for navigation, Sand Point Harbor, Alaska: Report of the Chief of Engineers dated October 13, 1998, at a total cost of $11,760,000, with an estimated Federal cost of $6,964,000 and an estimated non-Federal cost of $4,796,000.

(2) RIO SALADO (SALT RIVER), ARIZONA.—The project for environmental restoration, Rio Salado (Salt River), Arizona: Report of the Chief of Engineers dated August 20, 1998, at a total cost of $88,048,000, with an estimated Federal cost of $56,355,000 and an estimated non-Federal cost of $31,693,000.

(3) TUCSON DRAINAGE AREA, ARIZONA.—The project for flood damage reduction, environmental restoration, and recreation, Tucson drainage area, Arizona: Report of the Chief of Engineers dated May 20, 1998, at a total cost of $29,900,000, with an estimated Federal cost of $16,768,000 and an estimated non-Federal cost of $13,132,000.

(4) AMERICAN RIVER WATERSHED, CALIFORNIA.—

(A) IN GENERAL.—The project for flood damage reduction described as the Folsom Stepped Release Plan in the Corps of Engineers Supplemental Information Report for the American River Watershed Project, California, dated March 1996, at a total cost of $505,400,000, with an estimated Federal cost of $329,300,000 and an estimated non-Federal cost of $176,100,000.

(B) IMPLEMENTATION.—

(i) IN GENERAL.—Implementation of the measures by the Secretary pursuant to subparagraph (A) shall be undertaken after completion of the levee stabilization and strengthening and flood warning features authorized by section 101(a)(1) of the Water Resources Development Act of 1996 (110 Stat. 3662).

(ii) FOLSOM DAM AND RESERVOIR.—The Secretary may undertake measures at the Folsom Dam and Reservoir authorized under subparagraph (A) only after reviewing the design of such measures to determine if modifications are necessary to account for changed hydrologic conditions and any other changed conditions in the project area, including operational and construction impacts that have occurred since completion of the report referred to in subparagraph (A). The Secretary shall conduct the review and develop the modifications to the Folsom Dam and Reservoir with the full participation of the Secretary of the Interior.

(iii) REMAINING DOWNSTREAM ELEMENTS.—

(I) IN GENERAL.—Implementation of the remaining downstream elements authorized pursuant to subparagraph (A) may be undertaken only after the Secretary, in consultation with affected Federal, State, regional, and local entities, has reviewed the elements to determine if modifications are necessary to address changes in the hydrologic conditions, any other changed conditions in the project area that have occurred since completion of the report referred to in subparagraph (A) and any design modifications for the Folsom Dam and Reservoir made by the Secretary in implementing the measures referred to in clause (ii), and has issued a report on the review.

(II) PRINCIPLES AND GUIDELINES.—The review shall be prepared in accordance with the economic and environmental principles and guidelines for water and related land resources implementation studies, and no construction may be initiated unless the Secretary determines that the remaining downstream elements are technically sound, environmentally acceptable, and economically justified.

(5) LLAGAS CREEK, CALIFORNIA.—The project for completion of the remaining reaches of the Natural Resources Conservation Service flood control project at Llagas Creek, California, undertaken pursuant to section 5 of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1005), substantially in accordance with the requirements of local cooperation as specified in section 4 of that Act (16 U.S.C. 1004) at a total cost of $45,000,000, with an estimated Federal cost of $21,800,000 and an estimated non-Federal share of $23,200,000.

(6) SOUTH SACRAMENTO COUNTY STREAMS, CALIFORNIA.—The project for flood control, environmental restoration, and recreation, South Sacramento County streams, California: Report of the Chief of Engineers dated October 6, 1998, at a total cost of $65,500,000, with an estimated Federal cost of $41,200,000 and an estimated non-Federal cost of $24,300,000.

(7) UPPER GUADALUPE RIVER, CALIFORNIA.—Construction of the locally preferred plan for flood damage reduction and recreation, Upper Guadalupe River, California, described as the Bypass Channel Plan of the Chief of Engineers dated August 19, 1998, at a total

cost of $137,600,000, with an estimated Federal cost of $44,000,000 and an estimated non-Federal cost of $93,600,000.

(8) YUBA RIVER BASIN, CALIFORNIA.—The project for flood damage reduction, Yuba River Basin, California: Report of the Chief of Engineers dated November 25, 1998, at a total cost of $26,600,000, with an estimated Federal cost of $17,350,000 and an estimated non-Federal cost of $9,250,000.

(9) DELAWARE BAY COASTLINE: DELAWARE AND NEW JERSEY-BROADKILL BEACH, DELAWARE.—

(A) IN GENERAL.—The project for hurricane and storm damage reduction and shore protection, Delaware Bay coastline: Delaware and New Jersey-Broadkill Beach, Delaware, Report of the Chief of Engineers dated August 17, 1998, at a total cost of $9,049,000, with an estimated Federal cost of $5,674,000 and an estimated non-Federal cost of $3,375,000.

(B) PERIODIC NOURISHMENT.—Periodic nourishment is authorized for a 50-year period at an estimated average annual cost of $538,200, with an estimated annual Federal cost of $349,800 and an estimated annual non-Federal cost of $188,400.

(10) DELAWARE BAY COASTLINE: DELAWARE AND NEW JERSEY-PORT MAHON, DELAWARE.—

(A) IN GENERAL.—The project for ecosystem restoration and shore protection, Delaware Bay coastline: Delaware and New Jersey-Port Mahon, Delaware: Report of the Chief of Engineers dated September 28, 1998, at a total cost of $7,644,000, with an estimated Federal cost of $4,969,000 and an estimated non-Federal cost of $2,675,000.

(B) PERIODIC NOURISHMENT.—Periodic nourishment is authorized for a 50-year period at an estimated average annual cost of $234,000, with an estimated annual Federal cost of $152,000 and an estimated annual non-Federal cost of $82,000.

(11) HILLSBORO AND OKEECHOBEE AQUIFER STORAGE AND RECOVERY PROJECT, FLORIDA.—The project for aquifer storage and recovery described in the Corps of Engineers Central and Southern Florida Water Supply Study, Florida, dated April 1989, and in House Document 369, dated July 30, 1968, at a total cost of $27,000,000, with an estimated Federal cost of $13,500,000 and an estimated non-Federal cost of $13,500,000.

(12) INDIAN RIVER COUNTY, FLORIDA.—Notwithstanding section 1001(a) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(a)), the project for shoreline protection, Indian River County, Florida, authorized by section 501(a) of that Act (100 Stat. 4134), shall remain authorized for construction through December 31, 2002.

(13) LIDO KEY BEACH, SARASOTA, FLORIDA.—

(A) IN GENERAL.—The project for shore protection at Lido Key Beach, Sarasota, Florida, authorized by section 101 of the River and Harbor Act of 1970 (84 Stat. 1819) and deauthorized by operation of section 1001(b) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)), is authorized to be carried out by the Secretary at a total cost of $5,200,000, with an estimated Federal cost of $3,380,000 and an estimated non-Federal cost of $1,820,000.

(B) PERIODIC NOURISHMENT.—Periodic nourishment is authorized for a 50-year period at an estimated average annual cost of $602,000, with an estimated annual Federal cost of $391,000 and an estimated annual non-Federal cost of $211,000.

(14) TAMPA HARBOR-BIG BEND CHANNEL, FLORIDA.—The project for navigation, Tampa Harbor-Big Bend Channel, Florida: Report of the Chief of Engineers dated October 13, 1998, at a total cost of $12,356,000, with an estimated Federal cost of $6,235,000 and an estimated non-Federal cost of $6,121,000.

(15) BRUNSWICK HARBOR, GEORGIA.—The project for navigation, Brunswick Harbor, Georgia: Report of the Chief of Engineers dated October 6, 1998, at a total cost of $50,717,000, with an estimated Federal cost of $32,966,000 and an estimated non-Federal cost of $17,751,000.

(16) BEARGRASS CREEK, KENTUCKY.—The project for flood damage reduction, Beargrass Creek, Kentucky: Report of the Chief of Engineers dated May 12, 1998, at a total cost of $11,172,000, with an estimated Federal cost of $7,262,000 and an estimated non-Federal cost of $3,910,000.

(17) AMITE RIVER AND TRIBUTARIES, LOUISIANA, EAST BATON ROUGE PARISH WATERSHED.—The project for flood damage reduction and recreation, Amite River and Tributaries, Louisiana, East Baton Rouge Parish Watershed: Report of the Chief of Engineers, dated December 23, 1996, at a total cost of $112,900,000, with an estimated Federal cost of $73,400,000 and an estimated non-Federal cost of $39,500,000.

(18) BALTIMORE HARBOR ANCHORAGES AND CHANNELS, MARYLAND AND VIRGINIA.—The project for navigation, Baltimore Harbor Anchorages and Channels, Maryland and Virginia: Report of the Chief of Engineers, dated June 8, 1998, at a total cost of $28,430,000, with an estimated Federal cost of $19,000,000 and an estimated non-Federal cost of $9,430,000.

(19) RED LAKE RIVER AT CROOKSTON, MINNESOTA.—The project for flood damage reduction, Red Lake River at Crookston, Minnesota: Report of the Chief of Engineers, dated April 20, 1998, at a total cost of $8,950,000, with an estimated Federal cost of $5,720,000 and an estimated non-Federal cost of $3,230,000.

(20) NEW JERSEY SHORE PROTECTION, TOWNSENDS INLET TO CAPE MAY INLET, NEW JERSEY.—

(A) IN GENERAL.—The project for hurricane and storm damage reduction, ecosystem restoration, and shore protection, New Jersey coastline, Townsends Inlet to Cape May Inlet, New Jersey: Report of the Chief of Engineers dated September 28, 1998, at a total cost of $56,503,000, with an estimated Federal cost of $36,727,000 and an estimated non-Federal cost of $19,776,000.

(B) PERIODIC NOURISHMENT.—Periodic nourishment is authorized for a 50-year period at an estimated average annual cost of $2,000,000, with an estimated annual Federal cost of $1,300,000 and an estimated annual non-Federal cost of $700,000.

(21) PARK RIVER, NORTH DAKOTA.—

(A) IN GENERAL.—Subject to the condition stated in subparagraph (B), the project for flood control, Park River, Grafton, North Dakota, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4121) and deauthorized under section 1001(a) of the Water Resources Development Act of 1986 (33 U.S.C. 579a), at a total cost of $28,100,000, with an estimated Federal cost of $18,265,000 and an estimated non-Federal cost of $9,835,000.

(B) CONDITION.—No construction may be initiated unless the Secretary determines through a general reevaluation report using current data, that the project is technically sound, environmentally acceptable, and economically justified.

(22) SALT CREEK, GRAHAM, TEXAS.—The project for flood control, environmental restoration, and recreation, Salt Creek, Graham, Texas: Report of the Chief of Engineers dated October 6, 1998, at a total cost of $10,080,000, with an estimated Federal cost of $6,560,000 and an estimated non-Federal cost of $3,520,000.

(b) PROJECTS SUBJECT TO A FINAL REPORT.—The following projects for water resources development and conservation and other purposes are authorized to be carried out by the Secretary substantially in accordance with the plans, and subject to the conditions recommended in a final report of the Chief of Engineers as approved by the Secretary, if the report of the Chief is completed not later than December 31, 1999:

(1) NOME HARBOR IMPROVEMENTS, ALASKA.—The project for navigation, Nome Harbor Improvements, Alaska, at a total cost of $24,608,000, with an estimated first Federal cost of $19,660,000 and an estimated first non-Federal cost of $4,948,000.

(2) SEWARD HARBOR, ALASKA.—The project for navigation, Seward Harbor, Alaska, at a total cost of $12,240,000, with an estimated first Federal cost of $4,364,000 and an estimated first non-Federal cost of $7,876,000.

(3) HAMILTON AIRFIELD WETLAND RESTORATION, CALIFORNIA.—The project for environmental restoration at Hamilton Airfield, California, at a total cost of $55,200,000, with an estimated Federal cost of $41,400,000 and an estimated non-Federal cost of $13,800,000.

(4) OAKLAND, CALIFORNIA.—

(A) IN GENERAL.—The project for navigation and environmental restoration, Oakland, California, at a total cost of $214,340,000, with an estimated Federal cost of $143,450,000 and an estimated non-Federal cost of $70,890,000.

(B) BERTHING AREAS AND OTHER LOCAL SERVICE FACILITIES.—The non-Federal interests shall provide berthing areas and other local service facilities necessary for the project at an estimated cost of $42,310,000.

(5) DELAWARE BAY COASTLINE: DELAWARE AND NEW JERSEY-ROOSEVELT INLET-LEWES BEACH, DELAWARE.—

(A) IN GENERAL.—The project for navigation mitigation, shore protection, and hurricane and storm damage reduction, Delaware Bay coastline: Delaware and New Jersey-Roosevelt Inlet-Lewes Beach, Delaware, at a total cost of $3,393,000, with an estimated Federal cost of $2,620,000 and an estimated non-Federal cost of $773,000.

(B) PERIODIC NOURISHMENT.—Periodic nourishment is authorized for a 50-year period at an estimated average annual cost of $196,000, with an estimated annual Federal cost of $152,000 and an estimated annual non-Federal cost of $44,000.

(6) DELAWARE COAST FROM CAPE HENELOPEN TO FENWICK ISLAND, BETHANY BEACH/SOUTH BETHANY BEACH, DELAWARE.—

(A) IN GENERAL.—The project for hurricane and storm damage reduction and shore protection, Delaware Coast from Cape Henelopen to Fenwick Island, Bethany Beach/South Bethany Beach, Delaware, at a total cost of $22,205,000, with an estimated Federal cost of $14,433,000 and an estimated non-Federal cost of $7,772,000.

(B) PERIODIC NOURISHMENT.—Periodic nourishment is authorized for a 50-year period at an estimated average annual cost of $1,584,000, with an estimated annual Federal cost of $1,030,000 and an estimated annual non-Federal cost of $554,000.

(7) JACKSONVILLE HARBOR, FLORIDA.—The project for navigation, Jacksonville Harbor, Florida, at a total cost of $26,116,000, with an estimated Federal cost of $9,129,000 and an estimated non-Federal cost of $16,987,000.

(8) LITTLE TALBOT ISLAND, DUVAL COUNTY, FLORIDA.—The project for hurricane and storm damage prevention and shore protection, Little Talbot Island, Duval County, Florida, at a total cost of $5,915,000, with an estimated Federal cost of $3,839,000 and an estimated non-Federal cost of $2,076,000.

(9) PONCE DE LEON INLET, VOLUSIA COUNTY, FLORIDA.—The project for navigation and recreation, Ponce de Leon Inlet, Volusia County, Florida, at a total cost of $5,454,000, with an estimated Federal cost of $2,988,000 and an estimated non-Federal cost of $2,466,000.

(10) SAVANNAH HARBOR EXPANSION, GEORGIA.—

(A) IN GENERAL.—Subject to subparagraph (B), the Secretary may carry out the project for navigation, Savannah Harbor expansion, Georgia, substantially in accordance with the plans, and subject to the conditions, recommended in a final report of the Chief of Engineers, with such modifications as the Secretary deems appropriate, at a total cost of $230,174,000 (of which amount a portion is authorized for implementation of the mitigation plan), with an estimated Federal cost of $145,160,000 and an estimated non-Federal cost of $85,014,000.

(B) CONDITIONS.—The project authorized by subparagraph (A) may be carried out only after—

(i) the Secretary, in consultation with affected Federal, State, regional, and local entities, has reviewed and approved an Environmental Impact Statement that includes—

(I) an analysis of the impacts of project depth alternatives ranging from 42 feet through 48 feet; and

(II) a selected plan for navigation and associated mitigation plan as required by section 906(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2283); and

(ii) the Secretary of the Interior, the Secretary of Commerce, and the Administrator of the Environmental Protection Agency, with the Secretary, have approved the selected plan and have determined that the mitigation plan adequately addresses the potential environmental impacts of the project.

(C) MITIGATION REQUIREMENTS.—The mitigation plan shall be implemented in advance of or concurrently with construction of the project.

(11) TURKEY CREEK BASIN, KANSAS CITY, MISSOURI AND KANSAS CITY, KANSAS.—The project for flood damage reduction, Turkey Creek Basin, Kansas City, Missouri, and Kansas City, Kansas, at a total cost of $42,875,000 with an estimated Federal cost of $25,596,000 and an estimated non-Federal cost of $17,279,000.

(12) LOWER CAPE MAY MEADOWS, CAPE MAY POINT, NEW JERSEY.—

(A) IN GENERAL.—The project for navigation mitigation, ecosystem restoration, shore protection, and hurricane and storm damage reduction, Lower Cape May Meadows, Cape May Point, New Jersey, at a total cost of $15,952,000, with an estimated Federal cost of $12,118,000 and an estimated non-Federal cost of $3,834,000.

(B) PERIODIC NOURISHMENT.—Periodic nourishment is authorized for a 50-year period at an estimated average annual cost of $1,114,000, with an estimated annual Federal cost of $897,000 and an estimated annual non-Federal cost of $217,000.

(13) NEW JERSEY SHORE PROTECTION, BRIGANTINE INLET TO GREAT EGG HARBOR, BRIGANTINE ISLAND, NEW JERSEY.—

(A) IN GENERAL.—The project for hurricane and storm damage reduction and shore protection, New Jersey Shore protection, Brigantine Inlet to Great Egg Harbor, Brigantine Island, New Jersey, at a total cost of $4,970,000, with an estimated Federal cost of $3,230,000 and an estimated non-Federal cost of $1,740,000.

(B) PERIODIC NOURISHMENT.—Periodic nourishment is authorized for a 50-year period at an estimated average annual cost of $465,000, with an estimated annual Federal cost of $302,000 and an estimated annual non-Federal cost of $163,000.

(14) MEMPHIS HARBOR, MEMPHIS, TENNESSEE.—

(A) IN GENERAL.—Subject to subparagraph (B), the project for navigation, Memphis Harbor, Memphis, Tennessee, authorized by section 601(a) of the Water Resources Development Act of 1986 (100 Stat. 4145) and deauthorized under section 1001(a) of that Act (33 U.S.C. 579a(a)) is authorized to be carried out by the Secretary.

(B) CONDITION.—No construction may be initiated unless the Secretary determines through a general reevaluation report using current data, that the project is technically sound, environmentally acceptable, and economically justified.

(15) HOWARD HANSON DAM, WASHINGTON.—The project for water supply and ecosystem restoration, Howard Hanson Dam, Washington, at a total cost of $75,600,000, with an estimated Federal cost of $36,900,000 and an estimated non-Federal cost of $38,700,000.

SEC. 102. PROJECT MODIFICATIONS.

(a) PROJECTS WITH REPORTS.—

(1) SAN LORENZO RIVER, CALIFORNIA.—The project for flood control, San Lorenzo River, California, authorized by section 101(a)(5) of the Water Resources Development Act of 1996 (110 Stat. 3663), is modified to authorize the Secretary to include as a part of the project streambank erosion control measures to be undertaken substantially in accordance with the report entitled ''Bank Stabilization Concept, Laurel Street Extension'', dated April 23, 1998, at a total cost of $4,000,000, with an estimated Federal cost of $2,600,000 and an estimated non-Federal cost of $1,400,000.

(2) WOOD RIVER, GRAND ISLAND, NEBRASKA.—The project for flood control, Wood River, Grand Island, Nebraska, authorized by section 101(a)(19) of the Water Resources Development Act of 1996 (110 Stat. 3665) is modified to authorize the Secretary to construct the project in accordance with the Corps of Engineers report dated June 29, 1998, at a total cost of $17,039,000, with an estimated Federal cost of $9,730,000 and an estimated non-Federal cost of $7,309,000.

(3) ABSECON ISLAND, NEW JERSEY.—The project for Absecon Island, New Jersey, authorized by section 101(b)(13) of the Water Resources Development Act of 1996 (110 Stat. 3668) is amended to authorize the Secretary to reimburse the non-Federal interests for all work performed, consistent with the authorized project.

(4) ARTHUR KILL, NEW YORK AND NEW JERSEY.—

(A) IN GENERAL.—The project for navigation, Arthur Kill, New York and New Jersey, authorized by section 202(b) of the Water Resources Development Act of 1986 (100 Stat. 4098) and modified by section 301(b)(11) of the Water Resources Development Act of 1996 (110 Stat. 3711), is further modified to authorize the Secretary to construct the project at a total cost of $276,800,000, with an estimated Federal cost of $183,200,000 and an estimated non-Federal cost of $93,600,000.

(B) BERTHING AREAS AND OTHER LOCAL SERVICE FACILITIES.—The non-Federal interests shall provide berthing areas and other local service facilities necessary for the project at an estimated cost of $38,900,000.

(5) WAURIKA LAKE, OKLAHOMA, WATER CONVEYANCE FACILITIES.—The requirement for the Waurika Project Master Conservancy District to repay the $2,900,000 in costs (including interest) resulting from the October 1991 settlement of the claim of the Travelers Insurance Company before the United States Claims Court related to construction of the water conveyance facilities authorized by the first section of Public Law 88–253 (77 Stat. 841) is waived.

(b) PROJECTS SUBJECT TO REPORTS.—The following projects are modified as follows, except that no funds may be obligated to carry out work under such modifications until completion of a final report by the Chief of Engineers, as approved by the Secretary, finding that such work is technically sound, environmentally acceptable, and economically justified, as applicable:

(1) THORNTON RESERVOIR, COOK COUNTY, ILLINOIS.—

(A) IN GENERAL.—The Thornton Reservoir project, an element of the project for flood control, Chicagoland Underflow Plan, Illinois, authorized by section 3(a)(5) of the Water Resources Development Act of 1988 (102 Stat. 4013), is modified to authorize the Secretary to include additional permanent flood control storage attributable to the Thorn Creek Reservoir project, Little Calumet River Watershed, Illinois, approved under the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001 et seq.).

(B) COST SHARING.—Costs for the Thornton Reservoir project shall be shared in accordance with section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213).

(C) TRANSITIONAL STORAGE.—The Secretary of Agriculture may cooperate with non-Federal interests to provide, on a transitional basis, flood control storage for the Thorn Creek Reservoir project in the west lobe of the Thornton quarry.

(D) CREDITING.—The Secretary may credit against the non-Federal share of the Thornton Reservoir project all design and construction costs incurred by the non-Federal interests before the date of enactment of this Act.

(E) REEVALUATION REPORT.—The Secretary shall determine the credits authorized by subparagraph (D) that are integral to the Thornton Reservoir project and the current total project costs based on a limited reevaluation report.

(2) WELLS HARBOR, WELLS, MAINE.—

(A) IN GENERAL.—The project for navigation, Wells Harbor, Maine, authorized by section 101 of the River and Harbor Act of 1960 (74 Stat. 480), is modified to authorize the Secretary to realign the channel and anchorage areas based on a harbor design capacity of 150 craft.

(B) DEAUTHORIZATION OF CERTAIN PORTIONS.—The following portions of the project are not authorized after the date of enactment of this Act:

(i) The portion of the 6-foot channel the boundaries of which begin at a point with coordinates N177,992.00, E394,831.00, thence running south 83 degrees 58 minutes 14.8 seconds west 10.38 feet to a point N177,990.91, E394,820.68, thence running south 11 degrees 46 minutes 47.7 seconds west 991.76 feet to a point N177,020.04, E394,618.21, thence running south 78 degrees 13 minutes 45.7 seconds east 10.00 feet to a point N177,018.00, E394,628.00, thence running north 11 degrees 46 minutes 22.8 seconds east 994.93 feet to the point of origin.

(ii) The portion of the 6-foot anchorage the boundaries of which begin at a point with coordinates N177,778.07, E394,336.96, thence running south 51 degrees 58 minutes 32.7 seconds west 15.49 feet to a point N177,768.53, E394,324.76, thence running south 11 degrees 46 minutes 26.5 seconds west 672.87 feet to a point N177,109.82, E394,187.46, thence running south 78 degrees 13 minutes 45.7 seconds east 10.00 feet to a point N177,107.78, E394,197.25, thence running north 11 degrees 46 minutes 25.4 seconds east 684.70 feet to the point of origin.

(iii) The portion of the 10-foot settling basin the boundaries of which begin at a point with coordinates N177,107.78, E394,197.25, thence running north 78 degrees 13 minutes 45.7 seconds west 10.00 feet to a point N177,109.82, E394,187.46, thence running south 11 degrees 46 minutes 15.7 seconds west 300.00 feet to a point N176,816.13, E394,126.26, thence running south 78 degrees 12 minutes 21.4 seconds east 9.98 feet to a point N176,814.09, E394,136.03, thence running north

11 degrees 46 minutes 29.1 seconds east 300.00 feet to the point of origin.

(iv) The portion of the 10-foot settling basin the boundaries of which begin at a point with coordinates N177,018.00, E394,628.00, thence running north 78 degrees 13 minutes 45.7 seconds west 10.00 feet to a point N177,020.04, E394,618.21, thence running south 11 degrees 46 minutes 44.0 seconds west 300.00 feet to a point N176,726.36, E394,556.97, thence running south 78 degrees 12 minutes 30.3 seconds east 10.03 feet to a point N176,724.31, E394,566.79, thence running north 11 degrees 46 minutes 22.4 seconds east 300.00 feet to the point of origin.

(C) REDESIGNATIONS.—The following portions of the project shall be redesignated as part of the 6-foot anchorage:

(i) The portion of the 6-foot channel the boundaries of which begin at a point with coordinates N177,990.91, E394,820.68, thence running south 83 degrees 58 minutes 40.8 seconds west 94.65 feet to a point N177,980.98, E394,726.55, thence running south 11 degrees 46 minutes 22.4 seconds west 962.83 feet to a point N177,038.40, E394,530.10, thence running south 78 degrees 13 minutes 45.7 seconds east 90.00 feet to a point N177,020.04, E394,618.21, thence running north 11 degrees 46 minutes 47.7 seconds east 991.76 feet to the point of origin.

(ii) The portion of the 10-foot inner harbor settling basin the boundaries of which begin at a point with coordinates N177,020.04, E394,618.21, thence running north 78 degrees 13 minutes 30.5 seconds west 160.00 feet to a point N177,052.69, E394,461.58, thence running south 11 degrees 46 minutes 45.4 seconds west 299.99 feet to a point N176,759.02, E394,400.34, thence running south 78 degrees 13 minutes 17.9 seconds east 160 feet to a point N176,726.36, E394,556.97, thence running north 11 degrees 46 minutes 44.0 seconds east 300.00 feet to the point of origin.

(iii) The portion of the 6-foot anchorage the boundaries of which begin at a point with coordinates N178,102.26, E394,751.83, thence running south 51 degrees 59 minutes 42.1 seconds west 526.51 feet to a point N177,778.07, E394,336.96, thence running south 11 degrees 46 minutes 26.6 seconds west 511.83 feet to a point N177,277.01, E394,232.52, thence running south 78 degrees 13 minutes 17.9 seconds east 80.00 feet to a point N177,260.68, E394,310.84, thence running north 11 degrees 46 minutes 24.8 seconds east 482.54 feet to a point N177,733.07, E394,409.30, thence running north 51 degrees 59 minutes 41.0 seconds east 402.63 feet to a point N177,980.98, E394,726.55, thence running north 11 degrees 46 minutes 27.6 seconds east 123.89 feet to the point of origin.

(D) REALIGNMENT.—The 6-foot anchorage area described in subparagraph (C)(iii) shall be realigned to include the area located south of the inner harbor settling basin in existence on the date of enactment of this Act beginning at a point with coordinates N176,726.36, E394,556.97, thence running north 78 degrees 13 minutes 17.9 seconds west 160.00 feet to a point N176,759.02, E394,400.34, thence running south 11 degrees 47 minutes 03.8 seconds west 45 feet to a point N176,714.97, E394,391.15, thence running south 78 degrees 13 minutes 17.9 seconds 160.00 feet to a point N176,682.31, E394,547.78, thence running north 11 degrees 47 minutes 03.8 seconds east 45 feet to the point of origin.

(E) RELOCATION.—The Secretary may relocate the settling basin feature of the project to the outer harbor between the jetties.

(3) NEW YORK HARBOR AND ADJACENT CHANNELS, PORT JERSEY, NEW JERSEY.—The project for navigation, New York Harbor and Adjacent Channels, Port Jersey, New Jersey, authorized by section 202(b) of the Water Resources Development Act of 1986 (100 Stat. 4098), is modified to authorize the Secretary to construct the project at a total cost of $103,267,000, with an estimated Federal cost of $76,909,000 and an estimated non-Federal cost of $26,358,000.

(c) BEAVER LAKE, ARKANSAS, WATER SUPPLY STORAGE REALLOCATION.—The Secretary shall reallocate approximately 31,000 additional acre-feet at Beaver Lake, Arkansas, to water supply storage at no cost to the Beaver Water District or the Carroll-Boone Water District, except that at no time shall the bottom of the conservation pool be at an elevation that is less than 1,076 feet, NGVD.

(d) TOLCHESTER CHANNEL S-TURN, BALTIMORE, MARYLAND.—The project for navigation, Baltimore Harbor and Channels, Maryland, authorized by section 101 of the River and Harbor Act of 1958 (72 Stat. 297), is modified to direct the Secretary to straighten the Tolchester Channel S-turn as part of project maintenance.

(e) TROPICANA WASH AND FLAMINGO WASH, NEVADA.—Any Federal costs associated with the Tropicana and Flamingo Washes, Nevada, authorized by section 101(13) of the Water Resources Development Act of 1992 (106 Stat. 4803), incurred by the non-Federal interest to accelerate or modify construction of the project, in cooperation with the Corps of Engineers, shall be considered to be eligible for reimbursement by the Secretary.

(f) REDIVERSION PROJECT, COOPER RIVER, CHARLESTON HARBOR, SOUTH CAROLINA.—

(1) IN GENERAL.—The rediversion project, Cooper River, Charleston Harbor, South Carolina, authorized by section 101 of the River and Harbor Act of 1968 (82 Stat. 731) and modified by title I of the Energy and Water Development Appropriations Act, 1992 (105 Stat. 517), is modified to authorize the Secretary to pay the State of South Carolina not more than $3,750,000, if the State enters into an agreement with the Secretary providing that the State shall perform all future operation of the St. Stephen, South Carolina, fish lift (including associated studies to assess the efficacy of the fish lift).

(2) CONTENTS.—The agreement shall specify the terms and conditions under which payment will be made and the rights of, and remedies available to, the Secretary to recover all or a portion of the payment if the State suspends or terminates operation of the fish lift or fails to perform the operation in a manner satisfactory to the Secretary.

(3) MAINTENANCE.—Maintenance of the fish lift shall remain a Federal responsibility.

(g) TRINITY RIVER AND TRIBUTARIES, TEXAS.—The project for flood control and navigation, Trinity River and tributaries, Texas, authorized by section 301 of the River and Harbor Act of 1965 (79 Stat. 1091), is modified to add environmental restoration as a project purpose.

(h) BEACH EROSION CONTROL AND HURRICANE PROTECTION, VIRGINIA BEACH, VIRGINIA.—

(1) ACCEPTANCE OF FUNDS.—In any fiscal year that the Corps of Engineers does not receive appropriations sufficient to meet expected project expenditures for that year, the Secretary shall accept from the city of Virginia Beach, Virginia, for purposes of the project for beach erosion control and hurricane protection, Virginia Beach, Virginia, authorized by section 501(a) of the Water Resources Development Act of 1986 (100 Stat. 4136), such funds as the city may advance for the project.

(2) REPAYMENT.—Subject to the availability of appropriations, the Secretary shall repay, without interest, the amount of any advance made under paragraph (1), from appropriations that may be provided by Congress for river and harbor, flood control, shore protection, and related projects.

(i) ELIZABETH RIVER, CHESAPEAKE, VIRGINIA.—Notwithstanding any other provision of law, after the date of enactment of this Act, the city of Chesapeake, Virginia, shall not be obligated to make the annual cash contribution required under paragraph 1(9) of the Local Cooperation Agreement dated December 12, 1978, between the Government and the city for the project for navigation, southern branch of Elizabeth River, Chesapeake, Virginia.

(j) PAYMENT OPTION, MOOREFIELD, WEST VIRGINIA.—The Secretary may permit the non-Federal interests for the project for flood control, Moorefield, West Virginia, to pay without interest the remaining non-Federal cost over a period not to exceed 30 years, to be determined by the Secretary.

(k) MIAMI DADE AGRICULTURAL AND RURAL LAND RETENTION PLAN AND SOUTH BISCAYNE, FLORIDA.—Section 528(b)(3) of the Water Resources Development Act of 1996 (110 Stat. 3768) is amended by adding at the end the following:

''(D) CREDIT AND REIMBURSEMENT OF PAST AND FUTURE ACTIVITIES.—The Secretary may afford credit to or reimburse the non-Federal sponsors (using funds authorized by subparagraph (C)) for the reasonable costs of any work that has been performed or will be performed in connection with a study or activity meeting the requirements of subparagraph (A) if—

''(i) the Secretary determines that—

''(I) the work performed by the non-Federal sponsors will substantially expedite completion of a critical restoration project; and

''(II) the work is necessary for a critical restoration project; and

''(ii) the credit or reimbursement is granted pursuant to a project-specific agreement that prescribes the terms and conditions of the credit or reimbursement.''.

(l) LAKE MICHIGAN, ILLINOIS.—

(1) IN GENERAL.—The project for storm damage reduction and shoreline protection, Lake Michigan, Illinois, from Wilmette, Illinois, to the Illinois-Indiana State line, authorized by section 101(a)(12) of the Water Resources Development Act of 1996 (110 Stat. 3664), is modified to provide for reimbursement for additional project work undertaken by the non-Federal interest.

(2) CREDIT OR REIMBURSEMENT.—The Secretary shall credit or reimburse the non-Federal interest for the Federal share of project costs incurred by the non-Federal interest in designing, constructing, or reconstructing reach 2F (700 feet south of Fullerton Avenue and 500 feet north of Fullerton Avenue), reach 3M (Meigs Field), and segments 7 and 8 of reach 4 (43rd Street to 57th Street), if the non-Federal interest carries out the work in accordance with plans approved by the Secretary, at an estimated total cost of $83,300,000.

(3) REIMBURSEMENT.—The Secretary shall reimburse the non-Federal interest for the Federal share of project costs incurred by the non-Federal interest in reconstructing the revetment structures protecting Solidarity Drive in Chicago, Illinois, before the signing of the project cooperation agreement, at an estimated total cost of $7,600,000.

(m) MEASUREMENTS OF LAKE MICHIGAN DIVERSIONS, ILLINOIS.—Section 1142(b) of the Water Resources Development Act of 1986 (100 Stat. 4253) is amended by striking ''$250,000 per fiscal year for each fiscal year beginning after September 30, 1986'' and inserting ''a total of $1,250,000 for each of fiscal years 1999 through 2003''.

(n) PROJECT FOR NAVIGATION, DUBUQUE, IOWA.—The project for navigation at Dubuque, Iowa, authorized by section 101 of the River and Harbor Act of 1960 (74 Stat. 482), is modified to authorize the development of a

wetland demonstration area of approximately 1.5 acres to be developed and operated by the Dubuque County Historical Society or a successor nonprofit organization.

(o) LOUISIANA STATE PENITENTIARY LEVEE.—The Secretary may credit against the non-Federal share work performed in the project area of the Louisiana State Penitentiary Levee, Mississippi River, Louisiana, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4117).

(p) JACKSON COUNTY, MISSISSIPPI.—The project for environmental infrastructure, Jackson County, Mississippi, authorized by section 219(c)(5) of the Water Resources Development Act of 1992 (106 Stat. 4835) and modified by section 504 of the Water Resources Development Act of 1996 (110 Stat. 3757), is modified to direct the Secretary to provide a credit, not to exceed $5,000,000, against the non-Federal share of the cost of the project for the costs incurred by the Jackson County Board of Supervisors since February 8, 1994, in constructing the project, if the Secretary determines that such costs are for work that the Secretary determines was compatible with and integral to the project.

(q) RICHARD B. RUSSELL DAM AND LAKE, SOUTH CAROLINA.—

(1) IN GENERAL.—Except as otherwise provided in this paragraph, the Secretary shall convey to the State of South Carolina all right, title, and interest of the United States in the parcels of land described in subparagraph (B) that are currently being managed by the South Carolina Department of Natural Resources for fish and wildlife mitigation purposes for the Richard B. Russell Dam and Lake, South Carolina, project authorized by the Flood Control Act of 1966 and modified by the Water Resources Development Act of 1986.

(2) LAND DESCRIPTION.—

(A) IN GENERAL.—The parcels of land to be conveyed are described in Exhibits A, F, and H of Army Lease No. DACW21–1–93–0910 and associated supplemental agreements or are designated in red in Exhibit A of Army License No. DACW21–3–85–1904, excluding all designated parcels in the license that are below elevation 346 feet mean sea level or that are less than 300 feet measured horizontally from the top of the power pool.

(B) MANAGEMENT OF EXCLUDED PARCELS.—Management of the excluded parcels shall continue in accordance with the terms of Army License No. DACW21–3–85–1904 until the Secretary and the State enter into an agreement under subparagraph (F).

(C) SURVEY.—The exact acreage and legal description of the land shall be determined by a survey satisfactory to the Secretary, with the cost of the survey borne by the State.

(3) COSTS OF CONVEYANCE.—The State shall be responsible for all costs, including real estate transaction and environmental compliance costs, associated with the conveyance.

(4) PERPETUAL STATUS.—

(A) IN GENERAL.—All land conveyed under this paragraph shall be retained in public ownership and shall be managed in perpetuity for fish and wildlife mitigation purposes in accordance with a plan approved by the Secretary.

(B) REVERSION.—If any parcel of land is not managed for fish and wildlife mitigation purposes in accordance with the plan, title to the parcel shall revert to the United States.

(5) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance as the Secretary considers appropriate to protect the interests of the United States.

(6) FISH AND WILDLIFE MITIGATION AGREEMENT.—

(A) IN GENERAL.—The Secretary may pay the State of South Carolina not more than $4,850,000 subject to the Secretary and the State entering into a binding agreement for the State to manage for fish and wildlife mitigation purposes in perpetuity the lands conveyed under this paragraph and excluded parcels designated in Exhibit A of Army License No. DACW21–3–85–1904.

(B) FAILURE OF PERFORMANCE.—The agreement shall specify the terms and conditions under which payment will be made and the rights of, and remedies available to, the Federal Government to recover all or a portion of the payment if the State fails to manage any parcel in a manner satisfactory to the Secretary.

(r) LAND CONVEYANCE, CLARKSTON, WASHINGTON.—

(1) IN GENERAL.—The Secretary shall convey to the Port of Clarkston, Washington, all right, title, and interest of the United States in and to a portion of the land described in the Department of the Army lease No. DACW68–1–97–22, consisting of approximately 31 acres, the exact boundaries of which shall be determined by the Secretary and the Port of Clarkston.

(2) ADDITIONAL LAND.—The Secretary may convey to the Port of Clarkston, Washington, at fair market value as determined by the Secretary, such additional land located in the vicinity of Clarkston, Washington, as the Secretary determines to be excess to the needs of the Columbia River Project and appropriate for conveyance.

(3) TERMS AND CONDITIONS.—The conveyances made under subsections (a) and (b) shall be subject to such terms and conditions as the Secretary determines to be necessary to protect the interests of the United States, including a requirement that the Port of Clarkston pay all administrative costs associated with the conveyances, including the cost of land surveys and appraisals and costs associated with compliance with applicable environmental laws (including regulations).

(4) USE OF LAND.—The Port of Clarkston shall be required to pay the fair market value, as determined by the Secretary, of any land conveyed pursuant to subsection (a) that is not retained in public ownership or is used for other than public park or recreation purposes, except that the Secretary shall have a right of reverter to reclaim possession and title to any such land.

(s) WHITE RIVER, INDIANA.—The project for flood control, Indianapolis on West Fork of the White River, Indiana, authorized by section 5 of the Act entitled ''An Act authorizing the construction of certain public works on rivers and harbors for flood control, and other purposes'', approved June 22, 1936 (49 Stat. 1586, chapter 688), as modified by section 323 of the Water Resources Development Act of 1996 (110 Stat. 3716), is modified to authorize the Secretary to undertake the riverfront alterations described in the Central Indianapolis Waterfront Concept Plan, dated February 1994, for the Canal Development (Upper Canal feature) and the Beveridge Paper feature, at a total cost not to exceed $25,000,000, of which $12,500,000 is the estimated Federal cost and $12,500,000 is the estimated non-Federal cost, except that no such alterations may be undertaken unless the Secretary determines that the alterations authorized by this subsection, in combination with the alterations undertaken under section 323 of the Water Resources Development Act of 1996 (110 Stat. 3716), are economically justified.

(t) FOX POINT HURRICANE BARRIER, PROVIDENCE, RHODE ISLAND.—The project for hurricane-flood protection, Fox Point, Providence, Rhode Island, authorized by section 203 of the Flood Control Act of 1958 (72 Stat. 306) is modified to direct the Secretary to undertake the necessary repairs to the barrier, as identified in the Condition Survey and Technical Assessment dated April 1998 with Supplement dated August 1998, at a total cost of $3,000,000, with an estimated Federal cost of $1,950,000 and an estimated non-Federal cost of $1,050,000.

SEC. 103. PROJECT DEAUTHORIZATIONS.

(a) BRIDGEPORT HARBOR, CONNECTICUT.—The portion of the project for navigation, Bridgeport Harbor, Connecticut, authorized by section 101 of the River and Harbor Act of 1958 (72 Stat. 297), consisting of a 2.4-acre anchorage area 9 feet deep and an adjacent 0.60-acre anchorage area 6 feet deep, located on the west side of Johnsons River, Connecticut, is not authorized after the date of enactment of this Act.

(b) BASS HARBOR, MAINE.—

(1) DEAUTHORIZATION.—The portions of the project for navigation, Bass Harbor, Maine, authorized on May 7, 1962, under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577) described in paragraph (2) are not authorized after the date of enactment of this Act.

(2) DESCRIPTION.—The portions of the project referred to in paragraph (1) are described as follows:

(A) Beginning at a bend in the project, N149040.00, E538505.00, thence running easterly about 50.00 feet along the northern limit of the project to a point, N149061.55, E538550.11, thence running southerly about 642.08 feet to a point, N148477.64, E538817.18, thence running southwesterly about 156.27 feet to a point on the westerly limit of the project, N148348.50, E538737.02, thence running northerly about 149.00 feet along the westerly limit of the project to a bend in the project, N148489.22, E538768.09, thence running northwesterly about 610.39 feet along the westerly limit of the project to the point of origin.

(B) Beginning at a point on the westerly limit of the project, N148118.55, E538689.05, thence running southeasterly about 91.92 feet to a point, N148041.43, E538739.07, thence running southerly about 65.00 feet to a point, N147977.86, E538725.51, thence running southwesterly about 91.92 feet to a point on the westerly limit of the project, N147927.84, E538648.39, thence running northerly about 195.00 feet along the westerly limit of the project to the point of origin.

(c) BOOTHBAY HARBOR, MAINE.—The project for navigation, Boothbay Harbor, Maine, authorized by the Act of July 25, 1912 (37 Stat. 201, chapter 253), is not authorized after the date of enactment of this Act.

(d) EAST BOOTHBAY HARBOR, MAINE.—Section 364 of the Water Resources Development Act of 1996 (110 Stat. 3731) is amended by striking paragraph (9) and inserting the following:

''(9) EAST BOOTHBAY HARBOR, MAINE.—The project for navigation, East Boothbay Harbor, Maine, authorized by the first section of the Act entitled 'An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes', approved June 25, 1910 (36 Stat. 657).''.

SEC. 104. STUDIES.

(a) CADDO LEVEE, RED RIVER BELOW DENISON DAM, ARIZONA, LOUISIANA, OKLAHOMA, AND TEXAS.—The Secretary shall conduct a study to determine the feasibility of undertaking a project for flood control, Caddo Levee, Red River Below Denison Dam, Arizona, Louisiana, Oklahoma, and Texas, including incorporating the existing levee, along Twelve Mile Bayou from its juncture with the existing Red River Below Denison Dam Levee approximately 26 miles upstream

to its terminus at high ground in the vicinity of Black Bayou, Louisiana.

(b) FIELDS LANDING CHANNEL, HUMBOLDT HARBOR, CALIFORNIA.—The Secretary—

(1) shall conduct a study for the project for navigation, Fields Landing Channel, Humboldt Harbor and Bay, California, to a depth of minus 35 feet (MLLW), and for that purpose may use any feasibility report prepared by the non-Federal sponsor under section 203 of the Water Resources Development Act of 1986 (33 U.S.C. 2231) for which reimbursement of the Federal share of the study is authorized subject to the availability of appropriations; and

(2) may carry out the project under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), if the Secretary determines that the project is feasible.

(c) STRAWBERRY CREEK, BERKELEY, CALIFORNIA.—The Secretary shall conduct a study to determine the feasibility of restoring Strawberry Creek, Berkeley, California, and the Federal interest in environmental restoration, conservation of fish and wildlife resources, recreation, and water quality.

(d) WEST SIDE STORM WATER RETENTION FACILITY, CITY OF LANCASTER, CALIFORNIA.—The Secretary shall conduct a study to determine the feasibility of undertaking measures to construct the West Side Storm Water Retention Facility in the city of Lancaster, California.

(e) APALACHICOLA RIVER, FLORIDA.—The Secretary shall conduct a study for the purpose of identifying—

(1) alternatives for the management of material dredged in connection with operation and maintenance of the Apalachicola River Navigation Project; and

(2) alternatives that reduce the requirements for such dredging.

(f) BROWARD COUNTY, SAND BYPASSING AT PORT EVERGLADES, FLORIDA.—The Secretary shall conduct a study to determine the feasibility of constructing a sand bypassing project at the Port Everglades Inlet, Florida.

(g) CITY OF DESTIN-NORIEGA POINT BREAKWATER, FLORIDA.—The Secretary shall conduct a study to determine the feasibility of—

(1) restoring Noriega Point, Florida, to serve as a breakwater for Destin Harbor; and

(2) including Noriega Point as part of the East Pass, Florida, navigation project.

(h) GATEWAY TRIANGLE REDEVELOPMENT AREA, FLORIDA.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of undertaking measures to reduce the flooding problems in the vicinity of Gateway Triangle Redevelopment Area, Florida.

(2) STUDIES AND REPORTS.—The study shall include a review and consideration of studies and reports completed by the non-Federal interests.

(i) CITY OF PLANT CITY, FLORIDA.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of a flood control project in the city of Plant City, Florida.

(2) STUDIES AND REPORTS.—In conducting the study, the Secretary shall review and consider studies and reports completed by the non-Federal interests.

(j) GOOSE CREEK WATERSHED, OAKLEY, IDAHO.—The Secretary shall conduct a study to determine the feasibility of undertaking flood damage reduction, water conservation, ground water recharge, ecosystem restoration, and related purposes along the Goose Creek watershed near Oakley, Idaho.

(k) ACADIANA NAVIGATION CHANNEL, LOUISIANA.—The Secretary shall conduct a study to determine the feasibility of assuming operations and maintenance for the Acadiana Navigation Channel located in Iberia and Vermillion Parishes, Louisiana.

(l) CAMERON PARISH WEST OF CALCASIEU RIVER, LOUISIANA.—The Secretary shall conduct a study to determine the feasibility of a storm damage reduction and ecosystem restoration project for Cameron Parish west of Calcasieu River, Louisiana.

(m) BENEFICIAL USE OF DREDGED MATERIAL, COASTAL LOUISIANA.—The Secretary shall conduct a study to determine the feasibility of using dredged material from maintenance activities at Federal navigation projects in coastal Louisiana to benefit coastal areas in the State.

(n) CONTRABAND BAYOU NAVIGATION CHANNEL, LOUISIANA.—The Secretary shall conduct a study to determine the feasibility of assuming the maintenance at Contraband Bayou, Calcasieu River Ship Canal, Louisiana.

(o) GOLDEN MEADOW LOCK, LOUISIANA.—The Secretary shall conduct a study to determine the feasibility of converting the Golden Meadow floodgate into a navigation lock to be included in the Larose to Golden Meadow Hurricane Protection Project, Louisiana.

(p) GULF INTRACOASTAL WATERWAY ECOSYSTEM PROTECTION, CHEF MENTEUR TO SABINE RIVER, LOUISIANA.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of undertaking ecosystem restoration and protection measures along the Gulf Intracoastal Waterway from Chef Menteur to Sabine River, Louisiana.

(2) MATTERS TO BE ADDRESSED.—The study shall address saltwater intrusion, tidal scour, erosion, and other water resources related problems in that area.

(q) LAKE PONTCHARTRAIN, LOUISIANA, AND VICINITY, ST. CHARLES PARISH PUMPS.—The Secretary shall conduct a study to determine the feasibility of modifying the Lake Pontchartrain Hurricane Protection Project to include the St. Charles Parish Pumps and the modification of the seawall fronting protection along Lake Pontchartrain in Orleans Parish, from New Basin Canal on the west to the Inner Harbor Navigation Canal on the east.

(r) LAKE PONTCHARTRAIN AND VICINITY SEAWALL RESTORATION, LOUISIANA.—The Secretary shall conduct a study to determine the feasibility of undertaking structural modifications of that portion of the seawall fronting protection along the south shore of Lake Pontchartrain in Orleans Parish, Louisiana, extending approximately 5 miles from the new basin Canal on the west to the Inner Harbor Navigation Canal on the east as a part of the Lake Pontchartrain and Vicinity Hurricane Protection Project, authorized by section 204 of the Flood Control Act of 1965 (79 Stat. 1077).

(s) DETROIT RIVER, MICHIGAN, GREENWAY CORRIDOR STUDY.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of a project for shoreline protection, frontal erosion, and associated purposes in the Detroit River shoreline area from the Belle Isle Bridge to the Ambassador Bridge in Detroit, Michigan.

(2) POTENTIAL MODIFICATIONS.—As a part of the study, the Secretary shall review potential project modifications to any existing Corps projects within the same area.

(t) ST. CLAIR SHORES FLOOD CONTROL, MICHIGAN.—The Secretary shall conduct a study to determine the feasibility of constructing a flood control project at St. Clair Shores, Michigan.

(u) WOODTICK PENINSULA, MICHIGAN, AND TOLEDO HARBOR, OHIO.—The Secretary shall conduct a study to determine the feasibility of utilizing dredged material from Toledo Harbor, Ohio, to provide erosion reduction, navigation, and ecosystem restoration at Woodtick Peninsula, Michigan.

(v) TUNICA LAKE WEIR, MISSISSIPPI.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of constructing an outlet weir at Tunica Lake, Tunica County, Mississippi, and Lee County, Arkansas, for the purpose of stabilizing water levels in the Lake.

(2) ECONOMIC ANALYSIS.—In carrying out the study, the Secretary shall include as a part of the economic analysis the benefits derived from recreation uses at the Lake and economic benefits associated with restoration of fish and wildlife habitat.

(w) PROTECTIVE FACILITIES FOR THE ST. LOUIS, MISSOURI, RIVERFRONT AREA.—

(1) STUDY.—The Secretary shall conduct a study to determine the optimal plan to protect facilities that are located on the Mississippi River riverfront within the boundaries of St. Louis, Missouri.

(2) REQUIREMENTS.—In conducting the study, the Secretary shall—

(A) evaluate alternatives to offer safety and security to facilities; and

(B) use state-of-the-art techniques to best evaluate the current situation, probable solutions, and estimated costs.

(3) REPORT.—Not later than April 15, 1999, the Secretary shall submit to Congress a report on the results of the study.

(x) YELLOWSTONE RIVER, MONTANA.—

(1) STUDY.—The Secretary shall conduct a comprehensive study of the Yellowstone River from Gardiner, Montana to the confluence of the Missouri River to determine the hydrologic, biological, and socioeconomic cumulative impacts on the river.

(2) CONSULTATION AND COORDINATION.—The Secretary shall conduct the study in consultation with the United States Fish and Wildlife Service, the United States Geological Survey, and the Natural Resources Conservation Service and with the full participation of the State of Montana and tribal and local entities, and provide for public participation.

(3) REPORT.—Not later than 5 years after the date of enactment of this Act, the Secretary shall submit a report to Congress on the results of the study.

(y) LAS VEGAS VALLEY, NEVADA.—

(1) IN GENERAL.—The Secretary shall conduct a comprehensive study of water resources located in the Las Vegas Valley, Nevada.

(2) OBJECTIVES.—The study shall identify problems and opportunities related to ecosystem restoration, water quality, particularly the quality of surface runoff, water supply, and flood control.

(z) OSWEGO RIVER BASIN, NEW YORK.—The Secretary shall conduct a study to determine the feasibility of establishing a flood forecasting system within the Oswego River basin, New York.

(aa) PORT OF NEW YORK-NEW JERSEY NAVIGATION STUDY AND ENVIRONMENTAL RESTORATION STUDY.—

(1) NAVIGATION STUDY.—The Secretary shall conduct a comprehensive study of navigation needs at the Port of New York-New Jersey (including the South Brooklyn Marine and Red Hook Container Terminals, Staten Island, and adjacent areas) to address improvements, including deepening of existing channels to depths of 50 feet or greater, that are required to provide economically efficient and environmentally sound navigation to meet current and future requirements.

(2) ENVIRONMENTAL RESTORATION STUDY.—The Secretary, acting through the Chief of Engineers, shall review the report of the Chief of Engineers on the New York Harbor, printed in the House Management Plan of the Harbor Estuary Program, and other pertinent reports concerning the New York Harbor Region and the Port of New York-New Jersey, to determine the Federal interest in advancing harbor environmental restoration.

(3) REPORT.—The Secretary may use funds from the ongoing navigation study for New York and New Jersey Harbor to complete a reconnaissance report for environmental restoration by December 31, 1999. The navigation study to deepen New York and New Jersey Harbor shall consider beneficial use of dredged material.

(bb) BANK STABILIZATION, MISSOURI RIVER, NORTH DAKOTA.—

(1) STUDY.—

(A) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of bank stabilization on the Missouri River between the Garrison Dam and Lake Oahe in North Dakota.

(B) ELEMENTS.—In conducting the study, the Secretary shall study—

(i) options for stabilizing the erosion sites on the banks of the Missouri River between the Garrison Dam and Lake Oahe identified in the report developed by the North Dakota State Water Commission, dated December 1997, including stabilization through nontraditional measures;

(ii) the cumulative impact of bank stabilization measures between the Garrison Dam and Lake Oahe on fish and wildlife habitat and the potential impact of additional stabilization measures, including the impact of nontraditional stabilization measures;

(iii) the current and future effects, including economic and fish and wildlife habitat effects, that bank erosion is having on creating the delta at the beginning of Lake Oahe; and

(iv) the impact of taking no additional measures to stabilize the banks of the Missouri River between the Garrison Dam and Lake Oahe.

(C) INTERESTED PARTIES.—In conducting the study, the Secretary shall, to the maximum extent practicable, seek the participation and views of interested Federal, State, and local agencies, landowners, conservation organizations, and other persons.

(D) REPORT.—

(i) IN GENERAL.—The Secretary shall report to Congress on the results of the study not later than 1 year after the date of enactment of this Act.

(ii) STATUS.—If the Secretary cannot complete the study and report to Congress by the day that is 1 year after the date of enactment of this Act, the Secretary shall, by that day, report to Congress on the status of the study and report, including an estimate of the date of completion.

(2) EFFECT ON EXISTING PROJECTS.—This subsection does not preclude the Secretary from establishing or carrying out a stabilization project that is authorized by law.

(cc) CLEVELAND HARBOR, CLEVELAND, OHIO.—The Secretary shall conduct a study to determine the feasibility of undertaking repairs and related navigation improvements at Dike 14, Cleveland, Ohio.

(dd) EAST LAKE, VERMILLION AND CHAGRIN, OHIO.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of undertaking flood damage reduction at East Lake, Vermillion and Chagrin, Ohio.

(2) ICE RETENTION STRUCTURE.—In conducting the study, the Secretary may consider construction of an ice retention structure as a potential means of providing flood damage reduction.

(ee) TOUSSAINT RIVER, CARROLL TOWNSHIP, OHIO.—The Secretary shall conduct a study to determine the feasibility of undertaking navigation improvements at Toussaint River, Carroll Township, Ohio.

(ff) SANTEE DELTA WETLAND HABITAT, SOUTH CAROLINA.—Not later than 18 months after the date of enactment of this Act, the Secretary shall complete a comprehensive study of the ecosystem in the Santee Delta focus area of South Carolina to determine the feasibility of undertaking measures to enhance the wetland habitat in the area.

(gg) WACCAMAW RIVER, SOUTH CAROLINA.—The Secretary shall conduct a study to determine the feasibility of a flood control project for the Waccamaw River in Horry County, South Carolina.

(hh) UPPER SUSQUEHANNA-LACKAWANNA, PENNSYLVANIA, WATERSHED MANAGEMENT AND RESTORATION STUDY.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of a comprehensive flood plain management and watershed restoration project for the Upper Susquehanna-Lackawanna Watershed, Pennsylvania.

(2) GEOGRAPHIC INFORMATION SYSTEM.—In conducting the study, the Secretary shall use a geographic information system.

(3) PLANS.—The study shall formulate plans for comprehensive flood plain management and environmental restoration.

(4) CREDITING.—Non-Federal interests may receive credit for in-kind services and materials that contribute to the study. The Secretary may credit non-Corps Federal assistance provided to the non-Federal interest toward the non-Federal share of study costs to the maximum extent authorized by law.

(ii) NIOBRARA RIVER AND MISSOURI RIVER SEDIMENTATION STUDY, SOUTH DAKOTA.—The Secretary shall conduct a study of the Niobrara River watershed and the operations of Fort Randall Dam and Gavins Point Dam on the Missouri River to determine the feasibility of alleviating the bank erosion, sedimentation, and related problems in the lower Niobrara River and the Missouri River below Fort Randall Dam.

(jj) SANTA CLARA RIVER, UTAH.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of undertaking measures to alleviate damage caused by flooding, bank erosion, and sedimentation along the watershed of the Santa Clara River, Utah, above the Gunlock Reservoir.

(2) CONTENTS.—The study shall include an analysis of watershed conditions and water quality, as related to flooding and bank erosion, along the Santa Clara River in the vicinity of the town of Gunlock, Utah.

(kk) AGAT SMALL BOAT HARBOR, GUAM.—The Secretary shall conduct a study to determine the feasibility of undertaking the repair and reconstruction of Agat Small Boat Harbor, Guam, including the repair of existing shore protection measures and construction or a revetment of the breakwater seawall.

(ll) APRA HARBOR SEAWALL, GUAM.—The Secretary shall conduct a study to determine the feasibility of undertaking measures to repair, upgrade, and extend the seawall protecting Apra Harbor, Guam, and to ensure continued access to the harbor via Route 11B.

(mm) APRA HARBOR FUEL PIERS, GUAM.—The Secretary shall conduct a study to determine the feasibility of undertaking measures to upgrade the piers and fuel transmission lines at the fuel piers in the Apra Harbor, Guam, and measures to provide for erosion control and protection against storm damage.

(nn) MAINTENANCE DREDGING OF HARBOR PIERS, GUAM.—The Secretary shall conduct a study to determine the feasibility of Federal maintenance of areas adjacent to piers at harbors in Guam, including Apra Harbor, Agat Harbor, and Agana Marina.

(oo) ALTERNATIVE WATER SOURCES STUDY.—

(1) IN GENERAL.—The Administrator of the Environmental Protection Agency shall conduct a study of the water supply needs of States that are not currently eligible for assistance under title XVI of the Reclamation Projects Authorization and Adjustment Act of 1992 (43 U.S.C. 390h et seq.).

(2) REQUIREMENTS.—The study shall—

(A) identify the water supply needs (including potable, commercial, industrial, recreational and agricultural needs) of each State described in paragraph (1) through 2020, making use of such State, regional, and local plans, studies, and reports as are available;

(B) evaluate the feasibility of various alternative water source technologies such as reuse and reclamation of wastewater and stormwater (including indirect potable reuse), aquifer storage and recovery, and desalination to meet the anticipated water supply needs of the States; and

(C) assess how alternative water sources technologies can be utilized to meet the identified needs.

(3) REPORT.—The Administrator shall report to Congress on the results of the study not more than 180 days after the date of enactment of this Act.

TITLE II—GENERAL PROVISIONS

SEC. 201. FLOOD HAZARD MITIGATION AND RIVERINE ECOSYSTEM RESTORATION PROGRAM.

(a) IN GENERAL.—

(1) AUTHORIZATION.—The Secretary may carry out a program to reduce flood hazards and restore the natural functions and values of riverine ecosystems throughout the United States.

(2) STUDIES.—In carrying out the program, the Secretary shall conduct studies to identify appropriate flood damage reduction, conservation, and restoration measures and may design and implement watershed management and restoration projects.

(3) PARTICIPATION.—The studies and projects carried out under the program shall be conducted, to the extent practicable, with the full participation of the appropriate Federal agencies, including the Department of Agriculture, the Federal Emergency Management Agency, the Department of the Interior, the Environmental Protection Agency, and the Department of Commerce.

(4) NONSTRUCTURAL APPROACHES.—The studies and projects shall, to the extent practicable, emphasize nonstructural approaches to preventing or reducing flood damages.

(b) COST-SHARING REQUIREMENTS.—

(1) STUDIES.—The cost of studies conducted under subsection (a) shall be shared in accordance with section 105 of the Water Resources Development Act of 1986 (33 Stat. 2215).

(2) PROJECTS.—The non-Federal interests shall pay 35 percent of the cost of any project carried out under this section.

(3) IN-KIND CONTRIBUTIONS.—The non-Federal interests shall provide all land, easements, rights-of-way, dredged material disposal areas, and relocations necessary for the projects. The value of the land, easements, rights-of-way, dredged material disposal areas, and relocations shall be credited toward the payment required under this subsection.

(4) RESPONSIBILITIES OF THE NON-FEDERAL INTERESTS.—The non-Federal interests shall be responsible for all costs associated with operating, maintaining, replacing, repairing, and rehabilitating all projects carried out under this section.

(c) PROJECT JUSTIFICATION.—

(1) IN GENERAL.—The Secretary may implement a project under this section if the Secretary determines that the project—

(A) will significantly reduce potential flood damages;

(B) will improve the quality of the environment; and

(C) is justified considering all costs and beneficial outputs of the project.

(2) SELECTION CRITERIA; POLICIES AND PROCEDURES.—Not later than 180 days after the date of enactment of this Act, the Secretary shall—

(A) develop criteria for selecting and rating the projects to be carried out as part of the program authorized by this section; and

(B) establish policies and procedures for carrying out the studies and projects undertaken under this section.

(d) REPORTING REQUIREMENT.—The Secretary may not implement a project under this section until—

(1) the Secretary provides to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a written notification describing the project and the determinations made under subsection (c); and

(2) a period of 21 calendar days has expired following the date on which the notification was received by the Committees.

(e) PRIORITY AREAS.—In carrying out this section, the Secretary shall examine the potential for flood damage reductions at appropriate locations, including—

(1) Le May, Missouri;

(2) the upper Delaware River basin, New York;

(3) Tillamook County, Oregon;

(4) Providence County, Rhode Island; and

(5) Willamette River basin, Oregon.

(f) PER-PROJECT LIMITATION.—Not more than $25,000,000 in Army Civil Works appropriations may be expended on any single project undertaken under this section.

(g) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to carry out this section $75,000,000 for the period of fiscal years 2000 and 2001.

(2) PROGRAM FUNDING LEVELS.—All studies and projects undertaken under this authority from Army Civil Works appropriations shall be fully funded within the program funding levels provided in this subsection.

SEC. 202. SHORE PROTECTION.

Section 103(d) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(d)) is amended—

(1) by striking ''Costs of constructing'' and inserting the following:

''(1) CONSTRUCTION.—Costs of constructing''; and

(2) by adding at the end the following:

''(2) PERIODIC NOURISHMENT.—In the case of a project authorized for construction after December 31, 1999, or for which a feasibility study is completed after that date, the non-Federal cost of the periodic nourishment of projects or measures for shore protection or beach erosion control shall be 50 percent, except that—

''(A) all costs assigned to benefits to privately owned shores (where use of such shores is limited to private interests) or to prevention of losses of private land shall be borne by non-Federal interests; and

''(B) all costs assigned to the protection of federally owned shores shall be borne by the United States.''.

SEC. 203. SMALL FLOOD CONTROL AUTHORITY.

Section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) is amended—

(1) in the first sentence, by striking ''construction of small projects'' and inserting ''implementation of small structural and nonstructural projects''; and

(2) in the third sentence, by striking ''$5,000,000'' and inserting ''$7,000,000''.

SEC. 204. USE OF NON-FEDERAL FUNDS FOR COMPILING AND DISSEMINATING INFORMATION ON FLOODS AND FLOOD DAMAGES.

Section 206(b) of the Flood Control Act of 1960 (33 U.S.C. 709a(b)) is amended in the third sentence by inserting before the period at the end the following: '', but the Secretary of the Army may accept funds voluntarily contributed by such entities for the purpose of expanding the scope of the services requested by the entities''.

SEC. 205. EVERGLADES AND SOUTH FLORIDA ECOSYSTEM RESTORATION.

Subparagraphs (B) and (C)(i) of section 528(b)(3) of the Water Resources Development Act of 1996 (110 Stat. 3769) are amended by striking ''1999'' and inserting ''2000''.

SEC. 206. AQUATIC ECOSYSTEM RESTORATION.

Section 206(c) of the Water Resources Development Act of 1996 (33 U.S.C. 2330(c)) is amended—

(1) by striking ''Construction'' and inserting the following:

''(1) IN GENERAL.—Construction''; and

(2) by adding at the end the following:

''(2) NONPROFIT ENTITIES.—Notwithstanding section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b), for any project carried out under this section, a non-Federal interest may include a nonprofit entity, with the consent of the affected local government.''.

SEC. 207. BENEFICIAL USES OF DREDGED MATERIAL.

Section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326) is amended by adding at the end the following:

''(g) NONPROFIT ENTITIES.—Notwithstanding section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b), for any project carried out under this section, a non-Federal interest may include a nonprofit entity, with the consent of the affected local government.''.

SEC. 208. VOLUNTARY CONTRIBUTIONS BY STATES AND POLITICAL SUBDIVISIONS.

Section 5 of the Act of June 22, 1936 (33 U.S.C. 701h), is amended by inserting ''or environmental restoration'' after ''flood control''.

SEC. 209. RECREATION USER FEES.

(a) WITHHOLDING OF AMOUNTS.—

(1) IN GENERAL.—During fiscal years 1999 through 2002, the Secretary may withhold from the special account established under section 4(i)(1)(A) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–6a(i)(1)(A)) 100 percent of the amount of receipts above a baseline of $34,000,000 per each fiscal year received from fees imposed at recreation sites under the administrative jurisdiction of the Department of the Army under section 4(b) of that Act (16 U.S.C. 460l–6a(b)).

(2) USE.—The amounts withheld shall be retained by the Secretary and shall be available, without further Act of appropriation, for expenditure by the Secretary in accordance with subsection (b).

(3) AVAILABILITY.—The amounts withheld shall remain available until September 30, 2005.

(b) USE OF AMOUNTS WITHHELD.—In order to increase the quality of the visitor experience at public recreational areas and to enhance the protection of resources, the amounts withheld under subsection (a) may be used only for—

(1) repair and maintenance projects (including projects relating to health and safety);

(2) interpretation;

(3) signage;

(4) habitat or facility enhancement;

(5) resource preservation;

(6) annual operation (including fee collection);

(7) maintenance; and

(8) law enforcement related to public use.

(c) AVAILABILITY.—Each amount withheld by the Secretary shall be available for expenditure, without further Act of appropriation, at the specific project from which the amount, above baseline, is collected.

SEC. 210. WATER RESOURCES DEVELOPMENT STUDIES FOR THE PACIFIC REGION.

Section 444 of the Water Resources Development Act of 1996 (110 Stat. 3747) is amended by striking ''interest of navigation'' and inserting ''interests of water resources development (including navigation, flood damage reduction, and environmental restoration)''.

SEC. 211. MISSOURI AND MIDDLE MISSISSIPPI RIVERS ENHANCEMENT PROJECT.

(a) DEFINITIONS.—In this section:

(1) MIDDLE MISSISSIPPI RIVER.—The term ''middle Mississippi River'' means the reach of the Mississippi River from the mouth of the Ohio River (river mile 0, upper Mississippi River) to the mouth of the Missouri River (river mile 195).

(2) MISSOURI RIVER.—The term ''Missouri River'' means the main stem and floodplain of the Missouri River (including reservoirs) from its confluence with the Mississippi River at St. Louis, Missouri, to its headwaters near Three Forks, Montana.

(3) PROJECT.—The term ''project'' means the project authorized by this section.

(b) PROTECTION AND ENHANCEMENT ACTIVITIES.—

(1) PLAN.—

(A) DEVELOPMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall develop a plan for a project to protect and enhance fish and wildlife habitat of the Missouri River and the middle Mississippi River.

(B) ACTIVITIES.—

(i) IN GENERAL.—The plan shall provide for such activities as are necessary to protect and enhance fish and wildlife habitat without adversely affecting—

(I) the water-related needs of the region surrounding the Missouri River and the middle Mississippi River, including flood control, navigation, recreation, and enhancement of water supply; and

(II) private property rights.

(ii) REQUIRED ACTIVITIES.—The plan shall include—

(I) modification and improvement of navigation training structures to protect and enhance fish and wildlife habitat;

(II) modification and creation of side channels to protect and enhance fish and wildlife habitat;

(III) restoration and creation of island fish and wildlife habitat;

(IV) creation of riverine fish and wildlife habitat;

(V) establishment of criteria for prioritizing the type and sequencing of activities based on cost-effectiveness and likelihood of success; and

(VI) physical and biological monitoring for evaluating the success of the project, to be performed by the River Studies Center of the United States Geological Survey in Columbia, Missouri.

(2) IMPLEMENTATION OF ACTIVITIES.—

(A) IN GENERAL.—Using funds made available to carry out this section, the Secretary shall carry out the activities described in the plan.

(B) USE OF EXISTING AUTHORITY FOR UNCONSTRUCTED FEATURES OF THE PROJECT.—Using funds made available to the Secretary under other law, the Secretary shall design and construct any feature of the project that may be carried out using the authority of the Secretary to modify an authorized project, if the Secretary determines that the design and construction will—

(i) accelerate the completion of activities to protect and enhance fish and wildlife habitat of the Missouri River or the middle Mississippi River; and

(ii) be compatible with the project purposes described in this section.

(c) INTEGRATION OF OTHER ACTIVITIES.—

(1) IN GENERAL.—In carrying out the activities described in subsection (b), the Secretary shall integrate the activities with other Federal, State, and tribal activities.

(2) NEW AUTHORITY.—Nothing in this section confers any new regulatory authority on any Federal or non-Federal entity that carries out any activity authorized by this section.

(d) PUBLIC PARTICIPATION.—In developing and carrying out the plan and the activities described in subsection (b), the Secretary shall provide for public review and comment in accordance with applicable Federal law, including—

(1) providing advance notice of meetings;

(2) providing adequate opportunity for public input and comment;

(3) maintaining appropriate records; and

(4) compiling a record of the proceedings of meetings.

(e) COMPLIANCE WITH APPLICABLE LAW.—In carrying out the activities described in subsections (b) and (c), the Secretary shall comply with any applicable Federal law, including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(f) COST SHARING.—

(1) NON-FEDERAL SHARE.—The non-Federal share of the cost of the project shall be 35 percent.

(2) FEDERAL SHARE.—The Federal share of the cost of any 1 activity described in subsection (b) shall not exceed $5,000,000.

(3) OPERATION AND MAINTENANCE.—The operation and maintenance of the project shall be a non-Federal responsibility.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to pay the Federal share of the cost of carrying out activities under this section $30,000,000 for the period of fiscal years 2000 and 2001.

SEC. 212. OUTER CONTINENTAL SHELF.

(a) SAND, GRAVEL, AND SHELL.—Section 8(k)(2)(B) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(k)(2)(B)) is amended in the second sentence by inserting before the period at the end the following: ''or any other non-Federal interest subject to an agreement entered into under section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b)''.

(b) REIMBURSEMENT FOR LOCAL INTERESTS.—Any amounts paid by non-Federal interests for beach erosion control, hurricane protection, shore protection, or storm damage reduction projects as a result of an assessment under section 8(k) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(k)) shall be fully reimbursed.

SEC. 213. ENVIRONMENTAL DREDGING.

Section 312(f) of the Water Resources Development Act of 1990 (33 U.S.C. 1272(f)) is amended by adding at the end the following:

''(6) Snake Creek, Bixby, Oklahoma.''.

SEC. 214. BENEFIT OF PRIMARY FLOOD DAMAGES AVOIDED INCLUDED IN BENEFIT-COST ANALYSIS.

Section 308 of the Water Resources Development Act of 1990 (33 U.S.C. 2318) is amended—

(1) in the heading of subsection (a), by striking ''BENEFIT-COST ANALYSIS'' and inserting ''ELEMENTS EXCLUDED FROM COST-BENEFIT ANALYSIS'';

(2) by redesignating subsections (b) through (e) as subsections (c) through (f), respectively;

(3) by inserting after subsection (a) the following:

''(b) ELEMENTS INCLUDED IN COST-BENEFIT ANALYSIS.—The Secretary shall include primary flood damages avoided in the benefit base for justifying Federal nonstructural flood damage reduction projects.''; and

(4) in the first sentence of subsection (e) (as redesignated by paragraph (2)), by striking ''(b)'' and inserting ''(d)''.

SEC. 215. CONTROL OF AQUATIC PLANT GROWTH.

Section 104(a) of the River and Harbor Act of 1958 (33 U.S.C. 610(a)) is amended—

(1) by inserting ''Arundo dona,'' after ''water-hyacinth,''; and

(2) by inserting ''tarmarix'' after ''melaleuca''.

SEC. 216. ENVIRONMENTAL INFRASTRUCTURE.

Section 219(c) of the Water Resources Development Act of 1992 (106 Stat. 4835) is amended by adding at the end the following:

''(19) LAKE TAHOE, CALIFORNIA AND NEVADA.—Regional water system for Lake Tahoe, California and Nevada.

''(20) LANCASTER, CALIFORNIA.—Fox Field Industrial Corridor water facilities, Lancaster, California.

''(21) SAN RAMON, CALIFORNIA.—San Ramon Valley recycled water project, San Ramon, California.''.

SEC. 217. WATERSHED MANAGEMENT, RESTORATION, AND DEVELOPMENT.

Section 503 of the Water Resources Development Act of 1996 (110 Stat. 3756) is amended—

(1) in subsection (d)—

(A) by striking paragraph (10) and inserting the following:

''(10) Regional Atlanta Watershed, Atlanta, Georgia, and Lake Lanier of Forsyth and Hall Counties, Georgia.''; and

(B) by adding at the end the following:

''(14) Clear Lake watershed, California.

''(15) Fresno Slough watershed, California.

''(16) Hayward Marsh, Southern San Francisco Bay watershed, California.

''(17) Kaweah River watershed, California.

''(18) Lake Tahoe watershed, California and Nevada.

''(19) Malibu Creek watershed, California.

''(20) Truckee River basin, Nevada.

''(21) Walker River basin, Nevada.

''(22) Bronx River watershed, New York.

''(23) Catawba River watershed, North Carolina.'';

(2) by redesignating subsection (e) as subsection (f); and

(3) by inserting after subsection (d) the following:

''(e) NONPROFIT ENTITIES.—Notwithstanding section 221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)), for any project undertaken under this section, with the consent of the affected local government, a non-Federal interest may include a nonprofit entity.''.

SEC. 218. LAKES PROGRAM.

Section 602(a) of the Water Resources Development Act of 1986 (100 Stat. 4148) is amended—

(1) in paragraph (15), by striking ''and'' at the end;

(2) in paragraph (16), by striking the period at the end; and

(3) by adding at the end the following:

''(17) Clear Lake, Lake County, California, removal of silt and aquatic growth and development of a sustainable weed and algae management program;

''(18) Flints Pond, Hollis, New Hampshire, removal of excessive aquatic vegetation; and

''(19) Osgood Pond, Milford, New Hampshire, removal of excessive aquatic vegetation.''.

SEC. 219. SEDIMENTS DECONTAMINATION POLICY.

Section 405 of the Water Resources Development Act of 1992 (33 U.S.C. 2239 note; Public Law 102–580) is amended—

(1) in subsection (a), by adding at the end the following:

''(4) PRACTICAL END-USE PRODUCTS.—Technologies selected for demonstration at the pilot scale shall result in practical end-use products.

''(5) ASSISTANCE BY THE SECRETARY.—The Secretary shall assist the project to ensure expeditious completion by providing sufficient quantities of contaminated dredged material to conduct the full-scale demonstrations to stated capacity.''; and

(2) in subsection (c), by striking the first sentence and inserting the following: ''There is authorized to be appropriated to carry out this section a total of $22,000,000 to complete technology testing, technology commercialization, and the development of full scale processing facilities within the New York/New Jersey Harbor.''.

SEC. 220. DISPOSAL OF DREDGED MATERIAL ON BEACHES.

(a) IN GENERAL.—Section 145 of the Water Resources Development Act of 1976 (33 U.S.C. 426j) is amended in the first sentence by striking ''50'' and inserting ''35''.

(b) GREAT LAKES BASIN.—The Secretary shall work with the State of Ohio, other Great Lakes States, and political subdivisions of the States to fully implement and maximize beneficial reuse of dredged material as provided under section 145 of the Water Resources Development Act of 1976 (33 U.S.C. 426j).

SEC. 221. FISH AND WILDLIFE MITIGATION.

Section 906(e) of the Water Resources Development Act of 1986 (33 U.S.C. 2283(e)) is amended by inserting after the second sentence the following: ''Not more than 80 percent of the non-Federal share of such first costs may be in kind, including a facility, supply, or service that is necessary to carry out the enhancement project.''.

SEC. 222. REIMBURSEMENT OF NON-FEDERAL INTEREST.

Section 211(e)(2)(A) of the Water Resources Development Act of 1996 (33 U.S.C. 701b–13(e)(2)(A)) is amended by striking ''subject to amounts being made available in advance in appropriations Acts'' and inserting ''subject to the availability of appropriations''.

SEC. 223. NATIONAL CONTAMINATED SEDIMENT TASK FORCE.

(a) DEFINITION OF TASK FORCE.—In this section, the term ''Task Force'' means the National Contaminated Sediment Task Force established by section 502 of the National Contaminated Sediment Assessment and Management Act (33 U.S.C. 1271 note; Public Law 102–580).

(b) CONVENING.—The Secretary and the Administrator shall convene the Task Force not later than 90 days after the date of enactment of this Act.

(c) REPORTING ON REMEDIAL ACTION.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Task Force shall submit to Congress a report on the status of remedial actions at aquatic sites in the areas described in paragraph (2).

(2) AREAS.—The report under paragraph (1) shall address remedial actions in—

(A) areas of probable concern identified in the survey of data regarding aquatic sediment quality required by section 503(a) of the National Contaminated Sediment Assessment and Management Act (33 U.S.C. 1271);

(B) areas of concern within the Great Lakes, as identified under section 118(f) of the Federal Water Pollution Control Act (33 U.S.C. 1268(f));

(C) estuaries of national significance identified under section 320 of the Federal Water Pollution Control Act (33 U.S.C. 1330);

(D) areas for which remedial action has been authorized under any of the Water Resources Development Acts; and

(E) as appropriate, any other areas where sediment contamination is identified by the Task Force.

(3) ACTIVITIES.—Remedial actions subject to reporting under this subsection include remedial actions under—

(A) the Comprehensive Environmental Response, Compensation, and Liability Act of

1980 (42 U.S.C. 9601 et seq.) or other Federal or State law containing environmental remediation authority;

(B) any of the Water Resources Development Acts;

(C) section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344); or

(D) section 10 of the Act of March 3, 1899 (30 Stat. 1151, chapter 425).

(4) CONTENTS.—The report under paragraph (1) shall provide, with respect to each remedial action described in the report, a description of—

(A) the authorities and sources of funding for conducting the remedial action;

(B) the nature and sources of the sediment contamination, including volume and concentration, where appropriate;

(C) the testing conducted to determine the nature and extent of sediment contamination and to determine whether the remedial action is necessary;

(D) the action levels or other factors used to determine that the remedial action is necessary;

(E) the nature of the remedial action planned or undertaken, including the levels of protection of public health and the environment to be achieved by the remedial action;

(F) the ultimate disposition of any material dredged as part of the remedial action;

(G) the status of projects and the obstacles or barriers to prompt conduct of the remedial action; and

(H) contacts and sources of further information concerning the remedial action.

SEC. 224. GREAT LAKES BASIN PROGRAM.

(a) STRATEGIC PLANS.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, and every 2 years thereafter, the Secretary shall report to Congress on a plan for programs of the Corps of Engineers in the Great Lakes basin.

(2) CONTENTS.—The plan shall include details of the projected environmental and navigational projects in the Great Lakes basin, including—

(A) navigational maintenance and operations for commercial and recreational vessels;

(B) environmental restoration activities;

(C) water level maintenance activities;

(D) technical and planning assistance to States and remedial action planning committees;

(E) sediment transport analysis, sediment management planning, and activities to support prevention of excess sediment loadings;

(F) flood damage reduction and shoreline erosion prevention;

(G) all other activities of the Corps of Engineers; and

(H) an analysis of factors limiting use of programs and authorities of the Corps of Engineers in existence on the date of enactment of this Act in the Great Lakes basin, including the need for new or modified authorities.

(b) GREAT LAKES BIOHYDROLOGICAL INFORMATION.—

(1) INVENTORY.—

(A) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall request each Federal agency that may possess information relevant to the Great Lakes biohydrological system to provide an inventory of all such information in the possession of the agency.

(B) RELEVANT INFORMATION.—For the purpose of subparagraph (A), relevant information includes information on—

(i) ground and surface water hydrology;

(ii) natural and altered tributary dynamics;

(iii) biological aspects of the system influenced by and influencing water quantity and water movement;

(iv) meteorological projections and weather impacts on Great Lakes water levels; and

(v) other Great Lakes biohydrological system data relevant to sustainable water use management.

(2) REPORT.—

(A) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary, in consultation with the States, Indian tribes, and Federal agencies, and after requesting information from the provinces and the federal government of Canada, shall—

(i) compile the inventories of information;

(ii) analyze the information for consistency and gaps; and

(iii) submit to Congress, the International Joint Commission, and the Great Lakes States a report that includes recommendations on ways to improve the information base on the biohydrological dynamics of the Great Lakes ecosystem as a whole, so as to support environmentally sound decisions regarding diversions and consumptive uses of Great Lakes water.

(B) RECOMMENDATIONS.—The recommendations in the report under subparagraph (A) shall include recommendations relating to the resources and funds necessary for implementing improvement of the information base.

(C) CONSIDERATIONS.—In developing the report under subparagraph (A), the Secretary, in cooperation with the Secretary of State, the Secretary of Transportation, and other relevant agencies as appropriate, shall consider and report on the status of the issues described and recommendations made in—

(i) the Report of the International Joint Commission to the Governments of the United States and Canada under the 1977 reference issued in 1985; and

(ii) the 1993 Report of the International Joint Commission to the Governments of Canada and the United States on Methods of Alleviating Adverse Consequences of Fluctuating Water Levels in the Great Lakes St. Lawrence Basin.

(c) GREAT LAKES RECREATIONAL BOATING.—Not later than 18 months after the date of enactment of this Act, the Secretary shall, using information and studies in existence on the date of enactment of this Act to the maximum extent practicable, and in cooperation with the Great Lakes States, submit to Congress a report detailing the economic benefits of recreational boating in the Great Lakes basin, particularly at harbors benefiting from operation and maintenance projects of the Corps of Engineers.

(d) COOPERATION.—In undertaking activities under this section, the Secretary shall—

(1) encourage public participation; and

(2) cooperate, and, as appropriate, collaborate, with Great Lakes States, tribal governments, and Canadian federal, provincial, tribal governments.

(e) WATER USE ACTIVITIES AND POLICIES.—The Secretary may provide technical assistance to the Great Lakes States to develop interstate guidelines to improve the consistency and efficiency of State-level water use activities and policies in the Great Lakes basin.

(f) COST SHARING.—The Secretary may seek and accept funds from non-Federal entities to be used to pay up to 25 percent of the cost of carrying out subsections (b), (c), (d), and (e).

SEC. 225. PROJECTS FOR IMPROVEMENT OF THE ENVIRONMENT.

Section 1135(c) of the Water Resources Development Act of 1986 (33 U.S.C. 2309a(c)) is amended—

(1) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary''; and

(2) by adding at the end the following:

''(2) CONTROL OF SEA LAMPREY.—Congress finds that—

''(A) the Great Lakes navigation system has been instrumental in the spread of sea lamprey and the associated impacts to its fishery; and

''(B) the use of the authority under this subsection for control of sea lamprey at any Great Lakes basin location is appropriate.''.

SEC. 226. WATER QUALITY, ENVIRONMENTAL QUALITY, RECREATION, FISH AND WILDLIFE, FLOOD CONTROL, AND NAVIGATION.

(a) IN GENERAL.—The Secretary may investigate, study, evaluate, and report on—

(1) water quality, environmental quality, recreation, fish and wildlife, flood control, and navigation in the western Lake Erie watershed, including the watersheds of the Maumee River, Ottawa River, and Portage River in the States of Indiana, Ohio, and Michigan; and

(2) measures to improve water quality, environmental quality, recreation, fish and wildlife, flood control, and navigation in the western Lake Erie basin.

(b) COOPERATION.—In carrying out studies and investigations under subsection (a), the Secretary shall cooperate with Federal, State, and local agencies and nongovernmental organizations to ensure full consideration of all views and requirements of all interrelated programs that those agencies may develop independently or in coordination with the Corps of Engineers.

SEC. 227. IRRIGATION DIVERSION PROTECTION AND FISHERIES ENHANCEMENT ASSISTANCE.

The Secretary may provide technical planning and design assistance to non-Federal interests and may conduct other site-specific studies to formulate and evaluate fish screens, fish passages devices, and other measures to decrease the incidence of juvenile and adult fish inadvertently entering into irrigation systems. Measures shall be developed in cooperation with Federal and State resource agencies and not impair the continued withdrawal of water for irrigation purposes. In providing such assistance priority shall be given based on the objectives of the Endangered Species Act, cost-effectiveness, and the potential for reducing fish mortality. Non-Federal interests shall agree by contract to contribute 50 percent of the cost of such assistance. Not more than one-half of such non-Federal contribution may be made by the provision of services, materials, supplies, or other in-kind services. No construction activities are authorized by this section. Not later than 2 years after the date of enactment of this section, the Secretary shall report to Congress on fish mortality caused by irrigation water intake devices, appropriate measures to reduce mortality, the extent to which such measures are currently being employed in the arid States, the construction costs associated with such measures, and the appropriate Federal role, if any, to encourage the use of such measures.

SEC. 228. SMALL STORM DAMAGE REDUCTION PROJECTS.

Section 3 of the Act of August 13, 1946 (33 U.S.C. 426g), is amended by striking ''$2,000,000'' and inserting ''$3,000,000''.

SEC. 229. SHORE DAMAGE PREVENTION OR MITIGATION.

Section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426(i)) is amended—

(1) in the first sentence, by striking ''The Secretary'' and inserting ''(a) IN GENERAL.—The Secretary'';

(2) in the second sentence, by striking ''The costs'' and inserting the following:

''(b) COST SHARING.—The costs'';

(3) in the third sentence—

(A) by striking ''No such'' and inserting the following:

''(c) REQUIREMENT FOR SPECIFIC AUTHORIZATION.—No such''; and

(B) by striking ''$2,000,000'' and inserting ''$5,000,000''; and

(4) by adding at the end the following:

''(d) COORDINATION.—The Secretary shall—

''(1) coordinate the implementation of the measures under this section with other Federal and non-Federal shore protection projects in the same geographic area; and

''(2) to the extent practicable, combine mitigation projects with other shore protection projects in the same area into a comprehensive regional project.''.

TITLE III—PROJECT-RELATED PROVISIONS

SEC. 301. DREDGING OF SALT PONDS IN THE STATE OF RHODE ISLAND.

The Secretary may acquire for the State of Rhode Island a dredge and associated equipment with the capacity to dredge approximately 100 cubic yards per hour for use by the State in dredging salt ponds in the State.

SEC. 302. UPPER SUSQUEHANNA RIVER BASIN, PENNSYLVANIA AND NEW YORK.

Section 567(a) of the Water Resources Development Act of 1996 (110 Stat. 3787) is amended by adding at the end the following:

''(3) The Chemung River watershed, New York, at an estimated Federal cost of $5,000,000.''.

SEC. 303. SMALL FLOOD CONTROL PROJECTS.

Section 102 of the Water Resources Development Act of 1996 (110 Stat. 3668) is amended—

(1) by redesignating paragraphs (15) through (22) as paragraphs (16) through (23), respectively;

(2) by inserting after paragraph (14) the following:

''(15) REPAUPO CREEK AND DELAWARE RIVER, GLOUCESTER COUNTY, NEW JERSEY.—Project for tidegate and levee improvements for Repaupo Creek and the Delaware River, Gloucester County, New Jersey.''; and

(3) by adding at the end the following:

''(24) IRONDEQUOIT CREEK, NEW YORK.—Project for flood control, Irondequoit Creek watershed, New York.

''(25) TIOGA COUNTY, PENNSYLVANIA.—Project for flood control, Tioga River and Cowanesque River and their tributaries, Tioga County, Pennsylvania.''.

SEC. 304. SMALL NAVIGATION PROJECTS.

Section 104 of the Water Resources Development Act of 1996 (110 Stat. 3669) is amended—

(1) by redesignating paragraphs (9) through (12) as paragraphs (10) through (13), respectively; and

(2) by inserting after paragraph (8) the following:

''(9) FORTESCUE INLET, DELAWARE BAY, NEW JERSEY.—Project for navigation for Fortescue Inlet, Delaware Bay, New Jersey.''.

SEC. 305. STREAMBANK PROTECTION PROJECTS.

(a) ARCTIC OCEAN, BARROW, ALASKA.—The Secretary shall evaluate and, if justified under section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r), carry out storm damage reduction and coastal erosion measures at the town of Barrow, Alaska.

(b) SAGINAW RIVER, BAY CITY, MICHIGAN.—The Secretary may construct appropriate control structures in areas along the Saginaw River in the city of Bay City, Michigan, under authority of section 14 of the Flood Control Act of 1946 (33 Stat. 701r).

(c) YELLOWSTONE RIVER, BILLINGS, MONTANA.—The streambank protection project at Coulson Park, along the Yellowstone River, Billings, Montana, shall be eligible for assistance under section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r).

(d) MONONGAHELA RIVER, POINT MARION, PENNSYLVANIA.—The Secretary shall evaluate and, if justified under section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r), carry out streambank erosion control measures along the Monongahela River at the borough of Point Marion, Pennsylvania.

SEC. 306. AQUATIC ECOSYSTEM RESTORATION, SPRINGFIELD, OREGON.

(a) IN GENERAL.—Under section 1135 of the Water Resources Development Act of 1990 (33 Stat. 2309a) or other applicable authority, the Secretary shall conduct measures to address water quality, water flows and fish habitat restoration in the historic Springfield, Oregon, millrace through the reconfiguration of the existing millpond, if the Secretary determines that harmful impacts have occurred as the result of a previously constructed flood control project by the Corps of Engineers.

(b) NON-FEDERAL SHARE.—The non-Federal share, excluding lands, easements, rights-of-way, dredged material disposal areas, and relocations, shall be 25 percent.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $1,500,000.

SEC. 307. GUILFORD AND NEW HAVEN, CONNECTICUT.

The Secretary shall expeditiously complete the activities authorized under section 346 of the Water Resources Development Act of 1992 (106 Stat. 4858), including activities associated with Sluice Creek in Guilford, Connecticut, and Lighthouse Point Park in New Haven, Connecticut.

SEC. 308. FRANCIS BLAND FLOODWAY DITCH.

(a) REDESIGNATION.—The project for flood control, Eight Mile Creek, Paragould, Arkansas, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4112) and known as ''Eight Mile Creek, Paragould, Arkansas'', shall be known and designated as the ''Francis Bland Floodway Ditch''.

(b) LEGAL REFERENCES.—Any reference in any law, map, regulation, document, paper, or other record of the United States to the project and creek referred to in subsection (a) shall be deemed to be a reference to the Francis Bland Floodway Ditch.

SEC. 309. CALOOSAHATCHEE RIVER BASIN, FLORIDA.

Section 528(e)(4) of the Water Resources Development Act of 1996 (110 Stat. 3770) is amended in the first sentence by inserting before the period at the end the following: '', including potential land acquisition in the Caloosahatchee River basin or other areas''.

SEC. 310. CUMBERLAND, MARYLAND, FLOOD PROJECT MITIGATION.

(a) IN GENERAL.—The project for flood control and other purposes, Cumberland, Maryland, authorized by section 5 of the Act of June 22, 1936 (commonly known as the ''Flood Control Act of 1936'') (49 Stat. 1574, chapter 688), is modified to authorize the Secretary to undertake, as a separate part of the project, restoration of the historic Chesapeake and Ohio Canal substantially in accordance with the Chesapeake and Ohio Canal National Historic Park, Cumberland, Maryland, Rewatering Design Analysis, dated February 1998, at a total cost of $15,000,000, with an estimated Federal cost of $9,750,000 and an estimated non-Federal cost of $5,250,000.

(b) IN-KIND SERVICES.—The non-Federal interest for the restoration project under subsection (a)—

(1) may provide all or a portion of the non-Federal share of project costs in the form of in-kind services; and

(2) shall receive credit toward the non-Federal share of project costs for design and construction work performed by the non-Federal interest before execution of a project cooperation agreement and for land, easements, and rights-of-way required for the restoration and acquired by the non-Federal interest before execution of such an agreement.

(c) OPERATION AND MAINTENANCE.—The operation and maintenance of the restoration project under subsection (a) shall be the full responsibility of the National Park Service.

SEC. 311. CITY OF MIAMI BEACH, FLORIDA.

Section 5(b)(3)(C)(i) of the Act of August 13, 1946 (33 U.S.C. 426h), is amended by inserting before the semicolon the following: '', including the city of Miami Beach, Florida''.

SEC. 312. SARDIS RESERVOIR, OKLAHOMA.

(a) IN GENERAL.—The Secretary shall accept from the State of Oklahoma or an agent of the State an amount, as determined under subsection (b), as prepayment of 100 percent of the water supply cost obligation of the State under Contract No. DACW56–74–JC–0314 for water supply storage at Sardis Reservoir, Oklahoma.

(b) DETERMINATION OF AMOUNT.—The amount to be paid by the State of Oklahoma under subsection (a) shall be subject to adjustment in accordance with accepted discount purchase methods for Government properties as determined by an independent accounting firm designated by the Director of the Office of Management and Budget.

(c) EFFECT.—Nothing in this section shall otherwise affect any of the rights or obligations of the parties to the contract referred to in subsection (a).

SEC. 313. UPPER MISSISSIPPI RIVER AND ILLINOIS WATERWAY SYSTEM NAVIGATION MODERNIZATION.

(a) FINDINGS.—Congress finds that—

(1) exports are necessary to ensure job creation and an improved standard of living for the people of the United States;

(2) the ability of producers of goods in the United States to compete in the international marketplace depends on a modern and efficient transportation network;

(3) a modern and efficient waterway system is a transportation option necessary to provide United States shippers a safe, reliable, and competitive means to win foreign markets in an increasingly competitive international marketplace;

(4) the need to modernize is heightened because the United States is at risk of losing its competitive edge as a result of the priority that foreign competitors are placing on modernizing their own waterway systems;

(5) growing export demand projected over the coming decades will force greater demands on the waterway system of the United States and increase the cost to the economy if the system proves inadequate to satisfy growing export opportunities;

(6) the locks and dams on the upper Mississippi River and Illinois River waterway system were built in the 1930s and have some of the highest average delays to commercial tows in the country;

(7) inland barges carry freight at the lowest unit cost while offering an alternative to truck and rail transportation that is environmentally sound, is energy efficient, is safe, causes little congestion, produces little air or noise pollution, and has minimal social impact; and

(8) it should be the policy of the Corps of Engineers to pursue aggressively modernization of the waterway system authorized by Congress to promote the relative competitive position of the United States in the international marketplace.

(b) PRECONSTRUCTION ENGINEERING AND DESIGN.—In accordance with the Upper Mississippi River-Illinois Waterway System Navigation Study, the Secretary shall proceed immediately to prepare engineering design, plans, and specifications for extension

of locks 20, 21, 22, 24, 25 on the Mississippi River and the LaGrange and Peoria Locks on the Illinois River, to provide lock chambers 110 feet in width and 1,200 feet in length, so that construction can proceed immediately upon completion of studies and authorization of projects by Congress.

SEC. 314. UPPER MISSISSIPPI RIVER MANAGEMENT.

Section 1103 of the Water Resources Development Act of 1986 (33 U.S.C. 652) is amended—

(1) in subsection (e)—

(A) by striking ''(e)'' and all that follows through the end of paragraph (2) and inserting the following:

''(e) UNDERTAKINGS.—

''(1) IN GENERAL.—

''(A) AUTHORITY.—The Secretary, in consultation with the Secretary of the Interior and the States of Illinois, Iowa, Minnesota, Missouri, and Wisconsin, is authorized to undertake—

''(i) a program for the planning, construction, and evaluation of measures for fish and wildlife habitat rehabilitation and enhancement; and

''(ii) implementation of a program of long-term resource monitoring, computerized data inventory and analysis, and applied research.

''(B) REQUIREMENTS FOR PROJECTS.—Each project carried out under subparagraph (A)(i) shall—

''(i) to the maximum extent practicable, simulate natural river processes;

''(ii) include an outreach and education component; and

''(iii) on completion of the assessment under subparagraph (D), address identified habitat and natural resource needs.

''(C) ADVISORY COMMITTEE.—In carrying out subparagraph (A), the Secretary shall create an independent technical advisory committee to review projects, monitoring plans, and habitat and natural resource needs assessments.

''(D) HABITAT AND NATURAL RESOURCE NEEDS ASSESSMENT.—

''(i) AUTHORITY.—The Secretary is authorized to undertake a systemic, river reach, and pool scale assessment of habitat and natural resource needs to serve as a blueprint to guide habitat rehabilitation and long-term resource monitoring.

''(ii) DATA.—The habitat and natural resource needs assessment shall, to the maximum extent practicable, use data in existence at the time of the assessment.

''(iii) TIMING.—The Secretary shall complete a habitat and natural resource needs assessment not later than 3 years after the date of enactment of this subparagraph.

''(2) REPORTS.—On December 31, 2005, in consultation with the Secretary of the Interior and the States of Illinois, Iowa, Minnesota, Missouri, and Wisconsin, the Secretary shall prepare and submit to Congress a report that—

''(A) contains an evaluation of the programs described in paragraph (1);

''(B) describes the accomplishments of each program;

''(C) includes results of a habitat and natural resource needs assessment; and

''(D) identifies any needed adjustments in the authorization under paragraph (1) or the authorized appropriations under paragraphs (3), (4), and (5).'';

(B) in paragraph (3)—

(i) by striking ''paragraph (1)(A)'' and inserting ''paragraph (1)(A)(i)''; and

(ii) by striking ''Secretary not to exceed'' and all that follows and inserting ''Secretary not to exceed $22,750,000 for each of fiscal years 1999 through 2009.'';

(C) in paragraph (4)—

(i) by striking ''paragraph (1)(B)'' and inserting ''paragraph (1)(A)(ii)''; and

(ii) by striking ''$7,680,000'' and all that follows and inserting ''$10,420,000 for each of fiscal years 1999 through 2009.'';

(D) by striking paragraphs (5) and (6) and inserting the following:

''(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out paragraph (1)(C) not to exceed $350,000 for each of fiscal years 1999 through 2009.

''(6) TRANSFER OF AMOUNTS.—

''(A) IN GENERAL.—For each fiscal year beginning after September 30, 1992, the Secretary, in consultation with the Secretary of the Interior and the States of Illinois, Iowa, Minnesota, Missouri, and Wisconsin, may transfer appropriated amounts between the programs under clauses (i) and (ii) of paragraph (1)(A) and paragraph (1)(C).

''(B) APPORTIONMENT OF COSTS.—In carrying out paragraph (1)(D), the Secretary may apportion the costs equally between the programs authorized by paragraph (1)(A).''; and

(E) in paragraph (7)—

(i) in subparagraph (A)—

(I) by inserting ''(i)'' after ''paragraph (1)(A)''; and

(II) by inserting before the period at the end the following: ''and, in the case of any project requiring non-Federal cost sharing, the non-Federal share of the cost of the project shall be 35 percent''; and

(ii) in subparagraph (B), by striking ''paragraphs (1)(B) and (1)(C) of this subsection'' and inserting ''paragraph (1)(A)(ii)'';

(2) in subsection (f)(2)—

(A) in subparagraph (A), by striking ''(A)''; and

(B) by striking subparagraph (B); and

(3) by adding at the end the following:

''(k) ST. LOUIS AREA URBAN WILDLIFE HABITAT.—The Secretary shall investigate and, if appropriate, carry out restoration of urban wildlife habitat, with a special emphasis on the establishment of greenways in the St. Louis, Missouri, area and surrounding communities.''.

SEC. 315. RESEARCH AND DEVELOPMENT PROGRAM FOR COLUMBIA AND SNAKE RIVERS SALMON SURVIVAL.

Section 511 of the Water Resources Development Act of 1996 (16 U.S.C. 3301 note; Public Law 104–303) is amended by striking subsection (a) and all that follows and inserting the following:

''(a) SALMON SURVIVAL ACTIVITIES.—

''(1) IN GENERAL.—In conjunction with the Secretary of Commerce and Secretary of the Interior, the Secretary shall accelerate ongoing research and development activities, and may carry out or participate in additional research and development activities, for the purpose of developing innovative methods and technologies for improving the survival of salmon, especially salmon in the Columbia/Snake River Basin.

''(2) ACCELERATED ACTIVITIES.—Accelerated research and development activities referred to in paragraph (1) may include research and development related to—

''(A) impacts from water resources projects and other impacts on salmon life cycles;

''(B) juvenile and adult salmon passage;

''(C) light and sound guidance systems;

''(D) surface-oriented collector systems;

''(E) transportation mechanisms; and

''(F) dissolved gas monitoring and abatement.

''(3) ADDITIONAL ACTIVITIES.—Additional research and development activities referred to in paragraph (1) may include research and development related to—

''(A) studies of juvenile salmon survival in spawning and rearing areas;

''(B) estuary and near-ocean juvenile and adult salmon survival;

''(C) impacts on salmon life cycles from sources other than water resources projects;

''(D) cryopreservation of fish gametes and formation of a germ plasm repository for threatened and endangered populations of native fish; and

''(E) other innovative technologies and actions intended to improve fish survival, including the survival of resident fish.

''(4) COORDINATION.—The Secretary shall coordinate any activities carried out under this subsection with appropriate Federal, State, and local agencies, affected Indian tribes, and the Northwest Power Planning Council.

''(5) REPORT.—Not later than 3 years after the date of enactment of this section, the Secretary shall submit to Congress a report on the research and development activities carried out under this subsection, including any recommendations of the Secretary concerning the research and development activities.

''(6) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $10,000,000 to carry out research and development activities under paragraph (3).

''(b) ADVANCED TURBINE DEVELOPMENT.—

''(1) IN GENERAL.—In conjunction with the Secretary of Energy, the Secretary shall accelerate efforts toward developing and installing in Corps of Engineers-operated dams innovative, efficient, and environmentally safe hydropower turbines, including design of fish-friendly turbines, for use on the Columbia/Snake River hydrosystem.

''(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $35,000,000 to carry out this subsection.

''(c) MANAGEMENT OF PREDATION ON COLUMBIA/SNAKE RIVER SYSTEM NATIVE FISHES.—

''(1) NESTING AVIAN PREDATORS.—In conjunction with the Secretary of Commerce and the Secretary of the Interior, and consistent with a management plan to be developed by the United States Fish and Wildlife Service, the Secretary shall carry out methods to reduce nesting populations of avian predators on dredge spoil islands in the Columbia River under the jurisdiction of the Secretary.

''(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $1,000,000 to carry out research and development activities under this subsection.

''(d) IMPLEMENTATION.—Nothing in this section affects the authority of the Secretary to implement the results of the research and development carried out under this section or any other law.''.

SEC. 316. NINE MILE RUN HABITAT RESTORATION, PENNSYLVANIA.

The Secretary may credit against the non-Federal share such costs as are incurred by the non-Federal interests in preparing environmental and other preconstruction documentation for the habitat restoration project, Nine Mile Run, Pennsylvania, if the Secretary determines that the documentation is integral to the project.

SEC. 317. LARKSPUR FERRY CHANNEL, CALIFORNIA.

The Secretary shall work with the Secretary of Transportation on a proposed solution to carry out the project to maintain the Larkspur Ferry Channel, Larkspur, California, authorized by section 601(d) of the Water Resources Development Act of 1986 (100 Stat. 4148).

SEC. 318. COMPREHENSIVE FLOOD IMPACT-RESPONSE MODELING SYSTEM.

(a) IN GENERAL.—The Secretary may study and implement a Comprehensive Flood Impact-Response Modeling System for the Coralville Reservoir and the Iowa River watershed, Iowa.

(b) STUDY.—The study shall include—

(1) an evaluation of the combined hydrologic, geomorphic, environmental, economic, social, and recreational impacts of operating strategies within the watershed;

(2) creation of an integrated, dynamic flood impact model; and

(3) the development of a rapid response system to be used during flood and emergency situations.

(c) REPORT TO CONGRESS.—Not later than 5 years after the date of enactment of this Act, the Secretary shall transmit a report to Congress on the results of the study and modeling system and such recommendations as the Secretary determines to be appropriate.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated a total of $2,250,000 to carry out this section.

SEC. 319. STUDY REGARDING INNOVATIVE FINANCING FOR SMALL AND MEDIUM-SIZED PORTS.

(a) STUDY.—The Comptroller General of the United States shall conduct a study and analysis of various alternatives for innovative financing of future construction, operation, and maintenance of projects in small and medium-sized ports.

(b) REPORT.—Not later than 270 days after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Environment and Public Works of the Senate and Committee on Transportation and Infrastructure of the House of Representatives and the results of the study and any related legislative recommendations for consideration by Congress.

SEC. 320. CANDY LAKE PROJECT, OSAGE COUNTY, OKLAHOMA.

(a) DEFINITIONS.—In this section:

(1) FAIR MARKET VALUE.—The term ''fair market value'' means the amount for which a willing buyer would purchase and a willing seller would sell a parcel of land, as determined by a qualified, independent land appraiser.

(2) PREVIOUS OWNER OF LAND.—The term ''previous owner of land'' means a person (including a corporation) that conveyed, or a descendant of a deceased individual who conveyed, land to the Corps of Engineers for use in the Candy Lake project in Osage County, Oklahoma.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Army.

(b) LAND CONVEYANCES.—

(1) IN GENERAL.—The Secretary shall convey, in accordance with this section, all right, title, and interest of the United States in and to the land acquired by the United States for the Candy Lake project in Osage County, Oklahoma.

(2) PREVIOUS OWNERS OF LAND.—

(A) IN GENERAL.—The Secretary shall give a previous owner of land first option to purchase the land described in paragraph (1).

(B) APPLICATION.—

(i) IN GENERAL.—A previous owner of land that desires to purchase the land described in paragraph (1) that was owned by the previous owner of land, or by the individual from whom the previous owner of land is descended, shall file an application to purchase the land with the Secretary not later than 180 days after the official date of notice to the previous owner of land under subsection (c).

(ii) FIRST TO FILE HAS FIRST OPTION.—If more than 1 application is filed for a parcel of land described in paragraph (1), first options to purchase the parcel of land shall be allotted in the order in which applications for the parcel of land were filed.

(C) IDENTIFICATION OF PREVIOUS OWNERS OF LAND.—As soon as practicable after the date of enactment of this Act, the Secretary shall, to the extent practicable, identify each previous owner of land.

(D) CONSIDERATION.—Consideration for land conveyed under this subsection shall be the fair market value of the land.

(3) DISPOSAL.—Any land described in paragraph (1) for which an application has not been filed under paragraph (2)(B) within the applicable time period shall be disposed of in accordance with law.

(4) EXTINGUISHMENT OF EASEMENTS.—All flowage easements acquired by the United States for use in the Candy Lake project in Osage County, Oklahoma, are extinguished.

(c) NOTICE.—

(1) IN GENERAL.—The Secretary shall notify—

(A) each person identified as a previous owner of land under subsection (b)(2)(C), not later than 90 days after identification, by United States mail; and

(B) the general public, not later than 90 days after the date of enactment of this Act, by publication in the Federal Register.

(2) CONTENTS OF NOTICE.—Notice under this subsection shall include—

(A) a copy of this section;

(B) information sufficient to separately identify each parcel of land subject to this section; and

(C) specification of the fair market value of each parcel of land subject to this section.

(3) OFFICIAL DATE OF NOTICE.—The official date of notice under this subsection shall be the later of—

(A) the date on which actual notice is mailed; or

(B) the date of publication of the notice in the Federal Register.

SEC. 321. SALCHA RIVER AND PILEDRIVER SLOUGH, FAIRBANKS, ALASKA.

The Secretary shall evaluate and, if justified under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), carry out flood damage reduction measures along the lower Salcha River and on Piledriver Slough, from its headwaters at the mouth of the Salcha River to the Chena Lakes Flood Control Project, in the vicinity of Fairbanks, Alaska, to protect against surface water flooding.

SEC. 322. EYAK RIVER, CORDOVA, ALASKA.

The Secretary shall evaluate and, if justified under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), carry out flood damage reduction measures along the Eyak River at the town of Cordova, Alaska.

SEC. 323. NORTH PADRE ISLAND STORM DAMAGE REDUCTION AND ENVIRONMENTAL RESTORATION PROJECT.

The Secretary shall carry out a project for ecosystem restoration and storm damage reduction at North Padre Island, Corpus Christi Bay, Texas, at a total estimated cost of $30,000,000, with an estimated Federal cost of $19,500,000 and an estimated non-Federal cost of $10,500,000, if the Secretary finds that the work is technically sound, environmentally acceptable, and economically justified.

SEC. 324. KANOPOLIS LAKE, KANSAS.

(a) WATER SUPPLY.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, in cooperation with the State of Kansas or another non-Federal interest, shall complete a water supply reallocation study at the project for flood control, Kanopolis Lake, Kansas, as a basis on which the Secretary shall enter into negotiations with the State of Kansas or another non-Federal interest for the terms and conditions of a reallocation of the water supply.

(2) OPTIONS.—The negotiations for storage reallocation shall include the following options for evaluation by all parties:

(A) Financial terms of storage reallocation.

(B) Protection of future Federal water releases from Kanopolis Dam, consistent with State water law, to ensure that the benefits expected from releases are provided.

(C) Potential establishment of a water assurance district consistent with other such districts established by the State of Kansas.

(D) Protection of existing project purposes at Kanopolis Dam to include flood control, recreation, and fish and wildlife.

(b) IN-KIND CREDIT.—

(1) IN GENERAL.—The Secretary may negotiate a credit for a portion of the financial repayment to the Federal Government for work performed by the State of Kansas, or another non-Federal interest, on land adjacent or in close proximity to the project, if the work provides a benefit to the project.

(2) WORK INCLUDED.—The work for which credit may be granted may include watershed protection and enhancement, including wetland construction and ecosystem restoration.

SEC. 325. NEW YORK CITY WATERSHED.

Section 552(d) of the Water Resources Development Act of 1996 (110 Stat. 3780) is amended by striking ''for the project to be carried out with such assistance'' and inserting '', or a public entity designated by the State director, to carry out the project with such assistance, subject to the project's meeting the certification requirement of subsection (c)(1)''.

SEC. 326. CITY OF CHARLEVOIX REIMBURSEMENT, MICHIGAN.

The Secretary shall review and, if consistent with authorized project purposes, reimburse the city of Charlevoix, Michigan, for the Federal share of costs associated with construction of the new revetment connection to the Federal navigation project at Charlevoix Harbor, Michigan.

SEC. 327. HAMILTON DAM FLOOD CONTROL PROJECT, MICHIGAN.

The Secretary may construct the Hamilton Dam flood control project, Michigan, under authority of section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

SEC. 328. HOLES CREEK FLOOD CONTROL PROJECT, OHIO.

(a) IN GENERAL.—Notwithstanding any other provision of law, the non-Federal share of project costs for the project for flood control, Holes Creek, Ohio, shall not exceed the sum of—

(1) the total amount projected as the non-Federal share as of September 30, 1996, in the Project Cooperation Agreement executed on that date; and

(2) 100 percent of the amount of any increases in the cost of the locally preferred plan over the cost estimated in the Project Cooperation Agreement.

(b) REIMBURSEMENT.—The Secretary shall reimburse the non-Federal interest any amount paid by the non-Federal interest in excess of the non-Federal share.

SEC. 329. OVERFLOW MANAGEMENT FACILITY, RHODE ISLAND.

Section 585(a) of the Water Resources Development Act of 1996 (110 Stat. 3791) is amended by striking ''river'' and inserting ''sewer''.

Mr. CHAFEE. Mr. President, today I am pleased to join other members of the Committee on Environment and Public Works in introducing the Water Resources Development Act of 1999. This measure, similar to water resources legislation enacted in 1986, 1988, 1990, 1992, and 1996, is comprised of water resources project and study authorizations and policy modifications for the U.S. Army Corps of Engineers Civil Works program.

The bill we are proposing today is virtually identical to legislation that was approved unanimously by the Senate last October. That measure, S. 2131,

was sent to the House late in the previous Congress and, despite and best efforts of our colleagues in the other body, went no further. As such, it is our desire to advance this year's bill as expeditiously as possible.

We have carefully reviewed each item within the bill and have included those that are consistent with the committee's traditional authorization criteria. Mr. President, let me take a few moments here to discuss these criteria—that is—the criteria used by the Committee to judge project authorization requests.

On November 17, 1986, President Reagan signed into law the Water Resources Development Act of 1986. Importantly, the 1986 act marked an end to the 16-year deadlock between Congress and the Executive Branch regarding authorization of the Army Corps Civil Works program.

In addition to authorizing numerous projects, the 1986 act resolved longstanding disputes relating to cost-sharing between the Army Corps and nonfederal sponsors, waterway user fees, environmental requirements and, importantly, the types of projects in which Federal involvement is appropriate and warranted.

The criteria used to develop the legislation before us are consistent with the reforms and procedures established in the landmark Water Resources Development Act of 1986.

Is a project for flood control, navigation or some other purpose cost-shared in a manner consistent with the 1986 act?

Have all of the requisite reports and studies on economic, engineering and environmental feasibility been completed for a project?

Is a project consistent with the traditional and appropriate mission of the Army Corps?

Should the federal government be involved?

These, Mr. President, are the fundamental questions that we have applied to each and every project included here for authorization.

This legislation, only slightly modified from last year's Senate-passed bill, authorizes the Secretary of the Army to construct some 36 projects for flood control, navigation, and environmental restoration. The bill also modifies 43 existing Army Corps projects and authorizes 29 project studies. In total, this bill authorizes an estimated federal cost of 2.1 billion dollars. The only significant changes in this year's version are that we have extracted projects authorized in the FT99 Omnibus Appropriations Act.

Mr. President, this legislation includes other project-specific and general provisions related to Army Corps operations. Among them are two provisions sought by Senator BOND and others to enhance the environment along the Missouri and Mississippi Rivers. We have also included a modified version of the Administration's so-called Challenge 21 initiative to encourage more non-structural flood control and environmental projects. In addition, we are recommending that the cost-sharing formula be changed for maintenance of future shoreline protection projects.

Finally, Mr. President, I want to indicate that we have encouraged our colleagues in the House of Representatives to try to resolve their differences on the proposed Sacramento, California, flood control project. It seems to me that there are legitimate concerns and issues on both sides, but I am optimistic that they will reach an agreement. I stand ready to do whatever I can to facilitate a successful resolution.

This legislation is vitally important for countless states and communities across the country. For economic and life-safety reasons, we must maintain our harbors, ports and inland waterways, our flood control levees and shorelines, and the environment. I ask for the cooperation of colleagues so that we can swiftly complete this unfinished business from 1998. It would be my strong desire to complete action on this bill within the next several weeks so that we can prepare for WRDA 2000.

By Mr. DODD (for himself and Mr. COVERDELL):

S. 509. A bill to amend the Peace Corps Act to authorize appropriations for fiscal years 2000 through 2003 to carry out that Act, and for other purposes; to the Committee on Foreign Relations.

PEACE CORPS ACT AMENDMENTS

Mr. DODD. Mr. President, I rise today to speak about the Peace Corps and to join with my colleague Senator PAUL COVERDELL to introduce legislation to make technical modifications to the Peace Corps Act.

The changes made by this legislation are purely technical and largely designed to remove certain outmoded restrictions on Peace Corps activities. I would ask unanimous consent to have printed in the RECORD a section-by-section analysis of this bill at the conclusion of my remarks.

Now let me turn to the general subject of the Peace Corps as today is the thirty eighth anniversary of its establishment. Thirty eight years ago, a young President recognized the power that American ingenuity, idealism and, most of all, volunteerism could have on the lives of people around the world. In order to harness that energy, President Kennedy formed a small army, not of soldiers to make war, but of volunteers to build peace through mutual understanding.

Since its inception in 1961, more than 151,000 Peace Corps volunteers have battled against the scourges of malnutrition, illiteracy and economic underdevelopment in 132 countries around the world. I can speak with some personal experience about the Peace Corps as I have had the privilege to serve as a volunteer. In fact, slightly more than thirty years ago, I arrived back in the United States after spending two years as a Peace Corps Volunteer in a rural village in the Dominican Republic. Like many who heeded President Kennedy's call to do something larger than ourselves, to be a part of something greater than our own existence, my service in the Peace Corps remains one of the most important periods in my life.

When I served in the Peace Corps, nearly all of us volunteers had similar experiences. We worked in small isolated villages with little in the way of modern conveniences. The world since that time has changed and the Peace Corps has been evolving to meet new demands. Today's volunteers specialize in education, the environment, small business, agriculture and other fields. In 1996, the Peace Corps developed a ''Crisis Corps'' to provide short term emergency and humanitarian assistance in situations ranging from natural disasters to refugee crises. While many volunteers continue to live in remote villages, this is no longer an iron clad rule. Some now labor in urban areas, passing on the skills needed to start and run businesses.

The more than 6,500 volunteers who today serve in 87 nations are a more diverse group than the one I joined three decades ago. When I served, the Corps was mostly male and mostly young. Today, however, nearly sixty percent of all volunteers are women, a quarter are over 29, and six percent are over fifty. While the face and methods of the Peace Corps have changed over the years, its goal has remained constant: to help people of other countries meet their needs for trained personnel; to help promote understanding of the American people by those we serve; and to help promote better understanding among the American people about the world beyond our borders.

By building bridges between the United States and other countries, the Peace Corps advances our foreign policy by communicating America's values and ideas to other peoples around the globe.

It is an indication of the success of the Peace Corps that, while the current class of volunteers is providing new services and working in countries never served before, the demand continues to outpace supply. We need only look at a newspaper, Mr. President, to see where Peace Corps volunteers are needed. In the Caribbean countries ravaged by Hurricane Georges and Mitch, in formerly war-torn areas of Africa and in countries where the skills needed to start a business have been nearly erased by decades of communist rule. In order to meet these needs, Congress and President Clinton have set the admirable goal of reaching 10,000 Peace Corps volunteers by 2000.

The Peace Corps, Mr. President, stands as an example of what is great about the United States. Our volunteerism, humanity and sense of justice are proudly displayed in the face of each volunteer we send overseas. And

every time I meet volunteers about to embark on their two years of service, I share their sense of excitement. If each of us, in our daily lives, work in the same spirit as those volunteers—helping those around us and sharing the values of our nation—the United States will indeed have a proud and bright future.

Mr. President, I ask unanimous consent that a summary and the text of the bill be printed in the RECORD.

There being no objection, the material was orderd printed in the RECORD, as follows:

S. 509

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

SECTION 1. AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEARS 2000 THROUGH 2003 TO CARRY OUT THE PEACE CORPS ACT.

Section 3(b) of the Peace Corps Act (22 U.S.C. 2502(b)) is amended to read as follows:

''(b)(1) There are authorized to be appropriated to carry out the purposes of this Act $270,000,000 for fiscal year 2000, $298,000,000 for fiscal year 2001, $327,000,000 for fiscal year 2002, and $365,000,000 for fiscal year 2003.

''(2) Amounts authorized to be appropriated under paragraph (1) for a fiscal year are authorized to remain available for that fiscal year and the subsequent fiscal year.''.

SEC. 2. MISCELLANEOUS AMENDMENTS TO THE PEACE CORPS ACT.

(a) INTERNATIONAL TRAVEL.—Section 15(d) of such Act (22 U.S.C. 2514(d)) is amended—

(1) in paragraph (11), by striking ''and'' at the end;

(2) in paragraph (12), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(13) the transportation of Peace Corps employees, Peace Corps volunteers, dependents of such employees and volunteers, and accompanying baggage, by a foreign air carrier when the transportation is between two places outside the United States without regard to section 40118 of title 49, United States Code.''.

(b) TECHNICAL AMENDMENTS.—(1) Section 5(f)(1)(B) of such Act (22 U.S.C. 2504(f)(1)(B)) is amended by striking ''Civil Service Commission'' and inserting ''Office of Personnel Management''.

(2) Section 5(h) of such Act (22 U.S.C. 2504(h)) is amended by striking ''the Federal Voting Assistance Act of 1955 (5 U.S.C. 2171 et seq.)'' and all that follows through ''(31 U.S.C. 492a),'' and inserting ''section 3342 of title 31, United States Code, section 5732 and''.

(3) Section 5(j) of such Act (22 U.S.C. 2504(j)) is amended by striking ''section 1757 of the Revised Statutes of the United States'' and all that follows and inserting ''section 3331 of title 5, United States Code.''.

(4) Section 10(a)(4) of such Act (22 U.S.C. 2509(a)(4)) is amended by striking ''31 U.S.C. 665(b)'' and inserting ''section 1342 of title 31, United States Code''.

(5) Section 15(c) of such Act (22 U.S.C. 2514(c)) is amended by striking ''Public Law 84–918 (7 U.S.C. 1881 et seq.)'' and inserting ''subchapter VI of chapter 33 of title 5, United States Code''.

(6) Section 15(d)(2) of such Act (22 U.S.C. 2514(d)(2)) is amended by striking ''section 9 of Public Law 60–328 (31 U.S.C. 673)'' and inserting ''section 1346 of title 31, United States Code''.

(7) Section 15(d)(6) of such Act (22 U.S.C. 2514(d)(6)) is amended by striking ''without regard to section 3561 of the Revised Statutes (31 U.S.C. 543)''.

(8) Section 15(d)(11) of such Act (22 U.S.C. 2514(d)(11)), as amended by this section, is further amended by striking ''Foreign Service Act of 1946, as amended (22 U.S.C. 801 et seq.)'' and inserting ''Foreign Service Act of 1980 (22 U.S.C. 3901 et seq.)''.

SECTION-BY-SECTION ANALYSIS

SEC. 1. AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEARS 2000 THROUGH 2003 TO CARRY OUT THE PEACE CORPS ACT

This section amends the Peace Corps Act to provide the following authorizations of appropriations: Fiscal Year 2000—$270 million, Fiscal Year 2001—$298 million, Fiscal Year 2002—$327 million, Fiscal Year 2003—$365 million. The Committee understands that these amounts are consistent with Office of Management & Budget and Peace Corps estimates of amounts required to meet the 10,000 volunteer target by the end of Fiscal Year 2003. The Committee also understands that these amounts are already part of the Administration's outyear projections for Fiscal Years 2001–2003.

SEC. 2. MISCELLANEOUS AMENDMENTS TO THE PEACE CORPS ACT

Section 2(a) adds a new paragraph (13) to subsection 15(d).1

[Footnote] The new paragraph would exempt the Peace Corps from 49 U.S.C. 40118 with respect to flights between two points abroad to the same extent other foreign service agencies are exempt from that section.

[Footnote] 122 U.S.C. subsection 2214(d).

Under 49 U.S.C. subsection 40118(d), the Department of State and the Agency for International Development (AID) are exempt from the requirements of 49 U.S.C. 40118 for travel between two places outside the United States by employees and their dependents. Determining which carriers overseas are U.S. certified or have agreements with the U.S. that qualify them under section 40118 is a complex undertaking. Posts and individuals must make decisions in this area at the risk of having their travel costs disallowed. The Committee believes that administrative provisions affecting foreign service agencies should be as consistent as possible. For instance, a Peace Corps employee who is flying with an AID employee to attend a meeting should be able to fly on the same plane without fear of being penalized under section 40118. This provision would extend to Peace Corps employees and Volunteers the same treatment now available to other foreign service agency employees.

Section 2(b) makes technical changes to sections 5, 10 and 15 of the Peace Corps Act (hereinafter the Act) to reflect changes in statutory citations that have occurred since enactment of the Act.

Section 2(b)(1) strikes out 'Civil Service Commission' in section 5(f)(1)(B) and inserts in lieu thereof 'Office of Personnel Management.' The Civil Service Commission was replaced by the Office of Personnel Management in 1966.

Section 2(b)(2) amends section 5(h) of the Act (22 U.S.C. 2504(h)) in several respects. It strikes out references to the Federal Voting Assistance Act of 1955 (5 U.S.C. 2171 et seq.), the Act of June 4, 1954, chapter 264, section 4 (5 U.S.C. 73b–5, the Act of December 23, 1944, chapter 716, section 1, as amended (31 U.S.C. 492a) and inserts references to 5 U.S.C. 5732 and 31 U.S.C. 3342. The Federal Voting Assistance Act has been repealed and replaced by a provision (42 U.S.C. 1973cc et seq.) which is available to all American citizens overseas. It is unnecessary, therefore, to consider Volunteers federal employees to provide them with the benefits of the Act; therefore, the reference to voter assistance in this provision can be deleted. The replacement of references to sections of titles 5 and 31 with references to 5 U.S.C. 5732 and 31 U.S.C. 3342 reflect recodification of provisions relating to reimbursement for the cost of transportation of baggage and effects, and check cashing privileges in those titles. No substantive change is involved.

Section 2(b)(3) replaces the reference to 'section 1757 of the Revised Statutes of the United States, as amended (5 U.S.C. 16)' with 'section 3331 of title 5, United States Code,' reflecting the codification of the statutory oath for employees in 1966.

Section 2(b)(4) replaces the reference to 31 U.S.C. 665(b) with '31 U.S.C. 1342,' reflecting the 1982 revision of title 31.

Section 2(b)(5) amends section 15(c)2

[Footnote] by striking out 'Public Law 84–918 (7 U.S.C. 1881 et seq.)' and inserting in lieu thereof subchapter VI of chapter 33, title 5, United States Code (5 U.S.C. 3371 et seq.).' Section 15(c) of the Peace Corps Act authorizes training for employees at private and public agencies. The statutory provisions relating to employee training were transferred from title 7 to title 5 in 1970.

[Footnote] 222 U.S.C. subsection 2514(c).

Section 2(b)(6) amends paragraph 15(d)(2)3

[Footnote] by striking out 'section 9 of Public Law 60–328 (31 U.S.C. 673)' and inserts in lieu thereof 31 U.S.C. 1346.' This section of the Peace Corps Act authorizes the payment of expenses to attend meetings related to the Peace Corps Act. No substantive change is intended. It is another change required by the 1982 revision of title 31.

[Footnote] 322 U.S.C. subsection 2514(d)(2).

Section 2(b)(7) strikes out 'without regard to section 3561 of the Revised Statutes (31 U.S.C. 543)'. This statute, which contained a restriction on currency exchanges, has been repealed and apparently was not replaced.

Section 2(b)(8) strikes out 'Foreign Service Act of 1946, as amended (22 U.S.C. 801 et seq.)' and inserts in lieu thereof: 'Foreign Service Act of 1980, as amended (22 U.S.C. 3901 et seq.)'. The Foreign Service Act was rewritten and renamed in 1980.

Mr. COVERDELL. Mr. President, I am pleased to join my colleague from Connecticut, Senator DODD, and my colleagues in the House, in introducing a reauthorization of the Peace Corps Act. This legislation authorizes a 12 percent increase for the fiscal year Peace Corps budget and is part of a multi-year plan to enable the Peace Corps to reach its goal of 10,000 volunteers. Reaching this level has been a long standing goal—set into law in 1985—and I am pleased that this legislation would accomplish this as the Peace Corps readies to enter the 21st century.

As former Director of the Peace Corps, I have learned first-hand of the tremendous impact that the relatively small amount we spend on the Peace Corps has throughout the world. Not only does the Peace Corps continue to be a cost effective tool for providing assistance and developing stronger ties with the international community, it has also trained over 150,000 Americans in the cultures and languages of countries around the world. Returned volunteers often use these skills and experiences to contribute to myriad sectors of our society—government, business, education, health, and social services, just to name a few. What a rich resource the Peace Corps is for the United States as the world grows closer.

Peace Corps volunteers continue to provide unique leadership around the world by representing the finest characteristics of the American people: a strong work ethic, generosity of spirit, and a commitment to service. The interpersonal nature of the Peace Corps has allowed volunteers to establish a collective record of public service that is well respected and recognized in all corners of the world.

Several Members of Congress, including Senator DODD, have contributed to this legacy of service and volunteerism. I believe they have experienced the value of the Peace Corps and its commitment to serving others, and I am certain that my colleague from Connecticut would consider this Peace Corps experience invaluable to his work today. As I have said before and I think it deserves repeating, virtually every ambassador and official representative I have met from countries with volunteers is an enthusiastic supporter of the Peace Corps. They all have viewed the Peace Corps as the most successful program of its kind.

Mr. President, I believe that the time is right to expand the number of Peace Corps volunteers. As the needs of people in developing countries continue to grow, so too does the number of enthusiastic Americans desiring to serve. Over the last 4 years, the number of Americans requesting information about joining the Peace Corps increased by almost 40 percent. Yet, during the same period, the Peace Corps has only been able to support a 2 percent-increase in volunteers.

In addition, the Peace Corps has taken steps to streamline agency operations to channel more resources in support of additional volunteers. Headquarter staffing has been reduced 13 percent since 1993. Five of 16 domestic recruiting offices and 13 country programs have been closed since fiscal year 1996. Financial savings in basic business operations have been achieved by realigning the headquarters organization and improving overseas financial operations. The sum of all the financial savings have contributed to a 14 percent-reduction in the average cost per volunteer (in constant dollars) since 1993.

Today, nearly 6,700 volunteers serve in 80 countries around the world, working with local communities to build a better future. This increase in Volunteers will help the Peace Corps expand in areas such as the Caucasus, Central Asia, and Africa as well as in Jordan, China, Bangladesh, and Mozambique. Increased funding will also help expand the work of the ''Crisis Corps,'' a group of experienced Peace Corps volunteers who have the necessary background to make valuable contributions in emergency situations. Crisis Corp volunteers, by the way, are serving today in Central America, assisting the region in its recovery from the terrible devastation of Hurricane Mitch.

Finally, this proposed authorization will serve to strengthen the Peace Corps as it prepares to enter the 21st century, putting it on the firm footing it needs and deserves. I firmly believe that a rejuvenated Peace Corps will help ensure that America continues to be an engaged world leader, and that we continue to share with other countries our own legacy of freedom, independence, and prosperity. This is an investment in our country and our world that we need to make.

By Mr. CAMPBELL (for himself, Mr. CRAIG, Mr. KYL, Mr. CRAPO, Mr. GORTON, and Mr. GRAMS):

S. 510. A bill to preserve the sovereignty of the United States over public lands and acquired lands owned by the United States, and to preserve State sovereignty and private property rights in non-Federal lands surrounding those public lands and acquired lands; to the Committee on Energy and Natural Resources.

THE AMERICAN LAND SOVEREIGNTY PROTECTION ACT

Mr. CAMPBELL. Mr. President, today I introduce the American Land Sovereignty Protection Act of 1999. I am pleased to be joined by my colleagues, Senators CRAIG, KYL, CRAPO, GORTON, and GRAMS who are original cosponsors of the bill.

This bill enforces our position as strong supporters of American public lands and private property rights, and is based upon legislation which I introduced in the 105th Congress, S. 2098. Since then I have received input from Coloradans and revised the bill accordingly, as I am concerned about the setting aside of public lands by the federal government for international agreements and oversight.

The absence of congressional oversight in such programs as the United Nations Biosphere Reserve is of special concern to me. The United Nations has designated 47 Biosphere Reserves in the United States which contain a total area greater than the size of my home state of Colorado.

The United Nations remains the only multi-national body to share perspectives on a global scale. The United States, as the leading economic and military world power, should maintain an influential role. However, the intrusive implications of the U.N. Biosphere Reserve program have created a problem that must be addressed by the Congress.

A Biosphere Reserve is a federally-zoned and coordinated region that could prohibit certain uses of private lands outside of the designated international area. The executive branch is agreeing to manage the designated area in accordance with an underlying agreement which may have implications on non-federal land outside the affected area. For example, when residents of Arkansas discovered a plan by the United Nations and the administration to advance a proposed Ozark Highland Man and Biosphere Reserve without public input, the plan was withdrawn in the face of public pressure. This type of stealth tactic to accommodate international interests does not serve the needs and desires of the American people. Rather, it is an encroachment by the Executive branch on congressional authority.

We are facing a threat to our sovereignty by the creation of these land reserves in our public lands. I also believe the rights of private landowners must be protected if these international land designations are made. Even more disturbing is the fact the executive branch elected to be a party to this ''Biosphere Reserve'' program without the approval of Congress or the American people. The absence of congressional oversight in this area is a serious concern.

In fact most of these international land reserves have been created with minimal, if any, congressional input or oversight or public consultation. The current system for implementing international land reserves diminishes the power and sovereignty of the Congress to exercise its constitutional power to make laws that govern lands belonging to the United States. Congress must protect individual property owners, local communities, and state sovereignty which may be adversely impacted economically by any such international agreements.

As policymaking authority is further centralized by the executive branch at the federal level, the role of ordinary citizens in the making of this policy through their elected representatives is diminished. The administration has allowed some of America's most symbolic monuments of freedom, such as the Statue of Liberty and Independence Hall to be listed as World Heritage Sites. Furthermore the United Nations has listed national parks including Yellowstone National Park—our nation's first national park—as a World Heritage Site.

Federal legislation is needed to require the specific approval of Congress before any area within the borders of the United States is made part of an international land reserve. My bill reasserts Congress' Constitutional role in the creation of rules and regulations governing lands belonging to the United States and its people.

I ask unanimous consent that the bill be printed in the RECORD and urge my colleagues to support its passage.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 510

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''American Land Sovereignty Protection Act''.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) The power to dispose of and make all needful rules and regulations governing lands belonging to the United States is vested in the Congress under article IV, section 3, of the Constitution.

(2) Some Federal land designations made pursuant to international agreements concern land use policies and regulations for lands belonging to the United States which under article IV, section 3, of the Constitution can only be implemented through laws enacted by the Congress.

(3) Some international land designations, such as those under the United States Biosphere Reserve Program and the Man and Biosphere Program of the United Nations Scientific, Educational, and Cultural Organization, operate under independent national committees, such as the United States National Man and Biosphere Committee, which have no legislative directives or authorization from the Congress.

(4) Actions by the United States in making such designations may affect the use and value of nearby or intermixed non-Federal lands.

(5) The sovereignty of the States is a critical component of our Federal system of government and a bulwark against the unwise concentration of power.

(6) Private property rights are essential for the protection of freedom.

(7) Actions by the United States to designate lands belonging to the United States pursuant to international agreements in some cases conflict with congressional constitutional responsibilities and State sovereign capabilities.

(8) Actions by the President in applying certain international agreements to lands owned by the United States diminishes the authority of the Congress to make rules and regulations respecting these lands.

(b) PURPOSE.—The purposes of this Act are the following:

(1) To reaffirm the power of the Congress under article IV, section 3, of the Constitution over international agreements which concern disposal, management, and use of lands belonging to the United States.

(2) To protect State powers not reserved to the Federal Government under the Constitution from Federal actions designating lands pursuant to international agreements.

(3) To ensure that no United States citizen suffers any diminishment or loss of individual rights as a result of Federal actions designating lands pursuant to international agreements for purposes of imposing restrictions on use of those lands.

(4) To protect private interests in real property from diminishment as a result of Federal actions designating lands pursuant to international agreements.

(5) To provide a process under which the United States may, when desirable, designate lands pursuant to international agreements.

SEC. 3. CLARIFICATION OF CONGRESSIONAL ROLE IN WORLD HERITAGE SITE LISTING.

Section 401 of the National Historic Preservation Act Amendments of 1980 (Public Law 96–515; 94 Stat. 2987) is amended—

(1) in subsection (a) in the first sentence, by—

(A) striking ''The Secretary'' and inserting ''Subject to subsections (b), (c), (d), and (e), the Secretary''; and

(B) inserting ''(in this section referred to as the 'Convention')'' after ''1973''; and

(2) by adding at the end the following new subsections:

''(d)(1) The Secretary of the Interior may not nominate any lands owned by the United States for inclusion on the World Heritage List pursuant to the Convention, unless—

''(A) the Secretary finds with reasonable basis that commercially viable uses of the nominated lands, and commercially viable uses of other lands located within 10 miles of the nominated lands, in existence on the date of the nomination will not be adversely affected by inclusion of the lands on the World Heritage List, and publishes that finding;

''(B) the Secretary has submitted to the Congress a report describing—

''(i) natural resources associated with the lands referred to in subparagraph (A); and

''(ii) the impacts that inclusion of the nominated lands on the World Heritage List would have on existing and future uses of the nominated lands or other lands located within 10 miles of the nominated lands; and

''(C) the nomination is specifically authorized by a law enacted after the date of enactment of the American Land Sovereignty Protection Act and after the date of publication of a finding under subparagraph (A) for the nomination.

''(2) The President may submit to the Speaker of the House of Representatives and the President of the Senate a proposal for legislation authorizing such a nomination after publication of a finding under paragraph (1)(A) for the nomination.

''(e) The Secretary of the Interior shall object to the inclusion of any property in the United States on the list of World Heritage in Danger established under Article 11.4 of the Convention, unless—

''(1) the Secretary has submitted to the Speaker of the House of Representatives and the President of the Senate a report describing—

''(A) the necessity for including that property on the list;

''(B) the natural resources associated with the property; and

''(C) the impacts that inclusion of the property on the list would have on existing and future uses of the property and other property located within 10 miles of the property proposed for inclusion; and

''(2) the Secretary is specifically authorized to assent to the inclusion of the property on the list, by a joint resolution of the Congress after the date of submittal of the report required by paragraph (1).

''(f) The Secretary of the Interior shall submit an annual report on each World Heritage Site within the United States to the Chairman and Ranking Minority member of the Committee on Resources of the House of Representatives and of the Committee on Energy and Natural Resources of the Senate, that contains for the year covered by the report the following information for the site:

''(1) An accounting of all money expended to manage the site.

''(2) A summary of Federal full time equivalent hours related to management of the site.

''(3) A list and explanation of all nongovernmental organizations that contributed to the management of the site.

''(4) A summary and account of the disposition of complaints received by the Secretary related to management of the site.''.

SEC. 4. PROHIBITION AND TERMINATION OF UNAUTHORIZED UNITED NATIONS BIOSPHERE RESERVES.

Title IV of the National Historic Preservation Act Amendments of 1980 (16 U.S.C. 470a–1 et seq.) is amended by adding at the end the following new section:

''SEC. 403. (a) No Federal official may nominate any lands in the United States for designation as a Biosphere Reserve under the Man and Biosphere Program of the United Nations Educational, Scientific, and Cultural Organization.

''(b) Any designation on or before the date of enactment of the American Land Sovereignty Protection Act of an area in the United States as a Biosphere Reserve under the Man and Biosphere Program of the United Nations Educational, Scientific, and Cultural Organization shall not have, and shall not be given, any force or effect, unless the Biosphere Reserve—

''(1) is specifically authorized by a law enacted after that date of enactment and before December 31, 2000;

''(2) consists solely of lands that on that date of enactment are owned by the United States; and

''(3) is subject to a management plan that specifically ensures that the use of intermixed or adjacent non-Federal property is not limited or restricted as a result of that designation.

''(c) The Secretary of State shall submit an annual report on each Biosphere Reserve within the United States to the Chairman and Ranking Minority member of the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, that contains for the year covered by the report the following information for the reserve:

''(1) An accounting of all money expended to manage the reserve.

''(2) A summary of Federal full time equivalent hours related to management of the reserve.

''(3) A list and explanation of all nongovernmental organizations that contributed to the management of the reserve.

''(4) A summary and account of the disposition of the complaints received by the Secretary related to management of the reserve.''.

SEC. 5. INTERNATIONAL AGREEMENTS IN GENERAL.

Title IV of the National Historic Preservation Act Amendments of 1980 (16 U.S.C. 470a–1 et seq.) is further amended by adding at the end the following new section:

''SEC. 404. (a) No Federal official may nominate, classify, or designate any lands owned by the United States and located within the United States for a special or restricted use under any international agreement unless such nomination, classification, or designation is specifically authorized by law. The President may from time to time submit to the Speaker of the House of Representatives and the President of the Senate proposals for legislation authorizing such a nomination, classification, or designation.

''(b) A nomination, classification, or designation, under any international agreement, of lands owned by a State or local government shall have no force or effect unless the nomination, classification, or designation is specifically authorized by a law enacted by the State or local government, respectively.

''(c) A nomination, classification, or designation, under any international agreement, of privately owned lands shall have no force or effect without the written consent of the owner of the lands.

''(d) This section shall not apply to—

''(1) agreements established under section 16(a) of the North American Wetlands Conservation Act (16 U.S.C. 4413); and

''(2) conventions referred to in section 3(h)(3) of the Fish and Wildlife Improvement Act of 1978 (16 U.S.C. 712(2)).

''(e) In this section, the term 'international agreement' means any treaty, compact, executive agreement, convention, bilateral agreement, or multilateral agreement between the United States or any agency of the United States and any foreign entity or agency of any foreign entity, having a primary purpose of conserving, preserving, or protecting the terrestrial or marine environment, flora, or fauna.''.

SEC. 6. CLERICAL AMENDMENT.

Section 401(b) of the National Historic Preservation Act Amendments of 1980 (16 U.S.C. 470a–1(b)) is amended by striking ''Committee on Natural Resources'' and inserting ''Committee on Resources''.

By Mr. McCAIN:

S. 511. A bill to amend the Voting Accessibility for the Elderly and Handicapped Act to ensure the equal right of individuals with disabilities to vote, and for other purposes; to the Committee on Rules and Administration.

VOTING ACCESSIBILITY FOR THE ELDERLY AND HANDICAPPED ACT AMENDMENTS

Mr. MCCAIN. Mr. President, today I am introducing legislation with my dear friend Senator JOHN KERRY which would protect every American's fundamental right to vote. Our bill, ''Improving Accessibility to Voting for Disabled and Elderly Americans'' will ensure that every citizen who wants to vote will be able to vote despite physical disabilities.

The McCain-Kerry bill would strengthen and redefined the existing law, ''Voting Accessibility for the Elderly and Handicapped.'' As many of my colleagues know, Congress implemented this law in 1984 in an attempt to ensure that all Americans has access to voter registration and polling places. At the time this was quite a progressive initiative since it was 15 years prior to the landmark Americans with Disabilities Act which as since helped opened the door for millions of disabled Americans in many aspects of their lives.

As a Member of the House of Representatives, I proudly supported the original 1984 law and was confident that it would eliminate the barriers facing millions of disabled and elderly citizens when they exercise their basic right to vote. Unfortunately, it did not. While it was a step in the right direction it has not completely eradicated inaccessible polling facilities. According to the most recent Federal Election Commission report, which relies on self-reporting by local election officials during the 1992 election, there were at least 19,500 inaccessible polling places. This is not including 9,500 polling places which did not file reports. And since this information is based on self-reporting I am afraid that the actual number of inaccessible polling places may be much higher.

It is deplorable that millions of disabled and elderly voters are not voting because they are faced with too many obstacles, including inaccessible polling places and ballots which are not accessible to blind or visually impaired voters. I find it particularly disconcerning that many of our nation's disabled veterans, the very men and women who have sacrificed so much for our country, are unable to cast their vote because of polling facilities which are not accessible. This is simply wrong. The right to vote is the heat and soul of our democracy, and we must work together to eliminate barriers preventing millions from participating in our democracy.

As America works together for our journey into the new millennium we must ensure that our Democracy continues to include everyone and address the unique needs of each citizen. I am concerned about voter turnout in the last election cycle, 1998 was the lowest since 1942—only 36 percent of eligible voters participated. It is difficult to have representation of the people by the people if the majority of people are not participating.

I find this lack of participation quite disturbing, particularly as our Nation prepares to enter the next century facing a multitude of important issues. What is even more disturbing is the number of citizens who wanted to participate in our election process but were unable to because of inaccessible polling facilities. This is why I am committed to working with Senator KERRY to get this bill passed so that every citizen, particularly the men and women who pledged their lives, fortunes and sacred honor to preserve and protect our Nation, can participate in the voting process.

I hope that my colleagues in the Senate will work with us to enact this important piece of legislation this year so that all Americans can exercise their right to vote with dignity and respect.

This legislation is supported by the Paralyzed Veterans of America, American Foundation for the Blind, New Hampshire Disabilities Rights Center, New Hampshire Developmental Disabilities Council, Granite State Independent Living Foundation, and National Association of Protection and Advocacy Systems. I would like to thank each of them for their commitment to protecting the rights of disabled and elderly Americans.

Mr. President, I request unanimous consent that a copy of the legislation be printed in the RECORD.

There being no objection the test of the bill was to be printed in the RECORD, as follows:

S. 511

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

SECTION 1. AMENDMENT OF VOTING ACCESSIBILITY FOR THE ELDERLY AND HANDICAPPED ACT.

(a) PURPOSE.—Section 2 of the Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. 1973ee) is amended by—

(1) striking ''It'' and inserting ''(a) It''; and

(2) adding at the end the following:

''(b) It is the intention of Congress in enacting this Act to ensure that—

''(1) no individual may be denied the right to vote in a Federal election on the basis of being disabled; and

''(2) every voter has the right to vote independently in a Federal election.''.

(b) ACCESSIBILITY OF POLLING PLACES.—Section 3 of the Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. 1973ee-1) is amended—

(1) in subsection (a), by striking ''each political subdivision'' and all that follows through ''conducting elections'' and inserting ''the chief election officer of the State'';

(2) by striking subsection (b) and inserting the following:

''(b) Subsection (a) shall not apply to a polling place in the case of any unforeseeable natural disaster such as a fire, storm, earthquake, or flood.''; and

(3) by striking subsection (c) and inserting the following:

''(c) The chief election officer of a State shall ensure that all polling methods selected and used for Federal elections are accessible to disabled and elderly voters, including—

''(1) the provision of ballots in a variety of accessible media;

''(2) the provision of instructions that are printed in large type, conspicuously displayed at each polling place;

''(3) the provision of printed information that is generally available to other voters using a variety of accessible media; and

''(4) ensuring that all polling methods used enable disabled and elderly voters to cast votes at polling places during times and under conditions of privacy available to other voters.''.

(c) ACCESSIBILITY OF REGISTRATION FACILITIES AND SERVICES.—Section 5(a) of the Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. 1973ee-3(a)) is amended—

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

(2) by striking paragraph (2) and inserting the following:

''(2) registration information by telecommunications devices for the deaf and in a variety of accessible media; and

''(3) accessible registration procedures to allow each eligible voter to register at the residence of the voter, by mail, or by other means.''.

(d) ENFORCEMENT.—Section 6 of the Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. 1973ee-4) is amended—

(1) in subsection (b), by striking ''45'' and inserting ''21''; and

(2) by striking subsection (c) and inserting the following:

''(c) In an action brought under subsection (a), the State or political subdivision shall be fined an amount—

''(1) not to exceed $5,000 for the first violation of such section; and

''(2) not to exceed $10,000 for each subsequent violation.''.

(e) RELATIONSHIP WITH OTHER LAWS.—Section 7 of the Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. 1973ee-5) is amended—

(1) in the heading, by striking ''VOTING RIGHTS ACT OF 1965'' and inserting ''OTHER LAWS;

(2) by striking ''This'' and inserting ''(a) This''; and

(3) by adding at the end the following:

''(b) Nothing in this Act shall be construed to invalidate or limit the laws of any State or political subdivision that provide greater or equal access to registration or polling for disabled and elderly voters.''.

(f) DEFINITIONS.—Section 8 of the Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. 1973ee-6) is amended—

(1) in paragraph (1), by striking ''chief election'' through ''involved'' and inserting ''Access Board'';

(2) in paragraph (4), by striking ''permanent physical disability; and'' and inserting ''permanent disability;'';

(3) in paragraph (5), by striking the period and inserting a semicolon; and

(4) by adding at the end the following:

''(6) 'Access Board' means the Architectural and Transportation Barriers Compliance Board established under section 502 of the Rehabilitation Act of 1973 (29 U.S.C. 792);

''(7) 'chief election officer' means the State officer or entity, designated by State law or established by practice, responsible for elections within the State;

''(8) 'independently' means without the assistance of another individual; and

''(9) 'media' includes formats using large type, braille, sound recording, or digital text.''.

(g) REFERENCES.—

(1) IN GENERAL.—The Voting Accessibility for the Elderly and Handicapped Act (42

U.S.C. 1973ee et seq.) is amended by striking ''handicapped'' each place it appears and inserting ''disabled''.

(2) REFERENCES IN OTHER LAWS.—Except where inappropriate, any reference to ''handicapped'' in relation to the Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. 1973ee et seq.) in any law, Executive Order, rule, or other document shall include a reference to ''disabled''.

(h) CONFORMING AMENDMENT.—Section 502(b)(3) of the Rehabilitation Act of 1973 (29 U.S.C. 792(b)(3)) is amended by inserting before the semicolon ''and section 3 of the Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. 1973ee-1)''.

SEC. 2. REGULATIONS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall promulgate regulations implementing this Act. Such regulations shall be consistent with the minimum guidelines established by the Access Board.

(b) ACCESS BOARD GUIDELINES.—Not later than 9 months after the date of enactment of this Act, the Access Board shall issue minimum guidelines relating to the requirements in the amendments made by section 1(b) of this Act.

(c) DEFINITION.—In this section, the term ''Access Board'' means the Architectural and Transportation Barriers Compliance Board.

SEC. 3. TRANSITION PLAN.

(a) IN GENERAL.—Not later than 3 months after the date on which regulations are promulgated under section 2(a), the chief election officer of each State shall develop a transition plan to ensure that polling places in the State are in compliance with the requirements of the Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. 1973ee et seq.), as amended by this Act.

(b) COORDINATION WITH LOCAL ELECTION OFFICIALS.—The plan under subsection (a) shall be developed in coordination with—

(1) local election officials; and

(2) individuals with disabilities or organizations representing individuals with disabilities.

(c) CONTENTS AND AVAILABILITY OF PLAN.—The plan under subsection (a) shall—

(1) include specific recommendations necessary to comply with the requirements of the Voting Accessibility for the Elderly and Handicapped Act; and

(2) be available for public inspection in such manner as the chief election officer determines appropriate.

SEC. 4. EFFECTIVE DATE.

The amendments made by section 1 of this Act shall apply beginning on the earliest of—

(1) the date that is 6 months after the date on which regulations are promulgated under section 2(a); or

(2) the date of the first Federal election taking place in the State after December 31, 2000.

Mr. KERRY. Mr. President, I am pleased to join my good friend JOHN MCCAIN to introduce the Voting Accessibility for the Elderly and Handicapped Act, to ensure that our disabled and elderly citizens have the same opportunity to vote as the rest of us—in private and at a polling place. Despite the intention of a voter accessibility law passed in 1984, many individuals with physical challenges are literally left outside the polling place, unable to exercise their fundamental right to vote without embarrassing themselves or relying on others to cast their ballot for them.

As abysmally low as voter turnout is for the population as a whole, it is estimated that the rate of voter participation by persons with disabilities is even lower—as much as 15–20 percent according to some surveys. Among the reasons for this gap is that polling places are not accessible to people with physical disabilities. This is the case, despite the Voting Accessibility for the Elderly and Handicapped Act (VAEHA) of 1984, which requires polling places to be physically accessible to both older voters and voters with disabilities. Unfortunately, the VAEHA does not define an ''accessible'' voting place, nor does it place responsibility for making a voting place accessible with any particular agency or official.

Since the 1984 act was passed, many polling places have improved their accessibility. Nevertheless, according to the Federal Election Commission, which tracks accessibility under the 1984 act, there were some 19,500 inaccessible polling places in 1992—the last time for which statistics are available. And, since the FEC report relied on self-reporting by voting precincts, the actual number of inaccessible polling places in likely to be even higher.

The result is that there are still too many instances where disabled voters must resort to what is known as ''curbside voting.'' According to a survey by the National Voter Independence Project, 47 percent of polling places are inaccessible because they don't have a wide enough path from the street, there are no signs directing disabled people where to go, or stairs or narrow doorways block wheelchair access. Disabled voters who go to inaccessible polling places are told to honk their car horn, or ask a passerby to get the attention of the polling official, who must then bring a ballot out to the disabled voter or carry him or her into the voting place. Rather than face this indignity, many disabled voters choose not to vote.

Why shouldn't they just vote by absentee ballot? Because voting is a community event in which those without disabilities can choose to participate. Disabled voters deserve the same voting rights as everyone else. If they vote by absentee ballot, they should do so because they choose to, not because they have to.

Visually impaired voters—many of whom are older Americans—also often face certain indignities when they attempt to exercise their fundamental right of a secret vote. If they cannot see the ballot, they are told to bring someone into the voting booth with them, to read the ballot for them and cast their vote. An extraordinary 81 percent of visually impaired individuals had to rely on others to mark their ballots for them, according to the National Voter Independence Project. The secret ballot is so basic to our democratic system that it is shocking that it is denied to so many.

The right to vote at a polling place and in private can be provided to the elderly and disabled for a very low price. State election agencies may incur some costs in bringing their polling places into compliance, however, these are expenses already required of the states by the 1984 law. More importantly in most cases, the costs are not likely to be high. The FEC noted that improvements seen in 1992 ''were in many cases achieved merely by relocating polling places to accessible buildings at no cost to the taxpayers.'' Where polling places are not accessible to individuals with physical disabilities, they can be moved to already accessible buildings, such as malls, public libraries and schools. In many instances, access would be improved by putting up signs directing persons with disabilities to accessible entrances. These and other simple solutions have been implemented by some precincts at only minimal cost.

Improving access for the visually impaired can also be a low-cost endeavor for states. Many visually impaired individuals would be able to vote independently if the ballots were simply in larger type. Providing a tape recording of the ballot for the visually impaired to listen to is another solution that has been implemented by a few precincts for very low cost. It is a small price to pay to guarantee our fundamental rights to all of our citizens.

Those who would benefit from this bill include the men and women who were injured serving our country in the armed forces. Other beneficiaries would be elderly citizens who may have voted regularly throughout their lives, and only their failing vision keeps them from voting now. Still others on whose behalf we offer this bill are victims of accidents, illnesses, or genetic disorders. Is there any one among those individuals who should be denied the right to participate in the voting process? Of course not. It is for them, Mr. President, that we offer this very important piece of legislation.

By Mr. GORTON (for himself, Mrs. FEINSTEIN, Mr. LAUTENBERG, Mr. TORRICELLI, Mr. LIEBERMAN, and Mr. EDWARDS):

S. 512. A bill to amend the Public Health Service Act to provide for the expansion, intensification, and coordination of the activities of the Department of Health and Human Services with respect to research on autism; to the Committee on Health, Education, Labor, and Pensions.

ADVANCEMENT IN PEDIATRIC AUTISM RESEARCH ACT

Mr. GORTON. Mr. President, today, I will introduce legislation that will build on current scientific advances in understanding autism and will promote additional research in this promising field. I introduced a very similar bill last year and am greatly encouraged by the progress in this field. In the last 12 months, we've seen an increase in the number of researchers interested in this field, additional funding for autism research and greater public awareness about this disability. It is

my hope that we can continue this momentum and pass meaningful legislation this year.

Many think autism is rare. In fact, it is the third most prevalent childhood disability, affecting an estimated four hundred thousand Americans and their families. It is also a condition that doctors and scientists believe can be cured. It is not something that we simply must accept.

When people think of autism they might remember the character played by Dustin Hoffman in the movie ''Rainman.'' Yet autism has many faces; it affects people from every background, social and ethnic category. Children with autism may be profoundly retarded and may never learn to speak, while other may be extremely hyperactive and bright. Some may have extraordinary talents, such as an exceptional memory or skill in mathematics. However, all share the common traits of difficulty with communication and social interaction. And for reasons we do not yet understand, eighty percent of those with autism are males.

But autism is not about statistics or medical definitions—it is about children and families. The Kruegers, from Washington state, have an all too typical story. Their little girl Chanel developed like any other child—she happily played with her parents, took her first steps, learned some of her first words and then she started to regress. In four short months, by the time she was two, Chanel had become almost completely enveloped in her own private world. Chanel's mother told me ''it was like somebody came in the middle of the night and took my child.''

Like many children with autism, the Krueger's daughter no longer responded when her parents called her name; words she once spoke clearly became garbled; and socializing became more and more difficult. Fortunately, due to her parents' dedication and intervention Chanel Krueger at age 5, is doing remarkably well.

But, many autistic children completely lose the ability to interact with the outside world. The hours these kids should be spending in little league or playing with their friends are often spent staring out the window, transfixed by the dust floating in the sunlight or the pattern of leaves on the ground.

Even today, with advances in therapy and early intervention, few of these children will go to college, hold a regular job, live independently or marry. More than half never learn how to speak.

The facts about autism can be sobering—but there is hope. Early intervention and treatment has helped many children. Science has also made great strides in understanding this disorder. We now know that autism is a biological condition, it is not an emotional problem and it is not caused by faulty parenting. Scientists believe that autism is one of the most heritable developmental disorders and is the most likely to benefit from the latest advances in genetics and neurology. Once the genetic link is discovered, the opportunities for understanding, treating, and eventually curing autism are endless.

The promise of research is exactly why I am introducing this legislation. This bill will increase the federal commitment to autism research. Its cornerstone is authorization for five Centers of Excellence where basic researchers, clinicians and scientists can come together to increase our understanding of this devastating disorder.

Because so little is known about the prevalence of autism, I have added a provision that establishes at the Centers for Disease Control at least three centers of expertise on autism in an effort to identify the causes of autism. The epidemiology research will help us confirm or dismiss whether a genetic disposition to autism may be triggered by environmental factors. If so, identifying those factors may help us in taking steps to prevent autism from developing.

A library of genetic information will be a valuable tool for researchers trying to identify the genetic basis for autism. The bill includes a provision to fund a gene and brain tissue bank developed from families affected with autism to be available for research purposes.

While we are hoping to advance our understanding and treatment of autism through research, it is also important that pediatricians and other health professionals have the most current information so that children and their families can receive help as early as possible. The bill includes authorization for an Autism Wareness Program to educate doctors and other health professionals about autism.

Finally, it is vital that we encourage collaboration among the scientists conducting this important work throughout the Department of Health and Human Services. The bill establishes an Inter-Agency Autism Coordinating Committee to bring together the scientists at the various Institutes at the NIH, at the Centers for Disease Control and other agencies conducting autism research.

While the focus of this bill is on autism, advances in this area are also likely to shed light on related problems such as attention deficit disorder, obsessive compulsive disorders, and various seizure disorders and learning disabilities.

Research is the key to unlocking the door and freeing those with autism from the isolation and loneliness of their private world. This bill is intended to give the NIH and the CDC the resources to take advantage of the tremendous opportunity before us to find more effective treatments and ultimately a cure for autism. The promise is real. Fulfillment of that promise only requires our commitment. I urge my Senate colleagues to support this important investment in the future of our children and our Nation.

ADDITIONAL COSPONSORS

S. 38

At the request of Mr. CAMPBELL, the name of the Senator from Arkansas (Mr. HUTCHINSON) was added as a cosponsor of S. 38, a bill to amend the Internal Revenue Code of 1986 to phase out the estate and gift taxes over a 10-year period.

S. 51

At the request of Mr. BIDEN, the names of the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from Maryland (Mr. SARBANES) were added as cosponsors of S. 51, a bill to reauthorize the Federal programs to prevent violence against women, and for other purposes.

S. 52

At the request of Mr. BOND, the names of the Senator from Florida (Mr. MACK) and the Senator from Georgia (Mr. COVERDELL) were added as cosponsors of S. 52, a bill to provide a direct check for education.

S. 67

At the request of Mr. MOYNIHAN, the name of the Senator from South Carolina (Mr. HOLLINGS) was added as a cosponsor of S. 67, a bill to designate the headquarters building of the Department of Housing and Urban Development in Washington, District of Columbia, as the ''Robert C. Weaver Federal Building.''

S. 98

At the request of Mr. MCCAIN, the name of the Senator from Louisiana (Mr. BREAUX) was added as a cosponsor of S. 98, a bill to authorize appropriations for the Surface Transportation Board for fiscal years 1999, 2000, 2001, and 2002, and for other purposes.

S. 101

At the request of Mr. LUGAR, the names of the Senator from Kentucky (Mr. MCCONNELL), the Senator from Arkansas (Mrs. LINCOLN), and the Senator from Wyoming (Mr. THOMAS) were added as cosponsors of S. 101, a bill to promote trade in United States agricultural commodities, livestock, and value-added products, and to prepare for future bilateral and multilateral trade negotiations.

S. 148

At the request of Mr. ABRAHAM, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 148, a bill to require the Secretary of the Interior to establish a program to provide assistance in the conservation of neotropical migratory birds.

S. 171

At the request of Mr. MOYNIHAN, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from Connecticut (Mr. DODD) were added as cosponsors of S. 171, a bill to amend the

Clean Air Act to limit the concentration of sulfur in gasoline used in motor vehicles.

S. 185

At the request of Mr. ASHCROFT, the names of the Senator from New Mexico (Mr. BINGAMAN) and the Senator from Kentucky (Mr. MCCONNELL) were added as cosponsors of S. 185, a bill to establish a Chief Agricultural Negotiator in the Office of the United States Trade Representative.

S. 192

At the request of Mr. KENNEDY, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 192, a bill to amend the Fair Labor Standards Act of 1938 to increase the Federal minimum wage.

S. 211

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 211, a bill to amend the Internal Revenue Code of 1986 to make permanent the exclusion for employer-provided educational assistance programs, and for other purposes.

S. 223

At the request of Mr. LAUTENBERG, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 223, a bill to help communities modernize public school facilities, and for other purposes.

S. 260

At the request of Mr. GRASSLEY, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 260, a bill to make chapter 12 of title 11, United States Code, permanent, and for other purposes.

S. 271

At the request of Mr. FRIST, the names of the Senator from Wyoming (Mr. ENZI), the Senator from Vermont (Mr. JEFFORDS), and the Senator from New Mexico (Mr. DOMENICI) were added as cosponsors of S. 271, a bill to provide for education flexibility partnerships.

S. 280

At the request of Mr. FRIST, the names of the Senator from Wyoming (Mr. ENZI), the Senator from Vermont (Mr. JEFFORDS), the Senator from New Mexico (Mr. DOMENICI), and the Senator from North Carolina (Mr. HELMS) were added as cosponsors of S. 280, a bill to provide for education flexibility partnerships.

S. 285

At the request of Mr. MCCAIN, the names of the Senator from Missouri (Mr. ASHCROFT), the Senator from South Carolina (Mr. THURMOND), and the Senator from Maryland (Mr. SARBANES) were added as cosponsors of S. 285, a bill to amend title II of the Social Security Act to restore the link between the maximum amount of earnings by blind individuals permitted without demonstrating ability to engage in substantial gainful activity and the exempt amount permitted in determining excess earnings under the earnings test.

S. 311

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 311, a bill to authorize the Disabled Veterans' LIFE Memorial Foundation to establish a memorial in the District of Columbia or its environs, and for other purposes.

S. 314

At the request of Mr. BOND, the names of the Senator from Missouri (Mr. ASHCROFT), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Oregon (Mr. SMITH), the Senator from North Carolina (Mr. EDWARDS), the Senator from New Mexico (Mr. BINGAMAN), the Senator from Rhode Island (Mr. REED), the Senator from Montana (Mr. BURNS), and the Senator from Virginia (Mr. ROBB) were added as cosponsors of S. 314, a bill to provide for a loan guarantee program to address the Year 2000 computer problems of small business concerns, and for other purposes.

At the request of Mr. DASCHLE, his name was added as a cosponsor of S. 314, supra.

At the request of Mr. BUNNING, his name was added as a cosponsor of S. 314, supra.

S. 322

At the request of Mr. CAMPBELL, the names of the Senator from North Carolina (Mr. EDWARDS) and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of S. 322, a bill to amend title 4, United States Code, to add the Martin Luther King Jr. holiday to the list of days on which the flag should especially be displayed.

S. 327

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 327, a bill to exempt agricultural products, medicines, and medical products from U.S. economic sanctions.

S. 331

At the request of Mr. JEFFORDS, the name of the Senator from North Carolina (Mr. EDWARDS) was added as a cosponsor of S. 331, a bill to amend the Social Security Act to expand the availability of health care coverage for working individuals with disabilities, to establish a Ticket to Work and Self-Sufficiency Program in the Social Security Administration to provide such individuals with meaningful opportunities to work, and for other purposes.

S. 345

At the request of Mr. ALLARD, the name of the Senator from Kentucky (Mr. MCCONNELL) was added as a cosponsor of S. 345, a bill to amend the Animal Welfare Act to remove the limitation that permits interstate movement of live birds, for the purpose of fighting, to States in which animal fighting is lawful.

S. 346

At the request of Mrs. HUTCHISON, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 346, a bill to amend title XIX of the Social Security Act to prohibit the recoupment of funds recovered by States from one or more tobacco manufacturers.

S. 349

At the request of Mr. HAGEL, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 349, a bill to allow depository institutions to offer negotiable order of withdrawal accounts to all businesses, to repeal the prohibition on the payment of interest on demand deposits, and for other purposes.

S. 351

At the request of Mr. GRAMS, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 351, a bill to provide that certain Federal property shall be made available to States for State and local organization use before being made available to other entities, and for other purposes.

S. 387

At the request of Mr. MCCONNELL, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 387, a bill to amend the Internal Revenue Code of 1986 to provide an exclusion from gross income for distributions from qualified State tuition programs which are used to pay education expenses.

S. 389

At the request of Mr. MCCAIN, the name of the Senator from Louisiana (Mr. BREAUX) was added as a cosponsor of S. 389, a bill to amend title 10, United States Code, to improve and transfer the jurisdiction over the troops-to-teachers program, and for other purposes.

At the request of Mr. ROBB, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 389, supra.

S. 393

At the request of Mr. MCCAIN, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 393, a bill to provide Internet access to certain Congressional documents, including certain Congressional Research Service publications, Senate lobbying and gift report filings, and Senate and Joint Committee documents.

S. 395

At the request of Mr. ROCKEFELLER, the names of the Senator from Maryland (Ms. MIKULSKI) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 395, a bill to ensure that the volume of steel imports does not exceed the average monthly volume of such imports during the 36-month period preceding July 1997.

S. 403

At the request of Mr. ALLARD, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 403, a bill to prohibit implementation of ''Know Your Customer'' regulations by the Federal banking agencies.

S. 414

At the request of Mr. GRASSLEY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 414, a bill to amend the Internal Revenue Code of 1986 to provide a 5-year extension of the credit for producing

electricity from wind, and for other purposes.

S. 456

At the request of Mr. CONRAD, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 456, a bill to amend the Internal Revenue Code of 1986 to allow employers a credit against income tax for information technology training expenses paid or incurred by the employer, and for other purposes.

S. 458

At the request of Mr. HAGEL, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 458, a bill to modernize and improve the Federal Home Loan Bank System, and for other purposes.

S. 469

At the request of Mr. BREAUX, the name of the Senator from North Dakota (Mr. CONRAD) was withdrawn as a cosponsor of S. 469, a bill to encourage the timely development of a more cost effective United States commercial space transportation industry, and for other purposes.

S. 484

At the request of Mr. CAMPBELL, the names of the Senator from New Hampshire (Mr. GREGG) and the Senator from North Carolina (Mr. HELMS) were added as cosponsors of S. 484, a bill to provide for the granting of refugee status in the United States to nationals of certain foreign countries in which American Vietnam War POW/MIAs or American Korean War POW/MIAs may be present, if those nationals assist in the return to the United States of those POW/MIAs alive.

SENATE CONCURRENT RESOLUTION 5

At the request of Mr. BROWNBACK, the names of the Senator from Utah (Mr. BENNETT), the Senator from Montana (Mr. BURNS), the Senator from Arkansas (Mrs. LINCOLN), the Senator from Arkansas (Mr. HUTCHINSON), the Senator from Maine (Ms. COLLINS), the Senator from Alabama (Mr. SESSIONS), the Senator from Nebraska (Mr. HAGEL), the Senator from Maine (Ms. SNOWE), the Senator from Arizona (Mr. MCCAIN), the Senator from Nevada (Mr. BRYAN), the Senator from Idaho (Mr. CRAIG), the Senator from Georgia (Mr. COVERDELL), the Senator from Wyoming (Mr. ENZI), the Senator from Hawaii (Mr. INOUYE), and the Senator from New Hampshire (Mr. GREGG) were added as cosponsors of Senate Concurrent Resolution 5, a concurrent resolution expressing congressional opposition to the unilateral declaration of a Palestinian state and urging the President to assert clearly United States opposition to such a unilateral declaration of statehood.

At the request of Mrs. MURRAY, her name was added as a cosponsor of Senate Concurrent Resolution 5, supra.

SENATE CONCURRENT RESOLUTION 11

At the request of Mr. CAMPBELL, the names of the Senator from Iowa (Mr. GRASSLEY), the Senator from Oregon (Mr. SMITH), and the Senator from Montana (Mr. BURNS) were added as cosponsors of Senate Concurrent Resolution 11, a concurrent resolution expressing the sense of Congress with respect to the fair and equitable implementation of the amendments made by the Food Quality Protection Act of 1996.

At the request of Mrs. MURRAY, her name was added as a cosponsor of Senate Concurrent Resolution 11, supra.

SENATE RESOLUTION 19

At the request of Mr. SPECTER, the names of the Senator from Maine (Ms. SNOWE), the Senator from California (Mrs. FEINSTEIN), and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of Senate Resolution 19, a resolution to express the sense of the Senate that the Federal investment in biomedical research should be increased by $2,000,000,000 in fiscal year 2000.

SENATE RESOLUTION 26

At the request of Mr. MURKOWSKI, the names of the Senator from Delaware (Mr. ROTH) and the Senator from Ohio (Mr. DEWINE) were added as cosponsors of Senate Resolution 26, a resolution relating to Taiwan's Participation in the World Health Organization.

SENATE RESOLUTION 34

At the request of Mr. TORRICELLI, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from Georgia (Mr. COVERDELL) were added as cosponsors of Senate Resolution 34, a resolution designating the week beginning April 30, 1999, as ''National Youth Fitness Week.''

SENATE RESOLUTION 47

At the request of Mr. MURKOWSKI, the names of the Senator from Montana (Mr. BURNS), the Senator from Georgia (Mr. CLELAND), the Senator from New Mexico (Mr. DOMENICI), and the Senator from Hawaii (Mr. INOUYE) were added as cosponsors of Senate Resolution 47, a resolution designating the week of March 21 through March 27, 1999, as ''National Inhalants and Poisons Awareness Week.''

SENATE RESOLUTION 48

At the request of Mrs. HUTCHISON, the names of the Senator from Michigan (Mr. ABRAHAM), the Senator from Texas (Mr. GRAMM), the Senator from Massachusetts (Mr. KERRY), the Senator from California (Mrs. FEINSTEIN), the Senator from Virginia (Mr. WARNER), the Senator from Missouri (Mr. BOND), the Senator from Wisconsin (Mr. KOHL), the Senator from Montana (Mr. BURNS), the Senator from Indiana (Mr. LUGAR), the Senator from Kansas (Mr. BROWNBACK), the Senator from Louisiana (Mr. BREAUX), the Senator from Connecticut (Mr. DODD), the Senator from North Dakota (Mr. DORGAN), the Senator from North Carolina (Mr. EDWARDS), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Michigan (Mr. LEVIN), the Senator from Nevada (Mr. REID), the Senator from Maryland (Mr. SARBANES), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Oklahoma (Mr. INHOFE), the Senator from Oregon (Mr. SMITH), the Senator from Utah (Mr. HATCH), and the Senator from Pennsylvania (Mr. SPECTER) were added as cosponsors of Senate Resolution 48, a resolution designating the week beginning March 7, 1999, as ''National Girl Scout Week.''

SENATE RESOLUTION 53

At the request of Mr. HUTCHINSON, the names of the Senator from Washington (Mr. GORTON) and the Senator from Nebraska (Mr. HAGEL) were added as cosponsors of Senate Resolution 53, a resolution to designate March 24, 1999, as ''National School Violence Victims' Memorial Day.''

SENATE RESOLUTION 55—MAKING APPOINTMENTS TO CERTAIN SENATE COMMITTEES FOR THE 106TH CONGRESS

Mr. LOTT (for himself and Mr. DASCHLE) submitted the following resolution; which was considered and agreed to:

S. RES. 55

Resolved, That notwithstanding the provisions of S. Res. 400 of the 95th Congress, or the provisions of rule XXV, the following shall constitute the membership on those Senate committees listed below for the 106th Congress, or until their successors are appointed:

Committee on Veterans' Affairs: Mr. Specter (Chairman), Mr. Murkowski, Mr. Thurmond, Mr. Jeffords, Mr. Campbell, Mr. Craig, Mr. Hutchinson of Arkansas, Mr. Rockefeller, Mr. Graham of Florida, Mr. Akaka, Mr. Wellstone, and Mrs. Murray.

Special Committee on Aging: Mr. Grassley (Chairman), Mr. Jeffords, Mr. Craig, Mr. Burns, Mr. Shelby, Mr. Santorum, Mr. Hagel, Ms. Collins, Mr. Enzi, Mr. Bunning, Mr. Hutchinson of Arkansas, Mr. Breaux, Mr. Reid of Nevada, Mr. Kohl, Mr. Feingold, Mr. Wyden, Mr. Reed of Rhode Island, Mr. Bayh, Mrs. Lincoln, and Mr. Bryan.

Committee on Indian Affairs: Mr. Campbell (Chairman), Mr. Murkowski, Mr. McCain, Mr. Gorton, Mr. Domenici, Mr. Thomas, Mr. Hatch, Mr. Inhofe, Mr. Inouye (Vice Chairman), Mr. Conrad, Mr. Reid of Nevada, Mr. Akaka, Mr. Wellstone, and Mr. Dorgan.

Special Committee on the Year 2000 Technology Problems: Mr. Bennett (Chairman), Mr. Kyl, Mr. Smith of Oregon, Ms. Collins, Mr. Stevens (ex-officio), Mr. Dodd (Vice Chairman), Mr. Moynihan, Mr. Edwards, and Mr. Byrd (ex-officio).

SENATE RESOLUTION 56—RECOGNIZING MARCH 2 AS ''NATIONAL READ ACROSS AMERICA DAY,'' AND ENCOURAGING READING THROUGHOUT THE YEAR

Mr. COVERDELL (for himself, Mr. TORRICELLI, and Mr. ROBB) submitted the following resolution; which was considered and agreed to:

S. RES. 56

Whereas reading is a fundamental part of life and every American should be given the chance to experience the many joys it can bring;

Whereas National Read Across America Day calls for every child in every American

community to celebrate and extoll the virtue of reading on the birthday of America's favorite Doctor—Dr. Seuss;

Whereas National Read Across America Day is designed to show every American child that reading can be fun, and encourages parents, relatives and entire communities to read to our nation's children;

Whereas National Read Across America Day calls on every American to take time out of their busy day to pick up a favorite book and read to a young boy or girl, a class or a group of students;

Whereas reading is a catalyst for our children's future academic success, their preparation for America's jobs of the future, and our nation's ability to compete in the global economy;

Whereas the distinguished Chairman Jim Jeffords and Ranking Member Ted Kennedy of the Senate Health, Education, Labor and Pensions Committee have provided significant leadership in the area of community involvement in reading through their participation in the Everybody Wins! program;

Whereas Chairman Jim Jeffords has been recognized for his leadership in reading by Parenting Magazine;

Whereas prominent sports figures such as National Read Across America Day Honorary Chairman Cal Ripken of the Baltimore Orioles baseball team, Sandy Alomar of the Cleveland Indians, and members of the Atlanta Falcons football team have dedicated substantial time, energy and resources to encourage young people to experience the joy and fun of reading;

Whereas the 105th Congress made an historic commitment to reading through the passage of the Reading Excellence Act which focused on traditionally successful phonics instruction, tutorial assistance grants for at-risk kids, and literacy assistance for parents:

Now, therefore, be it *Resolved*, That the Senate—

(1) recognizes March 2, 1999 as National Read Across America Day; and

(2) expresses its wishes that every child in every American city and town has the ability and desire to read throughout the year, and receives the parental and adult encouragement to succeed and achieve academic excellence.

AMENDMENTS SUBMITTED

RELATIVE TO THE SPECIAL COMMITTEE ON THE YEAR 2000 TECHNOLOGY-RELATED PROBLEM

BENNETT (AND DODD) AMENDMENT NO. 30

Mr. BENNETT (for himself and Mr. DODD) proposed an amendment to the resolution (S. Res. 7) to amend Senate Resolution 208 of the 105th Congress to increase funding of the Special Committee on the Year 2000 Technology-related Problems; as follows:

On page 1, line 5, strike ''both places'' and insert ''the second place''.

NOTICES OF HEARINGS

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LUGAR. Mr. President, I would like to announce that the Senate Committee on Agriculture, Nutrition, and Forestry will meet on Tuesday, March 2, 1999 in SD–106 at 9:00 a.m. The purpose of this meeting will be to review federal child nutrition programs.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. JEFFORDS. Mr. President, I would like to announce for information of the Senate and the public that a hearing of the Senate Committee on Health, Education, Labor, and Pensions will be held on Tuesday, March 2, 1999, 9:30 a.m., in SD–430 of the Senate Dirksen Building. The subject of the hearing is Medical Necessity: From Theory to Practice. For further information, please call the committee, 202/224–5375.

COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Senate Committee on Indian Affairs will meet during the session of the Senate on Wednesday, March 3, 1999 at 9:30 a.m. to Mark-up the Committee's Budget Views & Estimates letter to the Budget Committee for FY 2000 Indian programs. (The Joint Hearing with the Senate Committee on Energy and Natural Resources on American Indian Trust Management Practices in the Department of the Interior will immediately follow). The Meeting/Hearing will be held in room 106 of the Dirksen Senate Office Building.

Those wishing additional information should contact the Committee on Indian Affairs at 202/224–2251.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. JEFFORDS. Mr. President, I would like to announce for information of the Senate and the public that a hearing of the Senate Committee on Health, Education, Labor and Pensions, Subcommittee on Aging will be held on Wednesday, March 3, 1999, 9:30 a.m., in SD–430 of the Senate Dirksen Building. The subject of the hearing is Older Americans Act: Oversight and Overview. For further information, please call the committee, 202/224–5375.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. JEFFORDS. Mr. President, I would like to announce for information of the Senate and the public that a hearing of the Subcommittee on Employment, Safety, and Training, Senate Committee on Health, Education, Labor, and Pensions, will be held on Thursday, March 4, 1999, 9:30 a.m., in SD–430 of the Senate Dirksen Building. The subject of the hearing is ''the New SAFE Act.'' For further information, please call the committee, 202/224–5375.

COMMITTEE ON SMALL BUSINESS

Mr. BOND. Mr. President, I wish to announce that the Committee on Small Business will hold a hearing on ''The President's Fiscal Year 2000 Budget Request for the Small Business Administration.'' The hearing will be held on Tuesday, March 6, 1999, beginning at 10:00 a.m. in room 428A of the Russell Senate Office Building.

The hearing will be broadcast live on the Internet from our homepage address: http://www.senate.gov/sbc

For further information, please contact Paul Cooksey at 224–5175.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. BENNETT. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be allowed to meet during the session of the Senate on Tuesday, March 2, 1999. The purpose of this meeting will be to review Federal child nutrition programs.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mr. BENNETT. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet on Tuesday, March 2, 1999, at 9:30 a.m. in open session, to receive testimony on the defense authorization request for fiscal year 2000 and the future years defense plan.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BENNETT. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Tuesday, March 2, for purposes of conducting a full committee hearing which is scheduled to begin at 10:00 a.m. The purpose of this oversight hearing is to consider the President's budget for FY2000 for the Department of the Interior.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. BENNETT. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet for a hearing on ''Medical Necessity: From Theory to Practice'' during the session of the Senate on Tuesday, March 2, 1999, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. BENNETT. Mr. President, the Committee on Veterans' Affairs would like to request unanimous consent to hold a joint hearing with the House Committee on Veterans' Affairs to receive the legislative presentations of the Veterans of World War I of the USA, Non-Commissioned Officers Association, Paralyzed Veterans of America, Jewish War Veterans, and the Blinded Veterans Association. The hearing will be held on Tuesday, March 2, 1999, at 9:30 a.m., in room 345 of the Cannon House Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE YEAR 2000 TECHNOLOGY PROBLEM SPECIAL

Mr. BENNETT. Mr. President, I ask unanimous consent that the Special

Committee on the Year 2000 Technology Problem be permitted to meet on March 2, 1999 at 8:30 a.m. for the purpose of conducting a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SURFACE TRANSPORTATION/MERCHANT MARINE

Mr. BENNETT. Mr. President, I ask unanimous consent that the Subcommittee on Surface Transportation/Merchant Marine be allowed to meet on Tuesday, March 2, 1999, at 9:30 am on reauthorization of the Surface Transportation Board.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON WESTERN HEMISPHERE, PEACE CORPS, NARCOTICS AND TERRORISM

Mr. BENNETT. Mr. President, I ask unanimous consent that the Subcommittee on Western Hemisphere, Peace Corps, Narcotics and Terrorism of the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, March 2, 1999, at 3:00 pm to hold a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

IMPEACHMENT VOTE OF SENATOR ARLEN SPECTER

● Mr. SPECTER. Mr. President, between the time I made my statement in the closed Senate deliberations on February 11th and the time I cast my vote on February 12th, I consulted with the Parliamentarian and examined the Senate precedents and found that if I voted simply ''not proven,'' that I would be marked on the voting roles as ''present.'' I also found that a response of ''present,'' and inferentially the equivalent of ''present,'' could be challenged and that I could be forced to cast a vote of ''yea'' or ''nay.''

I noted the precedent on June 28, 1951, recorded on pages 7403 and 7404 of the CONGRESSIONAL RECORD, when Senator Benton of Connecticut and Senator Lehman of New York voted ''present'' during a roll call vote. Senator Hickenlooper of Iowa challenged these votes and argued that a senator must vote either ''yea'' or ''nay'' unless the Senate votes to excuse the senator from voting. Senator Hickenlooper's challenge was upheld, and the Senate voted against excusing these Senators from voting by a vote of 39 to 35 in the case of Senator Lehman and a vote of 41 to 34 in the case of Senator Benton.

I also noted the precedent on August 3, 1954, on page 13086 of the CONGRESSIONAL RECORD, when Senator Mansfield of Montana voted ''present'' during a roll call vote. Senator Cordon of Oregon objected and asked that the Senate vote on whether Senator Mansfield should be excused from voting. By voice vote, the Senate voted against excusing Senator Mansfield from voting.

In order to avoid the possibility that some Senator might challenge my vote, I decided to state on the Senate floor, ''not proven, therefore not guilty,'' when my name was called on the roll call votes on Article I and Article II of the Articles of Impeachment. That avoided the possibility of a challenge and also more accurately recorded my vote as ''not guilty'' since I did not wish to be recorded as merely ''present.''●

COMMENDING THE NEBRASKA ARMY NATIONAL GUARD'S 24TH MEDICAL COMPANY ON THEIR DEPLOYMENT TO BOSNIA

● Mr. KERREY. Mr. President, now that the Senate has passed the Soldiers', Sailors', Airmen's, and Marines' Bill of Rights Act of 1999, I would like to take a few moments to express my appreciation for a group of dedicated Nebraskans who have chosen to serve their country in the Nebraska Army National Guard.

Most of the fifty-nine members of the Nebraska Army National Guard's 24th Medical Company left Lincoln on February 21st, for Fort Benning, Georgia. This week, having completed some additional training, these soldiers from the Nebraska Guard are traveling, along with five of the unit's UH–60 Blackhawk helicopters, to participate in Operation Joint Forge in Bosnia, where they are scheduled to serve up to 270 days overseas. The 24th Medical Company will be only the second air medical evacuation unit deployed to Bosnia, where their mission will be to care for casualties as they are flown from the front lines to hospitals.

Earlier this month, I visited with members of the medical unit in their hangar in Lincoln, Nebraska. Mr. President, I am very impressed by the dedication and training of these fine individuals. We are increasingly calling upon our nation's Reserve units to provide support for missions such as Bosnia, as part of America's down-sized military. Unlike the active duty forces, the citizen soldier puts a uniform on, serves his or her country, takes the uniform off, and goes back to work. We Americans should not take this dedication for granted. This current deployment may last for nine months, and that is nine months of time away from their families, their jobs, their education, and their lives. They realize the importance of their mission, and they are willing to make the sacrifices such a mission entails.

Mr. President, I am encouraged by last week's vote in this chamber to increase base pay and benefits for our military forces. The men and women who dedicate their lives to keeping our nation safe need and deserve a pay raise. The decision to join the military is extraordinary, and those who do so need to be properly compensated. However, money has never been and never will be the motivating factor for people who wish to join the Armed Services. We must ensure that the soldiers in our military are not driven away from service by a poor quality-of-life standard. We can accomplish this by making sure that our military have adequate housing, a good, responsive medical care system, proper training and equipment, and support for their families. Even more importantly, we who are not actively involved in military service must continue to hold up individuals such as the 24th Company as exemplars of service and sacrifice in our country. Theirs are the stories that need to be told.

In closing, I would like to give a personal ''Thank you'' to each and every one of the fifty-nine members of the Nebraska Army National Guard's 24th Medical Company. I wish you success in your journey and look forward to your return from what is the noblest mission in the Army, the mission to save lives.●

AFRICAN-AMERICAN HISTORY MONTH

● Mr. SANTORUM. Mr. President, the month of February has been designated as African-American History Month, however, African-American history is American history. The contributions of African-Americans to America encompass almost every area of American life. African-Americans are recorded in America as early as 1619, one year before the Mayflower landed at Plymouth Rock. The oldest established African-American family are descendants of William Tucker, born in Jamestown, Virginia in 1624.

Unfortunately for many of our youth, African-American role models are limited to those known for their achievements in the world of sports and entertainment. Although their accomplishments in this field are substantial and important, few of our youth know, for instance, about the many African-Americans who, throughout history, displayed tremendous courage and honor in times of war. Cripus Attuk, an African-American, was killed in the Boston Massacre in 1770, becoming the first casualty of the American Revolution. Most of the 5,000 blacks that fought in the Revolutionary War were slaves that fought in place of their owners. After the war had been won, they were immediately put back to work on their plantations, still slaves. More than 200,000 African-Americans served in the Civil War. After the Civil War, many of these trained soldiers were sent west and were reorganized as the 9th & 10th Cavalries, where they were called the ''Buffalo Soldier'' by the Indians they were fighting. The Tuskeegee Airmen of World War II, an air squadron, had the most impressive war record in their theater of action, never losing a bomber they were assigned to escort. Against almost insurmountable odds and racial discrimination, African-Americans have faithfully served America.

Significant in another aspect of America's history are the African-Americans whose endeavors helped fuel

the industrial revolution, contributing to the economic prosperity and standard of life all Americans enjoy today. George Washington Carver discovered over 500 products with the peanut, the sweet potato, and corn. Many important inventions were made by African-Americans with thousands of patents made that have benefitted not only America, but the world. Jan Matzeliger invented the first shoe making machine. Elijah McCoy had forty-two patents, most for lubricating different types of steam engines and machines, as well as the first graphite lubricating device. Garrett A. Morgan invented the three-way traffic light which he sold to General Electric. Frederick McKinley Jones invented a workable way to refrigerate trucks and railroad cars, as well as manufactured movie sound equipment. George R. Curruthers invented image converters for detecting electromagnetic radiation. He was also one of the two people responsible for the development of the lunar service ultraviolet camera/specter graph. Dr. Charles R. Drew is credited with the discovery of blood plasma which supplants blood in transfusions, as was the first person to set up and establish blood banks. Dr. Daniel Hale Williams is the first doctor to successfully perform open heart surgery.

Some of the people mentioned played an important role in America's past wars. Many African-Americans I encounter today, however, are the unsung heroes of a different kind of war. They battle for the hearts and minds of our inner city youth. For example in Philadelphia, The Reverend Herb Lusk, and ''People for People,'' are providing welfare to work training, after school tutoring for grade school children, as well as GED and computer training for the poor and disadvantaged. The Reverend Dr. Ben Smith's Deliverance Church, which owns and operates a shopping mall and sixty-five outreach ministries, has long served the greater community. C. Delores Tucker currently organizes the largest Martin Luther King Center for Non-violence in the nation. One of the many things she does for the community is to arrange for many to gather and celebrate our great Civil Rights leader on his birthday at an annual luncheon.

It is fitting that all Americans salute the invaluable services and contributions of African-Americans and the role that they have played and continue to play in American History.●

SOLDIERS', SAILORS', AIRMEN'S AND MARINES' BILL OF RIGHTS

● Mr. DURBIN. Mr. President, I support giving our troops a pay raise, and I support improving the retirement package of career military personnel. However, the bill the Senate has considered, S. 4, the Soldiers', Sailors', Airmen's and Marines' Bill of Rights, is not only too expensive, it was also brought to the floor too hastily, without holding hearings on its provisions, and before we considered how the bill might affect the rest of the budget. Even though I want to see a pay raise and retirement reform, I had to vote against this excessively costly bill.

When S. 4 was reported out of committee, it already cost $12 billion more than the President requested over the next five years. The bill as passed by the Senate is estimated to cost $17 billion more than the President asked for. That is just for the next five years. Using Congressional Budget Office (CBO) figures, S. 4 would consume one-quarter of the projected non-Social Security surplus in the next fiscal year. Once personnel start to retire under its provisions, costs will skyrocket. CBO estimates that the retirement changes in S. 4 will eventually raise the costs of military pensions by a whopping 18 percent. These increased costs will come due at the same time the baby boom generation retires, with the attendant strain on Social Security and Medicare.

It is impossible to justify these steep increases in costs, particularly since not one hearing was held on S. 4. We all agree there are problems with recruitment and retention in the military, but we did not get the benefit of expert testimony—or any testimony at all—as to why, nor did we get input on how best to address these problems before passing this very expensive solution. Last year Congress asked the General Accounting Office (GAO) to do a detailed study of recruitment and retention problems. GAO has been conducting surveys and interviewing troops in the field to find out why they may plan to leave the service. GAO's preliminary findings show that ''money has been overstated as a retention factor.'' GAO's report is due in just a few months. Similar studies by CBO and the Pentagon are due out shortly. Some experts have said that dissatisfaction over military health care and the operations tempo were more important issues for those leaving the military.

I find it most troubling that this bill was brought to the floor before we passed a budget resolution, and outside of the normal Defense Authorization bill. With no budget caps, and no other defense priorities to consider, the bill brought us into a never, never land of wishful thinking. The bill sets out the most generous package of benefits, but does not consider what might happen to the rest of the defense budget if these cost increases go into effect. Will we have to cut readiness, operations and maintenance, or procurement accounts? Will we be able to fund steps that could reduce the operations tempo or make it more predictable? Will we be able to fund improvements in military health care?

The so-called firewalls between defense and domestic discretionary spending are down. That means that, rather than cutting other parts of the defense budget to pay for these increases, we may have to cut domestic programs instead, like education, the environment, or transportation. According to the Concord Coalition, 57 percent of the budget was devoted to entitlements in 1998, but we are now on track to devote 73 percent of the budget to entitlements by 2009. This bill will worsen the entitlement picture, and mean that more and more discretionary spending will have to be cut to cover growing entitlements.

This was a very sad first bill for the Senate to consider after we finally turned the corner on deficits. We cannot go back to pre-1974 Budget Act spending patterns. We must not abandon fiscal discipline and spend the surplus before we even see a penny of it. I hope and expect that fiscal sanity will be restored and that, when the bill returns from conference or as part of a larger measure, I will be able to vote for a well-deserved pay raise for our military personnel and a reasonable retirement package, but a package that fits within the budget framework and discipline we have all embraced.●

FUTURE LEADERS OF THE BIG SKY STATE

● Mr. BAUCUS. Mr. President, in my view, public service is the most noble human endeavor. Today, more than ever, we must look to the younger generation as leaders for tomorrow. For their commitment to community service, I am pleased to recognize two of Montana's young leaders.

Their community work demonstrates an ability to make a difference in the lives of others. The work of these two young Montanans sets an impressive standard for their peers.

I would like to congratulate and honor two young Montana students who have achieved national recognition for exemplary volunteer service in their communities. Mindi Kimp of Corvallis, Montana, and Jill Lombardi of Helena, Montana, have been named State Honorees in The 1999 Prudential Spirit of Community Awards program, an annual honor conferred on only one high school and one middle school student in each state, the District of Columbia and Puerto Rico.

Ms. Kimp is being recognized for her work in coordinating a ''senior citizen prom'' for seniors living in Missoula and Ravalli counties. Mindi, a 4–H member and junior class president, enjoys a close relationship with her grandparents. In helping to plan her own Hamilton High School prom, she conceived the idea of a senior citizen prom. She believed that this would be a great way to honor grandparents and help restore faith in today's younger generation. Mindi worked closely with the Council on Aging in planning the event. She solicited donations to make the event free to all seniors. She also used it to provide prizes, decorations, and a rose for every lady. The event was so successful that she will speak at the State Student Council Convention on how to plan a senior citizen prom.

The event will now be held annually at Hamilton High School.

Ms. Lombardi, a member of the Helena Youth Advisory Council, is being recognized for her leadership role in two projects: a skateboard park and ''Martin Luther King Volunteer Day.'' Jill served on and established the first-ever Helena Youth Advisory Council. As a member, Jill recruited interested skateboarders to advise the council on the design of the park. She also helped to obtain a $50,000 grant from the Turner Foundation for the park's construction. In planning the volunteer day, Jill worked with the council to organize activities such as community clean-up and youth reading programs. She recruited volunteers, analyzed community needs, arranged volunteer projects, and coordinated celebration activities. The event's success has inspired the council to host the event again next year.

Young volunteers like Ms. Kimp and Ms. Lombardi are inspiring examples to all of us, and are among our brightest hopes for a better tomorrow. It is important that we recognize their achievements and support their contributions. Numerous statistics indicate that Americans today are less involved in their communities than they once were, and it is critical that the work of these young people is encouraged.

The program that brought these young role models to our attention—The Prudential Spirit of Community Awards—was created by The Prudential Insurance Company of America in partnership with the National Association of Secondary School Principals in 1995 to impress upon all youth volunteers that their contributions are critically important and highly valued, and to inspire other young people to follow their example. In only four years, the program has become the nation's largest youth recognition effort based solely on community service, with more than 50,000 youngsters participating.

Ms. Kimp and Ms. Lombardi should be extremely proud to have been singled out from such a large group of dedicated volunteers. As part of their recognition, they will come to Washington in early May, along with other 1999 Spirit of Community honorees from across the country. While here in Washington, ten will be selected as America's top youth volunteers of the year by a distinguished national selection committee.

I heartily applaud Ms. Kimp and Ms. Lombardi for their initiative in seeking to make their communities better places to live, and for the positive impact they have had on the lives of Montanans. I also would like to salute two young people in Montana who were named Distinguished Finalists by The Prudential Spirit of Community Awards for their outstanding volunteer service: Nadia Ben-Youssef and Angela Bowlds.

All of these young people have demonstrated a level of commitment and accomplishment that is truly extraordinary in today's world, and deserve our sincere admiration and respect. These young Montana leaders show commendable community spirit and tremendous promise for America's future.●

CUMBERLAND ISLAND NATIONAL SEASHORE WITH SPECIAL THANKS TO DON BARGER AND TAVIA MCCUEAN

● Mr. CLELAND. Mr. President, last week, after more than two years of negotiations, an agreement was finally reached to release funding for land acquisition on Cumberland Island National Seashore. Located off the coast of Georgia, Cumberland provides a unique experience for visitors by enabling them to view seemingly endless undeveloped beaches and dunes in pristine condition. The beautiful coastline is contrasted by marshes and vast forests of mixed hardwoods. The natural environment plays a critical role in habitat protection for several threatened and endangered species including the bald eagle, the loggerhead sea turtle and the manatee.

The Island also allows individuals to visit the incredible cultural and historical remnants which exist on the Island. The remarkable history of the island indicates human habitation dating back thousands of years. First occupied by the Spanish in the early days of the colonial period, the island was eventually claimed by the English in the mid-1700s. Cumberland also has historical connections to the Revolutionary and Civil Wars. One unique historical reference to the island—brought to my attention by the Senate's own resident historian, the distinguished Senior Senator from West Virginia, relays the story that after his duel with Alexander Hamilton on July 11, 1804, Aaron Burr fled to Cumberland Island in exile—only to eventually leave after being snubbed by the island residents.

With this agreement, we have not only preserved the Island in accordance with its designation as a National Seashore, but we have taken the critical steps necessary to restore and maintain the historic and cultural resources on Cumberland which had been seriously neglected for several years. The agreement also provides additional access to individuals wishing to visit the historic resources on the island. By releasing the monies for the land purchase and implementing these changes, we will be making the ultimate benefactors the future generations of Americans who will have the opportunity to experience the natural and historical treasures possessed by Cumberland Island.

I would like to take a moment to publicly recognize and express my sincere appreciation to Don Barger, Southeast Regional Director of the National Parks and Conservation Association (NPCA), for his assistance in resolving the issues on Cumberland Island National Seashore. Don has been with NPCA since 1992. Having once climbed Mount Rainier, Don transfers this same motivation and dedication to his work. He is an avid and passionate defender of preserving and protecting our National Park System.

Don played a vital role in crafting the Cumberland agreement by actively engaging and compromising with numerous interested stakeholders while at the same time fulfilling his duty to preserve the integrity of the Wilderness Act and the National Park System. His tireless effort and willingness to commit his time, energy and enthusiasm to this process reflect well upon him and on the National Parks and Conservation Association.

I would like to pay special thanks to Tavia McCuean, Georgia State Director of The Nature Conservancy, who vigilantly pursued the critical land acquisition funds for Cumberland. The Cumberland agreement would not have been possible without the generous commitment of The Conservancy to contribute $6 million for the land purchase.

There were certainly several occasions over the past two years in which Tavia and The Nature Conservancy could have lost all patience as repeated efforts to obtain the land acquisition funds were blocked. However, Tavia tirelessly and patiently focused her energy and that of her dedicated staff towards securing the release of these funds. Future generations visiting Cumberland Island will owe a great debt of gratitude for this experience to the efforts of Tavia McCuean and The Nature Conservancy.

President Theodore Roosevelt once said, ''The nation behaves well if it treats the natural resources as assets which it must turn over to the next generation increased, and not impaired, in value.'' Both Tavia McCuean and Don Barger have done well in upholding this doctrine and truly represent the best of public spiritedness.●

RETIREMENT OF HENRY WOODS

● Mrs. LINCOLN. Mr. President, if you consult any of the numerous Congressional directories that are published here in Washington, you will see that they all list six members of the Arkansas Congressional Delegation—two Senators and four House members. But for the past 25 years, there has been an unofficial seventh member of our delegation: a dynamic, hard-working, can-do staffer named Henry Woods. After two decades in the nation's capital, Henry is retiring, and the state of Arkansas is losing a Washington institution.

Henry has helped one Congressman and three Senators from Arkansas to court and inform constituents, direct Arkansans to the assistance they need, provide intern opportunities for the state's young people, and stage events to advance his members' priorities at home and the state's interest in Washington. For the past 25 years, people

working in the state congressional delegation knew that if you wanted to launch an ambitious project and have it done well, you wanted Henry Woods to be in charge of it.

His institutional memory is as incredible as it has been invaluable. It is not uncommon for him, at a moment's notice, to recall the name of a constituent's wife, the ages of their children and which schools they attend, which of his cousins serve in the State Legislature, and what civic groups he belongs to and who he supported in the last campaign. He can also cite zip code after zip code, not to mention phone prefixes for cities and towns across Arkansas.

Over the years he has made many friends in the halls of the House and Senate, from the doorkeepers to the printing clerks, from the restaurant workers to the Rules Committee staffers who have all helped him accomplish things for the members and constituents. He has an amazing way of finding the people and the resources to accomplish any project he is given.

Henry, a proud Hot Springs native, is legendary for his political savvy and quick wit. His fellow staffers often wondered why someone as busy as Henry was so willing to serve as driver for his employer whenever one was needed. After a while, they realized that those occasions gave Henry as much as a half-hour of interrupted access to the member, which he used to full effect. He has often been heard cautioning members and staffers alike that certain visitors waiting to see them ''may not be right, but they're convinced.'' Another popular Henryism has been an admonition to disgruntled staffers that they ''can just get glad in the same clothes they got mad in.''

Henry has set up and run intern programs that have easily helped more than 1,000 Arkansas students become familiar with the working of Congress and the federal government. His intern program has been so successful that it has been emulated by countless other congressional offices. Henry's interns never sat idly in the office waiting for the next tour, softball game or free reception. He made sure each one had the chance to work in a variety of capacities and learn a number of skills in the offices. It is not surprising that many of his interns have gone on to run for public office and serve in the state's leading corporations, commissions, and charitable organizations.

In addition to his official efforts, he kept the Arkansas State Society and the University of Arkansas alumni society running efficiently for many years, working countless hours of his personal time to organize events ranging from the cherry blossom reception to football watch parties and trips to the horse races—all aimed at keeping Arkansans in Washington in touch.

Several of his friends established an award in his name last year at his beloved University of Arkansas, where he served on the Board of Directors of the Alumni Association. A cash award will be given each year to a student who shows an interest in internships or government services. The award will be formally announced at the University on April 22.

To put it briefly, no matter which office he was working in, Henry quickly became indispensable, a fact that was recognized by countless people both on and off the Hill as the following letters attest. Now he is leaving for sunnier climes in the southern-most point of the continental United States. We are going to miss him, and we are going to be poorer without him. We wish him well, and we want to let him know that the key will be under the doormat for him any time he wants to come back.

Mr. President, I ask that the four letters regarding Henry Wood's retirement be printed in the RECORD.

The letters follow:

THE WHITE HOUSE,
Washington, DC, February 23, 1999.

HENRY WOODS,
Washington, DC.

DEAR HENRY: As you retire from your lifetime of public service on Capitol Hill, I want to congratulate you and thank you for your commitment, hard work, and generous leadership.

In particular, I am so grateful for your efforts on behalf of the people from our home state. The warm hospitality you have provided to Arkansas visiting the Capitol throughout these 25 years has given them a special feeling of connectedness to their representatives here in Washington. The guidance you have provided people of all ages—and especially youth and students—leaves a wonderful legacy . . . and big shoes to fill!

Hillary joins me in sending our best wishes for all possible happiness in this next phase of your life.

Sincerely,

BILL CLINTON.

FEBRUARY 22, 1999.

Mr. HENRY WOODS,
Office of Senator Lincoln, Washington, DC.

DEAR HENRY: You came to Washington for a summer and stayed a career! And what an illustrious career you've had working in both the House of Representatives and the Senate.

You've held many positions during your tenure, and done a superb job in each one. You developed an intern program that has proved to be one of the best on Capitol Hill. Over the years, you have been very involved with the Arkansas State Society. Some would say, ''If it wasn't for Henry, there wouldn't be a State Society.'' You've worked in more campaigns than I have run. Your tent parties are legendary. You helped coach the winning Capitol Hill softball team in 1982—the Pryorities. You are—the Razorbacks' biggest fan!

Henry, how can we thank you for the tremendous contribution you made to our state, our country—and to all of us.

Barbara and the entire Pryor family join me in wishing you the very best in the years ahead.

Sincerely,

DAVID PRYOR.

ATTORNEY GENERAL OF ARKANSAS,
Little Rock, AR, February 19, 1999.

Mr. HENRY WOODS,
Office of Senator Lincoln, Washington, DC.

DEAR HENRY: First let me add my congratulations to the many I know you are receiving from friends and colleagues on Capitol Hill as you retire from 25 years of government service. I can't imagine the Arkansas delegation without Henry. You have done so much for so many (including myself) over the years, we cannot begin to properly thank you.

I remember one of my early campaigns for the Arkansas State Legislature. You took time off and came to Arkansas to help organize a ''Get Out the Vote'' effort. You and your army of ''intern alumni'' worked tirelessly to get me elected, and I will never forget it.

Henry, Capitol Hill will miss you—but not half as much as Arkansas will miss you!

I wish you all the best in your new life.

With warm regards,

MARK PRYOR.

LITTLE ROCK, AR, *February 11, 1999.*

Mr. HENRY WOODS,
Senator Blanche Lincoln's Office,
Washington, DC.

DEAR HENRY: I'm still in denial. I can't imagine Washington without you, and if I could change your mind, I would do so in a heartbeat.

But knowing that's not possible, let me just say that ''friends are friends forever'' and our friendship—which began at the University of Arkansas and continues through today—will always be special.

I thank you for being so responsive to so many. I thank you for designing and implementing the best intern program on Capitol Hill. I thank you for giving so many Arkansas young people the chance to participate.

In just a few weeks, we will dedicate the ''Henry Woods Award'' at the University of Arkansas. It has already been endowed by your many friends and will be presented annually to the outstanding student leader on the campus. From this day forward, the most honorable student leader at your alma mater will be recognized with an award bearing your name.

Now, I have a new project for you. Certainly a book about your experiences is in order. I hope you will consider it, and I look forward to talking with you—and the University of Arkansas Press—about it.

Billie is already making Key West family vacation plans. All the Rutherfords wish you much happiness and continued success.

Thank you for making Arkansas very proud.

Best Wishes,

SKIP RUTHERFORD.●

MENTAL RETARDATION AWARENESS MONTH

● Mr. GRAMS. Mr. President, I rise today to help increase the public's awareness of mental retardation as we focus on the needs and abilities of the nation's 7.2 million Americans with mental retardation. The Arc, the nation's largest organization of volunteer advocates for people with mental retardation, consists of more than 1,000 local and state chapters. For 21 years, the Arc has sponsored the recognition of March as National Mental Retardation Awareness Month.

The Arc began in 1950 as a small army of friends and parents in Minneapolis, Minnesota came together to create the National Association of Parents and Friends of Mentally Retarded Children. From this spark in 1950, Arc members have become advocates not only for their own children, but all children and other Americans denied

services and opportunities because of mental retardation.

According to Arc, a person with mental retardation is one who, from childhood, develops intellectually at a below-average rate and experiences difficulty in learning, social adjustment and economic productivity. Otherwise, he or she is just like anyone else—with the same feelings, interests, goals, needs and desire for acceptance. This intellectual delay requires not only personal support, but environmental support for them to live independently.

There are more than 250 causes of mental retardation. Among the most recognized are chromosomal abnormalities, such as Down syndrome, and prenatal influences, such as smoking or alcohol use by a pregnant mother, which may lead to fetal alcohol syndrome or other complications. Malnutrition, lead poisoning and other environmental problems can also lead to mental retardation in children.

Experts estimate that 50% of mental retardation can be prevented if current knowledge is applied to safeguarding the health of babies and toddlers. Some of the keys are abstinence from alcohol use during pregnancy, obtaining good prenatal care, education programs for pregnant women, and the use of child seats and safety belts for children.

The theme for this year's observance is the elimination of waiting lists for community-based services. In a study conducted by the Arc, more than 218,000 people were identified as waiting for placement in a community-based residential facility, a job training program, a competitive employment situation or other support.

In Minnesota, over 6,600 members in fifty chapters make up the Arc network, each working to both prevent the causes of mental retardation and lessen its effects. With the guidance of the Arc, it is these local and state chapters working at the grassroots levels which have made and continue to make the greatest impact for Americans with mental retardation.

Mr. President, I truly appreciate the unabated commitment to the needs and abilities of people with mental retardation the Arc has demonstrated over the years and am honored to help further public awareness.●

LEO MELAMED REFLECTS ON THE ACHIEVEMENTS OF THE TWENTIETH CENTURY

● Mr. DURBIN. Mr. President, I rise today to share with my colleagues an essay written by a great Chicagoan, and the father of our modern-day futures industry, Leo Melamed. I believe his essay, Reflections on the Twentieth Century, eloquently captures the essence of this great nation.

Mr. President, Leo Melamed had to travel a long hard road to reach the pinnacle of success. As a boy, he survived the Holocaust, coming to the United States to find a better life for his family. Growing up on the streets of Chicago, Leo was able to climb the ladder of opportunity and make that better life for himself and his family. His early experiences gave him a deep appreciation of the importance of a free society and an open economy.

Leo Melamed's heroic story embodies the American Dream. The young man who came to Chicago with little has, through hard work, tenacity, intellect and energy, given much to the world. In 1972, he launched the International Monetary Market (IMM), the first financial futures market. He has also achieved the position of Chairman Emeritus and Senior Policy Advisor for the Chicago Mercantile Exchange (CME), and is the author of several books. His leadership over the past quarter century has been critical in helping transform the Chicago Mercantile Exchange from a domestic agricultural exchange to the world's foremost financial futures exchange.

Currently, Melamed serves as chairman and CEO of Sakura Dellaher, Inc., a global futures organization which he formed in 1993 by combining the Sakura Bank, Ltd., one of the world's largest banks, and Dellaher Investment Company, Inc., a Futures Commission Merchant (FCM) he established in 1965. As a member of the Chicago Mercantile Exchange and the Chicago Board of Trade, and with an ability to operate in all world futures markets, Sakura Dellaher, Inc., assists financial institutions in their management of risk. Because of Leo's exemplary accomplishments and contributions to the field of financial futures, he has been recognized as ''the father of the futures market concept.''

I should also add, Mr. President, that the March 1999 issue of Chicago magazine has chosen Leo Melamed as one of the Most Important Chicagoans of the 20th Century. The article states: ''As de facto leader of the Chicago Mercantile Exchange for a quarter of a century, Melamed transformed the moribund exchange, introducing foreign currency and gold as commodities to be auctioned off in the trading pits. Thanks to those decisions, Chicago is today the world capital of currency futures trading.'' Leo Melamed deserves great recognition for his outstanding contributions to the city he loves so much.

Mr. President, I ask that the full text of Leo Melamed's essay, Reflections on the Twentieth Century, be printed in the RECORD.

The essay follows:

REFLECTIONS ON THE TWENTIETH CENTURY

(By Leo Melamed)

The Twentieth Century, my father told me before his death, represented a new low in the history of mankind. ''The Holocaust,'' he said, ''was an indelible blot on human conscience, one that could never be expunged.''

Still, my father always tempered his realism with a large dose of optimism. He had, after all, against all odds, managed to save himself and his immediate family from the inevitability of the gas chambers. Were that not the case, this kid from Bialystok would not be here to receive this incredible Weizmann Institute honor nor tell his story. And quite a story it is!

I don't mean simply the story of how my father snatched his wife and son from the clutches of the Nazis. I don't mean simply the story of how my parents outwitted both the Gestapo and the KGB during a time in history when, in Humphrey Bogart's words, ''the world didn't give a hill of beans about the lives of three people.'' I don't mean simply the story of our race for freedom across Europe and Siberia during a moment in history when the world had gone quite mad. And I don't mean simply the story of Consul General Chiune Sugihara, the Japanese Oscar Schindler who chose the follow the dictates of his God rather than those of his Foreign Office and, in direct violation of their orders, issued life saving transit visas to some 6000 Jews trapped in Lithuania—the Melamdoviches among them. Six months later all of us would have been machine-gunned to death along with 10,000 others in Kovno.

No, I don't mean simply all of that, although all of that is a helluva story. But there is yet another dimension to the story here. I mean the story of the splendor of America! For it was here, here in this land of the free and home of the brave that the kid from Bialystok was given the opportunity to grow up on the streets of Chicago, to climb the rungs of social order without money or clout, and to use his imagination and skills so that in a small way he could contribute to the growth of American markets. In doing so he not only justified fate's decision to spare his life, but more important, attested to the majesty of this nation.

Because within my story lies the essence of America, the fundamental beauty of the United States Constitution and the genius of its creators. For throughout the years, thru ups and downs, thru defeats and victories, thru innovations which challenged sacred market doctrines, and ideas which defied status quo, no one ever questioned my right to dream, nor rejected my views simply because I as an immigrant, without proper credentials, without American roots, without wealth, without influence, or because I was a Jew. Intellectual values always won out over provincial considerations, rational thought always prevailed over irrational prejudice, merit always found its way to the top. Say what you will, point out the defects, protest the inequities, but at the end of the day my story represents the real truth about America.

For these reasons, after all was said and done, my parents were optimists. They agree, that in spite of the two World Wars, in spite of the horrors and atrocities, the Twentieth Century was nevertheless a most remarkable century. They watched the world go from the horse and buggy—to main form of transportation at their birth—to Apollo Eleven which in 1969 took Neil Armstrong to the moon.

Indeed, it is hard to fathom that at the dawn of my parent's century, Britannia was still the empire on which the sun never set; the railroads were in their Golden Age, automobiles were considered nothing but a fad, the phonograph was the most popular form of home entertainment, and life expectancy for the American male was but 48. Sigmund Freud first published his ''Interpretation of Dreams,'' and Albert Einstein, the foremost thinker of the century, had just published his theory of relativity.

Of course, the event that would have the most profound effect on the direction of our present century occurred back in 1848—smack dab in the middle of the Nineteenth Century: Karl Marx and his associate, Friedrich Engels, published the Communist Manifesto. The concept of communism would dominate the political thought of Europe and later Asia for most of the Twentieth Century.

Today, some 150 years after the concept was conceived, we know it to have been an unmitigated failure. Indeed, those of us, citizens of planet Earth fortunate enough to be present in the final decade of the Twentieth Century, have been privileged to witness events equal to any celebrated milestone in the history of mankind. In what seemed like a made for TV video, we were ringside spectators at a global rebellion. In less than an eye-blink the Berlin Wall fell, Germany was unified, Apartheid ended, Eastern Europe was liberated, the Cold War ceased, and a doctrine that impaired the freedom of three generations and misdirected the destiny of the entire planet for seven decades was decisively repudiated.

What a magnificent triumph of democracy and freedom. What a glorious victory for capitalism and free markets. What a majestic tribute to Thomas Jefferson, Adam Smith, Abraham Lincoln, and Milton Friedman. What a divine time to be alive. Surely these events represented some of the defining moments of the Twentieth Century. Ironically, the lynch-pin of all that occurred will not be found in the political or economic arena, but rather in the sciences. One hundred years after the Communist Manifesto, to be precise, on December 23, 1947—smack dab in the middle of the Twentieth Century—two Bell Laboratory scientists invented the first transistor. It was the birth of a technology that would serve to dominate the balance of this century and, I dare say, much of the Twenty-first as well. The Digital Age was upon us.

Transistors and their offspring, the microchip, transformed everything: the computer, the space program, the television, the telephone, the markets, and, to be sure, telecommunications. Modern telecommunications became the common denominator which gave everyone the ability to make a stark, uncompromising comparison of political and economic systems. The truth could no longer be hidden from the people. We had migrated said Walter Wriston of Citicorp from the gold standard to the ''information standard.''

In a very real sense, the technology of the Twentieth Century moved mankind from the big to the little. It is a trend that will surely continue. In physics, this century began with the theory of General Relativity; this dealt with the vast, with the universe. From there we journeyed to comprehension of the infinitesimal, to quantum physics. Physicists were now able to decode nature's age-old secrets. Similarly, in biology we also moved from macro to micro—from individual cells to gene engineering. We entered an era of biomedical research where we can probe the fundamental components of life and remedy mankind's most distressing afflictions.

Thus, in stark contrast to the signals at the turn of the last century, the evidence today is overwhelming that the next century will be dominated by the information standard. Today, millions of transistors are etched on wafers of silicon. On these microchips all the world's information can be stored in digital form and transmitted to every corner of the globe via the Internet. This will change the way we live, the way we work, and the way we play. Indeed, the Digital Revolution will direct the next century just as the Industrial Revolution directed much of the Twentieth.

So there you have it: the pain, the progress, and the promise of my parent's century. It would be grand to believe that we have learned from our mistakes, that only enlightened times await us, but I am afraid that would be a bit pollyannaish. Still, we stand on the threshold of immense scientific breakthroughs and the future looks brighter than it ever was. Indeed, the Weizman Institute of Science symbolizes the scientific miracles of the Twentieth Century and points the direction for the world as we enter the Twenty First. If my parents were still present, they would surely tell this kid from Bialystok to await the next century with great anticipation and with infinite optimism.

Thank you.●

RETIREMENT OF SOUTH CAROLINA CHIEF JUSTICE ERNEST FINNEY

● Mr. HOLLINGS. Mr. President, today it is my great privilege and honor to salute one of South Carolina's foremost jurists and public servants, South Carolina Supreme Court Chief Justice Ernest A. Finney.

On February 23, Chief Justice Finney announced he would retire from the Court after 14 years. This is a bittersweet day for my state. All of us who admire Judge Finney and appreciate his legacy are sorry to see him leave the bench; but we also are happy for Judge Finney if he has decided it is time to take a richly deserved rest from the rigorous demands of public service—demands he has shouldered over five decades.

When Ernest Finney graduated from law school in 1954, blacks were not allowed to join the South Carolina bar or serve on juries. Judge Finney worked as hard as anyone in the country to change that. One of only a handful of black lawyers in South Carolina in the 1950s, he began his legal career as an advocate for equal rights and desegregation.

Ernest Finney and his law partner, Matthew Perry, who went on to become the first black federal Judge in South Carolina, tirelessly represented over 6,000 defendants arrested during civil rights demonstrations in the 1960s. Although they lost all the cases at the state level, they won almost all of them on appeal in federal courts.

After helping lead the fight to desegregate South Carolina, Ernest Finney turned his attention to another form of public service. In 1973, he became one of the first blacks elected to the South Carolina House in this century. He served until 1976, during which time he founded the South Carolina Legislative Black Caucus.

From 1976 to 1985, Judge Finney sat on the South Carolina Circuit Court bench. Always the pioneer, he was the first black Circuit Court judge in South Carolina.

In 1985, he became the first black member of the state Supreme Court since Reconstruction. He served with great distinction as an Associate Justice and earned respect and accolades from his peers and from attorneys appearing before the Court.

In 1994, Judge Finney was elected Chief Justice, the first black South Carolinian to attain that position. Without a doubt, he is one of the finest jurists in South Carolina history. As senior Associate Justice Jean Toal commented on the announcement of Judge Finney's retirement: ''He's a giant of the judicial system in South Carolina. His tenure will be remembered as one of the outstanding tenures of the modern system.''

Mr. President, today it is my immense pleasure to salute the gigantic achievements of Judge Ernest Finney, one of the most estimable public servants in recent South Carolina history. I join his friends and admirers in wishing him well as he begins his retirement, during which I suspect he will continue influencing South Carolina for the better.●

HUMAN RIGHTS AND JUSTICE IN SIERRA LEONE

● Mrs. FEINSTEIN. Mr. President, I rise to join my colleagues from Wisconsin and Tennessee in co-sponsoring Senate Resolution 54, which was introduced on February 25. This resolution makes a strong, and much needed statement about U.S. concern and commitment to African peace and stability.

In the past several years, Sierra Leonians have seen their country go through a tumultuous period. On May 24, 1997, the Armed Forces Revolutionary Council (AFRC) and the Revolutionary United Front (RUF) seized control of Sierra Leone. The United States demanded that democratically elected President Tejan Kabbah be reinstated immediately.

Although diplomatic efforts by the United States and the Economic Community of West African States failed, a West African intervention force, (ECOMOG), was authorized by the international community to intervene, and it was successful in removing the unrecognized military rulers from power. On March 10, 1998, President Kabbah returned after 10 months in exile and reassumed control.

Unfortunately violence continues to ravage the country. In January of this year, RUF launched an offensive to take the capital, Freetown. Though ECOMOG drove rebel forces from the city, numerous reports of rape, mutilations, kidnapping of children for forced combat, and killings of innocent civilians by RUF forces continue to surface.

Official estimates report that in the last 2 months alone, the death toll has reached 2,000 to 3,000 people, with many also dying from lack of food and medicine. The United Nations High Commissioner for Refugees estimates the number of refugees fleeing to Guinea and Liberia at 440,000.

The administration has expressed shock and horror regarding the desperate situation in Sierra Leone and I am pleased that they have indicated they will provide $1.3 million for logistical support for ECOMOG in 1999, and $55 million for humanitarian assistance for the people of Sierra Leone. This Resolution builds on the administration's efforts, and calls for a strong U.S. commitment to end the violence and suffering in Sierra Leone.

First, it condemns the violence committed by the rebel troops and those

that provide them with financial, political, and other types of assistance.

Second, it supports increased U.S. political and logistical support for ECOMOG, while recognizing the need for ECOMOG to improve its performance and increase its respect for humanitarian law.

Third, it calls for immediate cessation of hostilities and the observance of human rights.

Fourth, it supports a dialogue between members of the conflict in order to bring about a resolution.

Finally, it expresses support for the people of Sierra Leone in their endeavor to create and maintain a stable democratic society.

The situation in Sierra Leone and the influx of refugees to neighboring countries threatens the stability of the entire West African region. This is not a time for the United States and the international community to turn our backs. The people of Sierra Leone have already suffered too much and will suffer even more if we do not act. Rather, this is the time to stand firmly on the side of peace and democracy and the betterment of the lives of all Sierra Leonians.

By passing this legislation, we are making a strong statement in support of the efforts to contain and bring to a peaceful end this conflict. We have seen all too many times, in all too many places around the world the price that is paid if we choose to avert our eyes and allow violence to flourish. We should not make that mistake. We should not hesitate to raise our voice. I encourage all my colleagues to vote in favor of this resolution and in favor of human rights and justice in Sierra Leone.●

DR. GLENN T. SEABORG

● Mr. MOYNIHAN. Mr. President, I rise today to salute a pioneering scientist and a great American, Dr. Glenn T. Seaborg, who died on February 25 at the age of 86. Although a chemist by training, Dr. Seaborg is best remembered for his contributions to nuclear physics. Dr. Seaborg was the co-discoverer of plutonium, and led a research team which created a total of nine elements, all of which are heavier than uranium. For this he was awarded the Nobel Prize in Chemistry in 1951 which he shared with Dr. Edwin M. McMillan.

In 1942, as a member of the Manhattan Project, Dr. Seaborg was assigned to a laboratory at the University of Chicago. There he headed a unit that worked to isolate plutonium from uranium—the fuel used in the atomic bomb dropped on Nagasaki. After the war ended, Dr. Seaborg returned to the University of California at Berkeley until 1961, when, at the request of President John F. Kennedy, he became chairman of the Atomic Energy Commission (AEC). It was a position he held for ten years, spanning three administrations. Dr. Seaborg was the first scientist to direct the Commission. It was in this capacity that Dr. Seaborg acted as an advisor to the U.S. negotiator, Averell Harriman, in talks that led to the Limited Test Ban Treaty and was an advocate for the peaceful use of atomic energy.

Dr. Seaborg kept a journal while chairman of the AEC. The journal consisted of a diary written at home each evening, correspondence, announcements, minutes, and the like. He was careful about classified matters; nothing was included that could not be made public, and the journal was reviewed by the AEC before his departure in 1971. Nevertheless, more than a decade after his departure from the AEC, the Department of Energy subjected two copies of Dr. Seaborg's journals—one of which it had borrowed—to a number of classification reviews. He came unannounced to my Senate office in September of 1997 to tell me of the problems he was having getting his journal released, saying it was something he wished to have resolved prior to his death. I introduced a bill to return to Dr. Seaborg his journal in its original, unredacted form but to no avail, so bureaucracy triumphed. It was never returned. Now he has left us without having the satisfaction of resolving the fate of his journal. It is devastating that a man who gave so much of his life to his country was so outrageously treated by his own government.

Dr. Seaborg continued to lead a productive life until the very end. After his tenure as chairman of the AEC, Dr. Seaborg returned to the University of California at Berkeley where he was a University Professor—the highest academic distinction—and later a professor in the university's graduate school of education as a result of his concern about the quality of science education. He was the director of the Lawrence Berkeley Laboratory and until his death its director emeritus.

And there were well deserved accolades. In 1991 Dr. Seaborg was awarded the nation's highest award for scientific achievement, the National Medal of Science. In 1997 the International Union of Pure and Applied Chemistry named an element after a living person for the first time. Thus element 106 became Seaborgium (Sg), and Dr. Seaborg was immortalized as a permanent part of the periodic table to which he had already added so much.

So today I remember Dr. Seaborg for his contributions to nuclear physics, and I salute him for his service as chairman of the Atomic Energy Commission. Dr. Seaborg's family is in my prayers at this time of great loss; his wife of 57 years, Helen, and five of their six children: Lynne Annette Seaborg, Cobb, David Seaborg, Stephen Seaborg, John Eric Seaborg, and Dianne Karole Seaborg. Their son Peter Glenn Seaborg died in May of 1997.

Mr. President, I ask that Dr. Seaborg's obituary, which appeared in the Washington Post on Saturday, February 27, 1999, be printed in the RECORD.

The obituary follows:

[From the Washington Post, Feb. 27, 1999]

NOBEL-WINNING CHEMIST GLENN SEABORG DIES

(By Bart Barnes)

Glenn T. Seaborg, 86, the chemist whose work leading to the discovery of plutonium won a Nobel Prize and helped bring about the nuclear age, died Feb. 25 at his home near Berkeley, Calif.

He had been convalescing since suffering a stroke in August while being honored at a meeting in Boston of the American Chemical Society.

Dr. Seaborg was a major player on the team of scientists that developed the world's first atomic bomb used in warfare, which was dropped on Hiroshima, Japan, on Aug. 6, 1945, in the closing days of World War II. His research was later a critical element in the peacetime operation of nuclear power plants.

For 10 years, during the Kennedy, Johnson and Nixon administrations, he was chairman of the U.S. Atomic Energy Commission. It was a period of Cold War tension and mounting international anxiety over the nuclear arms race. As the president's primary nuclear adviser, Dr. Seaborg participated in negotiations that led to the Limited Nuclear Test Ban Treaty of 1963, and he was an articulate and forceful advocate for the peaceful use of atomic energy.

A former chancellor of the University of California at Berkeley, Dr. Seaborg returned to the university as a chemistry professor on leaving the AEC chairmanship in 1971.

It was at the Berkeley laboratories three decades earlier that he created from uranium a previously unknown element that he called plutonium. The amount was infinitesimally small, about a millionth of a millionth of an ounce, and it could not be seen with the naked eye.

The process by which this was achieved—the transmutation of uranium into plutonium by bombarding it with neutrons—would win the 1951 Nobel Prize in chemistry, which Dr. Seaborg shared with a Berkeley colleague, Edwin M. McMillan. A form of this new element—known as plutonium 239—was found to undergo fission and to release great energy when bombarded by slow neutrons.

That, Dr. Seaborg would say later, gave plutonium 239 ''the potential for serving as the explosive ingredient for a nuclear bomb.''

In 1942, at the age of 30, Dr. Seaborg took a leave of absence from the University of California to join the Manhattan Project, the code name for the U.S. World War II effort to develop an atomic bomb. Since Nazi Germany was believed to be engaged in a similar effort, the project was given the highest wartime priority.

Assigned to a laboratory at the University of Chicago, Dr. Seaborg was chief of a Manhattan Project unit that was trying to devise a way of isolating large amounts of plutonium from uranium. By 1943, they had separated enough plutonium to send samples to the Manhattan Project scientists working at the laboratories at Los Alamos, N.M., where it was needed for some crucial experiments.

To arrange for the return of the plutonium to the Chicago laboratory, Dr. Seaborg had to devise a shortcut around the cumbersome and top secret wartime security apparatus. Lacking clearance to enter the Los Alamos laboratories, he took his wife on a vacation to nearby Santa Fe, where one morning he had breakfast with one of the Los Alamos physicists. At the restaurant after the meal, the physicist handed over the plutonium, which Dr. Seaborg placed in his suitcase and took back to Chicago on a train.

By 1945, there had been enough plutonium produced to build two atomic bombs, including the one dropped on Nagasaki, Japan,

three days after the atomic bombing of Hiroshima. Shortly thereafter, Japan capitulated and on Aug. 14, 1945, the war ended.

In 1946, Dr. Seaborg returned to Berkeley as a full professor, where he continued his prewar research on the discovery of new elements. He was associate director of the Lawrence Radiation Laboratory and chief of its nuclear chemistry research section from 1954 to 1958. He became chancellor of the University of California at Berkeley in 1958 and served in that capacity until his 1961 appointment as chairman of the AEC.

Glenn Theodore Seaborg was born in the small mining town of Ishpeming, on the Upper Peninsula of Michigan. At the age of 10, he moved to a suburb of Los Angeles with his family. He was first in his class and valedictorian in high school, and in September 1929, he entered the University of California at Los Angeles. To raise money for his college expenses he was a stevedore, an apricot picker, a laboratory assistant at a rubber company and an apprentice Linotype operator for the Los Angeles Herald. He was an assistant in the UCLA chemistry laboratory and a member of Phi Beta Kappa.

On graduating from UCLA, he transferred to the University of California's Berkeley campus where he had a teaching assistantship and a fellowship to study nuclear chemistry under the noted chemist, Gilbert N. Lewis. He received a doctorate in chemistry at Berkeley in 1937, then became a research associate under Lewis and later an instructor in chemistry.

He was a popular classroom teacher, but it was in the laboratory that Dr. Seaborg made his mark in the scientific community. There his co-worker, McMillan, he demonstrated that by bombarding uranium with neutrons, a new element—heavier than uranium—could be identified and produced. He called it neptunium after Neptune, the planet beyond Uranus in the solar system.

Building on this demonstration, Dr. Seaborg directed a team that employed a similar process to isolate the next of what came to be known as the transurnium elements—those with nuclei heavier than uranium, which had been the heaviest of the known elements. This next new element was named plutonium, after Pluto, the planet beyond Neptune in the solar system.

This would become the critical element in the development of atomic war weapons. After World War II, Dr. Seaborg continued his work on transuranium elements in the Berkeley laboratories, discovering substances later called berkelium, californium, einsteinium, fermium, mendelevium, nobelium and ''seaborgium,'' which was officially accepted as the name for element 106 in August 1997.

In his presentation speech on the awarding of the 1951 Nobel Prize, A.F. Westgren of the Royal Swedish Academy said Dr. Seaborg had ''written one of the most brilliant pages in the history of discovery of chemical elements.''

As a member of the General Advisory Committee of the AEC, Dr. Seaborg endorsed—reluctantly—the postwar crash program that developed the hydrogen bomb.

''Although I deplore the prospect of our country's putting a tremendous effort into the H-bomb, I must confess that I have been unable to come to the conclusion that we should not,'' he said.

On his appointment as chancellor of the University of California at Berkeley in 1958, Dr. Seaborg gave up his research work. For the next three years, he supervised what Newsweek magazine called ''possibly the best faculty in the United States.''

His 1961 appointment as AEC chairman made him the first scientist to direct the commission, and he was an insider and adviser to President Kennedy and U.S. negotiator Averell Harriman in the talks with the Soviet Union that led to the Limited Test Ban Treaty. Ratified by the Senate in September 1963, the treaty banned aboveground nuclear tests and committed the United States and the Soviet Union to seeking ''discontinuance of all test explosions of nuclear weapons for all time.'' For Dr. Seaborg, who had hoped for comprehensive prohibition of nuclear tests, the treaty was only a partial victory.

On leaving the AEC in summer 1971, Dr. Seaborg told NBC's ''Meet the Press'' that the commission's major achievement under his leadership was ''the development of economic nuclear power and the placement of that in the domain of private enterprise.'' In addition to the Limited Nuclear Test Ban Treaty, he also mentioned the start-up of the International Atomic Energy Agency and the signing of the Nuclear Nonproliferation Treaty.

He observed, somewhat ruefully, that it was the Department of the Defense, not the AEC, that had full control of the U.S. nuclear weapons program.

On rejoining the faculty of the University of California at Berkeley, following his departure from the AEC, Dr. Seaborg held the rank of university professor—the highest academic distinction. In 1983, concerned with the quality of science education, he became a professor in the university's graduate school of education.

He was a former president of the American Association for the Advancement of Science, and a recipient of the Enrico Fermi Award of the AEC and the Priestly Medal of the American Chemical Society. In 1991, he received the National Medal of Science, the nation's highest award for scientific achievement.

In 1942, Dr. Seaborg married Helen L. Griggs, with whom he had four sons and two daughters. When his children were young, the Nobel Prize-winning scientist was an enthusiastic participant in family baseball, volleyball and basketball games and in swimming contests.

One of his sons, Peter Glenn Seaborg, died in May of 1997.●

RULES OF THE COMMITTEE ON THE JUDICIARY

● Mr. HATCH. Mr. President, in accordance with rule XXVI, section 2, of the Standing Rules of the Senate, I hereby submit for publication in the CONGRESSIONAL RECORD, the Rules of the Committee on the Judiciary.

The Rules follow:

COMMITTEE ON THE JUDICIARY

I. MEETINGS OF THE COMMITTEE

1. Meetings may be called by the Chairman as he may deem necessary on three days notice or in the alternative with the consent of the Ranking Minority Member or pursuant to the provision of the Standing Rules of the Senate, as amended.

2. Each witness who is to appear before the Committee or any Subcommittee shall file with the Committee, at least 48 hours in advance of the hearing, a written statement of his testimony in as many copies as the Chairman of the Committee or Subcommittee prescribes.

3. On the request of any Member, a nomination or bill on the agenda of the Committee will be held over until the next meeting of the Committee or for one week, whichever occurs later.

II. QUORUMS

1. Ten Members shall constitute a quorum of the Committee when reporting a bill or nomination; provided that proxies shall not be counted in making a quorum.

2. For the purpose of taking sworn testimony, a quorum of the Committee and each Subcommittee thereof, now or hereafter appointed, shall consist of one Senator.

III. PROXIES

When a record vote is taken in the Committee on any bill, resolution, amendment, or any other question, a quorum being present, a Member who is unable to attend the meeting may submit his vote by proxy, in writing or by telephone, or through personal instructions. A proxy must be specific with respect to the matters it addresses.

IV. BRINGING A MATTER TO A VOTE

The Chairman shall entertain a non-debatable motion to bring a matter before the Committee to a vote. If there is objection to bring the matter to a vote without further debate, a rollcall vote of the Committee shall be taken, and debate shall be terminated if the motion to bring the matter to a vote without further debate passes with ten votes in the affirmative, one of which must be cast by the minority.

V. SUBCOMMITTEES

1. Any Member of the Committee may sit with any Subcommittee during its hearings or any other meeting, but shall not have the authority to vote on any matter before the Subcommittee unless he is a Member of such Subcommittee.

2. Subcommittees shall be considered de novo whenever there is a change in the Subcommittee chairmanship and seniority on the particular Subcommittee shall not necessarily apply.

3. Except for matters retained at the full Committee, matters shall be referred to the appropriate Subcommittee or Subcommittees by the chairman, except as agreed by a majority vote of the Committee or by the agreement of the Chairman and the Ranking Minority Member.

VI. ATTENDANCE RULES

1. Official attendance at all Committee markups and executive sessions of the Committee shall be kept by the Committee Clerk. Official attendance at all Subcommittee markups and executive sessions shall be kept by the Subcommittee Clerk.

2. Official attendance at all hearings shall be kept, provided that Senators are notified by the Committee Chairman and ranking Member, in the case of Committee hearings, and by the Subcommittee Chairman and ranking Member, in the case of Subcommittee hearings, 48 hours in advance of the hearing that attendance will be taken; otherwise, no attendance will be taken. Attendance at all hearings is encouraged.●

RULES OF THE COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

● Mr. JEFFORDS. Mr. President, Senate Standing Rule XXVI requires each committee to adopt rules to govern the procedures of the Committee and to publish those rules in the CONGRESSIONAL RECORD of the first year of each Congress. On January 20, 1999, the committee on Health, Education, Labor, and Pensions held a business meeting during which the members of the Committee unanimously adopted rules to govern the procedures of the Committee. Consistent with Standing Rule XXVI, today I am submitting for printing in the CONGRESSIONAL RECORD a

copy of the Rules of the Senate Committee on Health, Education, Labor, and Pensions.[1]

The rules follow:

RULES OF THE COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

(As adopted in executive session January 20, 1999)

Rule 1.—Subject to the provisions of rule XXVI, paragraph 5, of the Standing Rules of the Senate, regular meetings of the committee shall be held on the second and fourth Wednesday of each month, at 10:00 a.m., in room SD–430, Dirksen Senate Office Building. The chairman may, upon proper notice, call such additional meetings as he may deem necessary.

Rule 2.—The chairman of the committee or of a subcommittee, or if the chairman is not present, the ranking majority member present, shall preside at all meetings.

Rule 3.—Meetings of the committee or a subcommittee, including meetings to conduct hearings, shall be open to the public except as otherwise specifically provided in subsections (b) and (d) of rule 26.5 of the Standing Rules of the Senate.

Rule 4.—(a) Subject to paragraph (b), one-third of the membership of the committee, actually present, shall constitute a quorum for the purpose of transacting business. Any quorum of the committee which is composed of less than a majority of the members of the committee shall include at least one member of the majority and one member of the minority.

(b) A majority of the members of the subcommittee, actually present, shall constitute a quorum for the purpose of transacting business: provided, no measure or matter shall be ordered reported unless such majority shall include at least one member of the minority who is a member of the subcommittee. If, at any subcommittee meeting, a measure or matter cannot be ordered reported because of the absence of such a minority member, the measure or matter shall lay over for a day. If the presence of a member of the minority is not then obtained, a majority of the members of the subcommittee, actually present, may order such measure or matter reported.

(c) No measure or matter shall be ordered reported from the committee or a subcommittee unless a majority of the committee or subcommittee is actually present at the time such action is taken.

Rule 5.—With the approval of the chairman of the committee or subcommittee, one member thereof may conduct public hearings other than taking sworn testimony.

Rule 6.—Proxy voting shall be allowed on all measures and matters before the committee or a subcommittee if the absent member has been informed of the mater on which he is being recorded and has affirmatively requested that he be so recorded. While proxies may be voted on a motion to report a measure or matter from the committee, such a motion shall also require the concurrence of a majority of the members who are actually present at the time such action is taken.

The committee may poll any matters of committee business as a matter of unanimous consent; provided that every member is polled and every poll consists of the following two questions:

(1) Do you agree or disagree to poll the proposal; and

(2) Do you favor or oppose the proposal.

Rule 7.—There shall be prepared and kept a complete transcript or electronic recording adequate to fully record the proceedings of each committee or subcommittee meeting or conference whether or not such meetings or any part thereof is closed pursuant to the specific provisions of subsections (b) and (d) of rule 26.5 of the Standing Rules of the Senate, unless a majority of said members vote to forgo such a record. Such records shall contain the vote cast by each member of the committee or subcommittee on any question on which a ''yea and nay'' vote is demanded, and shall be available for inspection by any committee member. The clerk of the committee, or the clerk's designee, shall have the responsibility to make appropriate arrangements to implement this rule.

Rule 8.—The committee and each subcommittee shall undertake, consistent with the provisions of rule XXVI, paragraph 4, of the Standing rules of the Senate, to issue public announcement of any hearing it intends to hold at least one week prior to the commencement of such hearing.

Rule 9.—The committee or a subcommittee shall, so far as practicable, require all witnesses heard before it to file written statements of their proposed testimony at least 24 hours before a hearing, unless the chairman and the ranking minority member determine that there is good cause for failure to so file, and to limit their oral presentation to brief summaries of their arguments. The presiding officer at any hearing is authorized to limit the time of each witness appearing before the committee or a subcommittee. The committee or a subcommittee shall, as far as practicable, utilize testimony previously taken on bills and measures similar to those before it for consideration.

Rule 10.—Should a subcommittee fail to report back to the full committee on any measure within a reasonable time, the chairman may withdraw the measure from such subcommittee and report that fact to the full committee for further disposition.

Rule 11.—No subcommittee may schedule a meeting or hearing at a time designated for a hearing or meeting of the full committee. No more than one subcommittee executive meeting may be held at the same time.

Rule 12.—It shall be the duty of the chairman in accordance with section 133(c) of the Legislative Reorganization Act of 1946, as amended, to report or cause to be reported to the Senate, any measure or recommendation approved by the committee and to take or cause to be taken, necessary steps to bring the matter to a vote in the Senate.

Rule 13.—Whenever a meeting of the committee or subcommittee is closed pursuant to the provisions of subsection (b) or (d) of rule 26.5 of the Standing Rules of the Senate, no person other than members of the committee, members of the staff of the committee, and designated assistants to members of the committee shall be permitted to attend such closed session, except by special dispensation of the committee or subcommittee or the chairman thereof.

Rule 14.—The chairman of the committee or a subcommittee shall be empowered to adjourn any meeting of the committee or a subcommittee if a quorum is not present within fifteen minutes of the time schedule for such meeting.

Rule 15.—Whenever a bill or joint resolution repealing or amending any statute or part thereof shall be before the committee or a subcommittee for final consideration, the clerk shall place before each member of the committee or subcommittee a print of the statute or the part or section thereof to be amended or replaced showing by stricken-through type, the part or parts to be omitted and in italics, the matter proposed to be added, if a member makes a timely request for such print.

Rule 16.—An appropriate opportunity shall be given the minority to examine the proposed text of committee reports prior to their filing or publication. In the event there are supplemental, minority, or additional view, and appropriate opportunity shall be given the majority to examine the proposed text prior to filing or publication.

Rule 17.—(a) The committee, or any subcommittee, may issue subpoenas, or hold hearings to take sworn testimony or hear subpoenaed witnesses, only if such investigative activity has been authorized by majority vote of the committee.

(b) For the purpose of holding a hearing to take sworn testimony or hear subpoenaed witnesses, three members of the committee or subcommittee shall constitute a quorum: provided, with the concurrence of the chairman and ranking minority member of the committee or subcommittee, a single member may hear subpoenaed witnesses or take sworn testimony.

(c) the committee may, by a majority vote, delegate the authority to issue subpoenas to the chairman of the committee or a subcommittee, or to any member designated by such chairman. Prior to the issuance of each subpoena, the ranking minority member of the committee or subcommittee, and any other member so requesting, shall be notified regarding the identity of the person to whom it will be issued and the nature of the information sought and its relationship to the authorized investigative activity, except where the chairman of the committee or subcommittee, in consultation with the ranking minority member, determines that such notice would unduly impede the investigation. All information obtained pursuant to such investigative activity shall be made available as promptly as possible to each member of the committee requesting same, or to any assistant to a member of the committee, designated by such member in writing, but the use of any such information is subject to restrictions imposed by the rules of the Senate. Such information, to the extent that it is relevant to the investigation shall, if requested by a member, be summarized in writing as soon as practicable. Upon the request of any member, the chairman of the committee or subcommittee shall call an executive session to discuss such investigative activity or the issuance of any subpoena in connection therewith.

(*d*) Any witness summoned to testify at a hearing, or any witness giving sworn testimony, may be accompanied by counsel of his own choosing who shall be permitted, while the witness is testifying, to advise him of his legal rights.

(*e*) No confidential testimony taken or confidential material presented in an executive hearing, or any report of the proceedings of such an executive hearing, shall be made public, either in whole or in part or by way of summary, unless authorized by a majority of the members of the committee or subcommittee.

Rule 18.—Presidential nominees shall submit a statement of their background and financial interests, including the financial interests of their spouse and children living in their household, on a form approved by the committee which shall be sworn to as to its completeness and accuracy. The committee form shall be in two parts—

(I) information relating to employment, education and background of the nominee relating to the position to which the individual is nominated, and which is to be made public; and,

(II) information relating to financial and other background of the nominee, to be made public when the committee determines that such information bears directly on the nominee's qualifications to hold the position to which the individual is nominated.

Information relating to background and financial interests (parts I and II) shall not be

[1] Pursuant to S. Res. 20, Committee on Labor and Human Resources name was changed to Committee on Health, Education, Labor, and Pensions on January 19, 1999.

required of (a) candidates for appointment and promotion in the Public Health Service Corps; and (b) nominees for less than full-time appointments to councils, commissions or boards when the committee determines that some or all of the information is not relevant to the nature of the position. Information relating to other background and financial interests (part II) shall not be required of any nominee when the committee determines that it is not relevant to the nature of the position.

Committee action on a nomination, including hearings or meetings to consider a motion to recommend confirmation, shall not be initiated until at least five days after the nominee submits the form required by this rule unless the chairman, with the concurrence of the ranking minority member, waives this waiting period.

Rule 19.—Subject to statutory requirements imposed on the committee with respect to procedure, the rules of the committee may be changed, modified, amended or suspended at any time; provided, not less than a majority of the entire membership so determine at a regular meeting with due notice, or at a meeting specifically called for that purpose.

Rule 20.—In addition to the foregoing, the proceedings of the committee shall be governed by the Standing Rules of the Senate and the provisions of the Legislative Reorganization Act of 1946, as amended.

[Excerpts from the Standing Rules of the Senate]

RULE XXV

STANDING COMMITTEES

1. The following standing committees shall be appointed at the commencement of each Congress, and shall continue and have the power to act until their successors are appointed, with leave to report by bill or otherwise on matters within their respective jurisdictions:

* * * * *

(m)(1) Committee on Health, Education Labor, and Pensions, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Measures relating to education, labor, health, and public welfare.
2. Aging.
3. Agricultural colleges.
4. Arts and humanities.
5. Biomedical research and development.
6. Child labor.
7. Convict labor and the entry of goods made by convicts into interstate commerce.

Domestic activities of the American National Red Cross.

9. Equal employment opportunity.
10. Gallaudet College, Howard University, and Saint Elizabeths Hospital.

Individuals with disabilities[2]

12. Labor standards and labor statistics.
13. Mediation and arbitration of labor disputes.
14. Occupational safety and health, including the welfare of miners.
15. Private pension plans.
16. Public health.
17. Railway labor and retirement.
18. Regulation of foreign laborers.
19. Student loans.
20. Wages and hours of labor.

(2) Such committee shall also study and review, on a comprehensive basis, matters relating to health, education and training, and public welfare, and report thereon from time to time.

[2] Effective Jan. 21, 1999, pursuant to the Committee Reorganization Amendments of 1999 (S. Res. 28), is amended by striking ''Handicapped individuals'', and inserting ''Individuals with disabilities.''

RULE XXVI

COMMITTEE PROCEDURE

1. Each standing committee, including any subcommittee of any such committee, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate, to require by subpoena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to take such testimony and to make such expenditures out of the contingent fund of the Senate as may be authorized by resolutions of the Senate. Each such committee may make investigations into any matter within its jurisdiction, may report such hearings as may be had by it, and may employ stenographic assistance at a cost not exceeding the amount prescribed by the Committee on Rules and Administration.[3] The expenses of the committee shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

* * * * *

5. (a) Notwithstanding any other provision of the rules, when the Senate is in session, no committee of the Senate or any subcommittee thereof may meet, without special leave, after the conclusion of the first two hours after the meeting of the Senate commenced and in no case after two o'clock postmeridian unless consent therefor has been obtained from the majority leader and the minority leader (or in the event of the absence of either of such leaders, from his designee). The prohibition contained in the preceding sentence shall not apply to the Committee on Appropriations or the Committee on the Budget. The majority leader or his designee shall announce to the Senate whenever consent has been given under this subparagraph and shall state the time and place of such meeting. The right to make such announcement of consent shall have the same priority as the filing of a cloture motion.

(b) Each meeting of a committee, or any subcommittee thereof, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by a committee or a subcommittee thereof on the same subject for a period of no more than fourteen calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in clauses (1) through (6) would require the meeting to be closed, followed immediately by a record vote in open session by a majority of the members of the committee or subcommittee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings—

(1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(2) will relate solely to matters of committee staff personnel or internal staff management or procedure;

(3) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy or will represent a clearly unwarranted invasion of the privacy of an individual;

(4) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(5) will disclose information relating to the trade secrets of financial or commercial information pertaining specifically to a given person if—

(A) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(B) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(6) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

(c) Whenever any hearing conducted by any such committee or subcommittee is open to the public, that hearing may be broadcast by radio or television, or both, under such rules as the committee or subcommittee may adopt.

(d) Whenever disorder arises during a committee meeting that is open to the public, or any demonstration of approval or disapproval is indulged in by any person in attendance of any such meeting, it shall be the duty of the Chair to enforce order on his own initiative and without any point of order being made by a Senator. When the Chair finds it necessary to maintain order, he shall have the power to clear the room, and the committee may act in closed session for so long as there is doubt of the assurance of order.

(e) Each committee shall prepare and keep a complete transcript or electronic recording adequate to fully record the proceeding of each meeting or conference whether or not such meeting or any part thereof is closed under this paragraph, unless a majority of its members vote to forgo such a record

* * * * *

[3] Pursuant to section 68c of title 2, United States Code, the Committee on Rules and Administration issues Regulations Governing Rates Payable to Commercial Reporting Forms for Reporting Committee Hearings in the Senate.'' Copies of the regulations currently in effect may be obtained from the Committee.

GUIDELINES OF THE SENATE COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS WITH RESPECT TO HEARINGS, MARKUP SESSIONS, AND RELATED MATTERS

HEARINGS

Section 133A*(a)* of the Legislative Reorganization Act requires each committee of the Senate to publicly announce the date, place, and subject matter of any hearing at least one week prior to the commencement of such hearing.

The spirit of this requirement is to assure adequate notice to the public and other Members of the Senate as to the time and subject matter of proposed hearings. In the spirit of section 133A*(a)* and in order to assure that members of the committee are themselves fully informed and involved in the development of hearings:

1. Public notice of the date, place, and subject matter of each committee or subcommittee hearing should be inserted in the Congressional Record seven days prior to the commencement of such hearing.

2. Seven days prior to public notice of each committee or subcommittee hearing, the committee or subcommittee should provide written notice to each member of the committee of the time, place, and specific subject matter of such hearing, accompanied by a list of those witnesses who have been or are proposed to be invited to appear.

3. The committee and its subcommittee should, to the maximum feasible extent, enforce the provisions of rule 9 of the committee rules as it relates to the submission of

written statements of witnesses twenty-four hours in advance of a hearing. When statements are received in advance of a hearing, the committee or subcommittee (as appropriate) should distribute copies of such statements to each of its members.

EXECUTIVE SESSIONS FOR THE PURPOSE OF MARKING UP BILLS

In order to expedite the process of marking up bills and to assist each member of the committee so that there may be full and fair consideration of each bill which the committee or a subcommittee is marking up the following procedures should be followed:

1. Seven days prior to the proposed date for an executive session for the purpose of marking up bills the committee or subcommittee (as appropriate) should provide written notice to each of its members as to the time, place, and specific subject matter of such session, including an agenda listing each bill or other matters to be considered and including:

(a) two copies of each bill, joint resolution, or other legislative matter (or committee print thereof) to be considered at such executive session; and

(b) two copies of a summary of the provisions of each bill, joint resolution, or other legislative matter to be considered at such executive session; and

2. Three days prior to the scheduled date for an executive session for the purpose of marking up bills, the committee or subcommittee (as appropriate) should deliver to each of its members two copies of a cordon print or an equivalent explanation of changes of existing law proposed to be made by each bill, joint resolution, or other legislative matter to be considered at such executive session.

3. Insofar as practical, prior to the scheduled date for an executive session for the purpose of marking up bills, each member of the committee or a subcommittee (as appropriate) should provide to all other such members two written copies of any amendment or a description of any amendment which that member proposes to offer to each bill, joint resolution, or other legislative matter to be considered at such executive session.

4. Insofar as practical, prior to the scheduled date for an executive session for the purpose of marking up bills, the committee or a subcommittee (as appropriate) should provide each member with a copy of the printed record or a summary of any hearings conducted by the committee or a subcommittee with respect to each bill, joint resolution, or other legislative matter to be considered at such executive session.

COMMITTEE REPORTS, PUBLICATIONS, AND RELATED DOCUMENTS

Rule 16 of the committee rules requires that the minority be given an opportunity to examine the proposed text of committee reports prior to their filing and that the majority be given an opportunity to examine the proposed text of supplemental, minority, or additional views prior to their filing. The views of all members of the committee should be taken fully and fairly into account with respect to all official documents filed or published by the committee. Thus, consistent with the spirit of rule 16, the proposed text of each committee report, hearing record, and other related committee document or publication should be provided to the chairman and ranking minority member of the committee and the chairman and ranking minority member of the appropriate subcommittee at least forty-eight hours prior to its filing or publication.●

RULES OF THE SPECIAL COMMITTEE ON AGING

● Mr. GRASSLEY. Mr. President, in accordance with Rule XXVI, paragraph 2, of the Standing Rules of the Senate, I hereby submit for publication in the CONGRESSIONAL RECORD, the Rules of the Special Committee on Aging.

The rules follow:

RULES OF THE SPECIAL COMMITTEE ON AGING

(Rules of Procedure)

I. CONVENING OF MEETINGS AND HEARINGS

1. Meetings. The Committee shall meet to conduct Committee business at the call of the Chairman.

2. Special Meetings. The Members of the Committee may call additional meetings as provided in Senate Rule XXVI (3).

(3) Notice and Agenda: (a) Hearings. The Committee shall make public announcement of the date, place, and subject matter of any hearing at least one week before its commencement.

(b) Meetings. The Chairman shall give the members written notice of any Committee meeting, accompanied by an agenda enumerating the items of business to be considered, at least 5 days in advance of such meeting.

(c) Shortened Notice. A hearing or meeting may be called on not less than 24 hours notice if the Chairman, with the concurrence of the Ranking Minority Member, determines that there is good cause to begin the hearing or meeting on shortened notice. An agenda will be furnished prior to such a meeting.

4. Presiding Officer. The Chairman shall preside when present. If the Chairman is not present at any meeting or hearing, the Ranking majority Member present shall preside. Any Member of the Committee may preside over the conduct of a hearing.

II. CLOSED SESSIONS AND CONFIDENTIAL MATERIALS

1. Procedure. All meetings and hearing shall be open to the public unless closed. To close a meeting or hearing or portion thereof, a motion shall be made and seconded to go into closed discussion on whether the meeting or hearing will concern the matters enumerated in Rule II.3. Immediately after such discussion, the meeting or hearing may be closed by a vote in open session of a majority of the Members of the Committee present.

2. Witness Request. Any witness called for a hearing may submit a written request to the Chairman no later than twenty-four hours in advance for his examination to be in closed or open session. The Chairman shall inform the Committee of any such request.

3. Closed Session Subjects. A meeting or hearing or portion thereof may be closed if the matters to be discussed concern: (1) national security; (2) Committee staff personnel or internal staff management or procedure; (3) matters tending to reflect adversely on the character or reputation or to invade the privacy of the individuals; (4) Committee investigations; (5) other matters enumerated in Senate Rule XXVI (5)(b).

4. Confidential Matter. No record made of a closed session, or material declared confidential by a majority of the Committee, or report of the proceedings of a closed session, shall be made public, in whole or in part or by way of summary, unless specifically authorized by the Chairman and Ranking Minority Member.

5. Broadcasting: (1) Control. Any meeting or hearing open to the public may be covered by television, radio, or still photography. Such coverage must be conducted in an orderly and unobtrusive manner, and the Chairman may for good cause terminate such coverage in whole or in part, or take such other action to control it as the circumstances may warrant.

(b) Request. A witness may request of the Chairman, on grounds of distraction, harassment, personal safety, or physical discomfort, that during his testimony cameras, media microphones, and lights shall not be directed at him.

III. QUORUMS AND VOTING

1. Reporting. A majority shall constitute a quorum for reporting a resolution, recommendation or report to the Senate.

2. Committee Business. A third shall constitute a quorum of the conduct of Committee business, other than a final vote on reporting, providing a minority Member is present. One Member shall constitute a quorum for the receipt of evidence, the swearing of witnesses, and the taking of testimony at hearings.

3. Polling: (a) Subjects. The Committee may poll (1) internal Committee matters including those concerning the Committee's staff, records, and budget; (2) other Committee business which has been designated for polling at a meeting.

(b) Procedure. The Chairman shall circulate polling sheets to each Member specifying the matter being polled and the time limit for completion of the poll. If any Member so requests in advance of the meeting, the matter shall be held for meeting rather than being polled. The clerk shall keep a record of polls, if the Chairman determines that the polled matter is one of the areas enumerated in Rule II.3, the record of the poll shall be confidential. Any Member may move at the Committee meeting following a poll for a vote on the polled decision.

IV. INVESTIGATIONS

1. Authorization for Investigations. All investigations shall be conducted on a bipartisan basis by Committee staff. Investigations may be initiated by the Committee staff upon the approval of the Chairman of the Ranking Minority Member. Staff shall keep the Committee fully informed of the progress of continuing investigations, except where the Chairman and the Ranking Minority Member agree that there exists temporary cause for more limited knowledge

2. Subpoenas. Subpoenas for the attendance of witnesses or the production of memoranda, documents, records, or any other materials shall be issued by the Chairman, or by any other Member of the Committee designated by him. Prior to the issuance of each subpoena, the Ranking Minority Member, and any Member so requesting, shall be notified regarding the identity of the person to whom the subpoena will be issued and the nature of the information sought and its relationship to the investigation.

3. Investigative Reports. All reports containing findings or recommendations stemming from Committee investigations shall be printed only with the approval of a majority of the Members of the Committee.

V. HEARINGS

1. Notice. Witnesses called before the Committee shall be given, absent extraordinary circumstances, at least forty-eight hours notice, and all witnesses called shall be furnished with a copy of these rules upon request.

2. Oath. All witnesses who testify to matters of fact shall be sworn unless the Committee waives the oath. The Chairman, or any member, may request and administer the oath.

3. Statement. Witnesses are required to make an introductory statement and shall file 150 copies of such statement with the Chairman or clerk of the Committee at least 72 hours in advance of their appearance, unless the Chairman and Ranking Minority

Member determine that there is good cause for a witness's failure to do so. A witness shall be allowed no more than ten minutes to orally summarize their prepared statement.

4. Counsel: (a) A witness's counsel shall be permitted to be present during his testimony at any public or closed hearing or depositions or staff interview to advise such witness of his rights, provided, however, that in the case of any witness who is an officer or employee of the government, or of a corporation or association, the Chairman may rule that representation by counsel from the government, corporation, or association creates a conflict of interest, and that the witness shall be represented by personal counsel not from the government, corporation, or association.

(b) A witness is unable for economic reasons to obtain counsel may inform the Committee at least 48 hours prior to the witness's appearance, and it will endeavor to obtain volunteer counsel for the witness. Such counsel shall be subject solely to the control of the witness and not the Committee Failure to obtain counsel will not excuse the witness from appearing and testifying.

5. Transcript. An accurate electronic or stenographic record shall be kept of the testimony of all witnesses in executive and public hearings. Any witness shall be afforded, upon request, the right to review that portion of such record, and for this purpose, a copy of a witness's testimony in public or closed session shall be provided to the witness. Upon inspecting his transcript, within a time limit set by the committee clerk, a witness may request changes in testimony to correct errors of transcription, grammatical errors, and obvious errors of fact, the Chairman or a staff officer designated by him shall rule on such request.

6. Impugned Persons. Any person who believes that evidence presented, or comment made by a Member or staff, at a public hearing or at a closed hearing concerning which there have been public reports, tends to impugn his character or adversely affect his reputation may: (a) file a sworn statement of facts relevant to the evidence or comment, which shall be placed in the hearing record;

(b) request the opportunity to appear personally before the Committee to testify in his own behalf; and

(c) submit questions in writing which he requests be used for the cross-examination of other-witnesses called by the Committee. The Chairman shall inform the Committee of such requests for appearance or cross-examination. If the Committee so decides; the requested questions, or paraphrased versions or portions of them, shall be put to the other witness by a Member of by staff.

7. Minority Witnesses. Whenever any hearing is conducted by the Committee, the minority on the Committee shall be entitled, upon request made by a majority of the minority Members to the Chairman, to call witnesses selected by the minority to testify or produce documents with respect to the measure or matter under consideration during at least one day of the hearing. Such request must be made before the completion of the hearing or, if subpoenas are required to call the minority witnesses, no later than three days before the completion of the hearing.

8. Conduct of Witnesses, Counsel and Members of the Audience. If, during public or executive sessions, a witness, his counsel, or any spectator conducts himself in such a manner as to prevent, impede, disrupt, obstruct, or interfere with the orderly administration of such hearing the Chairman or presiding Member of the Committee present during such hearing may request the Sergeant at Arms of the Senate, his representative or any law enforcement official to eject said person from the hearing room.

VI. DEPOSITIONS AND COMMISSIONS

1. Notices. Notices for the taking of depositions in an investigation authorized by the Committee shall be authorized and issued by the Chairman or by a staff officer designated by him. Such notices shall specify a time and place for examination, and the name of the staff officer or officers who will take the deposition. Unless otherwise specified, the deposition shall be in private. The Committee shall not initiate procedures leading to criminal or civil enforcement proceedings for a witness's failure to appear unless the deposition notice was accompanied by a Committee subpoena.

2. Counsel. Witness may be accompanied at a deposition by counsel to advise them of their rights, subject to the provisions of Rule V.4.

3. Procedure. Witnesses shall be examined upon oath administered by an individual authorized by local law to administer oaths. Questions shall be propounded orally by Committee staff. Objections by the witnesses as to the form of questions shall be noted for the record. If a witness objects to a question and refuses to testify on the basis of relevance or privilege, the Committee staff may proceed with the deposition, or may at that time or at a subsequent time, seek a ruling by telephone or otherwise on the objection from a Member of the Committee. If the Member overrules the objection, he may refer the matter to the Committee or he may order and direct the witness to answer the question, but the Committee shall not initiate the procedures leading to civil or criminal enforcement unless the witness refuses to testify after he has been ordered and directed to answer by a Member of the Committee.

4. Filing. The Committee staff shall see that the testimony is transcribed or electronically recorded. If it is transcribed, the witness shall be furnished with a copy for review. No later than five days thereafter, the witness shall return a signed copy, and the staff shall enter the changes, if any, requested by the witness in accordance with Rule V.6. If the witness fails to return a signed copy, the staff shall note on the transcript the date a copy was provided and the failutre to return it. The individual administering the oath shall certify on the transcript that the witness was duly sworn in his presence, the transcriber shall certify that the transcript is a true record to the testimony, and the transcript shall then be filed with the Committee Clerk. Committee staff may stipulate with the witness to changes in this procedure; deviations from the procedure which do not substantially impair the reliability of the record shall not relieve the witness from his obligation to testify truthfully.

5. Commissions. The Committee may authorize the staff, by issuance of commissions, to fill in prepared subpoenas, conduct field hearings, inspect locations, facilities, or systems of records, or otherwise act on behalf of the Committee. Commissions shall be accompanied by instructions from the Committee regulating their use.

VII. SUBCOMMITTEES

1. Establishment. The Committee will operate as a Committee of the Whole, reserving to itself the right to establish temporary subcommittees at any time by majority vote. The Chairman of the full Committee and the Ranking Minority Member shall be ex officio Members of all subcommittees.

2. Jurisdiction. Within its jurisdiction as described in the Staffing Rules of the Senate, each subcommittee is authorized to conduct investigations, including use of subpoenas, depositions, and commissions.

3. Rules. A subcommittee shall be governed by the Committee rules, except that its quorum for all business shall be one-third of the subcommittee Membership, and for hearings shall be one Member.

VIII. REPORTS

Committee reports incorporating Committee findings and recommendations shall be printed only with the prior approval of the Committee, after an adequate period for review and comment. The printing, as Committee documents, of materials prepared by staff for informational purposes, or the printing of materials not originating with the Committee or staff, shall require prior consultation with the minority staff; these publications shall have the following language printed on the cover of the document: ''Note: This document has been printed for informational purposes. It does not represent either findings or recommendations formally adopted by the Committee.''

IX. AMENDMENT OF RULES

The rules of the Committee may be amended or revised at any time, provided that not less than a majority of the Committee present so determine at a Committee meeting preceded by at least 3 days notice of the amendments or revisions proposed.●

RULES OF THE COMMITTEE ON VETERANS' AFFAIRS

● Mr. SPECTER. Mr. President, pursuant to paragraph 2 of Rule XXVI, Standing Rules of the Senate, I submit for printing in the CONGRESSIONAL RECORD the Rules of the Committee on Veterans' Affairs for the 106th Congress, as adopted by the Committee on March 1, 1999.

The rules follow:

COMMITTEE ON VETERANS' AFFAIRS RULES OF PROCEDURE

I. MEETINGS

(a) Unless otherwise ordered, the Committee shall meet on the first Wednesday of each month. The Chairman may, upon proper notice, call such additional meetings as he deems necessary.

(b) Except as provided in subparagraphs (b) and (d) of paragraph 5 of rule XXVI of the Standing Rules of the Senate, meetings of the Committee shall be open to the public. The Committee shall prepare and keep a complete transcript or electronic recording adequate to fully record the proceedings of each meeting whether or not such meeting or any part thereof is closed to the public.

(c) The Chairman of the Committee or the Ranking Majority Member present in the absence of the Chairman, or such other Member as the Chairman may designate, shall preside at all meetings.

(d) No meeting of the Committee shall be scheduled except by majority vote of the Committee or by authorization of the Chairman of the Committee.

(e) The Committee shall notify the office designated by the Committee on Rules and Administration of the time, place, and purpose of each meeting. In the event such meeting is canceled, the Committee shall immediately notify such designated office.

(f) Written notice of a Committee meeting, accompanied by an agenda enumerating the items of business to be considered, shall be sent to all Committee members at least 72 hours (not counting Saturdays, Sundays, and Federal holidays) in advance of each meeting. In the event that the giving of such 72-hour notice is prevented by unforeseen requirements or Committee business, the Committee staff shall communicate notice by the quickest appropriate means to members or appropriate staff assistants of Members and

an agenda shall be furnished prior to the meeting.

(g) Subject to the second sentence of this paragraph, it shall not be in order for the Committee to consider any amendment in the first degree proposed to any measure under consideration by the Committee unless a written copy of such amendment has been delivered to each member of the Committee at least 24 hours before the meeting at which the amendment is to be proposed. This paragraph may be waived by a majority vote of the members and shall apply only when 72-hour written notice has been provided in accordance with paragraph (f).

II. QUORUMS

(a) Subject to the provisions of paragraph (b), seven members of the Committee shall constitute a quorum for the reporting or approving of any measure or matter or recommendation. Four members of the Committee shall constitute a quorum for purposes of transacting any other business.

(b) In order to transact any business at a Committee meeting, at least one member of the minority shall be present. If, at any meeting, business cannot be transacted because of the absence of such a member, the matter shall lay over for a calendar day. If the presence of a minority member is not then obtained, business may be transacted by the appropriate quorum.

(c) One member shall constitute a quorum for the purpose of receiving testimony.

III. VOTING

(a) Votes may be cast by proxy. A proxy shall be written and may be conditioned by personal instructions. A proxy shall be valid only for the day given.

(b) There shall be a complete record kept of all Committee action. Such record shall contain the vote cast by each member of the Committee on any question on which a roll call vote is requested.

IV. HEARINGS AND HEARING PROCEDURES

(a) Except as specifically otherwise provided, the rules governing meetings shall govern hearings. (b) At least 1 week in advance of the date of any hearing, the Committee shall undertake, consistent with the provisions of paragraph 4 of rule XXVI of the Standing Rules of the Senate, to make public announcements of the date, place, time, and subject matter of such hearing.

(c) The Committee shall require each witness who is scheduled to testify at any hearing to file 40 copies of such witness' testimony with the Committee not later than 48 hours prior to the witness' scheduled appearance unless the Chairman and Ranking Minority Member determine there is good cause for failure to do so.

(d) The presiding member at any hearing is authorized to limit the time allotted to each witness appearing before the Committee.

(e) The Chairman, with the concurrence of the Ranking Minority Member of the Committee, is authorized to subpoena the attendance of witnesses and the production of memoranda, documents, records, and any other materials. If the Chairman or a Committee staff member designated by the Chairman has not received from the Ranking Minority Member or a Committee staff member designated by the Ranking Minority Member notice of the Ranking Minority Member's nonconcurrence in the subpoena within 48 hours (excluding Saturdays, Sundays, and Federal holidays) of being notified of the Chairman's intention to subpoena attendance or production, the Chairman is authorized following the end of the 48-hour period involved to subpoena the same without the Ranking Minority Member's concurrence. Regardless of whether a subpoena has been concurred in by the Ranking Minority Member, such subpoena may be authorized by vote of the Members of the Committee. When the Committee or Chairman authorizes a subpoena, the subpoena may be issued upon the signature of the Chairman or of any other member of the Committee designated by the Chairman.

(f) Except as specified in Committee Rule VII (requiring oaths, under certain circumstances, at hearings to confirm Presidential nominations), witnesses at hearings will be required to give testimony under oath whenever the presiding member deems such to be advisable.

V. MEDIA COVERAGE

Any Committee meeting or hearing which is open to the public may be covered by television, radio, and print media. Photographers, reporters, and crew members using mechanical recording, filming or broadcasting devices shall position and use their equipment so as not to interfere with the seating, vision, or hearing of the Committee members or staff or with the orderly conduct of the meeting or hearing. The presiding member of the meeting or hearing may for good cause terminate, in whole or in part, the use of such mechanical devices or take such other action as the circumstances and the orderly conduct of the meeting or hearing may warrant.

VI. GENERAL

All applicable requirements of the Standing Rules of the Senate shall govern the Committee.

VII. PRESIDENTIAL NOMINATIONS

(a) Each Presidential nominee whose nomination is subject to Senate confirmation and referred to this Committee shall submit a statement of his or her background and financial interests, including the financial interests of his or her spouse and of children living in the nominee's household, on a form approved by the Committee which shall be sworn to as to its completeness and accuracy. The Committee form shall be in two parts—

(A) information concerning employment, education, and background of the nominee which generally relates to the position to which the individual is nominated, and which is to be made public; and

(B) information concerning the financial and other background of the nominee, to be made public when the Committee determines that such information bears directly on the nominee's qualifications to hold the position to which the individual is nominated.

Committee action on a nomination, including hearings or a meeting to consider a motion to recommend confirmation, shall not be initiated until at least five days after the nominee submits the form required by this rule unless the Chairman, with the concurrence of the Ranking Minority Member, waives this waiting period.

(b) At any hearing to confirm a Presidential nomination, the testimony of the nominee and, at the request of any Member, any other witness shall be under oath.

VIII. NAMING OF DEPARTMENT OF VETERANS AFFAIRS FACILITIES

It is the policy of the Committee that no Department of Veterans Affairs facility shall be named after any individual unless—

(A) such individual is deceased and was—

(1) a veteran who (i) was instrumental in the construction or the operation of the facility to be named, or (ii) was a recipient of the Medal of Honor or, as determined by the Chairman and Ranking Minority Member, otherwise performed military service of an extraordinarily distinguished character;

(2) a member of the United States House of Representatives or Senate who had a direct association with such facility;

(3) an Administrator of Veterans' Affairs, a Secretary of Veterans Affairs, a Secretary of Defense or of a service branch, or a military or other Federal civilian official of comparable or higher rank; or

(4) an individual who, as determined by the Chairman and Ranking Minority Member, performed outstanding service for veterans;

(B) each member of the Congressional delegation representing the State in which the designated facility is located has indicted in writing such member's support of the proposal to name such facility after such individual; and

(C) the pertinent State department or chapter of each Congressionally chartered veterans' organization having a national membership of at least 500,000 has indicated in writing its support of such proposal.

IX. AMENDMENTS TO THE RULES

The rules of the Committee may be changed, modified, amended, or suspended at any time, provided, however, that no less than a majority of the entire membership so determine at a regular meeting with due notice, or at a meeting specifically called for that purpose. The rules governing quorums for reporting legislative matters shall govern rules changes, modification, amendments, or suspension.●

MILITARY PAY AND BENEFITS BILL

● Mr. DODD. Mr. President, I ask that the article entitled ''A Military Problem Money Can't Solve,'' which appeared in this morning's New York Times, be printed in the RECORD. It helps to illustrate why the Senate should have taken a closer look at the provisions of S. 4 before voting on it. Had hearings been held on the bill, and had we awaited the completion of studies by the CBO, GAO and Defense Department, perhaps some Senators would have had a chance to become familiar with the reasons that our service men and women leave the military. As this article makes clear, retention may depend more on improving quality of life than increasing pay and pensions.

The article follows:

[The New York Times, Tuesday, Mar. 2, 1999]

A MILITARY PROBLEM MONEY CAN'T SOLVE

(By Lucian K. Truscott 4th)

LOS ANGELES.—While members of the armed services are underpaid and overworked, the bill recently passed by the Senate that gives them a pay raise doesn't address the real problem: keeping skilled officers and noncommissioned officers from leaving in mid-career.

The Army, Navy and Air Force now face serious enlistment shortfalls. For example, last year the Navy fell 7,000 short of its recruitment goal. The bill would raise military pay 4.8 percent and increase reenlistment bonuses and retirement benefits.

But even if the improved benefit package helps attract more recruits, there will continue to be a shortfall unless the military does more to keep mid-career soldiers from resigning.

Over the past few years, I have been in touch with more than 100 men and women who have resigned from the service, chiefly because my last two books have been about the military. Not once have I heard them say that they left the service because the pay was low. For many, quality-of-life factors drove them away.

They complain that junior officers and enlisted men and women with families are assigned to military housing that is old and badly maintained. On many bases both here and abroad, there is a shortage of housing, forcing many young families to live off the base. Civilian landlords in neighborhoods near military bases often charge above-market rents because they know military families are a captive market.

Deployments to far-off ''peace-keeping'' missions are another reason for mid-career attrition. With all of the services short-handed, assignments to these hardship missions are far more frequent than in the past. Moreover, to soldiers who have been trained to fight, many of these peacekeeping missions seem pointless.

But the complaint I've heard as often as any other has been about the system for advancement. One former officer told me that the military's traditional ''zero defects'' policy now applies to careers, not just to the readiness of a unit or to effectiveness in combat. One bad rating from a senior officer can end a career. ''Everyone seems afraid to take the slightest chance at making a mistake,'' he said, for fear of getting a bad review.

So the mid-level officers may be jumping ship because the solution—which would include dissolving the unfair ratings system—is too radical to ever be considered.

Dissatisfaction with the overall ratings system for officers also helps to explain why the 20 percent increase in retirement benefits called for in the Senate bill is unlikely to improve retention rates. There are fewer slots as you go higher in rank, so promotions get harder.

In the past, for example, a major who wasn't promoted to lieutenant colonel could stay at the same rank and still get full retirement benefits after 20 years of service. Now many of those who don't get promoted are asked to leave the military.

The new officer rating system, established a year ago, has rigorous quotas that insure that only a certain number of soldiers are promoted—and reach retirement age. The ratings system uses four levels, but no more than half of the soldiers a superior officer oversees can be given the top rating. Soldiers who consistently score at the top are the ones who will qualify for retirement benefits, the bulk of which kick in at 20 years of service.

But that means the other half has little or no chance of qualifying for retirement, and it's this group that is more likely to resign from the service at mid-career. Several former military men have told me that after receiving what they considered to be unfair low ratings as junior officers they drew the conclusion that they would never be able to serve 20 years and reach retirement. Each of them decided to resign early rather than stick around and learn late in his career that his services were no longer wanted by the military.

''They tell you that if you're not going to go all the way to 20, you'd better get out by the end of your eighth year, because the corporate world won't take you after that,'' one former soldier explained.

Many former soldiers I have corresponded with have described their decisions to resign from the military as complex and painful. But the emotion they express most frequently is anger.

''I think the most important reason for leaving is that the Army pays lip service to taking care of its own, but it really doesn't,'' one former officer wrote.

Still another former military man described the plight of the mid-career professional soldier this way: ''They are sent to far-off places with inadequate support, pointless missions and foolish rules of engagement so the cocktail party set back in D.C. . . . can have their consciences feel good.''

Many of the military men and women I've interviewed see no one in senior leadership positions standing up and telling the politicians that while a pay raise is nice, there are a lot of other problems that need to be addressed. As one former officer wrote me, ''Money would help, but it will not cure.''●

NATIONAL TRIO DAY

● Ms. SNOWE. Mr. President, I rise to bring my colleagues attention to the celebration of National TRIO Day which took place on Saturday, February 28. National TRIO Day—which was created by a concurrent resolution during the 99th Congress—is celebrated every year on the last Saturday of February, and serves as a day of recognition for the Federal TRIO Programs.

As my colleagues are aware, the TRIO Programs actually consist of several educational programs: Talent Search; Upward Bound; Upward Bound Math/Science; Veterans Upward Bound; Student Support Services; Ronald E. McNair Postbaccalaureate Achievement Program; and Educational Opportunity Centers. These programs, established over 30 years ago, provide services to low-income students and help them overcome a variety of barriers to obtaining a higher education, including class, social, and cultural barriers.

Currently, 2,000 colleges, universities and community agencies sponsor TRIO Programs, and more than 780,000 low-income middle school, high school, and adult students benefit from the services of these programs. By lifting students out of poverty, these students can pursue their highest aspirations and achieve the American dream, even as our nation is collectively lifted to new heights.

Mr. President, there are 15 TRIO Programs in my home State of Maine that serve 6,000 aspiring students each year. I know that these programs work because I have seen and heard of the tangible impact the programs have had—and continue to have—on individuals in Maine.

The impact of the TRIO Programs speaks for itself when considering that TRIO graduates can be found in every occupation one can think of, including doctors, lawyers, astronauts, television reporters, actors, state senators, and even Members of Congress. In fact, two of our colleagues in the House of Representatives—Congressman HENRY BONILLA and Congressman ALBERT R. WYNN—are graduates of the TRIO Programs.

In closing, as we celebrate National TRIO Day, I would like to encourage my colleagues to learn more about the TRIO Programs in their respective states, and see for themselves the impact the programs have had—and continue to have—on their constituents. Ensuring that all of our nation's students who desire a higher education are able to attain it is a goal that I think we can all agree on—and TRIO makes it possible.●

UNANIMOUS CONSENT AGREEMENT—S. RES. 51 AND S. RES 52

Mr. ALLARD. Mr. President, I ask unanimous consent that the Senate proceed en bloc to the immediate consideration of Senate resolutions 51 and 52, which are on the calendar.

I further ask consent that the resolutions be agreed to and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROVIDING FOR MEMBERS ON THE PART OF THE SENATE OF THE JOINT COMMITTEE ON PRINTING AND THE JOINT COMMITTEE ON THE LIBRARY

The PRESIDING OFFICER. The clerk will state the first resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 51) providing for members on the part of the Senate of the Joint Committee on Printing and the Joint Committee on the Library.

The resolution was considered and agreed to, as follows:

S. RES. 51

Resolved, That the following-named Members be, and they are hereby, elected members of the following joint committees of Congress:

Joint Committee on Printing: Mitch McConnell, Thad Cochran, Don Nickles, Dianne Feinstein, and Daniel K. Inouye.

Joint Committee on the Library: Ted Stevens, Mitch McConnell, Thad Cochran, Christopher J. Dodd, and Daniel Patrick Moynihan.

AUTHORIZING THE PRINTING OF A COLLECTION OF THE RULES OF THE COMMITTEES OF THE SENATE

The PRESIDING OFFICER. The clerk will state the second resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 52) to authorize the printing of a collection of the rules of the committees on the Senate.

The resolution was considered and agreed to, as follows:

S. RES. 52

Resolved, That a collection of the rules of the committees of the Senate, together with related materials, be printed as a Senate document, and that there be printed 600 additional copies of such document for the use of the Committee on Rules and Administration.

MEASURE READ THE FIRST TIME—H.R. 350

Mr. ALLARD. Mr. President, I understand that H.R. 350 is at the desk. I ask for its first reading.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 350) to improve Congressional deliberation on proposed Federal private sector mandates, and for other purposes.

Mr. ALLARD. I now ask for its second reading and would object to my own request.

The PRESIDING OFFICER. Objection is heard.

MEASURE READ THE FIRST TIME—S. 508

Mr. ALLARD. Mr. President, I understand that Senate bill 508, which was introduced earlier by Senators SANTORUM and ALLARD, is at the desk, and I ask that it be read the first time.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (S. 508) to prohibit implementation of ''Know Your Customer'' regulations by the Federal banking agencies.

Mr. ALLARD. I now ask for its second reading and would object to my own request.

The PRESIDING OFFICER. Objection is heard.

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT 106–2

Mr. ALLARD. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaty transmitted to the Senate on March 2, 1999, by the President of the United States:

The Extradition Treaty Between the Government of the United States of America and the Government of the Republic of Korea (Treaty Document 106–2).

I further ask that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The message of the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Extradition Treaty Between the Government of the United States of America and the Government of the Republic of Korea, signed at Washington on June 9, 1998 (hereinafter the ''Treaty'').

In addition, I transmit for the information of the Senate, the report of the Department of State with respect to the Treaty. The Treaty will not require implementing legislation.

The Treaty will, upon entry into force, enhance cooperation between the law enforcement communities of the United States and Korea. It will provide, for the first time, a framework and basic protections for extraditions between Korea and the United States, thereby making a significant contribution to international law enforcement efforts.

The provisions in this Treaty follow generally the form and content of extradition treaties recently concluded by the United States.

I recommend that the Senate give early and favorable consideration to the Treaty and give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *March 2, 1999.*

MAKING APPOINTMENTS TO CERTAIN SENATE COMMITTEES

Mr. ALLARD. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of Senate Resolution 55 submitted earlier today by Senators LOTT and DASCHLE.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 55) making appointments to certain Senate committees for the 106th Congress.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. ALLARD. Mr. President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 55) reads as follows:

S. RES. 55

Resolved, That notwithstanding the provisions of S. Res. 400 of the 95th Congress, or the provisions of Rule XXV, the following shall constitute the membership on those Senate committees listed below for the 106th Congress, or until their successors are appointed:

Committee on Veterans' Affairs: Mr. Specter (Chairman), Mr. Murkowski, Mr. Thurmond, Mr. Jeffords, Mr. Campbell, Mr. Craig, Mr. Hutchinson of Arkansas, Mr. Rockefeller, Mr. Graham of Florida, Mr. Akaka, Mr. Wellstone, and Mrs. Murray.

Special Committee on Aging: Mr. Grassley (Chairman), Mr. Jeffords, Mr. Craig, Mr. Burns, Mr. Shelby, Mr. Santorum, Mr. Hagel, Ms. Collins, Mr. Enzi, Mr. Bunning, Mr. Hutchinson of Arkansas, Mr. Breaux, Mr. Reid of Nevada, Mr. Kohl, Mr. Feingold, Mr. Wyden, Mr. Reed of Rhode Island, Mr. Bayh, Mrs. Lincoln, and Mr. Bryan.

Committee on Indian Affairs: Mr. Campbell (Chairman), Mr. Murkowski, Mr. McCain, Mr. Gorton, Mr. Domenici, Mr. Thomas, Mr. Hatch, Mr. Inhofe, Mr. Inouye (Vice Chairman), Mr. Conrad, Mr. Reid of Nevada, Mr. Akaka, Mr. Wellstone, and Mr. Dorgan.

Special Committee on the Year 2000 Technology Problems: Mr. Bennett (Chairman), Mr. Kyl, Mr. Smith of Oregon, Ms. Collins, Mr. Stevens (ex-officio), Mr. Dodd (Vice Chairman), Mr. Moynihan, Mr. Edwards, and Mr. Byrd (ex-officio).

APPLICATIONS SUBMITTED BY THE DODSON SCHOOL FOR CERTAIN IMPACT AID PAYMENTS FOR FISCAL YEAR 1999

Mr. ALLARD. Mr. President, I ask unanimous consent that Senate bill 447 be discharged from the Labor Committee and, further, that the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

A bill (S. 447) to deem timely filed, and process for payment, the applications submitted by the Dodson School Districts for certain Impact Aid payments for fiscal year 1999.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. ALLARD. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and, finally, that any statements related to the bill appear at this point in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill was ordered to be engrossed for a third reading, was deemed read the third time, and passed as follows:

S. 447

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

SECTION 1. IMPACT AID.

The Secretary of Education shall deem as timely filed, and shall process for payment, an application for a fiscal year 1999 payment under section 8003 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703) from a local educational agency serving each of the following school districts if the Secretary receives that application not later than 30 days after the date of enactment of this Act:

(1) The Dodson Elementary School District #2, Montana.

(2) The Dodson High School District, Montana.

EXECUTIVE CALENDAR

EXECUTIVE SESSION

Mr. ALLARD. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nomination on the Executive Calendar: No. 9.

I finally ask unanimous consent that the nomination be confirmed, the motion to reconsider be laid upon the table, any statements relating to the nomination appear at this point in the RECORD, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senate proceeded to consider the nomination.

Mr. SHELBY. Mr. President, I rise today to urge my colleagues to vote in favor of the nomination of James M. Simon, Jr., to be the Assistant Director of Central Intelligence for Administration. As part of the Intelligence Authorization Act for Fiscal Year 1997 (S. 1718), the Senate Created the Office of the Director of Central Intelligence (ODCI), clarified the DCI's responsibilities for managing the Intelligence Community, and crated three new leadership positions in the ODCI: the Assistant Director of Central Intelligence

(ADCI) for Collection, the Assistant Director of Central Intelligence for Analysis and Production, and the Assistant Director of Central Intelligence for Administration. According to the Act, the ADCIs were to be appointed by the President and confirmed by the Senate.

At Conference, the House agreed to create the three new positions provided that the position of Deputy Director of Central Intelligence for Community Management (DDCI/CM) also be created as a position requiring the advise and consent of the Senate. Therefore the Conference Report included the three ADCI positions and added the DDCI/CM position within he Office of the DCI. The ADCIs report directly to the DDCI/CM. This new leadership structure was enacted into law by P.L. 104–293.

The intent was to create a ''Goldwater-Nichols'' equivalent legislation for the intelligence Community by breaking down the barriers to effective community management erected by the very powerful directors of various intelligence agencies. In many cases, these directors act unilaterally on the day-to-day decisions concerning collection, production, and administration within the Community. On May 22, 1998, the Committee favorably reported the nomination of Joan Dempsey to be the first DDCI/CM. The Senate confirmed her on May 22, 1998.

A great deal of the responsibility for management improvement within the Intelligence Community will lie with the Assistant Director of Central Intelligence for Administration. Therefore, the position requires a strong and determined individual that is prepared to confront and overcome the inevitable resistance of an entrenched and calcified bureaucracy.

Mr. James M. Simon, Jr., a career intelligence officer, was nominated by the President to be the first Assistant Director of Central Intelligence for Administration, and the Senate Select Committee on Intelligence held open hearings on his nomination on February 4, 1999. On February 24, 1999, the Committee voted to favorably report the nomination of Mr. Simon to he full Senate.

Mr. Simon was born in Montgomery, Alabama on 1 July 1947. He is married to Susan Woods of Tuscaloosa, Alabama.

Mr. Simon was commissioned in the US Army in 1969, retiring in 1997 from the active reserve. Trained as a signal officer and in intelligence, he has commanded a SIGINT/EW company and has been operations officer of a psychological warfare battalion. He is a graduate of the Military Intelligence Officers Advanced Course, the Command and General Staff College, and has completed the Security Management Course from the national War College.

After discharge, Mr. Simon became a research intern at Radio Free Europe and served as teaching assistant to the Dean of the University of Southern California's Graduate Program in International Relations in Germany prior to returning to the United States to study for a Ph.D.

Mr. Simon has a B.A. in political science from the University of Alabama and a M.A. in international relations from the University of Southern California. He held both Herman and Earhart fellowships while pursuing a Ph.D at USC with emphasis in national security, bureaucracy, Soviet studies, and Marxism-Leninism. He has given lectures at Harvard, Cornell, Utah State, the Joint Military Intelligence College, the Command and General Staff College, the Navy War College, the Air War College, and the national War College. For two years, he taught Soviet war fighting at he Air University's course for general officers.

Mr. Simon left USC before completing his dissertation and joined the CIA in 1975 through its Career Training Program. He served briefly in the clandestine service before joining he Directorate of Intelligence's Office of Strategic Research as a military analyst specializing in tactics and doctrine. He served as chief of a current intelligence branch as well as of two branches concerned with Soviet military strategy, doctrine, and plans. From 1986 to 1990 he was in charge of the intelligence community organization responsible for asking the imagery constellation. In 1990, he was assigned as the senior intelligence representative to the US delegation for the Conventional Forces in Europe (CFE) Treaty in Vienna where he was principal negotiator for the Treaty's information exchange protocol. After ratification, in 1991, Mr. Simon was reassigned as Chief of ACIS Rhein Main in Frankfurt; the Community's facility responsible for the preparation, debriefing, and reporting of information gained by arms control inspection teams throughout Europe. In 1993, Mr. Simon became chief of a division in the Office of European Analysis and in 1996 was named Chief of the Collection Requirements and Evaluation Staff.

The Intelligence Committee believes that Mr. Simon is well qualified for this new position. Accordingly,I again urge my colleagues to support this nomination and vote in favor of the Nominee.

Mr. KERREY. Mr. President, I rise to join Chairman SHELBY in recommending to the Senate that Mr. James M. Simon be confirmed as the new Assistant Director of Central Intelligence for Administration. Mr. Simon has demonstrated the essential qualities required for this position, and I believe the Director of Central Intelligence has acted wisely in proposing to the President Mr. Simon's nomination.

I am glad the Director of Central Intelligence is fulfilling one of the obligations imposed by the Fiscal Year 1997 Intelligence Authorization Act. In that Act, Congress—after extended discussions among the relevant committees—created a new management structure for the Office of the DCI. That structure included the new positions of Assistant Directors of Central Intelligence—one for intelligence collection, one for intelligence analysis, and one for community administration. The nomination to be considered by the Senate, the Assistant Director for Administration, will help to play an important role in ensuring the Intelligence Community is effectively managed.

To date, the DCI has taken the interim steps of appointing acting Assistant Directors for collection and for analysis. I expect Presidential nominations for these positions will be forthcoming soon. I must say, the Senate's wisdom in the Fiscal Year 1997 Intelligence Authorization Act has been confirmed by the DCI's interim appointments. Prior to the appointments of Mr. Charles Allen and Mr. John Gannon, Congress and the American people looked to the DCI to manage both the collection of intelligence information and the analysis of that information. Without any assistance in these areas, it was literally his personal responsibility. When the intelligence community fails to collect adequate information to prevent policy-makers from being surprised, Congress and the American people blame the DCI. Further, when the intelligence community fails to marshal its resources to analyze tough intelligence targets, Congress and the American people again blame the DCI. The blame was clear, for example, in last year's Indian nuclear test incident. Affixing the responsibility on the DCI was warranted, but he did not have the management structure in place to help him fulfill his responsibilities. The Fiscal Year 1997 Intelligence Authorization Act created a structure to help the DCI discharge his responsibilities and, following the Indian nuclear tests, the DCI began filling the new structure. So far, the results of Mr. Allen's and Mr. Gannon's work demonstrate that community-wide coordination is appropriate and sorely needed.

Mr. Simon is eminently qualified. He is a career intelligence officer. He has demonstrated throughout his career the ability to make tough calls and to be held accountable for those calls. In his most recent assignment as the head of the CIA's Requirements Evaluation Staff, he has taken on a task to fix something that has long been broken. He is working on a way to place a value on the different kinds of intelligence we collect. To the uninitiated this may sound fairly unimportant and, perhaps, even easy. But is not. It is hard because it directly challenges the directors of the heads of the agencies within the Intelligence Community. For example, it forces the head of signals intelligence to justify the quality of his efforts relative to the efforts of another agency that controls human intelligence. It has a similar effect on judging the value of satellite collection relative to the other ways we obtain

our intelligence information. No agency director likes this evaluation because it forces questions to be answered on such fundamental issues as to whether or not community-wide budget and personnel resources are being directed in the right areas. Directors naturally resist a comparison of the value of their agency's work versus the value of the work of other agencies. Nonetheless, Mr. Simon chose to take on the agency heads in the Intelligence Community because it was the right thing to do.

The DCI has made an excellent choice in recommending Mr. Simon to the President. Mr. Simon should be confirmed by the Senate. I believe his services as the Assistant Director of Central Intelligence for Administration will have a significant and lasting impact on the Intelligence Community. I urge my colleagues to support this nomination.

The nomination considered and confirmed follows:

CENTRAL INTELLIGENCE

James M. Simon, Jr., of Alabama, to be Assistant Director of Central Intelligence for Administration. (New Position)

LEGISLATIVE SESSION

Mr. ALLARD. Mr. President, I ask unanimous consent that the Senate now return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL GIRL SCOUT WEEK

Mr. ALLARD. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of Senate Resolution 48 and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 48) designating the week beginning March 7, 1999, as ''National Girl Scout Week.''

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Ms. MIKULSKI. Mr. President, I am very proud to introduce this Resolution with my colleague Senator HUTCHISON, who, like me, is a former Girl Scout. This Resolution designates next week as National Girl Scout Week. I am so happy that we are able to recognize the important achievements of the Girls Scouts with such broad bipartisan support. Scouting instills the values that really matter—duty, honor, patriotism and service. I am so proud to honor the Girl Scouts for all they do to prepare our young women to be leaders for the future.

As a Girl Scout, you participate in a broad range of activities—from taking nature hikes to taking part in the arts. You serve in local food banks and learn about politics. The skills, values and attitudes you learn as a Girl Scout can help guide you through your life. As your skills grow, so will your self confidence. Eventually you will earn your badges which will serve as symbols that you are succeeding and doing something constructive for your community. You learn the importance of treating other people fairly and with the dignity they deserve. You have the confidence to know that you can reach your goals. You can learn to be a leader.

In today's hectic world, Scouts are more important than ever. Young boys and girls desperately need before and after school activities to keep their active minds' focused. They need adult role models like their Girl Scout leaders, who are dedicated to inspiring young people.

As the Senator from Maryland, one of my highest priorities is to promote structured, community-based after school activities to give children more help and more ways to learn. After school activities also keeps children stay out of trouble and keeps them productive. That's just what the Girl Scouts do. They promote character & responsibility. They teach the arts and cultural activities. They give kids the tools for success.

I applaud the Girl Scouts. I also thank them for what they did for me and what they do for millions of young women across the country. I hope the Resolution that Senator HUTCHISON and I have introduced here today calls more attention to the good work of the Girl Scouts. I hope it shows that there are solid after school activities that children can actively participate in while learning real life skills. Mr. President, I congratulate the Girl Scouts as they celebrate their 87th anniversary. I hope my colleagues will join me in supporting this important Resolution.

Mr. ALLARD. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the resolution appear in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 48) was agreed to.

The preamble was agreed to.

The resolution (S. Res. 48), with its preamble, reads as follows:

S. RES. 48

Whereas March 12, 1999, is the 87th anniversary of the founding of the Girl Scouts of the United States of America;

Whereas on March 16, 1950, the Girl Scouts became the first national organization for girls to be granted a Federal charter by Congress;

Whereas through annual reports required to be submitted to Congress by its charter, the Girl Scouts regularly informs Congress of its progress and program initiatives;

Whereas the Girl Scouts is dedicated to inspiring girls and young women with the highest ideals of character, conduct, and service to others so that they may become model citizens in their communities;

Whereas the Girl Scouts offers girls aged 5 through 17 a variety of opportunities to develop strong values and life skills and provides a wide range of activities to meet girls' interests and needs;

Whereas the Girl Scouts has a membership of nearly 3,000,000 girls and over 850,000 adult volunteers, and is one of the preeminent organizations in the United States committed to girls growing strong in mind, body, and spirit; and

Whereas by fostering in girls and young women the qualities on which the strength of the United States depends, the Girl Scouts, for 87 years, has significantly contributed to the advancement of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning March 7, 1999, as ''National Girl Scout Week''; and

(2) requests the President to issue a proclamation designating the week beginning March 7, 1999, as ''National Girl Scout Week'' and calling on the people of the United States to observe the day with appropriate ceremonies and activities.

NATIONAL READ ACROSS AMERICA DAY

Mr. ALLARD. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of Senate Resolution 56 introduced earlier today by Senators COVERDELL and TORRICELLI.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 56) recognizing March 2nd, 1999, as the ''National Read Across America Day,'' and encouraging every child, parent and teacher to read throughout the year.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. ALLARD. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the resolution appear at this point in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 56) was agreed to.

The preamble was agreed to.

The resolution (S. Res. 56), with its preamble, reads as follows:

S. RES. 56

Whereas reading is a fundamental part of life and every American should be given the chance to experience the many joys it can bring;

Whereas National Read Across America Day calls for every child in every American community to celebrate and extoll the virtue of reading on the birthday of America's favorite Doctor—Dr. Seuss;

Whereas National Read Across America Day is designed to show every American child that reading can be fun, and encourages parents, relatives and entire communities to read to our nation's children;

Whereas National Read Across America Day calls on every American to take time

out of their busy day to pick-up a favorite book and read to a young boy or girl, a class or a group of students;

Whereas reading is a catalyst for our children's future academic success, their preparation for America's jobs of the future, and our nation's ability to compete in the global economy;

Whereas the distinguished Chairman Jim Jeffords and Ranking Member Ted Kennedy of the Senate Health, Education, Labor and Pensions Committee have provided significant leadership in the area of community involvement in reading through their participation in the Everybody Wins! program;

Whereas Chairman Jim Jeffords has been recognized for his leadership in reading by Parenting Magazine;

Whereas prominent sports figures such as National Read Across America Day Honorary Chairman Cal Ripken of the Baltimore Orioles baseball team, Sandy Alomar of the Cleveland Indians, and members of the Atlanta Falcons football team have dedicated substantial time, energy and resources to encourage young people to experience the joy and fun of reading;

Whereas the 105th Congress made an historic commitment to reading through the passage of the Reading Excellence Act which focused on traditionally successful phonics instruction, tutorial assistance grants for at-risk kids, and literacy assistance for parents: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes March 2, 1999 as National Read Across America Day; and

(2) expresses its wishes that very child in every American city and town has the ability and desire to read throughout the year, and receives the parental and adult encouragement to succeed and achieve academic excellence.

ORDERS FOR WEDNESDAY, MARCH 3, 1999

Mr. LOTT. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m. on Wednesday, March 3. I further ask that on Wednesday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved, and the Senate then proceed to the time for debate on the motion to proceed to S. 280.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. LOTT. Mr. President, the Senate, then, will convene tomorrow at 9:30 and resume consideration of the motion to proceed to the education flexibility partnership bill. There will have been a total of 4 hours for debate on the motion tomorrow morning, and following adoption of the motion, we will begin consideration of the bill itself. Amendments to the bill are expected to be offered and debated throughout Wednesday's session and for the remainder of the week. Therefore, Senators should expect rollcall votes throughout the day on Wednesday and Thursday and possibly Friday in an effort to make substantial progress on this important piece of legislation. After I have a chance to consult with the Democratic leader, we will give further information about the schedule on Friday and on Monday of next week.

I yield the floor.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. ALLARD. Mr. President, if there is no further business to come before the Senate, I now ask that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:34 p.m., adjourned until Wednesday, March 3, 1999, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate March 2, 1999:

DEPARTMENT OF DEFENSE

LAWRENCE J. DELANEY, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF THE AIR FORCE, VICE ARTHUR L. MONEY.

INTER-AMERICAN DEVELOPMENT BANK

LAWRENCE HARRINGTON, OF TENNESSEE, TO BE UNITED STATES EXECUTIVE DIRECTOR OF THE INTER-AMERICAN DEVELOPMENT BANK FOR A TERM OF THREE YEARS, VICE L. RONALD SCHEMAN, RESIGNED.

FOREIGN SERVICE

THE FOLLOWING NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE DEPARTMENT OF AGRICULTURE FOR PROMOTION IN THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED: CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF CAREER MINISTER:

WARREN J. CHILD, OF MARYLAND

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER-COUNSELOR:

MARY E. REVELT, OF FLORIDA
JOHN H. WYSS, OF TEXAS

THE FOLLOWING NAMED CAREER MEMBERS OF THE FOREIGN SERVICE OF THE DEPARTMENT OF AGRICULTURE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED:

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

WEYLAND M. BEEGHLY, OF VIRGINIA
LARRY M. SENGER, OF WASHINGTON
RANDOLPH H. ZEITNER, OF VIRGINIA

DEPARTMENT OF LABOR

RICHARD M. MCGAHEY, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF LABOR, VICE OLENA BERG, RESIGNED.

CONFIRMATION

Executive nomination confirmed by the Senate March 2, 1999:

CENTRAL INTELLIGENCE

JAMES M. SIMON, JR., OF ALABAMA, TO BE ASSISTANT DIRECTOR OF CENTRAL INTELLIGENCE FOR ADMINISTRATION.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

EXTENSIONS OF REMARKS

PUT THE DECENNIAL CENSUS BACK ON TRACK

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. CRANE. Mr. Speaker, I come to the floor today in opposition to the plan of the Census Bureau to use sampling techniques in the Decennial Census.

The situation is clear: we must abide by the Constitution as we have in every census for over 200 years. As we all know, Article I Section II says that ''an actual enumeration'' must be done every 10 years. Now, for the first time in our history, this is not good enough. Some feel that counting part of the population and guesstimating the rest is better than actually counting the population head by head, as the Constitution requires.

The Director of the Census Bureau, Kenneth Prewitt, said last Wednesday he would abide by the Supreme Court ruling by using two sets of numbers in the Decennial Census. Recognizing part of the Court's decision, Prewitt plans to use enumeration for apportionment. However, the Census Bureau plans to create a second set of numbers, using sampling techniques, for redrawing House districts. Although they were not asked to rule on the constitutionality of sampling, four Justices said that using sampling for a census is illegal. But, the Administration continues to include sampling techniques in the Decennial Census, despite the contradictory rulings of several courts.

Mr. Speaker, this plan will only create more problems. Holding two censuses, which is exactly what the Bureau is doing by creating two figures, will double costs, lead to an increase in litigation with discrepancies over figures, and increase the chance that the census will not be done in a timely fashion. For the past six years, the Census Bureau was against a two-figure census for the very same reasons. This dual-track census is wrong, and they know it.

We in Congress have the responsibility to stand up for the American people. They do not want two versions of how many people live in our nation, and have to deal with the resulting confusion for ten years. I encourage my colleagues to consider this dual-track census plan as we consider releasing funding for the Commerce, State, and Justice Departments that is set to expire on June 15. This may be the last opportunity to put the Decennial Census back on track.

INTRODUCING THE EDUCATION IMPROVEMENT TAX CUT ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. PAUL. Mr. Speaker, I rise to introduce the Education Improvement Tax Cut Act of 1999. This act, a companion to my Family Education Freedom Act, takes a further step toward returning control over education resources to private citizens by providing a $3,000 tax credit for donations to scholarship funds to enable low-income children to attend private schools. It also encourages private citizens to devote more of their resources to helping public schools, by providing a $3,000 tax credit for cash or in-kind donations to public schools to support academic or extra curricular programs.

I need not remind my colleagues that education is one of, if not the top priority of the American people. After all, many members of Congress have proposed education reforms and a great deal of their time is spent debating these proposals. However, most of these proposals either expand federal control over education or engage in the pseudo-federalism of block grants. I propose we go in a different direction by embracing true federalism by returning control over the education dollar to the American people.

One of the major problems with centralized control over education funding is that spending priorities set by Washington-based Representatives, staffers, and bureaucrats do not necessarily match the needs of individual communities. In fact, it would be a miracle if spending priorities determined by the wishes of certain politically powerful Representatives or the theories of Education Department functionaries match the priorities of every community in a country as large and diverse as America. Block grants do not solve this problem as they simply allow states and localities to choose the means to reach federally-determined ends.

Returning control over the education dollar for tax credits for parents and for other concerned citizens returns control over the ends of education policy to local communities. People in one community may use this credit to purchase computers, while children in another community may, at last, have access to a quality music program because of community leaders who took advantage of the tax credit contained in this bill.

Children in some communities may benefit most from the opportunity to attend private, parochial, or other religious schools. One of the most encouraging trends in education has been the establishment of private scholarship programs. These scholarship funds use voluntary contributions to open the doors of quality private schools to low-income children. By providing a tax credit for donations to these programs, Congress can widen the educational opportunities and increase the quality of education for all children. Furthermore, privately-funded scholarships raise none of the concerns of state entanglement raised by publicly-funded vouchers.

There is no doubt that Americans will always spend generously on education, the question is, ''who should control the education dollar—politicians and bureaucrats or the American people?'' Mr. Speaker, I urge my colleagues to join me in placing control of education back in the hands of citizens and local communities by sponsoring the Education Improvement Tax Cut Act of 1999.

INTRODUCING THE GRATON RANCHERIA RESTORATION ACT

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Ms. WOOLSEY. Mr. Speaker, today I am proud to introduce legislation that would restore federal recognition for the Federated Indians of Graton Rancheria, which is primarily composed of the Coast Miwok and Southern Pomo tribal members. This is a matter of simple justice, because in 1966 the United States government terminated the tribe's status under the California Rancheria Act of 1958.

My bill, the Graton Rancheria Restoration Act, restores all federal rights and privileges to the tribal members. It reinstates their political status and makes them eligible for benefits now available to other federally recognized tribes, such as Native American health, education, and housing services. The bill also specifically prohibits gambling on tribal lands affected by the bill.

The earliest historical account of the Coast Miwok peoples, whose traditional homelands include Bodega, Tomales, Marshall in Marin County and Sebastopol in Sonoma County, dates back to 1579. Today there are 355 members of the Federated Indians of Graton Rancheria.

Legislation passed by Congress in 1992 and later amended in 1996, established an Advisory Council in California to study and report on the special circumstances facing tribes whose status had been terminated. The Council's final report, which was submitted to Congress in September 1997, recommended the restoration of the Federated Indians of the Graton Rancheria.

Mr. Speaker, the tribes of the Graton Rancheria are a rich part of the North Bay's cultural heritage. Terminating their status was wrong then, and it would be wrong now for us to continue to deny them the recognition that they deserve.

HONORING THE LIFE OF JUDGE ED J. HARRIS

HON. GENE GREEN

OF TEXAS

HON. NICK LAMPSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. GREEN of Texas. Mr. Speaker, my colleague (Mr. LAMPSON) and I ask all of our colleagues in Congress to join us in paying tribute to an outstanding individual, Judge Ed J. Harris. Ed passed away on February 10th

after leading a long and distinguished life of public service and civic duty.

Ed Harris devoted his professional and private life to serving his home state of Texas. After graduating from Southwestern University in 1941, Ed entered the United States Navy to bravely fight for his country for six years during World War II.

After devoting his energy towards completion of both his law degree and master's degree, Ed joined the law firm of Martin, Carmona, Cruse, Micks & Dunten in 1956. Ed was admired by his colleagues for his devotion to the law and constant strive for excellence, and within two years he became senior partner. He distinguished himself as a respected leader and accomplished attorney for the next 21 years.

Ed spent thirty-tree years of his extraordinary professional career as an elected public official, which in of itself is a testament of his outstanding leadership capacity and desire to serve the community he loved. He won the first of his 17 successful elections in 1961 when he was elected as Galveston City Councilman, where he served for three years. In 1962, Ed's devotion to service led to his election to the Texas Legislature as a State Representative, where he honorably served for fourteen years.

After Ed completed his tenure as State Representative, he became State District Judge, where he presided over the administrative, civil, and criminal dockets until his 1993 retirement. Ed is remembered by all he encountered for his kindness and his dedication to the law.

Ed lead a rich and active civic life that enhanced the lives of the people in his community. He was a devoted parishioner of Moody Memorial First United Methodist Church in Galveston and was a board member of McMahan's Chapel, the oldest protestant church in Texas. He continued his long dedication to the law through his activity in many county and state bar associations and in the American Judges Association. Ed also maintained his Navy ties through his participation in the Retired Officers association and VFW. Ed's desire to help those less fortunate than he was a constant force in the community. In fact, in 1986 and 1987, Ed rode in the 175 mile, two-day Houston Muscular Dystrophy Bike Tour, where he earned $14,000 in pledges for this cause. In 1991, Ed received the 1st Annual Independence Award from North Galveston County Democrats for his lifetime of devotion to this community.

The death of Ed Harris is a blow to all that loved and respected him. His years of public service and devotion to his community touched thousands of lives. Those who were fortunate enough to have known Ed will never forget his kind spirit, his leadership in the community, and his dedication and understanding of the law. He has left a legacy that will never be forgotten.

Mr. Speaker, please join us in paying tribute to the life of Ed Harris. Those of us fortunate enough to have known him are truly blessed.

HONORING OUR NATION'S BEST AND BRIGHTEST

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. ACKERMAN. Mr. Speaker, I rise to honor and congratulate four outstanding high school students from my Congressional District, who were recently named as finalists in the Intel Science Talent Search. The talent search has given each of these students an opportunity to demonstrate their unique talents and capacity for innovation. The students will be honored this week in Washington with the thirty-six other finalists. Indeed, it is both humbling and inspirational to listen to the accomplishments of these dynamic individuals.

Trevor Bass, of Great Neck, used a genetic algorithm to analyze the theory of evolution. At Great Neck South High School, Trevor is the coach of the math team and has won several awards in math, computer science and physics. He hopes to attend Harvard University in the fall.

Lauren Cooper, of Roslyn, studied how gender based language influences our perceptions of Presidential candidates. At Roslyn High School, Lauren is active in student government and president of the math club. Lauren plans to attend Duke University in the fall.

Lisa Schwartz, of Roslyn, examined patterns in two-way sequences of positive integers for her project. At Roslyn High School, Lisa is the captain of her forensics team and the editor in chief of both her yearbook and newspaper. She is currently ranked first in her class of 221 students and hopes to attend Harvard University in the fall.

Eric Stern, of Great Neck, has studied the nature of Alzheimer's disease. At Great Neck South High School, Eric has led the marching band and science club and has won many music, math, and science awards. Next year, David hopes to attend Yale University.

I would also like to take this opportunity to congratulate all the schools in the Fifth Congressional District of New York. These students' achievements underscore our community's commitment to excellence in education. These four scholars truly embody the ideals of innovation, perseverance, and leadership. I ask all of my colleagues to join me in honoring and congratulating these young men and women, on their many accomplishments, and extending to them our best wishes for continued success in what appears to be a very bright future.

TRIBUTE TO BOB LIVINGSTON, REPRESENTATIVE FROM THE FIRST DISTRICT OF LOUSIANA

SPEECH OF

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. WALSH. Mr. Speaker, Today I would like to extend my best wishes and prayers to BOB LIVINGSTON and his family as he retires from the House of Representatives. I know he has put the best interests of the family ahead of politics and I respect him deeply for that.

Chairman LIVINGSTON'S leadership skills and productive energy will be sorely missed on appropriations and in the House. I know that others have praised BOB for his humor and his intellect. I want to echo those words while I add that BOB LIVINGSTON is also a very good friend.

Since I came to Congress, he has been a mentor and much more. He has provided campaign support when I needed it, but more importantly he has assisted me with professional guidance as I learned the ropes in the Appropriations Committee.

The House of Representatives has been affected positively by the work of our colleague BOB LIVINGSTON. I know his future endeavors will be equally successful. I hope he will remember us as fellow combatants in a fight to cut government waste and return control to the American people. It is a great honor to have served during this period with BOB LIVINGSTON and I know his work will be a testament to his dedication to public service for many, many years to come.

INTRODUCING THE FAMILY EDUCATION FREEDOM ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. PAUL. Mr. Speaker, I rise today to introduce the Family Education Freedom Act of 1999, a bill to empower millions of working- and middle-class Americans to choose a non-public education for their children, as well as making it easier for parents to actively participate in improving public schools. The Family Education Freedom Act accomplishes its goals by allowing American parents a tax credit of up to $3,000 for the expenses incurred in sending their child to private, public, parochial, other religious school, or for home schooling their children.

The Family Education Freedom Act returns the fundamental principal of a truly free economy to America's education system: what the great economist Ludwig von Mises called ''consumer sovereignty.'' Consumer sovereignty simply means consumers decide who succeeds or fails in the market. Businesses that best satisfy consumer demand will be the most successful. Consumer sovereignty is the means by which the free market maximizes human happiness.

Currently, consumers are less than sovereign in the education ''market.'' Funding decisions are increasingly controlled by the federal government. Because ''he who pays the piper calls the tune,'' public, and even private schools, are paying greater attention to the dictates of federal ''educrats'' while ignoring the wishes of the parents to an ever-greater degree. As such, the lack of consumer sovereignty in education is destroying parental control of education and replacing it with state control.

Loss of control is a key reason why so many of America's parents express dissatisfaction with the educational system. According to a recent study by The Polling Company, over 70% of all Americans support education tax credits! This is just one of numerous studies and public opinion polls showing that Americans want Congress to get the federal

bureaucracy out of the schoolroom and give parents more control over their children's education.

Today, Congress can fulfill the wishes of the American people for greater control over their children's education by simply allowing parents to keep more of their hard-earned money to spend on education rather than force them to send it to Washington to support education programs reflective only of the values and priorities of Congress and the federal bureaucracy.

The $3,000 tax credit will make a better education affordable for millions of parents. Mr. Speaker, many parents who would choose to send their children to private, religious, or parochial schools are unable to afford the tuition, in large part because of the enormous tax burden imposed on the American family by Washington.

The Family Education Freedom Act also benefits parents who choose to send their children to public schools. Although public schools are traditionally financed through local taxes, increasingly, parents who wish their children to receive a quality education may wish to use their credit to improve their schools by helping financing the purchase of educational tools such as computers or extracurricular activities such as music programs. Parents of public school students may also wish to use the credit to pay for special services for their children.

Greater parental support and involvement is surely a better way to improve public schools than funneling more federal tax dollars, followed by greater federal control, into the public schools. Furthermore, a greater reliance on parental expenditures rather than government tax dollars will help make the public schools into true community schools that reflect the wishes of parents and the interests of the students.

The Family Education Freedom Act will also aid those parents who choose to educate their children at home. Home schooling has become an increasingly popular, and successful method, of educating children. According to recent studies, home schooled children outperform their public school peers by 30 to 37 percentile points across all subjects on nationally standardized achievement exams. Home schooling parents spend thousands of dollars annually, in addition to the wages forgone by the spouse who forgoes outside employment, in order to educate their children in the loving environment of the home.

Ultimately, Mr. Speaker, this bill is about freedom. Parental control of child rearing, especially education, is one of the bulwarks of liberty. No nation can remain free when the state has greater influence over the knowledge and values transmitted to children than the family.

By moving to restore the primacy of parents to education, the Family Education Freedom Act will not only improve America's education, it will restore a parent's right to choose how best to educate one's own child, a fundamental freedom that has been eroded by the increase in federal education expenditures and the corresponding decrease in the ability of parents to provide for their children's education out of their own pockets. I call on all my colleagues to join me in allowing parents to devote more of their resources to their children's education and less to feed the wasteful Washington bureaucracy by supporting the Family Education Freedom Act.

PERSONAL EXPLANATION

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Ms. WOOLSEY. Mr. Speaker, had I been present for rollcall vote No. 28 on February 25, 1999, I would have voted ''yea'' on final passage of the Wireless Privacy Enhancement Act.

HONORING FIRE MARSHAL J.J. PRUITT

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. GREEN of Texas. Mr. Speaker, I ask all of my colleagues in Congress to join me in paying tribute to an outstanding individual, Fire Marshal J.J. Pruitt. J.J. will retire after nearly a half-century of fighting and investigating fires.

J.J. began his career in 1950 when he entered the Houston Fire Department. He soon distinguished himself among his colleagues and all who encountered him through his selflessness, courage, and quick thinking in the most serious of circumstances.

J.J.'s years of distinguished service lead him to a position of responsibility and leadership at the head of Harris County's Fire Marshal's Office. As Marshal, J.J. oversaw a $1.3 million annual budget, seventeen employees, and 29 full-time volunteer departments. He led his office in planning and coordination of fire prevention and control services in the unincorporated areas of Harris County and investigated arson.

J.J.'s decision to retire is definitely a blow to the Harris County community. His almost fifty years of dedicated service will leave a legacy for future fire marshals. Those people who have had the opportunity to work with J.J. are very fortunate to have benefitted from his leadership and courageous devotion to saving lives.

Mr. Speaker, please join me in thanking Fire Marshal J.J. Pruitt for his service to Harris County. Those of us who know J.J. are truly grateful for his leadership and wish him well in all his future endeavors.

STERNBERG MUSEUM OF NATURAL HISTORY

HON. JERRY MORAN

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. MORAN of Kansas. Mr. Speaker, I would like to recognize the dedication of Dr. Edward H. Hammond on the occasion of the opening to the new Sternberg Museum of Natural History on the Fort Hays State University Campus in Hays, Kansas.

In the early 1990's, Fort Hays State University President Edward H. Hammond made the commitment to raise the funds necessary to move the impressive Sternberg fossil collection to an equally impressive facility. After eight years and $11 million dollars, his vision has been realized. The collection's new home is a state of the art 100,000 square foot dome and adjoining facility which will not only house the artifacts but provide a realistic journey through the world of prehistoric flora and fauna.

The Sternberg Collection has long been one of the premier collections of fossils in the world. It holds the largest collection of fossil grasses; it has the third largest collection of flying reptiles, and it's mammal collection ranks in the top 20 in North America. The Collection's volume of more than 3,750,000 artifacts and specimens ranks it the world's largest at a small university.

Dr. George M. Sternberg, an army surgeon began the collection in 1866. His sons developed a love for fossil hunting, and his son George F. eventually established his paleontology headquarters in 1927 at Kansas State Teachers College of Hays, now Fort Hays State University. George was made Curator of Geology and Paleontology and continued to manage and add to the Sternbery Collection until his retirement in 1961. In 1994, the Sternberg Collection was combined with the Museum of the High Plains under one director, Dr. Jerry Choate.

The completion of this project marks a major achievement for Fort Hays State University and the community of Hays. The new facility promises to draw scholars and curious travelers from around the globe and provide them with an exciting experience in prehistoric times. I commend University President Edward H. Hammond and Museum Director Dr. Jerry Choate for their creativity and tenacity in envisioning and completing this project. It is truly a landmark accomplishment.

H. CON. RES. 38, PAUL ROBESON COMMEMORATIVE POSTAGE STAMP

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. RUSH. Mr. Speaker, I am pleased today to join with several of my colleagues in introducing a Concurrent Resolution urging the U.S. Postal Service's Citizen Stamp Advisory Committee to issue a commemorative postage stamp honoring Paul Leroy Robeson.

This bill marks an important step in recognizing the many contributions Paul Robeson made to America, especially to the African-American community. Paul Robeson was a well renown African-American athlete, singer, actor, and advocate for the civil rights of people.

In the midst of segregation, Paul Robeson managed to attend Rutgers University and Columbia law school where he rose to academic prominence. Unfortunately, discrimination in the legal field forced Paul Robeson to leave the practice of law. However, he was able to use his artistic talents in the theater and music to promote African-American history and culture.

Paul Robeson is revered around the world for his artistic talents. Robeson became even more celebrated because of his role as a world famous singer and actor with exquisite performances that included Shakespeare's

Othello and Showboat. Armed with the knowledge of twenty-five languages Robeson was able to sing for peace and justice throughout the world.

Last year marked the 100th birthday of Paul Robeson. It is only fitting that we celebrate Robeson's legacy by issuing a commemorative postage stamp in his honor.

HONOR AFRICAN-AMERICAN HISTORY WITH A MUSEUM ON THE MALL

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. LEWIS of Georgia. Mr. Speaker, today I am introducing legislation to establish an African-American Museum on the mall, in Washington, D.C., as part of the Smithsonian Institution.

The story of black people in America has yet to be told in its entirety. African-American history is an integral part of our country, yet the richness and variety of that history is little-known and little-understood. As tourists from all over the world come to visit our Nation's Capital, they will not be able to learn the full history of black people in America. This museum represents a great opportunity—to showcase our history in its diversity and breadth, and to make the understanding of American history more complete.

Did you know that Dr. Daniel Hale Williams was a pioneering heart surgeon that played a vital role in the discovery of open-heart surgery? And that Ernest Everett Just, Percy Julian and George Washington Carver were all outstanding scientists? Educators such as W.E.B. DuBois and Benjamin E. Mays left an indelible mark on this country. The Harlem Renaissance produced poets, writers and musicians like Countee Cullen, Langston Hughes and Duke Ellington. The civil rights movement changed the face of this country and inspired movements toward democracy and justice all over the world—producing great leaders like Martin Luther King, Jr., and Whitney Young. Too few people know that Benjamin Banneker, an outstanding mathematician, along with Pierre L'Enfant, designed the District of Columbia. There are many more and their stories must be told.

Until we understand the African-American story in its fullness and complexity, we cannot understand ourselves and our nation. We must know who we are and where we have come from so that we may move forward together. And we recognize the importance of all our people and all of our history. The establishment of the museum would be one important step toward achieving greater understanding as a nation and as a people.

It is my hope and prayer that as we preserve these important moments in history, we will inspire future generations to dream, to write, to march and to teach. As they are able to look back at all that has been accomplished, they will be able to look forward and believe in the future of our great country.

I am pleased and delighted that many of my colleagues have joined me in cosponsoring this bill. I urge all my colleagues of the 106th Congress to support this worthwhile and important legislation.

INTRODUCING THE TEACHER TAX CUT ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. PAUL. Mr. Speaker, I rise to introduce the Teacher Tax Cut Act. This bill provides every teacher in America with a $1,000 tax credit, thus raising every teacher's take-home pay without increasing federal spending. Passage of this bill is a major first step toward treating those who have dedicated their lives to educating America's children with the respect they deserve. Compared to other professionals teachers are underappreciated and underpaid. This must change if America is to have the finest education system in the world!

Quality education is impossible without quality teaching. If we want to ensure that the teaching profession attracts the very best people possible we must make sure that teachers receive the compensation they deserve. For too long now, we have seen partisan battles and displays of heightened rhetoric about who wants to provide the most assistance to education distract us from our important work of removing government-imposed barriers to educational excellence.

Since America's teachers are underpaid because they are overtaxed, the best way to raise teacher take-home pay is to reduce their taxes. Simply by raising teacher's take-home pay via a $1,000 tax credit we can accomplish a number of important things. First, we show a true commitment to education. We also let America's teachers know that the American people and the Congress respect their work. Finally, and perhaps most importantly, by raising teacher take-home pay, the Teacher Tax Cut Act encourages high-quality professionals to enter, and remain in, the teaching profession.

In conclusion, Mr. Speaker, I once again ask my colleagues to put aside partisan bickering and unite around the idea of helping educators by supporting the Teacher Tax Cut Act.

INTRODUCTION OF CIVIC PARTICIPATION AND REHABILITATION ACT OF 1999

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. CONYERS. Mr. Speaker, I am pleased to today introduce, along with 27 cosponsors, the Civil Participation and Rehabilitation Act of 1999. This legislation grants persons who have been released from incarceration the right to vote in Federal elections. At a time when our Nation faces record low voter participation, this legislation represents an historic means of both expanding voting rights while helping to reintegrate former felons into our democratic society.

The practice of many states denying voting rights to former felons represents a vestige from a time when suffrage was denied to whole classes of our population based on race, sex, and property. However, over the past two centuries, these restrictions, along with post-Civil War exclusions such as the poll tax and literacy requirements, have been eliminated. Unfortunately, the United States continues to stand alone among the major industrialized nations in permitting an entire category of citizens—former felons—to be cut off from the democratic process.

Denial of suffrage to these individuals is no small matter. A recent study by the Sentencing Project and Human Rights Watch reveals that some 3.9 million Americans, or one in 50 adults, is either currently or permanently disenfranchised as a result of state felony voting laws. This includes an estimated 1.4 million African American men, or 13 percent of the total population of black adult men. In two states (Alabama and Florida) almost one in three black men is permanently disenfranchised, while in five other states (Iowa, Mississippi, New Mexico, Virginia, and Wyoming), one in four black men is barred from voting in elections. Hispanic citizens are also disproportionately disenfranchised.

In addition to diminishing the legitimacy of our democratic process, denying voting rights to ex-offenders is inconsistent with the goal of rehabilitation. Instead of reintegrating such individuals into society, felony voting restrictions only serve to reaffirm their feelings of alienation and isolation. As the National Advisory Commission on Criminal Justice Standards and Goals has concluded, ''if correction is to reintegrate an offender into free society, the offender must retain all attributes of citizenship.'' Clearly this includes voting—the most basic constitutive act of citizenship.

The legislation I am today introducing constitutes a narrowly crafted effort to expand voting rights for ex-felons, while protecting state prerogatives to generally establish voting qualifications. The legislation would only apply to persons who have been released from prison, and it would only apply to federal elections. As such, my bill is fully consistent with constitutional requirements established by the Supreme Court in a series of decisions upholding federal voting rights laws. The legislation is supported by a broad coalition of groups interested in voting and civil rights, including the NAACP, ACLU, the National Council of Churches (National and Washington Office), the National Urban League, the Human Rights Watch and the Lawyers Committee for Civil Rights, among many others.

CONGRATULATING THE MERINO HIGH SCHOOL BOYS BASKETBALL TEAM

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. SCHAFFER. Mr. Speaker, I rise today to honor the Merino High School boys basketball team on their Class A District 4 Championship.

The Merino players, led by Coach Dave Kautz, will now advance to the next level in the state basketball playoffs and their shot at the Colorado State A Championship.

All teams, no matter what the sport, continually strive to find that special and unique combination of teamwork, leadership, skill and effort which unlocks the door to success. Under careful tutelage, hard-working teams

not only win games, but also build the confidence necessary to win championships. Clearly, these dedicated hoopsters have found this winning formula and attained the next rung of sporting success.

Greater challenges remain, however, and I wish the Merino High School boys basketball team the best of luck in the Colorado A State Championship. No matter what the outcome of the next game, this team has proven it has the heart of a champion, and can take pride in the District 4 Championship.

CONGRATULATING THE KIM HIGH SCHOOL BOYS BASKETBALL TEAM

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. SCHAFFER. Mr. Speaker, I rise today to honor the Kim High School boys basketball team on their Class A District 3 Championship.

The Kim players, led by coach Gary Page, will now advance to the next level in the state basketball playoffs and their shot at the Colorado State A Championship.

All teams, no matter what the sport, continually strive to find that special and unique combination of teamwork, leadership, skill and effort which unlocks the door to success. Under careful tutelage, hard-working teams not only win games, but also build the confidence necessary to win championships. Clearly, these dedicated hoopsters have found this winning formula and attained the next rung of sporting success.

Greater challenges remain, however, and I wish the Kim High School boys basketball team the best of luck in the Colorado A State Championship. No matter what the outcome of the next game, this team has proven it has the heart of a champion, and can take pride in the District 3 Championship.

CONGRATULATING THE GRANADA HIGH SCHOOL BOYS BASKETBALL TEAM

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. SCHAFFER. Mr. Speaker, I rise today to honor the Granada High School boys basketball team on their Class A District 2 Championship.

The Granada players, led by Coach Manuel Gonzales, will now advance to the next level in the state basketball playoffs and their shot at the Colorado State A Championship.

All teams, no matter what the sport, continually strive to find that special and unique combination of teamwork, leadership, skill and effort which unlocks the door to success. Under careful tutelage, hard-working teams not only win games, but also build the confidence necessary to win championships. Clearly, these dedicated hoopsters have found this winning formula and attained the next rung of sporting success.

Greater challenges remain, however, and I wish the Granada High School boys basketball team the best of luck in the Colorado A State Championship. No matter what the outcome of the next game, this team has proven it has the heart of a champion, and can take pride in the District 2 Championship.

CONGRATULATING THE SWINK HIGH SCHOOL GIRLS BASKETBALL TEAM

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. SCHAFFER. Mr. Speaker, I rise today to honor the Swink High School girls basketball team on their Class 2A District 4 Championship.

The Swink players, led by Coach DeDe Shiplet, will now advance to the next level in the state basketball playoffs, and their shot at the Colorado State 2A Championship.

All teams, no matter what the sport, continually strive to find that special and unique combination of teamwork, leadership, skill and effort which unlocks the door to success. Under careful tutelage, hard-working teams not only win games, but also build the confidence necessary to win championships. Clearly, these dedicated hoopsters have found this winning formula and attained the next rung of sporting success.

Greater challenges remain, however, and I wish the Swink High School girls basketball team the best of luck in the Colorado 2A State Championship. No matter what the outcome of the next game, this team has proven it has the heart of a champion, and can take pride in the District 4 Championship.

CONGRATULATING THE FOWLER HIGH SCHOOL GIRLS BASKETBALL TEAM

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. SCHAFFER. Mr. Speaker, I rise today to honor the Fowler High School girls basketball team on their Class 2A District 6 Championship.

The Fowler players, led by Coach Greg Fruhwirth, will now advance to the next level in the state basketball playoffs and their shot at the Colorado State 2A Championship.

All teams, no matter what the sport, continually strive to find that special and unique combination of teamwork, leadership, skill and effort which unlocks the door to success. Under careful tutelage, hard-working teams not only win games, but also build the confidence necessary to win championships. Clearly, these dedicated hoopsters have found this winning formula and attained the next rung of sporting success.

Greater challenges remain, however, and I wish the Fowler High School girls basketball team the best of luck in the Colorado 2A State Championship. No matter what the outcome of the next game, this team has proven it has the heart of a champion, and can take pride in the District 6 Championship.

CONGRATULATING THE STRASBURG HIGH SCHOOL GIRLS BASKETBALL TEAM

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. SCHAFFER. Mr. Speaker, I rise today to honor the Strasburg High School girls basketball team on their Class 2A District 8 Championship.

The Strasburg players, led by Coach Merci Ames, will now advance to the next level in the state basketball playoffs and their shot at the Colorado State 2A Championship.

All teams, no matter what the sport, continually strive to find that special and unique combination of teamwork, leadership, skill and effort which unlocks the door to success. Under careful tutelage, hard-working teams not only win games, but also build the confidence necessary to win championships. Clearly, these dedicated hoopsters have found this winning formula and attained the next rung of sporting success.

Greater challenges remain, however, and I wish the Strasburg High School girls basketball team the best of luck in the Colorado 2A State Championship. No matter what the outcome of the next game, this team has proven it has the heart of a champion, and can take pride in the District 8 Championship.

CONGRATULATING THE HOEHNE HIGH SCHOOL BOYS BASKETBALL TEAM

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. SCHAFFER. Mr. Speaker, I rise today to honor the Hoehne High School boys basketball team on their Class 2A District 6 Championship.

The Hoehne players, led by Coach Chuck Pugnetti, will now advance to the next level in the state basketball playoffs and their shot at the Colorado State 2A Championship.

All teams, no matter what the sport, continually strive to find that special and unique combination of teamwork, leadership, skill and effort which unlocks the door to success. Under careful tutelage, hard-working teams not only win games, but also build the confidence necessary to win championships. Clearly, these dedicated hoopsters have found this winning formula and attained the next rung of sporting success.

Greater challenges remain, however, and I wish the Hoehne High School boys basketball team the best of luck in the Colorado 2A State Championship. No matter what the outcome of the next game, this team has proven it has the heart of a champion, and can take pride in the District 6 Championship.

CONGRATULATING THE PLATTE VALLEY HIGH SCHOOL BOYS BASKETBALL TEAM

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. SCHAFFER. Mr. Speaker, I rise today to honor the Platte Valley High School boys basketball team on their Class 3A District 3 Championship.

The Platte Valley players, led by Coach Dave Mekelburg, will now advance to the next level in the state basketball playoffs and their shot at the Colorado State 3A Championship.

All teams, no matter what the sport, continually strive to find that special and unique combination of teamwork, leadership, skill and effort which unlocks the door to success. Under careful tutelage, hard-working teams not only win games, but also build the confidence necessary to win championships. Clearly, these dedicated hoopsters have found this winning formula and attained the next rung of sporting success.

Greater challenges remain, however, and I wish the Platte Valley High School boys basketball team the best of luck in the Colorado 3A State Championship. No matter what the outcome of the next game, this team has proven it has the heart of a champion, and can take pride in the District 3 Championship.

CONGRATULATING THE WELD CENTRAL HIGH SCHOOL BOYS BASKETBALL TEAM

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. SCHAFFER. Mr. Speaker, I rise today to honor the Weld Central High School boys basketball team on their Class 3A District 2 Championship.

The Weld Central players, led by Coach Gary Stone, will not advance to the next level in the state basketball playoffs and their shot at the Colorado State 3A Championship.

All teams, no matter what the sport, continually strive to find that special and unique combination of teamwork, leadership, skill and effort which unlocks the door to success. Under careful tutelage, hard-working teams not only win games, but also build the confidence necessary to win championships. Clearly, these dedicated hoopsters have found this winning formula and attained the next rung of sporting success.

Greater challenges remain, however, and I wish the Weld Central High School boys basketball team the best of luck in the Colorado 3A State Championship. No matter what the outcome of the next game, this team has proven it has the heart of a champion, and can take pride in the District 2 Championship.

CONGRATULATING THE EATON HIGH SCHOOL GIRLS BASKETBALL TEAM

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. SCHAFFER. Mr. Speaker, I rise today to honor the Eaton High School girls basketball team on their Class 3A District 3 Championship.

The Eaton players, led by coach Bob Ervin, will now advance to the next level in the state basketball playoffs and their shot at the Colorado State 3A Championship.

All teams, no matter what the sport, continually strive to find that special and unique combination of teamwork, leadership, skill and effort which unlocks the door to success. Under careful tutelage, hard-working teams not only win games, but also build the confidence necessary to win championships. Clearly, these dedicated hoopsters have found this winning formula and attained the next rung of sporting success.

Greater challenges remain, however, and I wish the Eaton High School girls basketball team the best of luck in the Colorado 3A State Championship. No matter what the outcome of the next game, this team has proven it has the heart of a champion, and can take pride in the District 3 Championship.

A TRIBUTE TO THE HONORABLE CHARLES HARNESS

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. RADANOVICH. Mr. Speaker, I rise today to pay tribute to the Honorable Charles Harness on the occasion of his retirement from the Tulare County Board of Supervisors. The people of the Fourth District have been well served by Charles Harness for the past 8 years.

Charles Harness was first elected to the Board of Supervisors in 1990, and was reelected without opposition in 1994. In 1998, Supervisor Harness served as chairman of the board. As the Board's legislative advocate, Supervisor Harness successfully worked with State legislators to upgrade county services and promote innovative programs to better serve the people of Tulare County.

In addition to his Board responsibilities, Supervisor Harness was a leader in numerous State and regional intergovernmental organizations. From 1993 to 1997, he was a member of the Governing Board of San Joaquin Valley Unified Air Pollution Control District, and in 1996, he served as its chairman. Supervisor Harness also served on the Governor's Williamson Act Advisory Task Force. He is a member of the Government and Finance Operations Committee for the California State Association of Counties, while remaining active in the Tulare County Association of Governments.

A native Californian, Supervisor Harness is married with two children and four grandchildren. He served in the United States Air Force from 1957 to 1961. He attended college at Mount San Antonio, CA State University Fresno, and the University of Nevada at Las Vegas. Supervisor Harness is a retired farmer, building contractor, and land developer. He is a life member of the Alta District Historical Society, a member of the Cutler-Orosi Lions Club, past chairman of the board for the Dinuba Christian Church, and a former director of the Alta Hospital Foundation.

Mr. Speaker, I rise today to pay tribute to the Honorable Charles Harness on the occasion of his retirement. Charles Harness has served the people of the Fourth District for more than 8 years. I urge all my colleagues to join me in congratulating Charles on a job well done and to wish him many years of continued happiness and success.

LEGISLATION REGARDING INDIA AND PAKISTAN

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. GILMAN. Mr. Speaker, today I am introducing H. Res. 84, legislation recognizing the recent achievements of the Republic of India and the Islamic Republic of Pakistan in fostering peaceful relations between the two nations.

This past week, Prime Minister Atal Behari Vajpayee of India courageously crossed the long tense Punjabi border to visit his Pakistani host and counterpart, Prime Minister Nawaz Sharif. This visit, the first by an Indian premier to Pakistan in ten years, was only the third such visit since Partition in 1947. Prime Minister Vajpayee refused to cancel his trip despite a recent horrific and despicable terrorist attack in Jammu killing 20 civilians.

During their summit, the two leaders signed the ''Lahore Declaration,'' which commits India and Pakistan to reaching universal nuclear disarmament and non-proliferation and reaffirms there commitment not to conduct future nuclear tests. In this agreement, the parties have also agreed to engage in bilateral consultations on security, disarmament, and non-proliferation issues and have issued a condemnation of terrorism.

Since Partition, India and Pakistan, together the home of more than one-fifth of the world's population, have fought three wars against each other. The conflict in Kasmir has cost 30,000 to 50,000 civilian lives.

H. Res. 84 praises this positive step taken by the leadership of India and Pakistan in resolving the differences of these two neighboring countries, sharing so much history and culture, through diplomacy and celebrates this small victory for dialogue. Accordingly, I urge my colleagues to support H. Res. 84. I request the full text of H. Res. 84, be printed in the RECORD at this point.

H. RES.—

Whereas on February 22, 1999, the Prime Minister of India and the Prime Minister of the Islamic Republic of Pakistan signed the ''Lahore Declaration'' to develop and secure a durable peace and to develop harmonious relations and friendly cooperation between the two nations;

Whereas the Lahore Declaration states and affirms the commitment of the Republic of India and the Islamic Republic of Pakistan to the objective of universal nuclear disarmament and non-proliferation;

Whereas the Republic of India and the Islamic Republic of Pakistan have reaffirmed their commitment to continue to abide by their respective unilateral moratorium on conducting further nuclear test explosions;

Whereas the Republic of India and the Islamic Republic of Pakistan have agreed to take immediate steps to reduce the risk of accidental or unauthorized use of nuclear weapons;

Whereas the Republic of India and the Islamic Republic of Pakistan have agreed to commence bilateral consultations on security, disarmament and non-proliferation issues within the context of negotiations on these issues in multilateral form; and

Whereas the Republic of India and the Islamic Republic of Pakistan have reaffirmed their condemnation of terrorism in all its forms and manifestations and their determination to combat this menace: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the significance and importance of the Lahore Declaration as a step toward durable peace and the development of harmonious relations and friendly cooperation between the Republic of India and the Islamic Republic of Pakistan; and

(2) supports the commitment of the Republic of India and the Islamic Republic of Pakistan to universal nuclear disarmament, nonproliferation, and peaceful regional relations.

TRIBUTE TO FORMER MICHIGAN STATE REPRESENTATIVE BEVERLEY A. BODEM

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. STUPAK. Mr. Speaker, I would like to pay tribute today to Beverly Bodem, a former representative to the Michigan House of Representatives from the 106th Representative District, which is comprised of four counties in my congressional district.

First elected to the House in 1990, Bev Bodem has just concluded her service in that body because of the Michigan term limits law. This law was enacted at the will of the voters of Michigan, but I have to confess that in this case I believe the law has turned a hard-working and well-respected public servant out of office.

Bev Bodem was known especially for her constituent service and for paying attention to the people in her northern Michigan district. These efforts cut across party lines, and Bev was willing to work arm and arm with me on issues that affected the people she was elected to serve.

One of the issues which she successfully tackled was the problem faced by resort operators and other tourism-based industries in her district, a district which straddles the northern tip of Lower Michigan to touch both Lake Michigan and Lake Huron, Because the state's school year began before Labor Day, resorts, restaurants and other tourism businesses lost much of the summer help. Students themselves had to leave good summer jobs before the official end of the tourist season. Bev worked hard to adjust the school year to begin after Labor Day, benefitting employers, employees, and the many guests and visitors to our beautiful state.

Bev Bodem has been involved in her district and her community in many ways outside of her elected office. Such organizations as the Big Brothers/Big Sisters of Alpena, the Thunder Bay Arts Council, the Alpena Lions Club, the Alpena General Hospital Auxiliary and the League of Women Voters have benefited from her willingness to serve and work for the betterment of her community.

Bev, her husband Dennis and daughter Jennifer, a school teacher, always presented a living picture of a warm, friendly and proud family of public service to all northern Michigan. Bev always demonstrated the ''best'' of politics by working hard for all the people of her district, and she did so with a warm, friendly smile on her face. It was obvious she enjoyed her legislative career, and her constituents, enjoyed having her as their representative.

The people of northern Michigan will miss Bev Bodem as the state representative, and I will miss working with her.

IN SUPPORT OF H.R. 628

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. TRAFICANT. Mr. Speaker, I rise today in support of legislation I introduced on February 8, 1999, which would authorize the deployment of U.S. troops to assist law enforcement in patrolling U.S. borders. I urge all Members to cosponsor this important piece of legislation.

Our current program to stop drugs from coming into America is a joke. Eighty percent of the cocaine and heroin smuggled into America is transited across the U.S.-Mexico border. We are losing the war on drugs. If hundreds of thousands of U.S. soldiers can be sent all over the world to protect other countries, certainly a few thousand can be redeployed here in the U.S. to help protect America from the scourge of drugs.

My bill, H.R. 628, authorizes the Department of Defense to assign U.S. troops to assist federal law enforcement in monitoring and patrolling U.S. borders, and inspecting cargo, vehicles and aircraft at points of entry into the U.S. Under the bill such assistance could be provided only at the express request of the U.S. Attorney General or Secretary of the Treasury. The bill also mandates special law enforcement training for troops deployed to border areas, requires all U.S. troops patrolling the border to be accompanied by federal law enforcement agents, bars soldiers from making arrests, and requires the federal government to notify state and local government officials of any deployment of U.S. troops. Last year the House overwhelmingly approved a similar provision that I sponsored as an amendment to the FY 1999 DoD bill. The amendment, however, was dropped during a House-Senate conference.

Make no mistake about it, the Border Patrol, INS and Customs Service desperately need the help our military could provide. For example, only three out of every 100 trucks coming into the U.S. from Mexico are inspected. In addition, recent news reports reveal that the INS is considering releasing thousands of dangerous illegal aliens currently being held in detention centers because of funding and manpower shortages. And finally, in just the last year, federal agents in one border sector alone seized 132 tons of marijuana and more than 3 tons of cocaine worth a total of $408 million.

I recently cosigned a letter with a number of my colleagues imploring the President to fill a backlog of vacant Border Patrol positions. But clearly this is not enough. By the time those positions are filled with qualified candidates, who knows how many more illegal drugs will hit our streets and reach our children?

Mr. Speaker, it's time to put a stranglehold on our borders once and for all. I urge all members to cosponsor H.R. 628.

TRIBUTE TO THE LATE NAVY LT. COMMANDER KURT BARICH

HON. HEATHER WILSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mrs. WILSON. Mr. Speaker, I wish to bring to your attention the service to our country of Navy Lt. Commander Kurt Barich. Lt. Commander Barich recently died in service to our country in an aircraft accident aboard the aircraft carrier U.S.S. *Enterprise.*

Kurt Barich moved to Albuquerque, NM, with his family in 1970, going to school at Sandia High School and the University of New Mexico before joining the Navy. Kurt was a member of the squadron VAQ–130, the ''Zappers,'' based at Naval Air Station Whidbey Island, WA.

Lt. Commander Kurt Barich flew 39 combat missions in the Gulf War in A–6 Intruder ground attack jets off the carrier U.S.S. *Kennedy.* After the Navy retired the A–6, Kurt Barich began flying the Prowler, an electronic warfare variant designed to jam enemy radar and destroy radar sights. He served his country honorably and with distinction receiving numerous medals and decorations in his 13 years in the Navy, including four Air Medals, three Navy Commendations and four Navy Achievement Medals.

Kurt Barich was aboard the U.S.S. *Enterprise* on his last mission as it sailed for Norfolk, VA, and then on to the Middle East to protect vital American interests. Join me today as we honor Lt. Commander Kurt Barich for his service to our country. We will only remain a free country as long as there are men and women ready to protect our freedoms. Let us also send our thanks and our sympathies to his family for their support for his service in the Navy.

TRIBUTE TO DALE JACOBS

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. SHERMAN. Mr. Speaker, I rise today to pay tribute to Dale Jacobs in celebration of his dedication to community service and volunteering.

As Dale is being honored this week by the Tarzana Chamber of Commerce, it seems an appropriate time to acknowledge his distinguished career and extraordinary contributions

to the development of our community and our country.

Since becoming a resident of the Valley, over 20 years ago, Dale has continually strived to make his home and community a better place to live. He sacrifices his personal time, energy, and money so that others may benefit. At one point he was involved with 22 local organizations simultaneously.

His children Joel and Angela have been a tremendous inspiration to him giving him the desire to ensure that their lives, and the lives of other children, can be as fulfilling as possible. He is an active member of A.Y.S.O. as a Division Manager, Treasurer, coach, and even referee. In addition, he has also taken an active role in their education, having served as past President of the Portola Middle School Booster Club, Vice-President of the Wilbur Avenue Elementary School Booster Club, President of the Reseda High School PTSA, and Treasurer of Parents for Public Schools.

Dale has also played an active role in the business community. A certified public accountant, Dale has been a partner with Sandler, Powell, Jacobs & Berlin since 1988. A member of the Tarzana Chamber for many years Dale has been serving as their President since 1997 where he has focused on expanding membership, encouraging activism, and serving the community. We are fortunate that he is being reinstalled as President of the Tarzana chamber for yet another year.

When he does have free time Dale enjoys Civil War Reenacting with his wife Bobbe, of 27 years, and the rest of his family. He is Treasurer of the Fort Tejon Historical Association and spent last summer participating in a reenactment of the Battle of Gettysburg at Gettysburg, Pennsylvania.

Mohandas Gandhi once said that ''You find yourself by losing yourself in service to your fellow man, your God and country.'' I cannot think of a more fitting tribute to Dale. Thanks to his leadership, courage, and dedication, our community is an ideal place to raise a family, start a business, or become involved in community activities.

Mr. Speaker, distinguished colleagues, please join me in honoring Dale Jacobs for all of his contributions to our community.

A TRIBUTE TO VAHAN TEKEYAN AND TO THE TEKEYAN CULTURAL ASSOCIATION

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. RADANOVICH. Mr. Speaker, I rise today to pay tribute to Vahan Tekeyan on the 120th anniversary of his birth and to the Tekeyan Cultural Association.

Vahan Tekeyan was born in Constantinople, Turkey in 1878. He gained prominence as one of the most celebrated poets in Armenian history. Tekeyan is credited with contributing to saving the Armenian language through his vast writings. It is said that he gave poetry a melody all its own. Tekeyan is recognized both as a poet of the people and as a poet's poet. He courageously met and conquered numerous challenges during his lifetime. Vahan Tekeyan died in Cairo, Egypt at the age of 67.

The Tekeyan Cultural Association was founded in Beirut, Lebanon in 1947 by Professor Parounag Thomasian, Kersan Aharonian and Harchia Setrakian, Esq. The association is headquartered in Watertown, MA and has chapters throughout the United States as well as in Armenia, Canada, France, Egypt, Argentina, Belgium and Greece. During the Armenian genocide of 1915–1923, the Fresno Chapter of the Tekeyan Cultural Association significantly contributed to the welfare and support of orphans.

Mr. Speaker, it is with great honor that I pay tribute to Vahan Tekeyan on the 120th anniversary of his birth and to the Tekeyan Cultural Association Fresno Chapter. Their dedication to preserving Armenian heritage and their significant support of numerous noble causes is to be commended. I invite my colleagues to join me in this recognition.

TRIBUTE TO FORMER MICHIGAN STATE REPRESENTATIVE ALLEN L. LOWE

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. STUPAK. Mr. Speaker, I would like to pay tribute today to Allen Lowe, a former representative to the Michigan House of Representatives from the 105th Representative District, which includes five counties in my congressional district.

First elected to the House in 1992, Allen Lowe has just concluded his service in that body because of the Michigan term limits law. This law was enacted at the will of the voters of Michigan, but I have to confess that in this case I believe the law has turned our of office a dedicated public servant who was deeply concerned about the welfare of his constituents.

I know that Allen traveled extensively throughout his district, because I pride myself on returning to my district each week to participate in community events, and many times I found Allen attending the same events.

Allen Lowe was a legislator with deep convictions, and although I did not always agree with his position on issues, I have always had the greatest respect for the way in which he presented and defended these convictions. Like myself, Allen was a graduate of Cooley Law School. Like myself, he was a pro-life legislator. And like myself, he was not afraid to challenge Michigan's governor on issues that he believed would be detrimental to his northern Michigan constituents, despite that fact that Allen and the governor were members of the same political party.

Allen brought to his job a broad involvement in community issues. He has been a teacher and school administrator, and he involved himself in activities and organizations that served his Michigan district, including the Michigan Farm Bureau, the Camp Grayling Conservation Club, and the Friends of Hartwick Pines.

I will miss doing parades with him, debating issues, and, as always, working with him on issues of importance to his state representative district.

I believe the people of the 105th Representative District were well-served by Allen Lowe.

IN MEMORY OF MARY COOPER STRINGER

HON. CHARLES W. "CHIP" PICKERING

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. PICKERING. Mr. Speaker, I rise today to pay tribute to a remarkable lady, and constituent of mine from the Third District, Mrs. Mary Cooper Stringer, who passed away on Friday January 15, 1999, in Forest, Mississippi, following a short illness. The Mississippi State Senate adjourned January 18, 1999, in her honor.

Mrs. Stringer, along with her husband Robert P. ''Bob'' Stringer, lived in the Forest community for the past 40 years and was actively involved in community and local affairs. She was a graduate of Mississippi State College for Women, a member of the Eastern Star, and worked for the Pentagon after graduating from college.

When not doting on her husband, Mrs. Stringer was cheering and backing her favorite team, the Mississippi State Bulldogs and striving to make her hometown the best it could be. Mrs. Stringer's first love was her husband Bob, their two daughters, Jean and Anne and their two sons, Robert and Johnny, along with their 13 grandchildren and one great grandson.

Mrs. Stringer was a very astute businesswoman and a close friend of my predecessor Congressman G.V. ''Sonny'' Montgomery. She was very helpful and active in the planning of the Annual Montgomery Hunters Stew which Bob hosted for Congressman Montgomery each January, for the past 22 years. Mr. Stringer served on the Forest Board of Alderman for four terms before his retirement in June 1997.

The legacy that Mrs. Stringer leaves behind will be very hard to emulate. She was a much admired lady. I extend my sympathy to her husband ''Bob'', and other family members while expressing my appreciation and that of every citizen of the 3rd District for her life of service.

A TRIBUTE TO FRED STARRH

HON. WILLIAM M. THOMAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. THOMAS. Mr. Speaker, I want to join my friends in Kern County who share a mutual goal of improving educational opportunities in our schools, as we honor one of our finest friends, Fred Starrh, a man devoted to helping his neighbors, a man always willing to do the hard work, a man who pride in his country is visible to everyone he meets. Tonight we honor one aspect of this man's accomplishment—his achievements and commitment to thousands of Kern County high school students during his tenure as a trustee of the Kern High School District.

As a trustee and Past President, Fred Starrh has devoted a tremendous amount of time and effort to preparing Kern County's children for their future. Those who have worked with Fred know he puts his all into every project he takes on. His service on the

Board of Trustees is a testament to his character and devotion to all the families in Kern County who have sent their children to Kern high schools. Fred Starrh served us all well by watching over the myriad issues that come before those entrusted with the management of the education provided to our kids during the critically important four years of high school study.

I know people from all over the United States who rely on Fred Starrh's advice and counsel. Fred has friends everywhere, and years of working together make me honored to be included among them. Few people are as dedicated and as much fun to work with as we all know Fred Starrh to be.

RECOGNITION OF VOCATIONAL EDUCATION WEEK

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. BROWN of California. Mr. Speaker, I rise today to recognize national and local efforts in vocational education and career preparation training. I commend the American Vocational Association for designating February 14–20, as Vocational Education Week. The over 14 million students and 26,000 institutions that are dedicated to betterment through career education deserve our recognition and support throughout the year.

Regional occupation programs in my district and throughout the country provide students with stronger skills and increased learning opportunities. They enhance both the education and employment prospects of our young people and help build a strong, well-trained workforce.

Vocational education makes a proven difference in lives of students who might not otherwise have access to targeted education and skills training. It opens doors to opportunities for productive futures. I am proud of the work done in my community, and I would like to recognize the hard-working students and dedicated staff in the Inland Empire who make vocational education a success. They are to be commended for their role in strengthening both individual lives and our community as a whole.

SALINAS VALLEY MEMORIAL HEALTH CARE SYSTEM—HELPING TO LEAD CHINA TO BETTER HEALTH CARE

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. FARR of California. Mr. Speaker, I rise today to inform you and all our House colleagues of the magnificent contributions to international health care by the Salinas Valley Memorial Health Care System (SVMH). Through the efforts of SVMH, two cities in China, Kunming in the Province of Yunnan, and Chengdu in the Province of Sichuan, will receive the best in advanced medical training services and the best high-tech equipment to better serve the Health care needs of the Chinese people.

SVMH has long been on the cutting edge of technology in Health care services. Located in Salinas in my Central California Coast district, SVMH has developed state-of-the-art heart and cardiac health services. It works in tandem with NASA in using high-resolution equipment to uncover the secrets of the human health system. It also has established a long-term Health care facility for senior care that scores high marks by the health care industry.

Because of SVMH's expertise and experience, it has reached out to the international community to help. China, with the largest population on earth and yet some of the most remote and underserved populations, was a key target for assistance. Partnering with Assist International Rotary International Marquette Medical Services, SVMH will send a team of doctors and professional staff to Chengdu, China and Kunming, China today. This international team of hope will—

Donate and install $1 million worth of high-tech medical equipment in the Yunnan Red Cross Hospital in Kunming and The First Medical School, The First University Hospital, West China University of Medical Sciences in Chengdu;

Educate and train the medical staff of both hospitals on the latest technologies and practices utilized by our physicians in the treatment of heart-related illnesses and procedures;

Interact with the citizenry of the community in order to demonstrate American willingness to share high tech medical information and technology.

This partnership, Mr. Speaker, is important for a number of reasons. First, it is critical to recognize that despite all other political machinations between the U.S. and China, there is one very important issue upon which leaders of both countries agree: that Health care is essential to quality of life. In that regard, SVMH, the Rotary International, Assist International and Marquette Medical Services have served as ambassadors extraordinaire to unify our two countries.

Second, this partnership is important because through the efforts of SVMH and others, we are establishing a firm working relationship with our Chinese counterparts—one that will indirectly benefit the relationship between the U.S. and China, but that will also directly benefit the Chinese people through the delivery of more and better Health care services. In this regard, the Yunnan Red Cross Hospital and the West China University of Medical Sciences deserve special recognition and praise for their commitment to improve Health care practices and their dedication to the pursuit of new knowledge in the field of medicine.

Mr. Speaker, and Members of the House, I urge you today to stand in honor of the Salinas Valley Memorial Health Care System and their partners in international Health care, the Yunnan Red Cross Hospital, the West China University of Medical Sciences, Assist International, Rotary International and Marquette Medical Services. They deserve our praise, they deserve our support and most of all, they deserve the chance to make this partnership a success so people can live well.

TRIBUTE TO BOB LIVINGSTON, REPRESENTATIVE FROM THE FIRST DISTRICT OF LOUISIANA

SPEECH OF

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. DINGELL. Mr. Speaker, I rise this evening to pay tribute to a colleague who has built a fine legacy of accomplishment as an adept and effective legislator—and leader—of this institution in which we all are honored to serve. BOB LIVINGSTON's leaving leaves a void that is not easily filled, as his colleagues from Louisiana have attested tonight. I wish BOB and Bonnie all the best as they embark on their new life, and am certain that BOB will continue to contribute to the public interest in the future.

BOB, you will definitely be missed here, and as you leave Congress, you should take pride in your record of accomplishment for the State of Louisiana and the Nation. Good luck to you.

LACKAWANNA VALLEY HERITAGE AREA ACT

HON. DON SHERWOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. SHERWOOD. Mr. Speaker, today I am introducing the Lackawanna Valley Heritage Area Act. By designating the Lackawanna Valley of Pennsylvania as a National Heritage Area, this important legislation would ensure the conservation of its significant natural, historic and cultural resources. The Lackawanna Valley was the first heritage area designated by the Commonwealth of Pennsylvania, and is a nationally significant historic area as documented in the U.S. Department of Interior's Register of Historic Places, Multiple Property Documentation Submittal of the Pennsylvania Historic and Museum Commission (1996).

For every federal dollar provided over the last decade, the Lackawanna Heritage Valley Authority—which oversees the Valley's historical and cultural resources—has leveraged ten dollars in State, local and private sector funds to finance preservation activities. The Lackawanna Heritage Valley Authority would continue to foster these important relationships with all levels of government, the private sector and local communities.

The Valley represents the development of anthracite coal, one of North America's greatest natural resources. From early in the 19th century, Pennsylvania's coal provided an extraordinary source of energy which fueled America's economic growth for over a hundred years. At the center of the world's most productive anthracite field, the Lackawanna Valley witnessed the inception, spectacular growth and eventual deterioration of an industry which led us to unparalleled prosperity.

The Valley's current mix of ethnicity, its combination of dense urban areas and isolated settlements, and the desolate remains of coal mines surrounded by beautiful countryside are a microcosm of our legacy from the industrial revolution. As these contrasts illustrate, the industrial era was not without human

and environmental costs. Thousands of immigrants worked in deep mines under horrible conditions. Death and injury were commonplace, with no survivor benefits or disability compensation to withstand these calamities. Anthracite miners created the nation's first labor unions and they fought for the implementation of child labor laws, workplace safety, pension security and fair labor standards.

The new Americans who populated the Lackawanna Valley established strong communities where ethnic ties were reinforced by churches and fraternal societies that created a sense of security noticeably absent in the mines. The Valley's remaining ethnic neighborhoods are a testament to a pattern of urban growth once common in U.S. cities, but now disappearing.

The landscape of the Valley conveys the story of the industrial revolution most clearly. Miles of track and hundreds of industrial sites and abandoned mines are daily reminders of the importance of the region to industry. Heritage sites like Pennsylvania's Anthracite Heritage Museum, the Scranton Iron Furnace Historic Site, the Lackawanna County Coal Mine and the Steamtown National Historic Site help to commemorate this struggle. These sites provide the framework for historic preservation which will be cemented by my proposed legislation.

Mr. Speaker, the designation of the Lackawanna Valley as a National Heritage Area will enable all Americans for years to come to witness and learn the story of anthracite mining, the labor movement, and the industrialization of our great nation. I urge my colleagues to support the Lackawanna Valley Heritage Act.

THE SPANISH PEAKS WILDERNESS ACT OF 1999

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. MCINNIS. Mr. Speaker, today I am introducing a bill to give permanent protection as wilderness to the heart of the Spanish Peaks area in Colorado.

The bill is cosponsored by several of my colleagues from Colorado, including Mr. SCHAFFER, whose district includes the portion of the Spanish Peaks within Las Animas county. I am also pleased to be joined by Mr. HEFLEY, Mr. TANCREDO, and Mr. MARK UDALL of Colorado. I greatly appreciate their assistance and support.

Today, across the Capitol, Senator ALLARD is introducing an identical companion bill. I would like to extend my appreciation to the Senator for his active support of this worthwhile legislation.

Finally, I would offer a note of appreciation and thanks to the former Members of Congress whose efforts made today's legislation possible. First, approximately 20 years ago, Senator William Armstrong of Colorado began this worthwhile process by proposing wilderness in Colorado, and in 1986 Senator Armstrong proposed protected status and management for the Spanish Peaks. His efforts set in place the foundation upon which today's bill is built. Second, I would like to thank the former Congressman from the Second District, Mr. Skaggs. Together, he and I introduced this legislation in the 105th Congress, which passed the House but due to time constraints did not pass the Senate. The efforts by both of these individual legislators helped make this bill possible.

The mountains known as the Spanish Peaks are two volcanic peaks in Las Animas and Huerfano Counties whose Native American name is Wayatoya. The eastern peak rises to 12,683 feet above sea level, while the summit of the western peak reaches 13,626 feet. The two served as landmarks not only for Native Americans but also for some of Colorado's other early settlers and for travelers along the trail between Bent's Old Fort on the Arkansas River and Taos, New Mexico.

With this history, it's not surprising that the Spanish Peaks portion of the San Isabel National Forest was included in 1977 on the National Registry of Natural Landmarks. The Spanish Peaks area has outstanding scenic, geologic, and wilderness values, including a spectacular system of over 250 free standing dikes and ramps of volcanic materials radiating from the peaks. The State of Colorado has designated the Spanish Peaks as a natural area, and they are a popular destination for hikers seeking an opportunity to enjoy an unmatched vista of southeastern Colorado's mountains and plains.

The Forest Service reviewed the Spanish Peaks area for possible wilderness designation as part of its second roadless area review and evaluation—known as RARE II—and in 1979 recommended designation as wilderness of 19,570 acres. Concerns about private land inholdings in the area prompted Congress, in the Colorado Wilderness Act of 1980, to instead provide for its continued management as a wilderness study area.

A decade later, the Colorado Wilderness Act of 1993 included provisions for long-term management of all the other wilderness study areas in our State's national forests, but meanwhile questions about the land-ownership pattern in the Spanish Peaks area had prompted the Forest Service to change its mind about designating it as wilderness. That, in turn, led to inclusion in the 1993 wilderness bill of a requirement for its continued management of that area as a wilderness study area for 3 years—until August 13, 1996. The 1993 bill also required the Forest Service to report to Congress concerning the extent of non-Federal holdings in the likelihood of acquisition of those holdings by the United States with the owner's consent.

The required report was submitted in 1995. It indicated that within the wilderness study area, there were about 825 acres where the United States owned neither the surface nor the mineral rights, and about 440 acres more where the United States owned the surface but not the minerals. Since then, through voluntary sales, the United States has acquired most of the inholdings. Today only 166 acres of inholdings remain, and the Forest Service is in the process of or making efforts to acquire 134 of those acres. So the way is now clear for Congress to finish the job of protecting this outstanding area by designating it as part of the National Wilderness Preservation System.

The bill I am introducing today would designate as wilderness about 18,000 acres of the San Isabel National Forest, including both of the Spanish Peaks as well as the slopes below and between them. This includes most of the lands originally recommended for wilderness by the Forest Service, but with boundary revision that will exclude some private lands. I would like to note that Senator ALLARD and I have made significant efforts to address local concerns about the wilderness designation, including: (1) adjusting the boundary slightly to exclude certain lands that are likely to have the capacity for mineral production; and (2) excluding from the wilderness a road that locals use for access to the beauty of the Spanish Peaks.

The lands covered by this bill are not only striking for their beauty and value but also for recreation. They fully merit the protection that will come from their designation as wilderness. The bill itself is very simple. It would just add the Spanish Peaks area to the list of areas designated as wilderness by the Colorado Wilderness Act of 1993. As a result, all the provisions of the act—including the provisions related to water—would apply to the Spanish Peaks area just as they do to the other areas on that list. Like all the areas now on that list, the Spanish Peaks area covered by this bill is a headwaters area, which for all practical purposes eliminates the possibility of water conflicts. There are no water diversions within the area.

Mr. Speaker, enactment of this Spanish Peaks bill will not be the last step in protecting the Federal lands in Colorado. As this bill demonstrates, when an area is appropriate for wilderness designation and when all the outstanding issues have been satisfactorily addressed, the Colorado delegation will respond with appropriate legislation. I would also note that other protection short of the absolute wilderness designation may be appropriate in certain cases, and I would encourage Coloradans, the counties, local users and interests who would be impacted to consider this possibility when discussing how to best utilize public lands within Colorado.

I will continue to work to achieve appropriate levels of protection for the pristine and beautiful areas within Colorado. Mr. Speaker, I close by urging the Congress to act without delay to pass this important measure for the Spanish Peaks area of Colorado.

HONORING THE DISTINGUISHED CAREER OF JUDGE JOHN JUSTIN MALIK, JR. UPON HIS RETIREMENT

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. NEY. Mr. Speaker, I commend the following article to my colleagues:

Judge John Justin Malik, Jr. has spent his life serving the people. His career began in 1958 when he served as the City Solicitor for the city of Bellaire, Ohio. He then became the Belmont County Prosecuting Attorney and later a Belmont County Commissioner.

As Commissioner, Judge Malik was appointed to serve on the Ohio Jail Advisory Board and continues to serve on that Board as Judge. He also participated in the acquisition of the land on State Route 331 where Fox Shannon Industrial Park was formed. This industrial park is now the site of several agencies and businesses, including Sargus Juvenile Detention Center, the Department of Human Services, and the new Belmont County jail.

Judge Malik was a partner in a law firm started by his father in the 1930's. Upon graduation from Notre Dame, Judge Malik joined his father in this practice and practiced law while also serving as City Solicitor for Bellaire and as Belmont County Commissioner.

Since becoming Juvenile and Probate Judge in February 1991, Judge Malik has continued to work for the benefit of Belmont County. He recently has been instrumental in the donation of land to Belmont County. This area is set to be the new location of the Belmont County Fairgrounds. Additionally, Judge Malik works diligently to work with juvenile delinquents and unruly children in Belmont County.

In addition to all of these efforts, Judge Malik continues to own and operate a garden center and gift ship and serve on the Board of Directors for several organizations.

Mr. Speaker, I ask that my colleagues join me in honoring the career of Judge Malik. His lifelong service and commitment to Belmont County is to be commended.

TRIBUTE TO JESSICA MOORE

HON. ANNE M. NORTHUP

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mrs. NORTHUP. Mr. Speaker, I rise to congratulate and honor a young Kentucky student from my district who has achieved national recognition for exemplary volunteer service in her community. Jessica Moore of Louisville has just been named one of my state's top honorees in the 1999 Prudential Spirit of Community Awards program, an annual honor conferred on the most impressive volunteers in each state, the District of Columbia and Puerto Rico.

Ms. Moore, 17, is a senior at Sacred Heart Academy. She has raised close to $20,000 for the Juvenile Diabetes Foundation (JDF) to help find a cure for the disease which her mother has had since she was 5 years old. ''After attending the 1997 kick-off luncheon for JDF with my mother, I was inspired to take on this major fundraising project to help find a cure,'' Jessica said. ''As I sat at the luncheon and saw mothers holding their infants, I began to envision what lay ahead for their futures.'' For the past two years, Jessica has spent countless hours raising money and an awareness of diabetes throughout her school and local community by conducting a letter-writing campaign, coordinating educational programs and organizing fund-raising walks. She plans to continue her fight against diabetes until her dream of a cure becomes a reality.

In light of numerous statistics that indicate Americans today are less involved in their communities than they once were, it is vital that we encourage and support the kind of selfless contribution this young citizen has made. Young volunteers like Ms. Moore are inspiring examples to all of us and are among our brightest hopes for a better tomorrow.

Ms. Moore should be extremely proud to have been singled out from such a large group of dedicated volunteers. I heartily applaud Ms. Moore for her initiative in seeking to make her community a better place to live and for the positive impact she has had on the lives of others. She has demonstrated a level of commitment and accomplishment that is truly extraordinary in today's world and deserves our sincere admiration and respect. Her actions show that young Americans can, and do, play important roles in our communities and that America's community spirit continues to hold tremendous promise for the future.

CHRISTIANS ATTACKED IN INDIA

HON. JOHN T. DOOLITTLE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. DOOLITTLE. Mr. Speaker, James Madison, the primary author of the U.S. Constitution, warned about ''the tyranny of the majority.'' The modern state of India is an example of what Madison warned us about. Between Christmas and New Year, several Christian churches, prayer halls, and missionary schools were attacked by extremist Hindu mobs affiliated with the parent organization of India's ruling Bharatiya Janata Party (BJP).

The Washington Post reported on January 1 that ten such attacks occurred the week between Christmas and New Year's Day. Six people were injured in one of these attacks. The Vishwa Hindu Parishad (VHP), or World Hindu Council, appears to be responsible for the attacks. The BJP is the political wing of the VHP.

The Hindu militants are apparently upset that Christians are converting low-caste Hindus. Their frustration does not justify acts of violence.

Christian activists report that there were more than 60 recorded cases of church and Bible-burning, rape, and other attacks in 1998 alone, including the recent rape of four nuns. The VHP called the rapists ''patriotic youth.''

In 1997 and 1998, four priests were murdered. In the fall of 1997, a Christian festival was stopped when the police opened fire. Clearly, there is a pattern here. However, Christians are not the only victims of India's tyrannical ''democracy.''

Muslims have seen their most revered mosques destroyed; Sikhs have seen their most sacred shrine, the Golden Temple in Amritsar, attacked and remain under occupation by plainclothes police. Their spiritual leader, the Jathedar of the Akal Takht, Gurdev Singh Kaunke, was tortured and killed in police custody. Although there is a witness to this murder, no action has been taken against those responsible. Is this the secular democracy that India is so proud of?

The United States is the beacon of freedom to the world. As such, we cannot sit idly by and watch India trample on the religious freedom of its minorities. We should put this Congress on record in support of peaceful, democratic freedom movements in South Asia and throughout the world.

The United States recently allowed Puerto Rico to vote on its status; our Canadian neighbors held a similar referendum in Quebec. When do the Sikhs of Khalistan, the Muslims of Kashmir, and the other peoples living under Indian rule get their chance to exercise this basic democratic right? Will we support democratic freedom for the people of South Asia, or will we look away while the tyranny of the majority continues to suppress fundamental rights like freedom of religion?

INTRODUCTION OF THE LIBERTY DOLLAR BILL ACT

HON. TOM BLILEY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. BLILEY. Mr. Speaker, yesterday I had the privilege of attending Patrick Henry High School in Ashland, Virginia and participating in their presentation of the Liberty Dollar Bill Act. This is the finest presentation I have ever witnessed by a group of high school and middle school students.

The Liberty Dollar Bill Act would redesign the one dollar note and place an abbreviated version of the Constitution on its reverse side. It is a real tragedy that an overwhelming majority of Americans cannot name the liberties granted them in the Constitution. The Liberty Dollar Bill is important because it would teach Americans the framework of American Government and the liberties of freedom found in the Constitution. It would spread the ideals of representative democracy around the world and allow U.S. soldiers stationed abroad to read, show, and teach the ideal for which they are willing to give their lives. The Liberty Dollar Bill would ensure that we leave our government in good condition for our posterity and honor the Constitution as an American symbol.

Therefore, it is with great pleasure that I reintroduce the Liberty Dollar Bill Act today on behalf of the students at Patrick Henry High School, Liberty Middle School, their teacher Randy Wright, and forty Members of Congress.

MT. RAINIER NATIONAL PARK CENTENNIAL CELEBRATION

HON. JENNIFER DUNN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Ms. DUNN. Mr. Speaker, today I come before the House of Representatives to wish a happy 100th birthday to Mt. Rainier National Park in the 8th Congressional District in the state of Washington. Like many others from Washington, I am tempted to say ''my mountain'' because that's how we all feel about Mt. Rainier—it belongs to each of us. It also gives the 8th district distinction as the most beautiful district in the nation.

Mt. Rainier National Park was established March 2, 1899 as our fifth national park. The park itself encompasses 378 square miles. At its highest point, the mountain is 14,411 feet, so it's not surprising that more than 2 million people visit the park each year to enjoy its moist rainforest, giant old growth forests, subalpine meadows, and glaciers.

But Rainier is more than just a national park. It is an integral part of the network of communities that surround its boundaries and form a gateway that visitors pass through when visiting the area. These communities support the park and the park supports them.

It would be hard to imagine many people in Washington who can't go through their personal or family photo albums and find pictures of themselves with friends or family during a visit to the mountain. And every one of those

photos tells a story. It is so with my family. Our family and friends all grew up in the shadow of ''our'' mountain spending time in a cabin near Greenwater and venturing into the park many times during every season.

It was always amazing to me that for all the trails we hiked, streams we crossed, picnics we enjoyed, glaciers we climbed, it was new and different every time. We never tired of ''our'' mountain. I can't imagine I ever will. As a Member of Congress, I have been given the opportunity to see the park and mountain from a different vantage point. Rather than just a visitor, I am now an active partner in helping to maintain the park and protect it for future generations.

The theme of the centennial celebration is ''A Century of Resource Stewardship.'' To underscore this theme, the park has undertaken a series of signature projects. These include the Sunrise Ecological Restoration Project, rehabilitation of the White River Patrol Cabin, and completion of the last mile of the Wonderland Trail.

In February, Northwest Airlines began airing a special video about the Mt. Rainier Centennial that airs on international flights landing at Sea Tac Airport. Today, the celebration begins with a birthday cake and a ceremony to announce a collectible cancelled stamp at Longmire in the park. I am honored to participate in this ceremony kicking off the official celebration.

Throughout this year the centennial committee has planned exciting projects and activities to celebrate the park's 100th birthday. For instance, the Tacoma/Pierce County Visitor and Convention Bureau and the gateway communities have joined together to host several special weekends of festivals and activities, and renowned mountain climber, Lou Whittaker, is leading a special ''Centennial Climb'' to the summit of Mt. Rainier. Lou's climbing group will include international mountain climbers as well as celebrities who have climbed with Lou in the past.

My colleagues, if you haven't made vacation plans or visited Mt. Rainier National Park before, this is surely the time to come to Washington and join us in our celebration. And, perhaps on your way up to the park or while you're enjoying a latte somewhere in Seattle, you will have that special experience that separates us in Washington from the rest of the world. You or someone you're with may look South to the horizon and say, ''Look! The mountain is out today!''

IRA EXPANSION NEEDED

HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. SAXTON. Mr. Speaker, the current tax system has many problems, but one of its main defects is its bias against personal saving. Personal saving is taxed once out of income, and then the return to saving is taxed once again. This multiple taxation penalizes personal saving, a major source of economic growth. So it is no surprise that America has one of the lowest personal savings rates in the world.

This bias can be addressed by increasing the tax deduction for IRA contributions, currently set at $2,000 annually. Today I am introducing legislation to boost IRA deduction limits $500 per year over several years. When fully phased in, a middle class family could deduct up to $7,000 for an annual IRA contribution. I strongly urge that an increase in IRA deductions be a part of any tax relief plan offered in this Congress.

An increase in IRA deductions would help middle class families save for the future, become more financially independent, and become better able to deal with unexpected events. Expanded IRAs would also give middle class families a greater stake in the U.S. economic system. It is a tax incentive that average Americans would understand and strongly support.

An increase in IRA deductions would increase personal saving, a major source of investment and economic growth. This would help firms to supply their workers with the best and most advanced tools, thus increasing their productivity and income. The current treatment of saving in our tax code is literally counterproductive. This is hampering our economy over the long term and reducing the American standard of living relative to what it would otherwise be.

Many in Washington bemoan the low savings rate, but if we want personal saving to increase, we should increase IRA deductions for middle class taxpayers. A tax code that penalizes saving and investment makes no sense. Middle class taxpayers need a means of addressing their responsibilities to save for retirement, higher education, medical expenses and long term care, and unemployment. My legislation provides for penalty-free withdrawals for these purposes. Federal tax policy should not discriminate against taxpayers willing and able to take on these responsibilities but are prevented from doing so by the destructive impact of the current tax system. Let's limit the tax discrimination against personal saving.

LEGISLATION THAT ALLOWS COMMERCIAL AND SUBSISTENCE FISHING TO CONTINUE IN GLACIER BAY NATIONAL PARK

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. YOUNG of Alaska. Mr. Speaker, today I am introducing legislation, along with identical legislation being introduced in the Senate by Senators MURKOWSKI and STEVENS, to allow commercial and subsistence fishing to continue in Glacier Bay National Park.

In 1978, the National Park Service made a determination that commercial fishing activities were incompatible with National Park Service resources and would be permitted only when specifically authorized by law. Because of this broad determination, the National Park Service developed a rule outlawing commercial and subsistence fishing within the waters of Glacier Bay National Park in 1997.

This broad determination by the National Park Service ignores the fact that commercial fishing has taken place in the waters of Glacier Bay even before the National Park Service took control of the Bay in 1925. Alaskan Natives have fished in this Bay since the 1700's. Non-Native commercial fishing began in the 1880's. In addition, under the Glacier Bay National Park General Management Plan, put into place in 1984, commercial fishing was allowed. Why has the Park Service suddenly now determined that there is some threat to Park resources?

Both the salmon and crab fisheries found off the coast of Alaska and in Glacier Bay National Park, even in Federal waters, are managed by the State of Alaska not the Federal government. There is no resource problem in these fisheries or within the boundaries of the Park. The halibut resource in this area is managed through an international treaty and scientists with both the North Pacific Fishery Management Council and the International Halibut Commission have found that there is no problem with the halibut resource in this area. In 1990, the Alaska Wildlife Alliance sued the National Park Service claiming that commercial fishing was statutorily prohibited within the Park. In March 1997, the Federal appeals court (U.S. Ninth Circuit Court of Appeals) ruled that commercial fishing was not statutorily prohibited in the Park, except for in wilderness areas. If there is no resource problem within the Glacier Bay National Park boundaries, then commercial and subsistence fishing activities should not be prohibited by broad National Park Service policies drafted in Washington, D.C.

The determination banning commercial and subsistence fishing within Glacier Bay National Park made no sense and was a political decision that will take away the livelihood of a large number of fishermen and will affect the well being of a number of communities which rely on the fishing industry. A ban on commercial fishing will affect not only fishermen, but will also have a huge effect on processing companies including a Native owned and operated processing plant in Kake, which buys much of its seafood from vessels which fish in Glacier Bay. A ban on commercial fishing in Glacier Bay will affect 416 crew and permit holders from Gustavus, Elfin Cove, Hoonah, and Pelican and affect employment opportunities for 613 employed in the seafood industry in these four towns alone. This ban will have a huge economic effect on this region. All of the fishing operations in the Park boundaries are small businesses—there are no large fishing vessels fishing in the Park and no factory trawlers fish here.

Last year, a group of stakeholders including commercial fishing industry representatives, Alaskan Natives, local processing companies, local and national environmental representatives, the State of Alaska, and Park Service personnel met to work out details of an agreement which would allow commercial fishing to continue. The stakeholders had not come to a resolution and because there was no resolution, language was put in the Interior Appropriations legislation to prevent the National Park Service from publishing final rules until the stakeholder group could reach an agreement; however, the National Park Service and national environmental groups made this a national environmental priority and prevented the stakeholder process from concluding.

Mr. Speaker, this legislation will reverse this unjust and unscientific National Park Service policy and allow commercial and subsistence fishing to continue in the non-wilderness waters of Glacier Bay National Park. It clarifies that the State of Alaska will continue to manage marine fishery resources within the Park's

boundaries. It will also provide compensation to those who have been displaced by any closures within the Park or by actions of any Federal agency which interferes with any person legally fishing in Park waters.

Even with commercial fisheries operating in the Park, Glacier Bay National Park was the number one destination in the National Park Service system last year. Commercial fishing poses no threat to the ''park experience'' and in fact many visitors consider seeing fishing vessels as a positive experience in the Park.

Mr. Speaker, there is no fishery resource problem in the Park and there is no justification for a complete closure of Glacier Bay National Park to commercial or subsistence fishing. This legislation will right a wrong and continue to allow these practices to continue in Glacier Bay National Park in a well managed and sustainable manner.

PRITCHETT HIGH SCHOOL GIRLS BASKETBALL TEAM HONORED

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. SCHAFFER. Mr. Speaker, I rise today to honor the Pritchett High School girls basketball team on their Class A District 3 Championship.

The Pritchett players, led by Coach Tom Gooden, will now advance to the next level in the state basketball playoffs and their shot at the Colorado State A Championship.

All teams, no matter what the sport, continually strive to find that special and unique combination of teamwork, leadership, skill and effort which unlocks the door to success. Under careful tutelage, hard-working teams not only win games, but also build the confidence necessary to win championships. Clearly, these dedicated hoopsters have found this winning formula and attained the next rung of sporting success.

Greater challenges remain, however, and I wish the Pritchett High School girls basketball team the best of luck in the Colorado A State Championship. No matter what the outcome of the next game, this team has proven it has the heart of a champion, and can take pride in the District 3 Championship.

12TH CONGRESSIONAL DISTRICT HIGH SCHOOLS HONORED BY U.S. NEWS AND WORLD REPORT

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. LEVIN. Mr. Speaker, I rise to honor five high schools within my Congressional district that have been identified as Outstanding High Schools by U.S. News and World Report . . . De La Salle Collegiate in Warren, Henry Ford II in Sterling Heights, Immaculate Conception Ukrainian Catholic in Warren, Troy High School and Troy Athens High School in Troy.

U.S. News & World Report, in conjunction with the National Opinion Research Center (NORC) at the University of Chicago, reviewed 1,053 high schools in six major metropolitan areas and singled out examples that can serve as models of excellence for communities across the nation. Ninety six schools were cited as examples of outstanding institutions where students progress steadily toward high academic standards and where every student matters.

The five schools that were honored shared several key traits including high academic standards, a core curriculum, highly qualified teachers, strong mentoring for new teachers, partnerships between parents and schools, administrators and teachers who know each child and high attendance rates.

Each school also demonstrated high academic achievement as defined by the NORC. The NORC's ''value-added approach'' measured each school's performance only after taking its students' family circumstances into account, thus identifying schools that do an outstanding job with the students they have, regardless of their socio-economic background.

Mr. Speaker, I ask my colleagues to join me in honoring these five schools, De La Salle Collegiate, Henry Ford II, Immaculate Conception Ukrainian Catholic, Troy High School and Troy Athens High School and to congratulate their administrators, faculty, students and parents for their dedication and hard work. I wish them continued success as they continue to take care of our nation's greatest asset, our young people.

TRIBUTE TO HARRY ORR

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. KILDEE. Mr. Speaker, it is with great sorrow that I inform my colleagues in the U.S. House of Representatives of the passing of my dear friend, Harry Orr. As I have mentioned in the past, Harry Orr was a dedicated and tireless volunteer of the Democratic Party, a committed union activist of United Auto Workers Local 651, and a proud member of the Veterans of Foreign Wars Post 4087 in Davison, Michigan. Due to his unceasing efforts in all three of these forums, our community is a much better place in which to live. He touched many people with his dedication, his humor, and his tenderness.

Mr. Speaker, my feelings, and the feelings of many people who knew Harry, are perhaps best summarized in the letter I have sent his loving wife, Maxine. Due to the press of legislative business, I am unable to attend Harry's funeral, but my letter will be read at the service.

DEAR MAXINE: I would like to express my sincerest sympathy to you and your family. I am so very sorry that I am not able to join you today, but extremely important legislative business involving my own committee requires that I be in Washington, D.C.

I wanted to express my thoughts about a loyal friend, a tireless volunteer, and a great man who has been taken from this Earth. It has been said that ''death ends a life, not a relationship,'' and this is certainly the case for those who have ever come in contact with Harry. Harry's desire was to help people in any way possible and do whatever he could to ensure that a positive environment existed throughout the community. Harry's ability to make a difference was a trait that you share, Maxine. Harry was not just a constituent or a campaign volunteer, but my very good friend. It is with a heavy heart that I write this letter today, however, it is also with great pride that I do so. We are all inspired by people like Harry, who make it their life's work to improve the quality and dignity of life for all. I will miss Harry a great deal.

Maxine, your love for Harry was so tender and caring, and it was an inspiration to us all. You enriched his life and kept him with us for many years he might never have had were it not for your loving care.

Maxine, please know that I am with you today in spirit and prayer.

Sincerely,

DALE E. KILDEE, M.C.

Mr. Speaker, I and our community will sorely miss my dear friend, Harry Orr. But his spirit lives on through his loving wife, Maxine, and his son, Harry, Jr. Our thoughts and prayers are with them.

EAST ASIA AND MISSILE DEFENSE SYSTEMS

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. BEREUTER. Mr. Speaker, during this Member visit to several East Asian countries in January, considerable Japanese interest in developing a missile defense system was mentioned in the region's news media as a result of the North Korean missile launch over Japanese territory on its course to the Pacific. Also noted was very substantial public discussion and media coverage of the possibility of a missile defense system in Taiwan because of the Chinese missile firings in the run-up to the last Taiwanese presidential elections and because of the Chinese mainland missile build-up in the Taiwan Strait region.

The following editorial from the February 20, 1999, edition of *The Economist* magazine notes not only the impact on Japan of the North Korean's provocative action and demonstrated advancement of their missile development program, it also suggests that ''[w]ith its missile, North Korea was thumbing its nose as much at China as at Japan and America.'' This Member has long felt that China's influence on North Korean is generally over-estimated, but certainly it has more influence on the isolated, paranoid North Korean regime than any other country. *The Economist* editorial notes what is almost certainly true, that ''North Korea felt it could take such missile liberties in part because China has stoutly opposed all international pressure on North Korea to curb its nuclear and missile activities.'' China is complaining loudly and threateningly against the possible deployment of missile defense systems in Japan, Korea, and Taiwan rather than examining its own culpability in increasing its missile threat against Taiwan and ignoring, to its own danger, the destabilizing missile and nuclear development programs of North Korea. The United States, threatened itself by the North Korean missiles under development, cannot ignore their threat to our allies, the Republic of Korea and Japan, nor its commitment that Taiwan not be forcibly placed under the control of Beijing. As *The Economist* concludes, China ''has mostly itself to blame'' for any new tilt in East Asia's unease balance of power may have been

caused by more Potent missile forces and the resultant urgent interest in American assistance for missile defense systems.

This Member urges his colleagues to read the entire *Economist* editorial on this important set of related developments.

[From the Economist, Feb. 20, 1999]

CAUSING OFFENCE

TALK ABOUT MISSILE DEFENCES IS A SYMPTOM OF EAST ASIA'S TENSIONS, NOT THE CAUSE

Are America and China heading for another bust-up? The ''strategic dialogue'' inaugurated by Presidents Bill Clinton and Jiang Zemin has been shrilly interrupted, this time by Chinese concern about America's discussions with Japan and others of possible missile defences in East Asia, and by American worries about Chinese missiles pointed at Taiwan (see page 37). The row threatens to sour preparations for the visit to America in April of China's prime minister, Zhu Rongji. Handled sensibly, the missile tiff need not produce a crisis. Yet it goes to the heart of what divides China from America and most of its Asian neighbours: China's pursuit of power by at times reckless means.

China may never be a global power to rival America. It is, however, an increasingly potent regional power, with territorial scores to settle. It makes plain that it intends to recover sovereignty over Taiwan, to extend jurisdiction over almost all the rocks and reefs of the South China Sea, and ultimately to displace America as East Asia's most influential power.

Until recently, events had seemed to be moving China's way. Recognising China's extreme sensitivity on the Taiwan issue, on a visit to China last year Mr. Clinton made clear that America did not support independence for the island, despite the protective arm America throws round it at times of military tension with the mainland. Meanwhile China had skilfully used the region's economic turmoil to reinforce its claims in the South China Sea, blame rival Japan for not doing enough to aid regional economic recovery and play on sharp economic differences between America and Japan. Hence China's fury that the question of missiles and missile defences could blow a hole in these stratagems.

The launch of a North Korean rocket over Japan last August reminded the Japanese of the importance of their alliance with America, and persuaded the government to set aside China's objections and start discussions on missile defences. Without such defences in a dangerous neighbourhood, America had worried and China had calculated that pressure would eventually grow in Congress to pull back the 100,000 or so American troops in Japan and South Korea. China's reaction has been all the shriller for knowing that any missile defences eventually deployed to protect America's troops and close allies from rogue North Korean missiles could be used to help protect Taiwan from China.

With its missile, North Korea was thumbing its nose as much at China as at Japan and America. Yet the success of its engineers owes at least something to past Chinese collusion. North Korea felt it could take such missile liberties in part because China has stoutly opposed all international pressure on North Korea to curb its nuclear and missile activities.

The Taiwanese had their reminder of the potential value of missile defences three years ago, when it was China lobbing missiles, these ones falling near the island's shipping lanes in a crude effort to intimidate voters before Taiwan's first democratic presidential election. China now has snazzier missiles. Its belligerence drove Taiwan to seek better defences, not, as China would have it, the other way around.

There is still time to calm tensions over Taiwan, and still time for the regional powers to talk over the problems raised by any future (limited) missile defences. Yet these issues give a new tilt to East Asia's uneasy balance of power. If this tilt upsets China, it has mostly itself to blame.

INDIA-UNITED STATES MULTILATERAL TALKS

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. ANDREWS. Mr. Speaker, I rise today to thank and congratulate United States Deputy Secretary of State Strobe Talbot and Indian Minister of External Affairs Jaswant Singh for their efforts in the most recent phase of bi-lateral talks between India and the United States. Though the full details of the talks remain undisclosed, as they should, all reports are that much progress is being made in strengthening relations of the two countries.

I fully acknowledge and support the United States' foreign policy principle of opposing nuclear proliferation, but I would also like to take this opportunity to recognize that exceptions to that principle may occasionally be warranted Such exceptions should be based on the security needs of a nation, the entirety of that nation's relationship—economic, cultural, and diplomatic—with the United States, and the nation's willingness to participate in international arms control efforts.

Based on such criteria, I assert that India is a good candidate for such an exception to United States non-proliferation policy and would like to voice my hope that Mr. Talbot is working hard to lift remaining multilateral sanctions against India, especially the remaining World Bank lending sanctions. Again, I would like to express my thanks to Mr. Talbot and Mr. Singh for their hard work in this vital arena, congratulate them on their success thus far, and wish them the best in the future negotiations.

SUPPORT FOR THE DISASTER MITIGATION COORDINATION ACT

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Ms. SCHAKOWSKY. Mr. Speaker, I am joining with Chairman TALENT, Ranking Member VELÁZQUEZ and the Small Business Committee in support of the Disaster Mitigation Coordination Act. This legislation is a sensible, smart addition to the disaster loan program.

The Disaster Mitigation Coordination Act will add a valuable pro-active measure to the Small Business Association's Disaster Loan program. If enacted, this legislation will save money for taxpayers, communities and small businesses.

By adding the availability of pre-disaster mitigation loans to small businesses located in FEMA's ''Project Impact'' zones, we will be allowing small businesses to avoid or at least reduce the damages they suffer from unpredictable natural disasters. By helping these businesses to prepare for and react to disasters better, we are also ensuring they are able to continue providing needed goods and services to the communities that depend on them.

Given the unpredictability of their frequency and the severity of natural disasters, this approach seems more than reasonable. A 5 year pilot program authorizing up to $15 million a year in mitigation loans will permit the Small Business Administration to evaluate this approach to see if it is a less costly way of mitigating disasters than other fully subsidized federal disaster relief.

This legislation makes sense. By making available low interest, long term pre-disaster mitigation loans that will be paid back to the treasury, we will be reducing the amount of emergency grants necessary to respond to disasters. Furthermore, by offering pre-disaster assistance, we will be supporting the efforts of small businesses that want to act responsibly and pro-actively. Pre-disaster assistance means saving taxpayer money, secure small business communities and a healthy economy.

Mr. Speaker, this will surely be a welcome alternative to small businesses in our state of Illinois which has received the fifth highest amount of disaster loan money nation wide since 1989. I thank my colleagues for their consideration and urge them to support this valuable piece of legislation.

CONGRATULATIONS TO CHARLES C. BUTT, 1999 BORDER TEXAN OF THE YEAR

HON. RUBÉN HINOJOSA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. HINOJOSA. Mr. Speaker, it is a privilege for me to rise today to recognize an accomplished individual who is the deserving recipient of this year's Border Texan of the Year Award, Mr. Charles C. Butt, Chairman & CEO of the H.E.B. Grocery Company.

This award is given to individuals whose efforts have improved the quality of life for residents in South Texas. Recipients of this award serve as role models for all Texans. They are an inspiration to others, and they exhibit character as well as display a high standard of ethics.

Charles Butt has been selected by the BorderFest Border Texan of the Year Committee because his contributions to South Texas in the area of employment and economic development are unsurpassed. HEB today stands as one of the nation's largest independently owned food retailing companies. It is the largest private employer in the state of Texas with 45,000 employees, or ''partners,'' and operates 250 stores across Texas, Louisiana, and Mexico. HEB generated sales of approximately $7 billion in 1998. In 1971, Mr. Butt became HEB's Chairman and CEO. At that time 4,500 individuals were employed, and revenues were approximately $250 million.

These facts and figures merit mention because they reflect the strengths of someone who is a true leader, someone whose vision and work ethic has made a successful company even more dynamic.

Moreover, HEB has always had a practice of reaching out to the community. Never just a policy, but always a tradition, the practice of helping those in need has only become stronger under the leadership of Charles Butt. Time and time again, he has been there to help communities in need. When flood-waters ravaged the small city of Del Rio, Texas in August, HEB was there. Within hours of this tragedy, HEB tankers carrying 5,500 gallons of water were stationed at the Del Rio stores around the clock, and construction experts with the company were on site helping this city to rebuild. Charles Butt personally was on the scene to assist in whatever way he could.

The spirit of HEB can be seen not only in times of crises, but in everyday programs that reflect the company's desire to feed the hungry. HEB has revolutionized the food banking efforts with its support of twenty food banks—eighteen in Texas and two in Mexico. Since 1983 HEB supported food banks have shared more than 150 million pounds of donated food and merchandise with some 6,000 organizations. The list of charitable works goes on and on.

Again, I want to say how delighted I am that Charles C. Butt has been selected to receive this recognition. He is a man who represents the best in our country—a personal devotion to service, a professional commitment to excellence, and a visionary grasp of the opportunities open to all Americans.

Thank you for all your contributions, and I am glad to have this opportunity to add my accolades to this well-deserved honor. Congratulations, Mr. Border Texan!

THE GIFT OF LIFE CONGRESSIONAL MEDAL ACT OF 1999

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. STARK. Mr. Speaker, my colleagues and I are proud to introduce the ''Gift of Life Congressional Medal Act of 1999.'' This legislation creates a commemorative medal to honor organ donors and their survivors.

There is a serious shortage of available and suitable organ donors. Over 50,000 people are currently waiting for an organ transplant. Because of low donor rates, over 4,000 people die each year for lack of a suitable organ. Some patients also wait significantly longer for a transplant depending on where they live. In some parts of the country, the typical wait for an organ transplant is close to 100 days. In other parts of the country, the wait is closer to 1,000 days. We need to use every possible option to increase the number of donated organs for all Americans. The Gift of Life Congressional Medal Act draws attention to this life-saving issue, and sends a clear message that donating one's organs is a self-less act that should receive the profound respect of the Nation.

The legislation allows the Health and Human Service's Organ Procurement Organization (OPO) and the Organ Procurement and Transplantation Network to establish a non-profit fund to design, produce, and distribute the medals. Funding would come solely from charitable donations. The donor or family member would have the option of receiving the Congressional Gift of Life Medal. Families would also request that a Member of Congress, state or local official, or community leader award the medal to the donor or donor's survivors.

According to the United Network for Organ Sharing (UNOS), an average of 5300 donations per year were made between 1994 and 1996. Research points to a clear need for incentive programs and public education on organ donation. These efforts can increase the number of organ donations by more than 80 percent.

Physicians can now transplant kidneys, lungs, pancreas, liver, and heart with considerable success. The demand for organs will continue to grow with the improvement of medical technologies. Without expanded efforts to increase the supply of organ donation, the supply of suitable organs will continue to lag behind the need.

This is a non-controversial, non-partisan legislation to increase organ donation. I ask that our colleagues help bring an end to transplant waiting lists and recognize the enormous faith and courage displayed by organ donors and their families.

A copy of the legislaiton follows.

H.R. —

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Gift of Life Congressional Medal Act of 1999''.

SEC. 2. CONGRESSIONAL MEDAL

The Secretary of the Treasury shall design and strike a bronze medal with suitable emblems, devises, and inscriptions, to be determined by the Secretary of the Treasury, to commemorate organ donors and their families.

SEC. 3 ELIGIBILITY REQUIREMENTS.

(a) IN GENERAL.—Any organ donor, or the family of any organ donor, shall be eligible for a medal described in section 2.

(b) DOCUMENTATION.—The Secretary of Health and Human Services shall direct the entity holding the Organ Procurement and Transplantation Network (hereafter in this Act referred to as ''OPTN'') to contract to—

(1) establish an application procedure requiring the relevant organ procurement organization, as described in section 371(b)(1) of the Public Health Service Act (42 U.S.C. 273(b)(1)), through which an individual or their family made an organ donation, to submit to the OPTN contractor documentation supporting the eligibility of that individual or their family to receive a medal described in section 2; and

(2) determine, through the documentation provided, and, if necessary, independent investigation, whether the individual or family is eligible to receive a medal described in section 2.

SEC. 4 PRESENTATION.

(a) DELIVERY TO THE SECRETARY OF HEALTH AND HUMAN SERVICES.—The Secretary of the Treasury shall deliver medals struck pursuant to this Act to the Secretary of Health and Human Services.

(b) DELIVERY TO ELIGIBLE RECIPIENTS.—The Secretary of Health and Human Services shall direct the OPTN contractor to arrange for the presentation to the relevant organ procurement organization all medals struck pursuant to this Act to individuals or families that, in accordance with section 3, the OPTN contractor has determined to be eligible to receive medals under this Act.

(c) LIMITATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), only 1 medal may be presented to a family under subsection (b), Such medal shall be presented to the donating family member, or in the case of a deceased donor, the family member who signed the consent form authorizing, or who otherwise authorized, the donation of the organ involved.

(2) EXCEPTION.—In the case of a family in which more than 1 member is an organ donor, the OPTN contractor may present an additional medal to each such organ donor or their family.

SEC. 5. DUPLICATE MEDALS.

(a) IN GENERAL.—The Secretary of Health and Human Services or the OPTN contractor may provide duplicates of the medal described in section 2 to any recipient of a medal under section 4(b), under such regulations as the Secretary of Health and Human Services may issue.

(b) LIMITATION.—The price of a duplicate medal shall be sufficient to cover the cost of such duplicates.

SEC. 6. NATIONAL MEDALS.

The medals struck pursuant to this Act are national medals for purposes of section 5111 of title 31, United States Code.

SEC. 7. GENERAL WAIVER OR PROCUREMENT REGULATIONS.

No provision of law governing procurement or public contracts shall be applicable to the procurement of goods or services necessary for carrying out the provisions of this Act.

SEC. 8. SOLICITATION OF DONATIONS.

(a) IN GENERAL.—The Secretary of the Treasury may enter into an agreement with the OPTN contractor to collect funds to offset expenditures relating to the issuance of medals authorized under this Act.

(b) PAYMENT OF FUNDS.—

(1) IN GENERAL.—Except as provided in paragraph (2), all funds received by the Organ Procurement and Transplantation Network under subsection (a) shall be promptly paid by the Organ Procurement and Transplantation Network to the Secretary of the Treasury.

(2) LIMITATION.—Not more than 5 percent of the any funds received under subsection (a) shall be used to pay administrative costs incurred by the OPTN contractor as a result of an agreement establish under this section.

(c) NUMISMATIC PUBLIC ENTERPRISE FUND.—Notwithstanding any other provision of law—

(1) all amounts received by the Secretary of the Treasury under subsection (b)(1) shall be deposited in the Numismatic Public Enterprise Fund, as described in section 5134 of title 31, United States Code; and

(2) the Secretary of the Treasury shall charge such fund with all expenditures relating to the issuance of medals authorized under this Act.

(d) START-UP COSTS.—A 1-time amount notto exceed $55,000 shall be provided to the OPTN contractor to cover initial start-up costs. The amount will be paid back in full within 3 years of the date of the enactment of this Act from funds received under subsection (a).

(e) NO NET COST TO THE GOVERNMENT.—The Secretary of the Treasury shall take all actions necessary to ensure that the issuance of medals authorized under section 2 results in no net cost to the Government.

SEC. 9. DEFINITIONS.

For purposes of this Act—

(1) the term ''organ'' means the human kidney, liver, heart, lung, pancreas, and any other human organ (other than corneas and eyes) specified by regulation of the Secretary of Health and Human Services or the OPTN contractor; and

(2) the term ''Organ Procurement and Transplantation Network'' means the Organ

Procurement and Transplantation Network established under section 372 of the Pubic Health Service Act (42 U.S.C. 274).

SEC. 10. SUNSET PROVISION.

This Act shall be effective during the 5-year period beginning on the date of the enactment of this Act.

THE SPRAWLING OF AMERICA

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. BLUMENAUER. Mr. Speaker, people from across the nation are talking about ways they can make their communities more livable. Improving livability means better schools, safer neighborhoods, affordable housing and more choices in transportation. Improving livability also means preserving what makes each community unique, be it the farmlands in Oregon or the desert in Arizona. It is my pleasure to share with my colleagues the comments of Richard Moe, the president of the National Trust for Historic Preservation, on this important and timely topic.

THE SPRAWLING OF AMERICA: FEDERAL POLICY IS PART OF THE PROBLEM; CAN IT BE PART OF THE SOLUTION?

(An address by Richard Moe, president, National Trust for Historic Preservation at the National Press Club in Washington, DC on January 22, 1999)

America today is engaged in a great national debate. It's a debate about sprawl. The central question in the debate is this: Will we continue to allow haphazard growth to consume more countryside in ways that drain the vitality out of our cities while eroding the quality of life virtually everywhere? Or will we choose instead to use our land more sensibly and to revitalize our older neighborhoods and downtowns, thereby enhancing the quality of life for everyone?

The debate touches every aspect of our lives—the quality of the natural and built environments, how we feel about the places where we live and work and play, how much time we have for our family and civil life, how rooted we are in our communities. I believe that this debate will frame one of the most important political issues of the first decade of the 21st century. Ultimately, its outcome will determine whether the American dream will become a reality for future generations.

The National Trust for Historic Preservation, which I am privileged to serve, works to revitalize America's communities by preserving our heritage—the buildings, neighborhoods, downtowns and landscapes that link us with our past and define us as Americans. Our mission is summed up in a short phrase: ''Protecting the Irreplaceable.'' Sprawl destroys the irreplaceable, which is why the National Trust is concerned about sprawl—and why I want to address the subject today.

Preservation is in the business of saving special places and the quality of life they support, and sprawl destroys both. It devours historic landscapes. It makes the strip malls and subdivisions on the edge of Washington look like those on the edge of Albuquerque or Birmingham or any other American city. It drains the life out of older communities, stops their economic pulse and often puts them in intensive care—or sometimes even the morgue.

Sprawl reminds me of Justice Stewart's remark about pornography: It's hard to define, but you know it when you see it. In simple terms, sprawl is the poorly planned, low-density, auto-oriented development that spreads out from the edges of communities. But it is best defined by the way it affects us in our daily lives.

Winston Churchill said, ''We shape our buildings, and then our buildings shape us.'' The same holds true for communities: The way we shape them has a huge impact on the way we feel, the way we interact with one another, the way we live. By harming our communities, sprawl touches us all—and one way or another, we all pay for it.

We pay in open space and farmland lost. Since 1950, the State of Pennsylvania has lost more than 4 million acres of farmland; that's an area larger than Connecticut and Rhode Island combined. Metropolitan Phoenix now covers an area the size of Delaware. It's estimated that over the next 45 years, sprawl in the Central Valley of California will affect more than 3.6 million acres of America's most productive farmland.

We pay in time lost. A study last year reported that each of us here in Washington spends about 59 hours a year—the equivalent of a week and a half of work—stuck in traffic. The price tag for time and fuel wasted is roughly $860 annually for every man, woman and child in the Washington area. In Los Angeles, the average speed on the freeway is expected to drop to 11 miles per hour by 2010. A new term ''road rage'' has been coined to describe drivers' frustration over traffic.

We pay in higher taxes. Over the decades, we've handed over our tax dollars to pay for infrastructure and services—things like police and fire protection, water and sewer lines, schools and streetlights—in our communities. Now we're being asked to pay higher taxes to duplicate those services in sprawling new developments, while the infrastructure we've already paid for lies abandoned or underused in our older city center and suburbs. Even worse, local governments use our tax dollars to offer incentives and write-offs to sprawl developers—in effect, rewarding them for consuming our landscape and weakening our older communities.

Finally, we pay in the steady erosion of our quality of life. Inner cities have become enclaves of poverty. Long, frustrating commutes leave us less time with our families. Tranquil neighborhoods are destroyed by road-widening. Historic landmarks get demolished and carted off to the landfill. Everyplace winds up looking more and more like Noplace. These signs point to an inescapable fact: Sprawl and its byproducts represent the number-one threat to community livability in America today. And in a competitive global marketplace, livability is the factor that will determine which communities thrive and which ones wither. Nobel Prize-winning economist Robert Solow puts it this way: ''Livability is not some middle-class luxury. It is an economic imperative.''

Sprawl is finally getting the attention it deserves. It was the subject of major initiatives announced by the President and the Vice President in recent back-to-back speeches. Bipartisan caucuses focusing on smart growth and community livability have been formed in both the House and Senate. Governors across the political spectrum have announced programs to control sprawl and encourage smart growth. The Urban Land Institute, the American Institute of Architects, the National Governors Association, and foundations and nonprofit organizations of every stripe hold seminars and workshops on sprawl. Last November, voters from Cape Cod to California overwhelmingly approved some 200 ballot initiatives related to growth management and urban revitalization.

All this attention is welcome. Sprawl is a national problem, and it needs a national debate. But the debate shouldn't focus on finding a national solution, because there isn't one. There are two essential elements in any effective program to combat sprawl: sensible land-use planning and the revitalization of existing communities. These are issues traditionally and best handled at the state and local levels—and that, in the end, is where the fight against sprawl will be won or lost. But—and here's the main point I want to make today—the federal government also has a crucial role to play in the process.

There are obviously many factors such as crime, drugs and bad schools and public services that have helped propel the exodus of people and jobs from our central cities, but that exodus has been greatly facilitated—even accelerated—by the effects of federal policies. Sometimes these effects have been intended and sometimes they have been inadvertent, but in most cases they have been profound. Because the federal government has contributed so heavily to the problem, it has a clear duty to help find solutions.

It can—and should—do so in four ways:

First, it should correct policies that encourage or reward sprawl.

Sprawl-friendly policies and practices exist in almost every federal agency. I'll mention only a few examples.

Nearly 17 million people work directly or indirectly for the federal government. With a workforce that size, decisions about where the government locates its offices can have a huge impact on a community's economic health. A 1996 Executive Order directs federal agencies to give first consideration to locating their facilities in downtown historic districts instead of out on the suburban fringe—but two years after it was issued, compliance is spotty. Right now, for example, in the small, economically-depressed town of Glasgow, Montana, the U.S. Department of Agriculture is putting its county office in a new building that will be constructed in pastureland on the edge of town. A suitable downtown building was available, but USDA rejected it because the parking lot is a block away instead of right next door.

Relocating post offices to suburban sites can also deal a body blow to a small-town Main Street—and put historic buildings at risk as well. Because post offices serve an important role in the social and business life of many towns, the U.S. Postal Service needs to give communities more say in where these essential facilities are to be located.

The federal tax code, in all its complexity, is heavily tilted toward new development and the consumption of open space. It needs to put at least as much emphasis on promoting opportunities for revitalization and stabilization of older communities. It needs to provide incentives—which are currently lacking—for middle-class and moderate-income households to become urban homeowners.

Federal water and sewer grants were originally intended as a means of providing clean water and safe waste-treatment facilities in rural areas. In practice, however, the ready availability of this funding virtually invites development further and further into countryside.

The list goes on and on, but the biggest offender of all is federal transportation policy, which can be summed up in a short phrase: ''feed the car, starve the alternative.'' As Jessica Mathews wrote a while ago in the Washington Post, ''Americans are not irrationally car-crazed. We seem wedded to the automobile because policy after . . . policy . . . encourages us to be.'' Transportation officials generally try to ''solve'' problems by building more roads—an approach which is often like trying to cure obesity by loosening your belt.

People need transportation choices and communities need balanced transportation

systems. Federal policy hasn't done a good job of offering them—but that may be changing. The Transportation Equity Act for the 21st Century, or TEA–21, enacted last year, encourages planning that looks beyond irrelevant political boundaries and allows for greater citizen and local government participation in making transportation investment decisions. That's welcome news, certainly, but TEA–21 is a promissory note that will be redeemed only through hard work at the state and local levels. It offers a great opportunity for the federal Department of Transportation to take a leadership role in urging the states to take full advantage of this landmark legislation.

Within the next few months, the General Accounting Office will release its study on the extent to which federal policies encourage sprawl, and I hope the report will prompt a serious examination of these policies.

Second, the federal government should reward states and communities that promote smart growth and help revitalize existing communities.

Being anti-sprawl is not being anti-growth. The question is not whether our communities should grow, but rather how they will grow. More and more people—private citizens and public officials alike—are realizing that the answer to that question lies in sensible land-use planning.

Three states have recently launched different efforts to manage sprawl. Last May, Tennessee passed a law that requires counties and municipalities to adopt ''growth plans'' which, among other things, set firm boundaries for new development and public services. Closer to home, Governor Glendening's Smart Growth initiative in Maryland is one of the most innovative—and potentially one of the most significant—in the country. Under Governor Whitman's leadership, residents of New Jersey have approved up to $98 million in tax revenue annually for conservation and historic preservation; over 10 years this measure will protect a million acres of land—a marvelous gift to future generations.

We should encourage efforts like these in other states. I suggest that we design a federal ''smart growth scorecard''—a system that favors sensible, sustainable growth and evaluates the effectiveness with which states and communities meet that test. States that amend their building codes to make them more ''rehab-friendly'' or that remove their constitutional ban against the use of state gas tax revenues for mass transit projects, for example, are taking positive steps to fight sprawl and restore communities. They ought to be rewarded. The federal scorecard would give states credit for initiatives such as these and would give smart-growth projects an edge in the competition for federal funds.

Third, the federal government should promote regional cooperation as a key to effective control of sprawl.

Metropolitan areas now contain close to 80% of the total U.S. population. Half the people in this country now live in just 39 metropolitan areas. But governmental structures in no way reflect this reality.

Urban decline and sprawl are practically guaranteed wherever there is a balkanized system of local jurisdictions. There's a perfect example right here in Washington, where our metropolitan area is a patchwork quilt comprising two states, the District of Columbia, a dozen counties and a score of municipalities—each with its own budget, each following its own agenda.

When it comes to sprawl, city limits and county lines are often meaningless marks on a map. Limited jurisdiction makes it hard for local government to deal with an issue of this magnitude, and efforts to control sprawl in a limited area often just shift the problem from one community to another. It's like trying to stop a flood with a picket fence.

States need to encourage local governments in the same region to better coordinate their land-use and transportation plans, and the federal government can help a great deal by simply providing basic information that regions need. Much of this information—dealing with things such as the geographic mismatch between workers and jobs and the extent of outmigration from cities to suburbs—already exists, but it is difficult and expensive for localities to obtain. That's a fairly easy problem to fix, and the federal government ought to do it.

While regionalism by itself does not curb sprawl, it can moderate one of the engines of sprawl: the costly bidding wars between neighboring jurisdictions for sprawl-type development that holds out the hope for new tax revenues. Admittedly, the performance of some regional governments has been lackluster, but in other areas—Portland, Oregon, for examples—regionalism is making a difference in addressing the problems of sprawl and poorly managed growth. Encouraging and assisting similar efforts all over the country should be a cornerstone of federal policy.

Happily, the current Administration is taking an important step in that direction. The ''Livability Agenda'' recently announced by Vice President Gore proposes a major initiative to reduce barriers to regional governance and to fund local partnerships that pursue smart-growth strategies across jurisdictional lines. This will be the first flexible source of funding provided by the federal government to promote smarter metropolitan growth. It's a very welcome initiative.

Controlling sprawl is only half the battle, which brings me to the fourth thing the federal government should do: provide incentives for reinvestment in existing communities.

Discussions about the plight of the cities often overlook a simple fact: When people leave the city it's not necessarily because they love sprawl or hate urban life, but because leaving is the rational thing to do. More than anything else, urban flight is an indictment of bad schools, crime and poor public services. As if this ''push'' weren't enough, people are ''pulled'' out of the city by policies and practices that make homes and infrastructure in the suburbs less expensive and easier to build.

In place of this ''push-pull'' combination, we need public policy that favors existing communities. Fifty years ago the government began to offer economic inducements to families that wanted to flee to the suburbs; it's time to offer those same kinds of inducements to entice middle-class residents to return to, or stay in, the city.

It all comes down to choosing where to make investments. If the federal government chooses to pour funding into more outer beltways and more suburban infrastructure, sprawl will continue to spread like an epidemic. But if the government makes a commitment to existing communities, it can have an enormous, positive impact on the critical need to keep people in urban neighborhoods and give others a reason to move back to the city.

This is the missing piece of the administration's Livability Agenda, which includes a heavy focus on the preservation of open space. There's no question that we need to speed up our efforts to protect open space and farmland through land trusts, easements, the purchase of development rights and other means. Saving greenspace is a very good thing, but it's not enough by itself. We could buy all the open land in the country and still not solve the problem of sprawl. We also need to focus energies and resources on reclaiming the streets and neighborhoods where people live—the towns, inner cities and older suburbs that we've neglected so badly for the past half-century. We must develop housing policies and programs that advance the goal of economic integration of our communities and lessen the concentration of poor households in inner-city areas. We must attract middle-income families back to the towns and cities, and we must improve the quality of housing for lower-income people.

One way to do this is by enacting the Historic Homeownership Assistance Act. This legislation, which has broad bipartisan support in both houses of Congress, would extend federal tax credits to homeowners who renovate their historic homes, giving residents of older neighborhoods incentives to stay and invest in their community's future, and providing an incentive for others to move back into the city. By offering a way to put deteriorated property back on the tax rolls while making homeownership more affordable for lower-income residents, this law could greatly benefit communities all over the country. Obviously, this one act won't solve America's urban problems—but it can help, and a step in the right direction is better than standing still.

In fighting sprawl, we're dealing with an issue that undermines many of the national goals and values that we've embraced over the years. The provision of affordable housing, improved mobility, a clean environment, the transition from welfare to work, the livability and economic health of our communities—all of these are undermined by sprawl. In fact, there is scarcely a single national problem that is not exacerbated by sprawl or that would not be alleviated if sprawl were better contained.

We can continue turning much of our nation into a tragic patchwork of ruined cities and spoiled countryside, or we can insist on sensible federal policies that strengthen communities instead of scattering them randomly across the landscape.

We can keep on accepting the kind of communities we get, or we can summon the national will to demand the kind of communities we want and need and deserve.

The choice is ours, and the time to make that choice is now.

FIGHT DIABETES

HON. BERNARD SANDERS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. SANDERS. Mr. Speaker, I rise today to call the attention of my Colleagues to the following letter I received from a young Vermonter. Philip Burgin-Young is nine years old, and likes to play soccer, as well as study math and science. At the same time, Philip has to regularly check his blood sugar, take three insulin shots a day, and closely watch what he eats, because he is diabetic. Like Philip, I believe that our government must do more for the 16 million Americans suffering from diabetes by investing in a cure to the disease.

I call the attention of my colleagues to this moving letter and submit the letter for the CONGRESSIONAL RECORD for their benefit.FEBRUARY 21, 1999.

Hon. BERNIE SANDERS,
U.S. House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE SANDERS: My name is Philip Burgin-Young, and I am nine years

old. I have had diabetes almost four years. I love to play soccer, study math, and experiment with science. To be able to do these things, I have to work real hard to take care of my diabetes. That means that I check my blood sugar at least six times a day (but usually closer to ten times), have at least three shots of insulin a day (in my stomach, arms, legs, and buttocks), count every gram of carbohydrate and fat that I eat, and make sure that I exercise a lot to keep my blood sugar balanced. My parents also check my blood sugar in the middle of the night while I am sleeping. But even doing these things, it is impossible to keep my blood sugar in the normal range all of the time. Diabetes is a very complex thing.

It is not easy to describe what it is like living with diabetes. But I have two stories that can describe it a little. The first story is about something my sister said to me. One day my sister said that if she had diabetes and then a cure was discovered, she would go out and eat a dozen donuts. She asked me what I would do. I said, ''I wouldn't go out and eat a dozen donuts. I WOULD JUST BE SO RELIEVED!'' I could tell that she couldn't really understand what it feels like to live with diabetes every minute of every day, even though she does help me with my diabetes. The second story is about something that happens all of the time, because I play soccer on a couple of teams. Before I go on the field I always check my blood sugar to make sure that I'm not too high or too low. If I'm too high, I can't play and I need to have a shot of insulin. Even though I do everything I am supposed to do to take care of my diabetes, this does happen and I missed the beginning of our playoffs because I was too high. If I'm too low, I also can't play and have to wait about 15 minutes for the food that I eat to get into my system. Then, during half time I do the same thing—I recheck my blood sugar. At the end of the game I check again to make sure I'm not too low or too high.

I want a cure for diabetes so that I can do what I want with my life—I want to be healthy and I want to help other people by being a scientist who helps to find cures for diseases. I also want a cure for all of the other people who have diabetes. As hard as it is for me with diabetes, at least I am lucky because my mom and dad and sister help me try to take real good care of myself. Some kids aren't so lucky and they end up in the hospital often.

Will you please vote for more money for research, to try to find a cure for diabetes? I know that with more money scientists will be able to find a cure more easily. There are so many areas that are being researched and if they don't have enough money they can't do the research. PLEASE HELP!

Sincerely,

PHILIP BURGIN-YOUNG.

CONGRATULATING THE STERLING HIGH SCHOOL GIRLS BASKETBALL TEAM

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. SCHAFFER. Mr. Speaker, I rise today to honor the Sterling High School girls basketball team on the Class 4A District 4 Championship.

The Sterling players, led by Coach Darrell Parker, will now advance to the next level in the state basketball playoffs and their shot at the Colorado State 4A Championship.

All teams, no matter what the sport, continually strive to find that special and unique combination of teamwork, leadership, skill and effort which unlocks the door to success. Under careful tutelage, hard-working teams not only win games, but also build the confidence necessary to win championships. Clearly, these dedicated hoopsters have found this winning formula and attained the next rung of sporting success.

Greater challenges remain, however, and I wish the Sterling High School girls basketball team the best of luck in the Colorado 4A State Championship. No matter what the outcome of the next game, this team has proven it has the heart of a champion, and can take pride in the District 4 Championship.

CONGRATULATING THE CALICHE HIGH SCHOOL BOYS BASKETBALL TEAM

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. SCHAFFER. Mr. Speaker, I rise today to honor the Caliche High School boys basketball team on their Class 2A District 2 Championship.

The Caliche players, led by Coach Rocky Samber, will now advance to the next level in the state basketball playoffs and their shot at the Colorado State 2A Championship.

All teams, no matter what the sport, continually strive to find that special and unique combination of teamwork, leadership, skill and effort which unlocks the door to success. Under careful tutelage, hard-working teams not only win games, but also build the confidence necessary to win championships. Clearly, these dedicated hoopsters have found this winning formula and attained the next rung of sporting success.

Greater challenges remain, however, and I wish the Caliche High School boys basketball team the best of luck in the Colordao 2A State Championship. No matter what the outcome of the next game, this team has proven it has the heart of a champion, and can take pride in the District 2 Championship.

CONGRATULATING THE SWINK HIGH SCHOOL BOYS BASKETBALL TEAM

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. SCHAFFER. Mr. Speaker, I rise today to honor the Swink High School boys basketball team on their Class 2A District 4 Championship.

The Swink players, led by Coach Tim Jordan, will now advance to the next level in the state basketball playoffs and their shot at the Colorado State 2A Championship.

All teams, no matter what the sport, continually strive to find that special and unique combination of teamwork, leadership, skill and effort which unlocks the door to success. Under careful tutelage, hard-working teams not only win games, but also build the confidence necessary to win championships. Clearly, these dedicated hoopsters have found this winning formula and attained the next rung of sporting success.

Greater challenges remain, however, and I wish the Swink High School boys basketball team the best of luck in the Colorado 2A State Championship. No matter what the outcome of the next game, this team has proven it has the heart of a champion, and can take pride in the District 4 Championship.

CONGRATULATING THE CHERAW HIGH SCHOOL GIRLS BASKETBALL TEAM

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. SCHAFFER. Mr. Speaker, I rise today to honor the Cheraw High School girls basketball team on their Class A District 2 Championship.

The Cheraw players, led by Coach Charles Phillips, will now advance to the next level in the state basketball playoffs and their shot at the Colorado State A Championship.

All teams, no matter what the sport, continually strive to find that special and unique combination of teamwork, leadership, skill and effort which unlocks the door to success. Under careful tutelage, hard-working teams not only win games, but also build the confidence necessary to win championships. Clearly, these dedicated hoopsters have found this winning formula and attained the next rung of sporting success.

Greater challenges remain, however, and I wish the Cheraw High School girls basketball team the best of luck in the Colorado A State Championship. No matter what the outcome of the next game, this team has proven it has the heart of a champion, and can take pride in the District 2 Championship.

TRUE COMMUNITY SERVICE: IN HONOR OF SISTER MARY ALICE MURPHY

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. SCHAFFER. Mr. Speaker, I rise today to pay tribute to Sister Mary Alice Murphy. September 1, 1999 marks the end of an era defined by community service as Sister Murphy will step down as executive director of Community Affordable Residences Enterprises. Known as CARE, the organization builds affordable housing for low-income residents in Fort Collins.

A Roman Catholic nun, Sister Murphy came to Fort Collins in 1983 to lead Catholic Charities Northern where she recognized the need for affordable housing in my hometown. Keep in mind, before 1993, affordable housing was not even on City Council's policy agenda. She had the foresight to point out a problem 16 years ago that today has become one of the most crucial issues in Fort Collins. Sister Mary Alice could have stopped there like most critics do, just pointing out a problem, but she

acted and led the leaders. She developed a plan for low income residents in Fort Collins which resulted in the construction of the Mission homeless shelter in 1989.

Again acting with foresight, Sister Mary Alice knew the Mission shelter was only temporary, and shelter residents would eventually need a more permanent place. CARE wanted to build new homes for low-income residents because renovation of existing homes in Fort Collins was not the optimum solution. Sister Mary Alice sheparded CARE's construction of the 40-unit Greenbriar complex in 1995, the first of three new housing units for low-income families.

Now in 1999, after almost two decades of service to low-income families in Fort Collins, CARE, under Sister Mary Alice's direction, has built three affordable housing complexes with 116 new housing units in Fort Collins and plans are in the making for a fourth project. When Sister Mary Alice steps down in September, I am proud to say she will still be involved with affordable housing in Fort Collins by assuming an advisory role in CARE's board of directors.

Mr. Speaker, today I am honored to pay tribute to a woman who exemplifies community service, service to humanity and faith in God. Sister Mary Alice Murphy is the person who identified the need for affordable housing in Fort Collins and followed through by sheparding the construction of it. We need more citizens like Sister Mary Alice who see problems and fixes them.

CONGRATULATING THE GENOA-HUGO HIGH SCHOOL BOYS BASKETBALL TEAM

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. SCHAFFER. Mr. Speaker, I rise today to honor the Genoa-Hugo High School boys basketball team on their Class A District 7 Championship.

The Genoa-Hugo players, led by Coach Casey Moats, will now advance to the next level in the state basketball playoffs and their shot at the Colorado State A Championship.

All teams, no matter what the sport, continually strive to find that special and unique combination of teamwork, leadership, skill and effort which unlocks the door to success. Under careful tutelage, hard-working teams not only win games, but also build the confidence necessary to win championships. Clearly, these dedicated hoopsters have found this winning formula and attained the next rung of sporting success.

Greater challenges remain, however, and I wish the Genoa-Hugo High School boys basketball team the best of luck in the Colorado A State Championship. No matter what the outcome of the next game, this team has proven it has the heart of a champion, and can take pride in the District 7 Championship.

CONGRATULATING THE DEER TRAIL HIGH SCHOOL GIRLS BASKETBALL TEAM

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. SCHAFFER. Mr. Speaker, I rise today to honor the Deer Trail High School girls basketball team on their Class A District 8 Championship.

The Deer Trail players, led by Coach Robert Kelley, will now advance to the next level in the state basketball playoffs and their shot at the Colorado State A Championship.

All teams, no matter what the sport, continually strive to find that special and unique combination of teamwork, leadership, skill and effort which unlocks the door to success. Under careful tutelage, hard-working teams not only win games, but also build the confidence necessary to win championships. Clearly, these dedicated hoopsters have found this winning formula and attained the next rung of sporting success.

Greater challenges remain, however, and I wish the Deer Trail High School girls basketball team the best of luck in the Colorado A State Championship. No matter what the outcome of the next game, this team has proven it has the heart of a champion, and can take pride in the District 8 Championship.

CONGRATULATING THE IDALIA HIGH SCHOOL BOYS BASKETBALL TEAM

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. SCHAFFER. Mr. Speaker, I rise today to honor the Idalia High School boys basketball team on their Class A District 5 Championship.

The Idalia players, led by Coach Dave Eastin, will now advance to the next level in the state basketball playoffs and their shot at the Colorado State A Championship.

All teams, no matter what the sport, continually strive to find that special and unique combination of teamwork, leadership, skill and effort which unlocks the door to success. Under careful tutelage, hard-working teams not only win games, but also build the confidence necessary to win championships. Clearly, these dedicated hoopsters have found this winning formula and attained the next rung of sporting success.

Greater challenges remain, however, and I wish the Idalia High School boys basketball team the best of luck in the Colorado A State Championship. No matter what the outcome of the next game, this team has proven it has the heart of a champion, and can take pride in the District 5 Championship.

CONGRATULATING THE IDALIA HIGH SCHOOL GIRLS BASKETBALL TEAM

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. SCHAFFER. Mr. Speaker, I rise today to honor the Idalia High School girls basketball team on their Class A District 5 Championship.

The Idalia players, led by Coach Mike Waitman, will now advance to the next level in the state basketball playoffs and their shot at the Colorado State A Championship.

All teams, no matter what the sport, continually strive to find that special and unique combination of teamwork, leadership, skill and effort which unlocks the door to success. Under careful tutelage, hard-working teams not only win games, but also build the confidence necessary to win championships. Clearly, these dedicated hoopsters have found this winning formula and attained the next rung of sporting success.

Greater challenges remain, however, and I wish the Idalia High School girls basketball team the best of luck in the Colorado A State Championship. No matter what the outcome of the next game, this team has proven it has the heart of a champion, and can take pride in the District 5 Championship.

CONGRATULATING THE PRAIRIE HIGH SCHOOL GIRLS BASKETBALL TEAM

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. SCHAFFER. Mr. Speaker, I rise today to honor the Prairie High School girls basketball team on their Class A District 4 Championship.

The Prairie players, led by Coach Maggie Kilmer, will now advance to the next level in the state basketball playoffs and their shot at the Colorado State A Championship.

All teams, no matter what the sport, continually strive to find that special and unique combination of teamwork, leadership, skill and effort which unlocks the door to success. Under careful tutelage, hard-working teams not only win games, but also build the confidence necessary to win championships. Clearly, these dedicated hoopsters have found this winning formula and attained the next rung of sporting success.

Greater challenges remain, however, and I wish the Prairie High School girls basketball team the best of luck in the Colorado A State Championship. No matter what the outcome of the next game, this team has proven it has the heart of a champion, and can take pride in the District 4 Championship.

CONGRATULATING THE TRINIDAD HIGH SCHOOL GIRLS BASKETBALL TEAM

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. SCHAFFER. Mr. Speaker, I rise today to honor the Trinidad High School girls basketball team on their Class A District 6 Championship.

The Trinidad players, led by coach Mike Vecellio, will now advance to the next level in the state basketball playoffs and their shot at the Colorado State A Championship.

All teams, no matter what the sport, continually strive to find that special and unique combination of teamwork, leadership, skill and effort which unlocks the door to success. Under careful tutelage, hard-working teams not only win games, but also build the confidence necessary to win championships. Clearly, these dedicated hoopsters have found this winning formula and attained the next rung of sporting success.

Greater challenges remain, however, and I wish the Trinidad High School girls basketball team the best of luck in the Colorado A State Championship. No matter what the outcome of the next game, this team has proven it has the heart of a champion, and can take pride in the District 6 Championship.

CONGRATULATING THE FLAGLER HIGH SCHOOL GIRLS BASKETBALL TEAM

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Mr. SCHAFFER. Mr. Speaker, I rise today to honor the Flagler High School girls basketball team on their Class A District 7 Championship.

The Flagler players, led by Coach Mike Campbell, will now advance to the next level in the state basketball playoffs and their shot at the Colorado State A Championship.

All teams, no matter what the sport, continually strive to find that special and unique combination of teamwork, leadership, skill and effort which unlocks the door to success. Under careful tutelage, hard-working teams not only win games, but also build the confidence necessary to win championships. Clearly, these dedicated hoopsters have found this winning formula and attained the next rung of sporting success.

Greater challenges remain, however, and I wish the Flagler High School girls basketball team the best of luck in the Colorado A State Championship. No matter what the outcome of the next game, this team has proven it has the heart of a champion, and can take pride in the District 7 Championship

Tuesday, March 2, 1999

Daily Digest

HIGHLIGHTS

Senate passed Small Business Year 2000 Readiness Act, and Special Committee on Y2K Technology-related Problems Funding Increase bill.

Senate

Chamber Action

Routine Proceedings, pages S2059–S2157

Measures Introduced: Twenty-two bills and two resolutions were introduced, as follows: S. 491–512, and S. Res. 55–56. **Pages S2095–96**

Measures Reported: Reports were made as follows:

S. 364, to improve certain loan programs of the Small Business Administration. (S. Rept. No. 106–6)

S. 313, to repeal the Public Utility Holding Company Act of 1935, to enact the Public Utility Holding Company Act of 1999. (S. Rept. No. 106–7)

S. 247, to amend title 17, United States Code, to reform the copyright law with respect to satellite retransmissions of broadcast signals, with amendments. **Page S2094**

Measures Passed:

Small Business Year 2000 Readiness Act: By a unanimous vote of 99 yeas (Vote No. 28), Senate passed S. 314, to provide for a loan guarantee program to address the Year 2000 computer problems of small business concerns. **Pages S2059–69**

Special Committee on Y2K Funding Increase: Pursuant to the order of Thursday, February 25, 1999, Committee on Rules and Administration was discharged from further consideration of S. Res. 7, to amend Senate Resolution 208 of the 105th Congress to increase funding of the Special Committee on the Year 2000 Technology-related Problems, and by 92 yeas to 6 nays (Vote No. 29), Senate agreed to the resolution, after agreeing to the following amendment proposed thereto: **Pages S2071–84**

Bennett/Dodd Amendment No. 30, to make a conforming change. **Page S2071**

Joint Committee on Printing/Joint Committee on the Library Membership: Senate agreed to S. Res. 51, providing for members on the part of the Senate of the Joint Committee on Printing and the Joint Committee on the Library. **Page S2153**

Printing Authorization: Senate agreed to S. Res. 52, to authorize the printing of a collection of the rules of the committees of the Senate. **Page S2153**

Senate Committee Appointments: Senate agreed to S. Res. 55, making appointments to certain Senate committees for the 106th Congress. **Page S2154**

Dodson School Districts Impact Aid Applications: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of S. 447, to deem as timely filed, and process for payment, the applications submitted by the Dodson School Districts for certain Impact Aid payments for fiscal year 1999, and the bill was then passed. **Page S2154**

National Girl Scout Week: Committee on the Judiciary was discharged from further consideration of S. Res. 48, designating the week beginning March 7, 1999, as ''National Girl Scout Week'', and the resolution was then agreed to. **Page S2156**

National Read Across America Day: Senate agreed to S. Res. 56, recognizing March 2, 1999 as the ''National Read Across America Day'' and encouraging every child, parent and teacher to read throughout the year. **Pages S2156–57**

Education Flexibility Partnership Act: Senate began consideration of the motion to proceed to the consideration of S. 280, to provide for education flexibility partnerships. **Pages S2084–88**

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to the consideration of the bill, with a vote to occur on the motion to proceed, on Wednesday, March 3, 1999. **Page S2157**

Removal of Injunction of Secrecy: The injunction of secrecy was removed from the following treaty:

The Extradition Treaty Between the Government of the United States of America and the Government of the Republic of Korea (Treaty Doc. 106–2).

The treaty was transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and was ordered to be printed. **Page S2154**

Messages From the President: Senate received the following messages from the President of the United States:

Transmitting the report of the Federal Labor Relations Authority for fiscal year 1997; referred to the Committee on Governmental Affairs. (PM–12). **Pages S2093–94**

During today's proceedings, Senate also took the following action:

Pursuant to the order of Thursday, February 25, 1999, Senate agreed to a motion to recess. **Page S2070**

Nominations Confirmed: Senate confirmed the following nominations:

James M. Simon, Jr., of Alabama, to be Assistant Director of Central Intelligence for Administration. **Pages S2154–57**

Nominations Received: Senate received the following nominations:

Lawrence J. Delaney, of Maryland, to be an Assistant Secretary of the Air Force.

Lawrence Harrington, of Tennessee, to be United States Executive Director of the Inter-American Development Bank for a term of three years.

Richard M. McGahey, of the District of Columbia, to be an Assistant Secretary of Labor.

A routine list in the Foreign Service. **Page S2157**

Messages From the President: **Pages S2093–94**

Measures Read First Time: **Page S2094**

Executive Reports of Committees: **Pages S2094–95**

Statements on Introduced Bills: **Pages S2096–S2136**

Additional Cosponsors: **Pages S2136–38**

Amendments Submitted: **Page S2139**

Notices of Hearings: **Page S2139**

Authority for Committees: **Pages S2139–40**

Additional Statements: **Pages S2140–53**

Record Votes: Two record votes were taken today. (Total—29) **Pages S2068, S2083**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 6:34 p.m., until 9:30 a.m. on Wednesday, March 3, 1999. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S2157.)

Committee Meetings

(Committees not listed did not meet)

CHILD NUTRITION PROGRAM

Committee on Agriculture, Nutrition, and Forestry: Committee concluded hearings on proposed legislation, authorizing funds for federal child nutrition programs, after receiving testimony from Martha Hill, Madison, West Virginia, and Gayle Lynn MacDonald, Bellingham, Washington, both of the American School Food Association; Barry Reese, Indiana School Food Service Association, Auburn; James D. Weill, Food Research Action Center, and Rhea F. Starr, YWCA of the U.S.A., both of Washington, D.C.; and Nick Craft, on behalf of the National Child Care Association, Conyers, Georgia.

APPROPRIATIONS—AGRICULTURE

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, and Related Agencies concluded hearings on proposed budget estimates for fiscal year 2000 for the Department of Agriculture, focusing on assistance to producers and farm economy, after receiving testimony from Keith Collins, Chief Economist, August Schumacher, Jr., Under Secretary for Farm and Foreign Agricultural Services, and Dennis Kaplan, Deputy Director for Budget, Legislative and Regulatory Systems, all of the Department of Agriculture.

NOMINATIONS

Committee on Armed Services: Committee ordered favorably reported 2,131 military nominations in the Air Force, Army, Navy, and Marine Corps.

AUTHORIZATION—DEFENSE

Committee on Armed Services: Committee concluded hearings on proposed legislation authorizing funds for fiscal year 2000 for the Department of Defense, and the future years defense program, after receiving testimony from Louis Caldera, Secretary of the Army; Richard Danzig, Secretary of the Navy; and F. Whitten Peters, Acting Secretary of the Air Force.

NATIONAL DEFENSE BUDGET

Committee on the Budget: Committee concluded hearings on the President's proposed budget request for fiscal year 2000 for national defense, after receiving testimony from William S. Cohen, Secretary, and John J. Hamre, Deputy Secretary, both of the Department of Defense; and Gen. Henry H. Shelton, Chairman, Joint Chiefs of Staff.

AUTHORIZATION—SURFACE TRANSPORTATION BOARD

Committee on Commerce, Science, and Transportation: Subcommittee on Surface Transportation and Merchant Marine concluded hearings on proposed legislation authorizing funds for the Surface Transportation Board, Department of Transportation, after receiving testimony from Linda J. Morgan, Chairman, Surface Transportation Board, Department of Transportation; Edward M. Emmett, National Industrial Transportation League, and William E. Harvey, Lyondell Petrochemical Company, on behalf of the Rail Customer Coalition, both of Arlington, Virginia; John Bratten, Central Soya Company, Inc., on behalf of the National Grain and Feed Association, Edward Wytkind, Transportation Trades Department (AFL–CIO), James M. Brunkenhoefer, United Transportation Union, and Edward R. Hamberger, Association of American Railroads, all of Washington, D.C.; and Timothy R. Murphy, Mercer Management Consulting, Inc., Lexington, Massachusetts.

DEPARTMENT OF THE INTERIOR BUDGET

Committee on Energy and Natural Resources: Committee concluded oversight hearings on the President's proposed budget request for fiscal year 2000 for the Department of the Interior, focusing on Minerals Management Service, Lands Legacy Initiative, Payments in Lieu of Taxes, Mining Law, National Park Service, Office of Insular Affairs, Bureau of Reclamation, and Alaska issues, after receiving testimony from Bruce Babbitt, Secretary of the Interior.

HURRICANE MITCH RELIEF

Committee on Foreign Relations: Subcommittee on Western Hemisphere, Peace Corps, Narcotics and Terrorism concluded hearings on the United States relief efforts in response to Hurricanes Mitch and Georges, after receiving testimony from Mark S. Jaeger, Jockey International, Kenosha, Wisconsin; Rene Fonseca, Consultants International, Tegucigalpa, Honduras; James Kenneth Isaacs, Samaritan's Purse, Boone, North Carolina; and James Chapman, World Vision, Washington, D.C.

DETERMINING MEDICAL NECESSITY

Committee on Health, Education, Labor, and Pensions: Committee concluded hearings to examine issues with regard to the delivery of necessary health care in the United States, after receiving testimony from John E. Wennberg, Dartmouth College Medical School, Hanover, New Hampshire; Sara Rosenbaum, George Washington University Medical Center, Washington, D.C.; Linda A. Bergthold, Stanford University, Stanford, California; Robert H. Brook, RAND Health, Santa Monica, California; Lee N. Newcomer, UnitedHealth Group, Minneapolis, Minnesota; Woodrow A. Myers, Jr., Ford Motor Company, Dearborn, Michigan; and Richard F. Corlin, American Medical Association, Chicago, Illinois.

Y2K IMPACT ON FOOD INDUSTRY

Special Committee on the Year 2000 Technology Problem: Committee concluded hearings to examine Y2K-related problems within the food industry, focusing on the manufacturing, distribution, and retail of food products and recommendations relative to the status of food import, export, preparation, and distribution, after receiving testimony from Timothy M. Hammonds, Food Marketing Institute, and C. Manly Molpus, Grocery Manufacturers of America, both of Washington, D.C.; Mike Wright, SUPERVALU INC., Minneapolis, Minnesota; Michael S. Heschel, Kroger Co., Cincinnati, Ohio; James R. Kinney, Kraft Foods, Inc., New York, New York; and Jeri Bender, Nestle USA, Glendale, California.

House of Representatives

Chamber Action

Bills Introduced: 58 public bills, H.R. 891–948; 1 private bill, H.R. 949; and 7 resolutions, H.J. Res. 35, H. Con. Res. 39, and H. Res. 84, 87–90, were introduced. **Pages H888–91**

Reports Filed: Reports were filed today as follows:

H.R. 661, to direct the Secretary of Transportation to prohibit the commercial operation of supersonic transport category aircraft that do not comply with stage 3 noise levels if the European Union adopts certain aircraft noise regulations (H. Rept. 106–35);

H.R. 609. To amend the Export Apple and Pear Act to limit the applicability of the Act to apples (H. Rept. 106–36);

H. Res. 85, providing for consideration of the bill (H.R. 603) to amend title 49, United States Code, to clarify the application of the Act popularly known as the ''Death on the High Seas Act'' to aviation incidents (H. Rept. 106–37);

H. Res. 86, providing for consideration of the bill (H.R. 603) to amend title 49, United States Code, to clarify the application of the Act popularly known as the ''Death on the High Seas Act'' to aviation incidents (H. Rept. 106–38); and

H.R. 4, to declare it to be the policy of the United States to deploy a national missile defense (H. Rept. 106–39). **Page H888**

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Stearns to act as Speaker pro tempore for today. **Page H827**

Recess: The House recessed at 11:21 and reconvened at 12 noon. **Page H834**

Presidential Message—Federal Labor Relations Authority: Read a message from the President wherein he transmitted the 19th annual report of the Federal Labor Relations Authority for fiscal year 1997—referred to the Committee on Government Reform. **Page H838**

Suspensions: The House agreed to Suspend the rules and pass the following measures:

Child Labor Exemption for Certain Amish and Other Youth: H.R. 221, amended, to amend the Fair Labor Standards Act of 1938 to permit certain youth to perform certain work with wood products. **Pages H838–42**

Disaster Mitigation Coordination Act: H.R. 818, to amend the Small Business Act to authorize a pilot program for the implementation of disaster mitigation measures by small businesses; **Pages H842–45**

Nullify Reservation of Funds Under Consolidated Farm and Rural Development Act: H.R. 882, to nullify any reservation of funds during fiscal year 1999 for guaranteed loans under the Consolidated Farm and Rural Development Act for qualified beginning farmers or ranchers. **Pages H846–48**

Social Security Guarantee Initiative: H.J. Res. 32, amended, expressing the sense of the Congress that the President and the Congress should join in undertaking the Social Security Guarantee Initiative to strengthen and protect the retirement income security of all Americans through the creation of a fair and modern Social Security Program for the 21st century (passed by a yea and nay vote of 416 yeas to one nay, Roll No. 29). Agreed to amend the title; and **Pages H848–56**

Export Apple Act: H.R. 609, to amend the Export Apple and Pear Act to limit the applicability of the Act to apples (passed by a yea and nay vote of 416 yeas with none voting ''nay,'' Roll No. 30). **Pages H845–46, H856**

Joint Committees on Printing and on the Library: The House agreed to H. Res. 87, electing members of the Joint Committee on Printing and the Joint Committee of Congress on the Library. **Pages H856–57**

Committee Election: The House agreed to H. Res. 88, electing Representative Isakson to the Committees on Education and the Workforce and Transportation and Infrastructure. **Page H857**

Quorum Calls—Votes: Two yea and nay votes developed during the proceedings of the House today and appear on pages H855 and H856. There were no quorum calls.

Adjournment: The House met at 10:30 a.m. and adjourned at 7:39 p.m.

Committee Meetings

AGRICULTURE, RURAL DEVELOPMENT, FDA APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on Research, Education, and Economics. Testimony was heard from the following officials of USDA: I. Miley Gonzalez, Under Secretary; and Eileen Kennedy,

Deputy Assistant Secretary, both with Research, Education, and Economics.

LABOR-HHS-EDUCATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education, held a hearing on the National Institute on Drug Abuse, National Institute on Alcohol Abuse and Alcoholism, and the National Institute of Nursing Research, and on National Heart, Lung, and Blood Institute and the National Institute of Environmental Health Sciences. Testimony was heard from the following officials of the NIH, Department of Health and Human Services: Alan I. Leshner, M.D., Director, National Institute on Drug Abuse; Enoch Gordis, M.D., Director, National Institute on Alcohol Abuse and Alcoholism; Patricia A. Grady, M.D., Director, National Institute of Nursing Research; Claude Lenfant, M.D., Director, National Heart, Lung, and Blood Institute; and Kenneth Olden, M.D., Director, National Institute of Environmental Health Sciences.

TREASURY-POSTAL SERVICE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Treasury, Postal Service, and General Government held a hearing on the Executive Office of the President. Testimony was heard from Mark Lindsay, Director, Office of Administration, Executive Office of the President; and Jacob Lew, Director, OMB.

VA-HUD-INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on VA, HUD and Independent Agencies held a hearing on FEMA. Testimony was heard from James Lee Witt, Director, FEMA.

MILITARY CONSTRUCTION AND MILITARY FAMILY HOUSING FISCAL YEAR 2000 BUDGET REQUEST

Committee on Armed Services: Subcommittee on Military Installations and Facilities held a hearing on fiscal year 2000 budget request for military construction and military family housing of the Department of Defense. Testimony was heard from the following officials of the Department of Defense: Robert Pirie, Jr., Assistant Secretary (Installations and Facilities); Rear Adm. Louis M. Smith, USN, Commander, Naval Facilities Engineering Command; Rear Adm. (Select) John P. McLaughlin, USN, Deputy Director, Naval Reserve, and Maj. Gen. Geoffrey B. Higginbotham, USMC, Deputy Chief of Staff, Installations and Logistics (Facilities), Headquarters, U.S. Marine Corps, all with the Department of the Navy; Ruby B. DeMesme, Assistant Secretary (Manpower, Reserve Affairs, Installations and Environment), Maj. Gen. Eugene A. Lupia, USAF, The Civil Engineer, Brig. Gen. Craig R. McKinley, USAF, Deputy Director, Air National Guard and Brig. Gen. Ralph S. Clemm, USAF, Deputy to the Chief, Office of the Air Force Reserve, all with the Department of the Air Force.

DEFENSE REFORM INITIATIVES

Committee on Armed Services: Subcommittee on Military Readiness held a hearing on Defense reform initiatives, contracting out, and outsourcing. Testimony was heard from Barry Holman, Assistant Director, National Security and International Affairs Division, Defense Management, GAO; and the following officials of the Department of Defense: Stan Z. Soloway, Deputy Under Secretary (Acquisition Reform); Randall A. Yim, Deputy Under Secretary (Installations); Maj. Gen. Robert L. Van Antwerp, Jr., USA, Assistant Chief of Staff, Installations Management, Department of the Army; Vice Adm. James Amerault, USA, Assistant Chief of Naval Operations (Logistics), Department of the Navy; Brig. Gen. Richard B. Bundy, USAF, Director, Manpower, Organization and Quality, Department of the Air Force; and Robert E. Hammond, Assistant Deputy Chief of Staff, Installations and Logistics, U.S. Marine Corps.

EFT–99 IMPLEMENTATION

Committee on Banking and Financial Services: Subcommittee on General Oversight and Investigations held a hearing to review implementation of EFT–99, the federal program designed to facilitate the payment of government benefits by electronic rather than paper check. Testimony was heard from John Dyer, Principal Deputy Commissioner, SSA; Donald V. Hammond, Fiscal Assistant Secretary, Department of the Treasury; Gregory Bitz, Director of Finance, Finance and Accounting Services Headquarters, Department of Defense; and a public witness.

NURSING HOME RESIDENTS PROTECTION AMENDMENTS

Committee on Commerce: Subcommittee on Health and Environment approved for full Committee action H.R. 540, Nursing Home Residents Protection Amendments of 1999.

OLDER AMERICANS ACT

Committee on Education and the Workforce: Subcommittee on Postsecondary Education, Training, and Life-Long Learning held a hearing on The Older Americans Act: Meeting the Needs of Our Nation's Seniors. Testimony was heard from Representatives DeFazio and Kolbe; and public witnesses.

OVERSIGHT—2000 CENSUS

Committee on Government Reform: Subcommittee on the Census held a hearing on Oversight of the 2000 Census: Examining the America Counts Today (ACT) Initiatives to Enhance Traditional Enumeration Methods. Testimony was heard from Representatives Myrick and Meek of Florida; and Kenneth J. Prewitt, Director, Bureau of the Census, Department of Commerce.

OVERSIGHT—YEAR 2000 PROBLEM

Committee on Government Reform: Subcommittee on Government Management, Information, and Technology, and Subcommittee on Technology of the Committee on Science held a joint hearing on Oversight of the Year 2000 Problem at the Department of Defense: How Prepared is Our Nation's Defense? Testimony was heard from the following officials of the Department of Defense: Robert J. Lieberman, Assistant Inspector General, Auditing; and John J. Hamre, Deputy Secretary; and Jack L. Brock, Director, Governmentwide and Defense Information Systems, GAO.

OVERSIGHT—EFFORTS TO REDUCE WASTE, FRAUD AND MANAGEMENT WEAKNESSES BY CERTAIN DEPARTMENTS

Committee on Government Reform: Subcommittee on National Security, Veterans Affairs, and International Relations held an oversight hearing on efforts to address waste, fraud and management weaknesses by the Departments of Defense, Veterans Affairs, and State. Testimony was heard from the following officials of the Department of Defense: Nelson Toye, Deputy Chief Financial Officer; and Standley Z. Soloway, Deputy Under Secretary, Acquisition Reform; Edward A. Powell, Jr., Assistant Secretary, Financial Management, Department of Veterans Affairs; and Bert T. Edwards, Chief Financial Officer, Department of State.

U.S. SHOULD INTRODUCE RESOLUTION CRITICIZING CHINA FOR HUMAN RIGHTS ABUSES; FOREIGN RELATIONS AUTHORIZATION

Committee on International Relations: Subcommittee on International Operations and Human Rights approved for full Committee action amended H.Con.Res. 28, expressing the sense of Congress that the United States should introduce and make all efforts necessary to pass a resolution criticizing the People's Republic of China for its human rights abuses in China and Tibet at the annual meeting of the United Nations Commission on Human Rights.

The Subcommittee also held a hearing on Foreign Relations Authorization for Fiscal Years 2000–2001: Department of State Management Initiatives. Testimony was heard from the following officials of the Department of State: Bonnie Cohen, Under Secretary, Management; and Patrick Kennedy, Assistant Secretary, Administration.

BANKRUPTCY LEGISLATION; BUDGET VIEWS AND ESTIMATES

Committee on the Judiciary: Ordered reported amended H.R. 808, to extend for 3 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted.

The Committee also approved the Committee's Budget Views and Estimates for fiscal year 2000 for submission to the Committee on the Budget.

INDEPENDENT COUNSEL REAUTHORIZATION

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held a hearing on the reauthorization of the Independent Counsel Act. Testimony was heard from Representatives Dickey, Hastings of Florida and Thompson of Mississippi; and Eric H. Holder, Jr., Deputy Attorney General, Department of Justice.

PROHIBITION—COMMERCIAL OPERATION OF SUPERSONIC TRANSPORTATION

Committee on Rules: Granted, by voice vote, an open rule providing 1 hour of debate on H.R. 661, to direct the Secretary of Transportation to prohibit the commercial operation of supersonic transport category aircraft that do not comply with state 3 noise levels if the European Union adopts certain aircraft noise regulations. The rule waives clause 4(a) of Rule XIII (requiring a three-day layover of the committee report) against consideration of the bill. The rule provides that the bill shall be open for amendment at any point. The rule authorizes the chair to accord priority in recognition to Members who have preprinted their amendments in the Congressional Record. The rule permits the Chairman of the Committee of the Whole to postpone votes during consideration of the bill, and to reduce voting time to five minutes on a postponed question if the vote follows a fifteen minute vote. Finally, the rule provides for one motion to recommit with or without instructions. Testimony was heard from Representatives Duncan and Sherwood.

"DEATH ON THE HIGH SEAS ACT"—CLARIFY APPLICATION

Committee on Rules: Granted, by voice vote, an open rule providing 1 hour of debate on H.R. 603, to amend title 49, United States Code, to clarify the application of the Act popularly known as the "Death on the High Seas Act". The rule provides that each section of the bill shall be considered as

read. The rule authorizes the chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. The rule permits the Chairman of the Committee of the Whole to postpone votes during consideration of the bill, and to reduce voting time to five minutes on a postponed question if the vote follows a fifteen minute vote. Finally, the rule provides for one motion to recommit with or without instructions. Testimony was heard from Representatives Duncan and Sherwood.

MISCELLANEOUS MEASURES; BUDGET VIEWS AND ESTIMATES

Committee on Transportation and Infrastructure: Ordered reported the following bills: H.R. 819, Federal Maritime Commission Authorization Act of 1999; and H.R. 707, amended, Disaster Mitigation and Cost Reduction Act of 1999.

The Committee also approved the Committee's Budget Views and Estimates for fiscal year 2000 for submission to the Committee on the Budget.

REPORT ON MEDICARE PAYMENT POLICIES

Committee on Ways and Means: Subcommittee on Health held a hearing on the Report on Medicare Payment Policies. Testimony was heard from Gail R. Wilensky, Chair, Medicare Payment Advisory Commission.

Joint Meetings

VETERANS OF FOREIGN WARS

Joint Hearing: Senate Committee on Veterans' Affairs and the House Committee on Veterans' Affairs concluded joint hearings to review the legislative recommendations of the Veterans of Foreign Wars, after receiving testimony from Thomas A. Pouliot, Commander in Chief, Veterans of Foreign Wars of the United States.

COMMITTEE MEETINGS FOR WEDNESDAY, MARCH 3, 1999

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education, to hold hearings on proposed budget estimates for fiscal year 2000 for the Department of Education, 9:30 a.m., SD–138.

Subcommittee on Defense, to hold hearings on proposed budget estimates for fiscal year 2000 for the Department of Defense, 10 a.m., SD–192.

Subcommittee on Legislative Branch, to hold hearings on proposed budget estimates for fiscal year 2000 for the Capitol Police Board, and the Architect of the Capitol, 10 a.m., SD–116.

Committee on Armed Services: Subcommittee on Personnel, to continue hearings on proposed legislation authorizing funds for fiscal year 2000 for the Department of Defense, focusing on recommendations pertaining to military retirement, pay and compensation, and the Future Years Defense Program, 10 a.m., SR–222.

Subcommittee on Airland, to hold hearings on proposed legislation authorizing funds for fiscal year 2000 for the Department of Defense, focusing on Army modernization, and the future years defense program, 1:30 p.m., SR–222.

Subcommittee on SeaPower, to hold hearings on the 21st century seapower vision overview and maritime implications of 21st century threats, 2 p.m., SR–232A.

Committee on the Budget: to hold hearings on the President's proposed budget for fiscal year 2000, 10 a.m., SD–608.

Committee on Commerce, Science, and Transportation: business Meeting to markup S.96, to regulate commerce between and among the several States by providing for the orderly resolution of disputes arising out of computer-based problems related to processing data that includes a 2-digit expression of that year's date, 10 a.m., SR–253.

Committee on Energy and Natural Resources: with the Committee on Indian Affairs, to hold joint hearings on American Indian trust management practices in the Department of the Interior, 9:30 a.m., SD–106.

Subcommittee on Water and Power, to hold hearings on the President's proposed budget request for fiscal year 2000 for the Bureau of Reclamation, Department of the Interior, and the Power Marketing Administrations, Department of Energy, 2 p.m., SD–366.

Committee on Environment and Public Works: Subcommittee on Fisheries, Wildlife, and Drinking Water, to hold oversight hearings on the Environmental Protection Agency's implementation of the 1996 amendments to the Safe Drinking Water Act, 9 a.m., SD–406.

Committee on Finance: to hold hearings to examine education savings incentives, education financing and school construction financing proposals, 10 a.m., SD–215.

Committee on Foreign Relations: Subcommittee on International Economic Policy, Export and Trade Promotion, to hold hearings on the commercial viability of a Caspian Sea export energy pipeline, 2 p.m., SD–419.

Committee on Governmental Affairs: to resume hearings on the future of the Independent Counsel Act, 10 a.m., SH–216.

Committee on Health, Education, Labor, and Pensions: Subcommittee on Aging, to hold oversight hearings on the implementation of the Older Americans Act, 9:30 a.m., SD–430.

Committee on Indian Affairs: with the Committee on Energy and Natural Resources, to hold joint hearings on American Indian trust management practices in the Department of the Interior, 9:30 a.m., SD–106.

House

Committee on Agriculture, Subcommittee on Risk Management, Research, and Specialty Crops, hearing on agricultural biotechnology, 10:30 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, on Marketing and Regulatory Programs, 1 p.m., 2362–A Rayburn.

Subcommittee on Commerce, Justice, State, and Judiciary, on Legal Services Corporation, 10:30 a.m., H–309 Capitol, and on Secretary of Commerce, 2 p.m., 2359 Rayburn.

Subcommittee on Defense, on fiscal year 2000 Department of Defense budget, 10 a.m., 2359 Rayburn.

Subcommittee on Interior, on Recreational Fees, 10 a.m., B–308 Rayburn.

Subcommittee on Labor, Health and Human Services, and Education, on National Institute of Neurological Disorders and Strokes, the National Institute on Aging, and the National Institute on Mental Health, 10 a.m., and on National Institute of Diabetes, Digestive and Kidney Diseases, the National Institute of Arthritis and Musculoskeletal and Skin Diseases, and the National Center for Research Resources, 2 p.m., 2358 Rayburn.

Subcommittee on Treasury, Postal Service, and General Government, on Office of National Drug Control Policy, 10 a.m., and on U.S. Postal Service, 2 p.m., H–140 Capitol.

Subcommittee on VA, HUD, Independent Agencies, on Court of Veterans Appeals, 9:30 a.m., and on Selective Service System, 10:30 a.m., H–143 Capitol.

Committee on Armed Services, to continue hearings on the fiscal year 2000 National Defense authorization budget request, 10 a.m., 2118 Rayburn.

Subcommittee on Military Procurement and the Subcommittee on Military Research and Development, joint hearing on service aviation modernization plans, 1 p.m., 2118 Rayburn.

Committee on Banking and Financial Services, Subcommittee on Capital Markets, Securities, and Government Sponsored Enterprises, hearing on hedge funds, 10 a.m., 2128 Rayburn.

Subcommittee on Housing and Community Opportunity, hearing on HUD's fiscal year 2000 budget, 3 p.m., 2128 Rayburn.

Committee on Commerce, Subcommittee on Finance and Hazardous Materials, to continue hearings on the Market Impact of the Administration's Social Security Proposal, 10 a.m., 2123 Rayburn.

Committee on Education and the Workforce, to mark up H.R. 800, Education Flexibility Partnership Act of 1999, 11 a.m., 2175 Rayburn.

Committee on Government Reform, hearing on Fighting Crime in the Trenches, Part l, National Problems, Local Solutions: Federalism at Work, 10 a.m., 2154 Rayburn.

Committee on House Administration, to consider Committee funding requests, 2 p.m., 1310 Longworth.

Committee on International Relations, hearing on the Administration's Foreign Assistance Budget Request, 10 a.m., 2172 Rayburn.

Subcommittee on Asia and the Pacific, hearing on South Asia: Challenges in U.S. Policy, 1:30 p.m., 2200 Rayburn.

Subcommittee on International Economic Policy and Trade, hearing on a New World Order: Reassessing the Export Administration Act, 2:30 p.m., 2237 Rayburn.

Subcommittee on the Western Hemisphere, hearing on the anti-drug effort in the Americas and implementation of the Western Hemisphere Drug Elimination Act, 1:30 p.m., 2172 Rayburn.

Committee on Resources, to consider the following bills: H.R. 15, Otay Wilderness Act of 1999; H.R. 39, Neotropical Migratory Bird Conservation Act; H.R. 154, to provide for the collection of fees for the making of motion pictures, television productions, and sound tracks in National Park System and National Wildlife Refuge System units; H.R. 449, Gateway Visitor Center Authorization Act of 1999; H.R. 509, to direct the Secretary of the Interior to transfer to the personal representative of the estate of Fred Steffens of Big Horn County, Wyoming, certain land comprising the Steffens family property; and H.R. 510, to direct the Secretary of the Interior to transfer to John R. and Margaret J. Lowe of Big Horn County, Wyoming, certain land so as to correct an error in the patent issued to their predecessors in interest, 11:45 a.m., 1324 Longworth.

Committee on Rules, to consider the following: H.R. 820, Coast Guard Authorization Act of 1999; H.R. 707, Disaster Mitigation and Cost Reduction Act of 1999; and H.R. 416 Federal Retirement Coverage Corrections Act, 3 p.m., H–313 Capitol.

Committee on Science, Subcommittee on Energy and the Environment, oversight hearing on Fiscal Year 2000 Request: Department of Energy Office of Science; Environment, Safety, and Health; and Environmental Management, 10 a.m., 2318 Rayburn.

Subcommittee on Space and Aeronautics, oversight hearing on Fiscal Year 2000 Budget: Aero-Space Technology, 2 p.m., 2318 Rayburn.

Committee on Ways and Means, Subcommittee on Social Security, hearing on Investing Social Security in the Private Market, 10 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, hearing on Biological Warfare Threats and Capabilities, 2 p.m., 2212 Rayburn.

Next Meeting of the SENATE

9:30 a.m., Wednesday, March 3

Senate Chamber

Program for Wednesday: Senate will continue consideration of the motion to proceed to the consideration of S. 280, Education Flexibility Partnership Act, with a vote to occur on the motion to proceed; following which, Senate will begin consideration of the bill.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, March 3

House Chamber

Program for Wednesday: Consideration of H.R. 603, Death on the High Seas Act (open rule, 1 hour of debate);

H.R. 661, concerning supersonic transport aircraft that do not comply with stage 3 noise levels (open rule, 1 hour of debate); and

H.R. 669, to authorize Peace Corps Appropriations for fiscal years 2000 through 2003 (open rule, 1 hour of debate).

Extensions of Remarks, as inserted in this issue

HOUSE

Ackerman, Gary L., N.Y., E304
Andrews, Robert E., N.J., E316
Bereuter, Doug, Nebr., E315
Bliley, Tom, Va., E313
Blumenauer, Earl, Ore., E318
Brown, George E., Jr., Calif., E311
Conyers, John, Jr., Mich., E306
Crane, Philip M., Ill., E303
Dingell, John D., Mich., E311
Doolittle, John T., Calif., E313
Dunn, Jennifer, Wash., E313
Farr, Sam, Calif., E311
Gilman, Benjamin A., N.Y., E308
Green, Gene, Tex., E303, E305
Hinojosa, Rubén, Tex., E316
Kildee, Dale E., Mich., E315
Lampson, Nick, Tex., E303
Levin, Sander M., Mich., E315
Lewis, John, Ga., E306
McInnis, Scott, Colo., E312
Moran, Jerry, Kans., E305
Ney, Robert W., Ohio, E312
Northup, Anne M., Ky., E313
Paul, Ron, Tex., E303, E304, E306
Pickering, Charles W. ''Chip'', Miss., E310
Radanovich, George, Calif., E308, E310
Rush, Bobby L., Ill., E305
Sanders, Bernard, Vt., E319
Saxton, Jim, N.J., E314
Schaffer, Bob, Colo., E306, E307, E308, E315, E320, E321, E322
Schakowsky, Janice D., Ill., E316
Sherman, Brad, Calif., E309
Sherwood, Don, Pa., E311
Stark, Fortney Pete, Calif., E317
Stupak, Bart, Mich., E309, E310
Thomas, William M., Calif., E310
Traficant, James A., Jr., Ohio, E309
Walsh, James T., N.Y., E304
Wilson, Heather, N.M., E309
Woolsey, Lynn C., Calif., E303, E305
Young, Don, Alaska, E314

Congressional Record The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed at one time. ¶Public access to the Congressional Record is available online through *GPO Access,* a service of the Government Printing Office, free of charge to the user. The online database is updated each day the Congressional Record is published. The database includes both text and graphics from the beginning of the 103d Congress, 2d session (January 1994) forward. It is available on the Wide Area Information Server (WAIS) through the Internet and via asynchronous dial-in. Internet users can access the database by using the World Wide Web; the Superintendent of Documents home page address is http://www.access.gpo.gov/su_docs, by using local WAIS client software or by telnet to swais.access.gpo.gov, then login as guest (no password required). Dial-in users should use communications software and modem to call (202) 512–1661; type swais, then login as guest (no password required). For general information about *GPO Access,* contact the *GPO Access* User Support Team by sending Internet e-mail to gpoaccess@gpo.gov, or a fax to (202) 512–1262; or by calling Toll Free 1–888–293–6498 or (202) 512–1530 between 7 a.m. and 5 p.m. Eastern time, Monday through Friday, except for Federal holidays. ¶The Congressional Record paper and 24x microfiche will be furnished by mail to subscribers, free of postage, at the following prices: paper edition, $165.00 for six months, $325.00 per year, or purchased for $2.75 per issue, payable in advance; microfiche edition, $141.00 per year, or purchased for $1.50 per issue payable in advance. The semimonthly Congressional Record Index may be purchased for the same per issue prices. Mail orders to: Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250–7954, or phone orders to (202) 512–1800, or fax to (202) 512–2250. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, or GPO Deposit Account. ¶Following each session of Congress, the daily Congressional Record is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the Congressional Record.